

A WEEK WITH A PLAY



Study Guide

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Balthazar

by Debora Threedy

What if Portia's appearance as a male lawyer in court wasn't the first—or last—time she dressed in drag?

Portia is a noblewoman in 16th century Venice. She wants to be a lawyer, but that profession is reserved for men. Her lawyer cousin Bellario won't teach her. Her husband Bassanio is in serious legal trouble... and he's in love with his best friend Antonio. Things are not going well. What's a girl to do?

1. Create an alter ego (enter Balthazar).
2. Trick Bellario.
3. Represent Antonio (and Bassanio) in court.

This riff on Shakespeare's *The Merchant of Venice* is a life-and-death journey through the law, love, and gender identity.

THE PLAYWRIGHT

You will have the opportunity to meet Debora Threedy and ask her about her experience writing *Balthazar*.



Debora recently retired, after many years of teaching law at the University of Utah, to spend more time writing plays. She has had a number of plays produced by various theatres in Utah. *Balthazar*, which was developed at Plan-B and Utah Shakespeare Festival, is her seventh play to premiere at Plan-B.

THE MERCHANT OF VENICE

William Shakespeare wrote *The Merchant of Venice* in the 1590s. It is an uncomfortable play for modern audiences because of its anti-semitic tone: the villain is hated and discriminated against for his Jewish ethnicity. While it isn't essential to have read or seen *The Merchant of Venice*, being familiar with the plot and characters will better help you connect with *Balthazar*. Read the synopsis below or [watch a video summary of the play](#).

Synopsis

Bassanio asks to borrow 3,000 ducats from his merchant friend Antonio in order to court rich and beautiful Portia. Antonio gets the money from the Jewish moneylender Shylock, planning to repay Shylock when his ships return. Since Antonio and Shylock hate each other, Antonio is surprised when Shylock offers the loan without charging interest. However, if the loan is not repaid within three months, Shylock will cut a pound of flesh from Antonio's body.

Flush with borrowed cash, Bassanio travels from Venice to Belmont to propose to Portia. Her father's will stipulates that before she can marry, her suitor must correctly guess which of three chests contains a portrait of Portia. Bassanio chooses correctly, and Portia gives him a ring which he vows to wear forever.

Antonio learns his ships have been lost at sea, and Shylock takes him to court to extract his pound of flesh. Portia, disguised as a male lawyer named Balthazar, attempts to persuade Shylock to have mercy. When that fails, she points out that the contract only entitles Shylock to Antonio's flesh, not his blood so he'd better not spill a single drop! Outwitted, Shylock relents, but Portia charges him with the attempted murder of a Venetian citizen. Half of Shylock's wealth is stripped from him, and he is forced to become a Christian.

Portia (still disguised as Balthazar) tests Bassanio by asking for his ring as thanks for her legal services. Bassanio reluctantly agrees. When he returns home she confronts him about the missing ring, before revealing the truth and returning it.

The play ends after Antonio learns that some of his cargo ships have returned, and he is not bankrupt after all.



Dive deeper with Utah Shakespeare Festival's
[The Merchant of Venice study guide](#)

GENDER BOXES

Discussion Questions:

- Why does Portia disguise herself as a man?
- Has your gender (or any other aspect of your identity) ever been a barrier to something you would have liked to do?

We all receive countless messages about the appropriate way to be and to behave. These messages come from everywhere. We hear them from parents and teachers and absorb them from books, movies, TV, social media, and peers. Even ads and commercials tell us what we should want! How do these messages vary between genders? For example, what is the difference between a girl being told to “act like a lady,” and a boy being told to “be a man”? Brainstorm ideas in the following boxes. Think about things like clothing and appearance, hobbies and activities, friendships and socializing, and what professions we pursue.



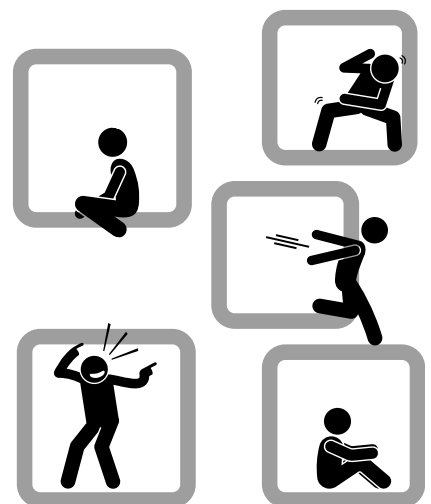
Teacher Tip: Split the class into groups and have them complete their brainstorms on large sheets of paper. Display everyone’s lists on the wall to compare and discuss their ideas.

