Joseph Loewenstein



PUBLISHED BY THE PRESS SYNDICATE OF THE UNIVERSITY OF CAMBRIDGE The Pitt Building, Trumpington Street, Cambridge, United Kingdom

CAMBRIDGE UNIVERSITY PRESS The Edinburgh Building, Cambridge CB2 2RU, UK 40 West 20th Street, New York, NY 10011-4211, USA 477 Williamstown Road, Port Melbourne, VIC 3207, Australia Ruiz de Alarcón 13, 28014 Madrid, Spain Dock House, The Waterfront, Cape Town 8001, South Africa

http://www.cambridge.org

© Joseph Loewenstein 2002

This book is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2002

Printed in the United Kingdom at the University Press, Cambridge

Typeface Times 10/12 pt. *System* $\text{LAT}_{\text{EX}} 2_{\mathcal{E}}$ [TB]

A catalogue record for this book is available from the British Library

Library of Congress Cataloguing in Publication data

Loewenstein, Joseph, 1952-

Ben Jonson and possessive authorship / Joseph Loewenstein.

p. cm. – (Cambridge studies in Renaissance literature and culture: 43)
 Includes bibliographical references and index.

ISBN 0 521 81217 8 hardback

 Jonson, Ben, 1573?–1637 – Authorship.
 Authorship – Economic aspects – England – History – 17th century.
 Authors and publishers – England – History – 17th century.
 Intellectual property – England – History – 17th century.
 Literature publishing – England – History – 17th century.
 Copyright – England – History – 17th century.
 Imitation in literature.
 Renaissance – England.
 I. Title.
 II. Series.
 PR2636.
 L69 2002 822'.3 – dc21 2001052959

ISBN 0 521 81217 8 hardback

Contents

List of illustrations Acknowledgments		<i>page</i> x xi
1	An introduction to bibliographical biography The industrial and personal history of possessiveness; press regulation; authorial fantasy	1
2	Community properties Proprietary structures in the Tudor and Stuart theater; Heywood; Shakespeare; "blocking registration"; stationers v. players	15
3	Upstart crows and other emergencies Greene; Shakespeare; revision and the market in authors' attention; <i>Hamlet</i> ; Martial and Horace	50
4	Jonson, Martial, and the mechanics of plagiarism Plagiarism in antiquity; Martial; Brome; Jonson's <i>Epigrams</i> ; the personality of intellectual property; "market mentality"	104
5	Scripts in the marketplace: Jonson and editorial repossession The compensation of authorship; Jonson; editorial authorship; Dekker; the Jonson folio <i>Works</i> ; property in intention; Daniel; Stansby	133
6	Afterword: the Second Folio	211
Index		215

Illustrations

pa oi tra	rontispiece: from the Stationers' Register (liber D, f. 115), artial record of one of the largest transfers of copyrights a record prior to the establishment of statutory copyright. This ansfer from 1626 shifts rights in a number of books, including		
the text of Jonson's Every Man In His Humour, from Thomas			
Snodham to William Stansby.			
(Reproduced by permission of the Worshipful Company of Stationers, photograph by Geremy Butler)			
1	Title page of The Tragedie of King Richard the Second, 1597		
	(This item is reproduced by permission of The Huntington Library, San Marino, California)	61	
2	Title page of <i>The Tragedie of King Richard the Second</i> , 1598		
	(By permission of the Folger Shakespeare Library)	62	
3	Title page of <i>The Comicall Satyre of Every Man out of His Humor</i> , 1600		
	(This item is reproduced by permission of The Huntington Library,		
	San Marino, California)	142	
4	Title page of The Workes of Beniamin Jonson, 1616		
	(By permission of the Folger Shakespeare Library)	187	
5	Title page of The New Inne, 1631		
	(By permission of the Folger Shakespeare Library)	201	
6	Title page of Volume 2 of The Workes of Benjamin Jonson, 1640		
	(By permission of the Folger Shakespeare Library)	213	

One thing I must answer before it bee objected; 'tis this: When these Comedies and Tragedies were presented on the Stage, the Actours omitted some Scenes and Passages (with the Authour's consent) as occasion led them; and when private friends desir'd a Copy, they then (and justly too) transcribed what they Acted. But now you have both All that was Acted, and all that was not; even the perfect full Originalls without the least mutilation; So that were the Authours living, (and sure they can never dye) they themselves would challenge neither more nor lesse then what is here published; this Volume being now so compleate and finish'd, that the Reader must expect no further Alterations.

(Humphrey Moseley, letter prefatory to the Works of Beaumont and Fletcher, 1647)

What is the history of authorship, of invention, of mental making?

The author's challenge

A history of literature able to rewrite itself as a sociology of symbolic forms, a history of cultural conventions, should perhaps finally find a role and a dignity in the context of a total history of society. (Franco Moretti, *Signs Taken for Wonders*)¹

This book investigates what I take to be a central moment in the early cultural history of English intellectual property, the larger narrative of which I offer in a related volume, *The Author's Due: Printing and the Prehistory of Copyright.*² My goal in the present study is to describe the fragmentary and eruptive emergence of what I have elsewhere called the bibliographical ego, a specifically Early Modern form of authorial identification with printed writing.³ Although the sense that a printed book is proper to a writing self is conditioned by a variety of institutions and habits, my particular concern here is to show that this sense of the proper-ness of books was conditioned by the ways in which writing was reproduced and sold, and especially by the

¹ Trans. Susan Fischer, David Forgacs, and David Miller (London: Verso, 1983), 19.

