

# Authorship, Genre, and Copyright in the Romantic Period: Introduction

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**T**HE THREE ESSAYS THAT FOLLOW, on authorship, genre, and copyright in the Romantic period, are grouped together because they mutually illuminate each other and because they have a common origin in the two panels co-sponsored by ACCUTE and the North American Society for the Study of Romanticism at the 2011 ACCUTE conference in Fredericton. One of the panels, proposed and chaired by Julia M. Wright, was on “Romanticism and Genre”; the other, which I proposed and chaired, was on “Authorship during the Regency.”

Each of the essays, taken on its own terms, enlarges our understanding of print culture in the early 1800s and, more especially, demonstrates the relevance of this moment in literary history to current debates about who can or should claim ownership of cultural products. Taken as a group, the essays reveal how productive and illuminating print culture studies—particularly the re-examination of the concept of authorship—have proved for recent work on what we persist in calling the “Romantic period.”

From the perspective of print culture studies, indeed, the very concept of a “Romantic period” is at issue, since one key romantic notion—that of the creative originality of the author—can be shown to have evolved and achieved prominence alongside, and partly as a result of, the changes

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in copyright law during the late 1700s and early 1800s on which modern ideas of authorship are based. As Ronald Tetreault argues in his essay, "Any adequate understanding of authorship [...] must take into account the commercial environment in which it operates, because the circulation of texts occurs within a literary economy governed by structures of law, financial interests, and social practice."

The crucial date here is not 1798, nor even 1789, but 1774, when the British House of Lords ruled on the case of *Donaldson v. Becket*, a case referred to in two of the essays. The ruling handed down by their lordships effectively threw out the notion of perpetual copyright, on which the London booksellers had based their arguments, and established the legality of the affordable "Scottish" editions. However, by reaffirming that copyright, as established by the 1710 "Statute of Anne," was a grant of a *limited monopoly*, the Lords effectively forced those publishers who could not compete with Scottish printers' prices to seek new, publishable work, of which they could own exclusive copyright, albeit for a limited period.

This decision gave some bargaining power to authors, especially the more popular ones such as Walter Scott and Lord Byron. Their dealings with publishers, as Tetreault shows, exemplify the early nineteenth-century transition to an "entrepreneurial model of authorship." The unintended consequence, however, was the forbiddingly high prices charged for works by living authors. No one outside the ranks of the very wealthy could afford to spend several guineas each month buying the latest editions of contemporary poets. Tetreault, then, asks us to consider if enterprising publishers like Galignani, who challenged the complacency and elitism of the London cartel by printing affordable editions of these living poets, are justifiably referred to as "pirates" or if they were not actually performing a great service not only to readers, who were naturally grateful for the cheap editions, but, in the long run, to authors as well. Twentieth-century scholarship rather uncritically sided with the authors, accepting without much question their idea of authorial autonomy and their view of Galignani and his ilk as unscrupulous, if not criminal. Tetreault asks us to take a more nuanced approach. (And, as Mark McCutcheon's essay shows, the issue has a certain resonance with the battle currently raging on the Internet, and in the law courts, over users' rights versus the claims of corporate "rights holders.")

The increased bargaining power that some writers could exercise in their dealings with publishers was not the only result of the new status given to the "author-function." It was now possible, as Robert K. Lapp shows, for an author to leverage her public reputation, not for immediate

financial benefit but to serve a more altruistic purpose. Lapp's example—one that may come as a surprise to those who have not paid much attention to “Romantic studies” lately—is Anna Laetitia Barbauld. Her darkly prophetic poem *Eighteen Hundred and Eleven* issues a bold counterblast against the smug, unthinking imperialism of a political establishment that had effectively silenced, suborned, or intimidated most of its critics. Lapp asks the apparently simple but suggestive question, Why (in an era when political critiques were commonly published anonymously) would Barbauld publish such a poem *under her own name* and thereby invite the withering scorn of such establishment reviewers as the egregious John Wilson Croker?

Lapp's multi-faceted answer to this question makes a strong case that authorial reputation, deployed strategically as Barbauld deploys it in *Eighteen Hundred and Eleven*, could itself constitute the reclaiming of Enlightenment rationality for the voice of critical opposition to Tory warmongering and Tory indifference to the dire consequences the war was unleashing on the great mass of the population. Applying a multi-dimensional mode of analysis based on the “Integral” approach of Ken Wilber, Terry Patten, and others, Lapp further connects Barbauld's situation and strategy in 1811–1812 with the responses of today's readers, many of whom find in her poem (especially the closing lines, which predict the collapse of the cherished Enlightenment metanarrative about the progress of civilization) an unsettling resonance with the increasingly dangerous and uncertain prospect Western countries face in the second decade of the twentieth century.

On this view, the recent renewal of interest in Barbauld exemplified by William McCarthy's *Anna Laetitia Barbauld: Voice of the Enlightenment* (2008) is not a mere minor shift in literary fashion but a telling indication of the need and desire among present-day readers to rethink the old conflict between Enlightenment progressivism and the Romantic sense of decline and, more particularly, to challenge, as Barbauld herself does, the Western ethnocentrism that was implicit in both these cultural manifestations.

Mark McCutcheon's essay further reinforces the relevance of early nineteenth-century cultural production to present-day concerns by showing that the culture industry of our own time has appropriated Romantic-era notions of the author's autonomy and creative originality, but for quite contrary purposes. Instead of functioning as a conceptual basis for the claim that authors should receive pecuniary benefit for their work, the romantic notion of the creative originality of the author is now deployed

to bolster corporate claims to total control of content, increasingly edging out or nullifying users' rights and fair dealing.

Such maximalizing of copyright protection, rather than securing a fair return for authors, "entrenches the monopolistic dominance of a very few massively concentrated, conglomerate rights-holders." The global battle over the U.S.'s "Stop Online Piracy Act," McCutcheon argues, "pits an increasingly draconian copyright regime not against commercial piracy but against civil liberties." In this way, what Adorno called the "adapted Romanticism" of today's culture industry is made to support a "disingenuous justification for corporate lobbying and litigation," aimed at clamping down on "appropriation art forms (including 'user-generated content')" and on the exercise of fair dealing, whether in the creation of new content or in scholarship and education.

Ironically, as McCutcheon shows, during the Romantic period itself the genre of the cento, in which a "new" work is formed by stitching together lines, stanzas, or passages of prose from already existing works, managed to survive and even flourish, alongside other appropriative art forms such as the album and the commonplace book. Copyright law of the time not only permitted the publication of such works, recognizing the principle that the new *arrangement* of the quoted material made the result a new artifact, but also extended copyright protection to these works. Even Wordsworth, one of the most persistent campaigners for extending the period of copyright protection, accepted the legitimacy of making centos (for private enjoyment).

The Romantic-period cento thus anticipates the modern technique of using a video remix to recontextualize and critique images from current television shows. McCutcheon cites Elisa Kreisinger's *Queer Carrie* project and Jonathan McIntosh's "Buffy vs Edward (Twilight Remixed)" as examples.

The topicality of the issues raised in these three essays shows how recent technological developments, and changes in the political and commercial climate of our own time, can bring Romantic-period debates over the role and status of the author into sharper focus. The essays also show quite conclusively that modern assumptions about the autonomy and creative originality of the author, while deriving from the self-constructions of Romantic-period authors and their often repeated claims to originality, need to be corrected by the more careful study of eighteenth- and nineteenth-century practice and the literary economy of the Romantic period.