Girls are supposed to...

Boys are supposed to...

Discussion Questions:

- **Who taught you everything that's inside the boxes?**
- **How do you feel about these expectations?**
- **What happens to people who step outside of their boxes? How do we treat people who don't live up to social norms and expectations?**



MASKING PORTIA

by Debora Threedy

Discussion Questions:

- What masks (real or metaphorical) have you worn?
- Have you ever needed to hide part of your true self from others?

The idea for what would become the play *Balthazar* occurred to me when I was a law professor re-reading *The Merchant of Venice* as research for a “law and literature” project focusing on Portia. As I was reading the climactic courtroom scene, this thought popped into my head: *When Portia goes to court, it’s not the first time she has appeared in public as a man.* So the play began as an exploration of why and how she would do that.

Portia has been an important figure for women in the law. When I was in law school in the seventies, women lawyers referred to themselves as Portias. She has to disguise herself as a man to enter the courtroom and this resonated with women who felt pressure to comply with male norms in how they dressed, comported themselves, and lived their lives. Many women lawyers felt that way; I know I did. To be taken seriously in court, you had to present and talk in a way that was not typical for women in general: more formal, more rational, more detached. It felt like a disguise and what was being disguised was femininity.

The idea of “masking” appears in the play in another context besides gender. In Italy in the late Renaissance, wearing a mask in public became commonplace. What was once reserved for the misrule of carnival became the norm. There are theories about why this happened—for example, Venice (basically a bunch of small islands geographically confined by the sea) was extremely crowded and the theory is that the anonymity of going masked allowed a sense of privacy in public. As I wrote the play, I tried to show how Portia’s masking as a man goes beyond the ordinary experience of going masked in public.

When Portia goes to court she is doubly-masked. She is disguised as a man, but she also appears in court as an impartial expert witness called in to help the Duke of Venice decide the case of



Costumes and masks for Carnival of Venice



Lady Justice symbolizes the impartiality of law

Shylock v. Antonio. Yet she is anything but impartial. Her husband is Antonio's best friend and it is because of him that Antonio is in the fix he is. She is unabashedly part of Team Antonio and she is determined to defeat Shylock. The mask of impartiality she wears in the courtroom scene complicates the picture of Portia as the heroine of the play. From the perspective of legal ethics, what she does with the masking of her self-interest in the outcome of the litigation is deeply problematic. Recent commentators have suggested she is not a positive role model at all but instead embodies all that is wrong with the legal profession: deception, manipulation, and hyper-technicality.

In a world where women's lives were so constrained by gender we are willing to overlook, even applaud, Portia's gender deceit – but are we so willing to forgive her deceit of impartiality? At the beginning of the process of writing this play, I identified with Portia's masking of her gender,

and by the end I was trying to understand her struggles with the ethics of what she's done by manipulating the law to save Antonio's life.

Nevertheless, the play is also my "love letter" to the skill of legal analysis, of "thinking like a lawyer." One commonality between the worlds of theatre and law is that both focus on language, the words, and both explore differences in interpreting those words. Portia in her role as a new student of the law is a stand-in for the audience, and Bellario, while instructing her on the importance of the exact wording of the bond, is also teaching the audience how to read like a lawyer.

This play joins other plays that have re-imagined Shakespearian characters and stories for our times. Plays like Paula Vogel's *Desdemona*, or *a play about a handkerchief*, and James Ijames' *Fat Ham*. Plays that are "in conversation with" the canon, plays that call into question the social assumptions underlying the canonical stories. This is perhaps a kind of "fan fiction" which both expands, and sometimes subverts, the original and at the same time keeps it relevant.

This play, more than any other play I've written, is a play of ideas and it is a play informed by my own journey as a woman in law, by my evolution as a scholar of women and the law, and by my own recognition of the importance to me of both my feminine and my masculine sides. The challenge of finding an authentic womanhood in a world shaped by male privilege is a challenge even today.

CHARACTER ORIGINS

Debora Threedy is far from the first person to write about a character created by someone else. Choose a name from the list below to look up. Where and when did the character first appear? Then see how many works they appear in across all kinds of media. Consider literature, art, comic books, tv, movies, theatre, radio, and video games.



Teacher Tip: Make this activity a competition. Give students a time limit for research and see who can come up with the longest list of examples for their chosen character.

Aladdin
Anansi
Cthulhu
Dr. Jekyll/Mr. Hyde
Dracula
Dybbuk

Frankenstein
Gilgamesh
La Llorona
Loki
Mary Poppins
Māui

Medusa
Hua Mulan
Nancy Drew
Robin Hood
Tarzan
Wednesday Addams



“There is no such thing as a new idea. It is impossible. We simply take a lot of old ideas and put them into a sort of mental kaleidoscope. We give them a turn and they make new and curious combinations. We keep on turning and making new combinations indefinitely; but they are the same old pieces of colored glass that have been in use through all the ages.”

Mark Twain, celebrated 19th century American writer

FANFICTION



Discussion Questions:

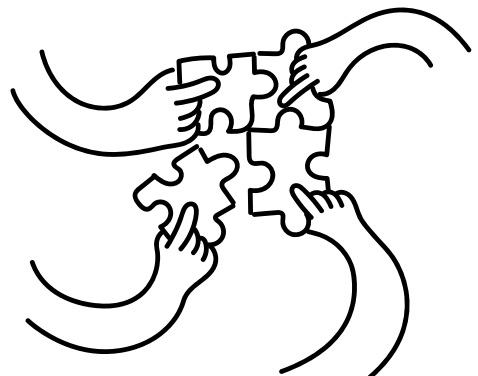
- What is the difference between re-telling stories, fanfiction, and plagiarism?
- Do you think *Balthazar* is fanfiction? Why or why not?

For as long as humans have been writing, we have been re-writing or adding onto others' stories. With the rise of the internet, the modern phenomenon of fanfiction has become widespread. Fanfiction is when a fan of a work or series (usually an amateur writing for their own amusement or to share with other fans) uses the work's characters and setting to write their own story.

In her book *Fic: Why Fanfiction is Taking Over the World*, Anne Jamison writes, “Fanfiction is an old story. Literally, of course: fanfiction takes someone else's old story and, arguably, makes it new, or makes it over, or just simply makes more of it, because the fan writer loves the story so much they want it to keep going. But fanfiction is also an old story in that people have been doing this since the Dawn of Time. Reworking an existing story, telling tales of heroes already known to be heroic, was the model of authorship until very recently.”

It is in human nature to tell and retell stories. Many of the oldest surviving folktales, songs, and poems were preserved through oral tradition—passed down through the generations through telling and retelling. According to John Dean, Professor of American Studies and Cultural History at the University of Versailles Saint-Quentin-en-Yvelines, “Tales evolve, and one generation adjusts the stories of the past to the present time and to its modern needs and ways of storytelling.”

The Merchant of Venice is an example of this! Shakespeare spun his plays from well-known tales and tropes. The story of the three caskets appears in the medieval anthology *Gesta Romanorum* written hundreds of years earlier, and most of the play's plot appears to be a re-telling of the novella *Il Percorone* by Giovanni Fiorentino. Shakespeare also pulled elements from *The Orator* by Alexandre Sylvane. Not only were there no copyright laws during the Renaissance, but playwriting was, as Jamison describes it, “a more porous and collaborative affair,” with scripts growing and changing with each performance.



WOMEN IN LAW

Who was the first woman in America to become a lawyer? Some would say Arabella Mansfield, who was admitted to the Iowa state bar in 1869, or Belva Lockwood, who was admitted to the Bar of the Supreme Court in 1879. However, before the legal profession became regulated by bar associations, many women filled the role of lawyer. Beginning in the 1640s (roughly 50 years after *The Merchant of Venice* was first performed), Margaret Brent was involved in over 100 court cases in colonial Maryland and Virginia. She represented both herself and others. A century later, Susanna Wright acted as notary and legal counselor to the colony of Pennsylvania, preparing various legal documents for her mostly illiterate neighbors. In 1797, Lucy Terry Prince was one of the first Black women to argue in court. Though she was assisted by her official attorney, she presented the oral arguments herself, impressing the court and winning her case.

Despite these and many other examples of women skilled in legal thinking, it continued to be an uphill battle for women wanting to enter the profession. Most law schools refused to admit women well into the twentieth century: Harvard didn't until 1950 and Notre Dame didn't until 1969. Ada Kepley was one of the first women to complete a law degree, graduating from Union College of Law (now Northwestern) in 1870, but she was refused admittance to the Illinois state Bar and was never able to practice.

Many people believed that women weren't mentally nor physically suited to being lawyers. In 1884, an article in *Albany Law Journal* quoted an unnamed woman who laughed at the idea of female lawyers: "How would a lawyeress be able to consult with her clients, when she was attacked by the nausea of the first few months of pregnancy? [...] And if the pains should come upon her in the heat of argument! That would be fine indeed! Would she invite her colleagues to serve



A statue of Arabella Mansfield on the campus of Iowan Wesleyan University



Belva Lockwood

her as midwives? And in childbirth, farewell to business! Poor clients! I assure you that I laugh to myself thinking of the ridiculous figure that a woman lawyer would make.” Chief Justice Edward G. Ryan of the Wisconsin Supreme Court thought similarly. In 1875, while preventing Lavinia Goodell from joining the state bar, he wrote, “There are many employments in life not unfit for the female character. The profession of law is surely not one of these,” going on to explain how women were simply too gentle, delicate, and emotional to be in the court room.

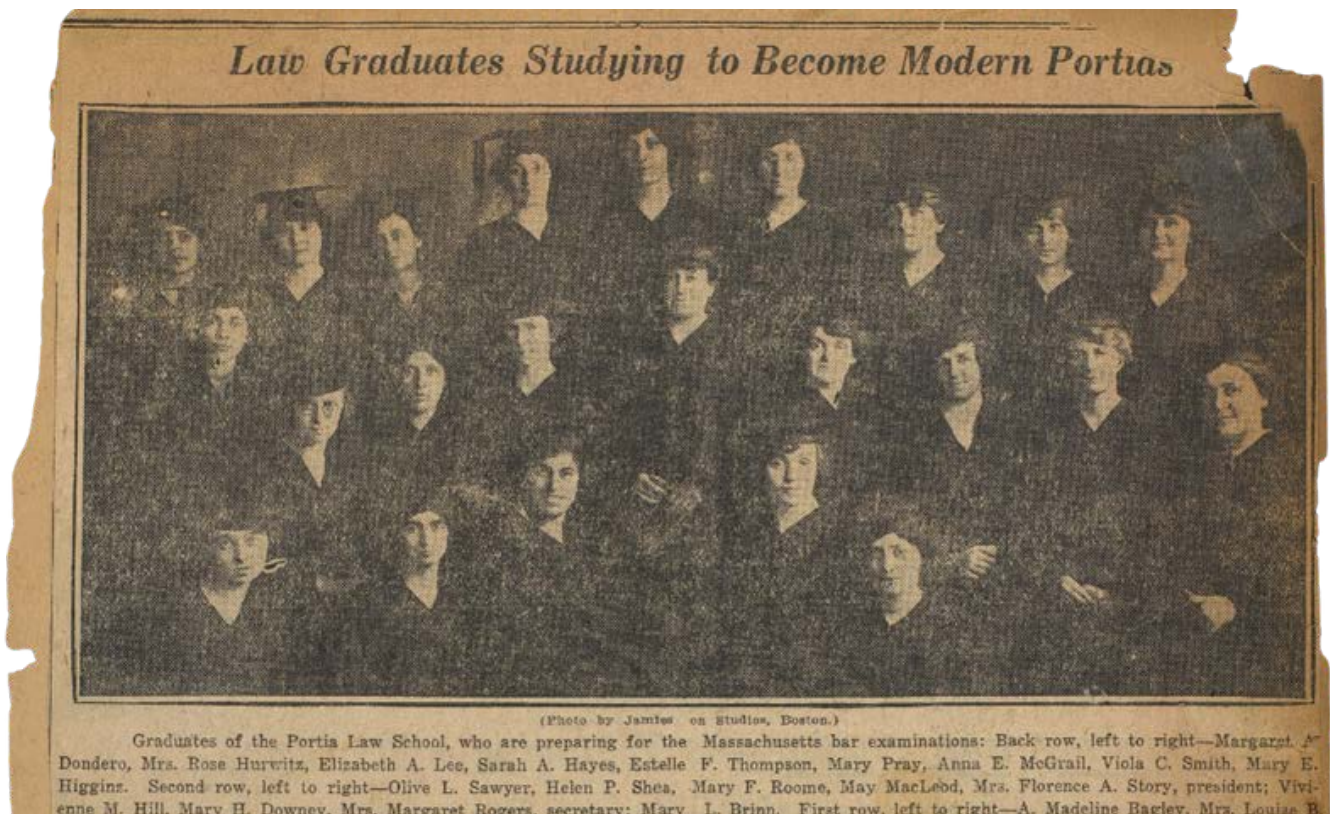
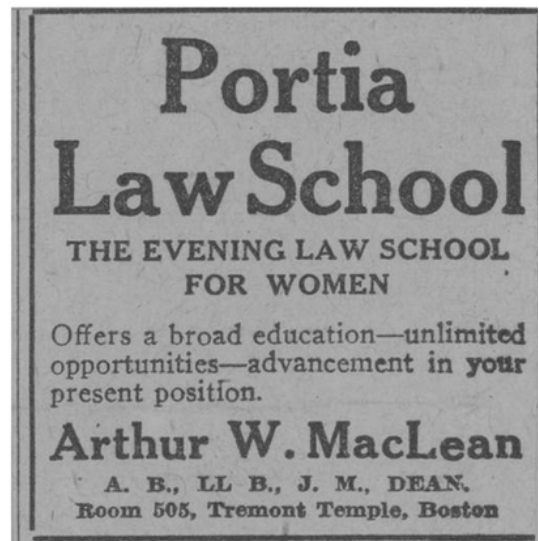
Right

A 1914 ad for Portia Law School printed in *The Herald Educational*, the first law school in the U.S. specifically for women.

It opened in 1908 and is still in operation today as New England Law | Boston.

Below

A photo of Portia Law School graduates titled “Law Graduates Studying to Become Modern Portias” printed in *The Boston Traveler* on June 3, 1920



Women were not allowed to vote and many states had laws that prohibited married women from entering into any kind of legal contract without her husband's consent. Women who, like Portia in *Balthazar*, had male relatives working in the legal profession had an advantage as they were able to learn by assisting in the office. One early woman lawyer said, "It undoubtedly requires the courage of one's convictions to enter upon a field where opposition is so strong."

Women still face significant barriers to working in the legal field. Today, the American Bar Association reports that 38% of lawyers practicing in the U.S. and one-third of active judges are women. Utah was somewhat ahead of the curve in the beginning, welcoming female attorneys into the state bar associations as early as 1872, but now lags behind the nation; the Utah Center of Legal Inclusion reports that only 29% of our lawyers are women.



There have been 121 Supreme Court justices. Only these 6 have been women: Sandra Day O'Connor, Ruth Bader Ginsburg, Sonia Sotomayor, Elena Kagan, Amy Coney Barrett, and Ketanji Brown Jackson.

Learn More...

- about U.S. history: [Setbacks and Strides: A Timeline of Women and the Law](#).
- about Utah history: ["Sisters at the Bar": Utah Women in Law](#) by Carol Cornwall Madsen.
- about the first U.S. law school specifically for women: [New England Law | Boston Archives: Digital Resources](#).
- about the U.S. Supreme Court: [In Re Lady Lawyers: The Rise of Women Attorneys and the Supreme Court](#).
- about national trailblazers: [9 Women Who've Made History in the Legal System](#) by Meghan Nguyen.

COMPARE AND CONTRAST

Choose a version of *The Merchant of Venice* to read, watch, or listen to. Then compare and contrast the characters and story to *Balthazar*.

Use the Venn diagram on the next page to organize your thoughts before discussing these questions with your classmates:

1. **What details about the characters, plot, or setting did playwright Debora Threedy take directly from Shakespeare's play?**
2. **What details are unique to Threedy's work?**
3. **How do these differences impact the story, and what do they reflect about the eras in which each work was written?**

Extend the activity by choosing another version of *The Merchant of Venice* to add to your analysis. Options include:



[Royal Shakespeare Company's 2015 stage production of *The Merchant of Venice* \(2h 11m\)](#)



[1973 TV Movie of *The Merchant of Venice* \(2h 8m\)](#)



[1996 TV Movie of *The Merchant of Venice* \(1h 22m\)](#)

The Merchant of Venice by William Shakespeare

Balthazar by Debora Threedy