² Chicago: University of Chicago Press, 2002.

³ "The Script in the Marketplace," *Representations*, 12 (Winter 1985), 101–14.

ways in which printed books were made the objects of monopolistic competition. In the Early Modern period, this proper-ness of books is shaped, even determined, by the ways in which quasi-proprietary claims were asserted by the possessors of manuscript copies, by printers, by publishers, and by authors. And although individual authors might experience this connectedness idiosyncratically, we may speak of the cumulative effect of such experiences, which was to transform authorship into a form of public agency increasingly distinguished by possessiveness. I want to add immediately that this is not a determination that operates in a single direction: the new possessiveness of authorship in turn transformed the commercial practices within the book trade, adjusted the public debate on liberty of the press and, eventually, changed the legislative activities of Parliament. The transformation in the way authors understood themselves - as producers and (in Mark Rose's nice phrase) as owners conditioned the political struggles that lead to the legal institution of intellectual property.⁴ Jonson and Possessive Authorship describes the literary, theatrical, and book-producing milieu in which a distinctive, though by no means eccentric bibliographic ego developed, an ego shaped by prevailing proprietary practices and shaping those that would come after. I hope that this goes a way towards realizing Moretti's hope for a history of literature that can "perhaps finally find a role and a dignity in the context of a total history of society." To discover how Jonson experienced his own writing as it was variously circulated and why he experienced it that way, to compare Jonson's experience to Heywood's, Shakespeare's, Daniel's, and others', is not only to advance the work of literary biography, but also to discover both a central effect and a central cause of the development of English (and, thence, Anglo-American) intellectual property.⁵

Jonsonian authorship appears in the following pages, then, as recovery and invention, effect and cause. The first two chapters sketch the proprietary structures that shaped Tudor and Stuart theatrical practices, advancing and refashioning an inquiry initiated early in the twentieth century by those scholars who founded modern bibliography and modern theater history – Pollard, Greg, Albright,

⁴ Mark Rose, Authors and Owners: The Invention of Copyright (Cambridge, Mass.: Harvard University Press, 1993). For the various ways in which authorial self-understanding shapes legal developments, see the last four chapters of *The Author's Due*.

⁵ While, in many of the following pages, emphasis falls on Jonson's experience of print, it is important to remember that Jonson's non-dramatic works, as well as his masques, seem to have had a fairly wide circulation in manuscript. While Harold Love (*Scribal Publication in Seventeenth-Century England* [Oxford: Clarendon, 1993]), Arthur F. Marotti (*Manuscript, Print, and the English Renaissance Lyric* [Ithaca: Cornell University Press, 1995]), and Jonathan Goldberg (*Writing Matter: From the Hands of the English Renaissance* [Stanford: Stanford University Press, 1990]) have variously attempted to reconstruct a generalized Early Modern scribal imaginary, the reconstruction of an individual author's experience of manuscription has not been attempted. My contribution to such a reconstruction may be found below, in the reading of "Inviting a Friend to Supper" and in the discussion of Martial's influence on the development of Jonson's bibliographic ego.

An introduction to bibliographical biography

Simpson, and Chambers. These chapters describe the competitive milieu in which such practical artists as Shakespeare, Heywood, Greene, and Jonson worked, the milieu that shaped their sense of what theatrical work and dramatic Works were and could be. They aim to reveal the shifting and stiffening boundaries that emerged in London's competitive theatrical culture, boundaries between theater and press, between authors and actors, and, most important, between imitation and plagiarism. These analyses prepare for the more concentrated discussion of Jonsonian authorship offered in the second half of the book, a discussion that is designed not only to indicate (as others have) the remarkable *degree* of Jonsonian intellectual possessiveness, but to specify the *shape* of that possessiveness – as is necessary for any serious understanding of Jonson's place in the history of intellectual property. At the center of this book, in chapters 3 and 4, the reader will find an economic and intellectual history of the Name of the Author.

It may be useful to summarize here the larger economic and political history of English intellectual property in which the literary history of possessive authorship unfolds.⁶ This larger history leads from an evolving set of proto-legal institutions of intellectual property that predate the invention of printing and proceeds to the passage of the Statute of Anne of 1710, known to most legal historians as the first copyright statute. This history was powerfully shaped by monopolistic practices within London's Stationers' Company during the two centuries that saw that unusually powerful company succumb to the general weakening of the English craft guilds, organizations that were rendered faction-alized and unstable by burgeoning claims of capital. To quote an observation made in *The Author's Due*:

The changes in industrial organization characteristic of Early Modern economic practice can be seen with particular clarity in the early history of the book trade: it is exemplary. In fact, the book trade led some of those transformations: it *was* exemplary. That is, the book trade is both a significant instance and a significant agent in the transition from feudalism to capitalism. In effect, then, an account of the late renaissance reader is significantly an account of the early capitalist consumer; the history of printing is a history of early capitalist industry; the book is quintessentially a modern commodity and the author in some ways quite an unexceptional laborer. Therefore, the intellectual, political, and commercial competitions that, I will argue, produce modern intellectual property as we know it are vividly engaged in struggles central to the construction of post-feudal reality.

Copyright could be said to have developed out of the regulatory mechanisms that most immediately constrained Elizabethan printing: the exclusion of non-stationers, and non-Londoners from printing by means of the Stationers' Charter of 1557, the licensing "system," the system of "registration" or stationers'

⁶ Much of the following summary is quoted from the analyses in *The Author's Due*.

copyright, and the printing patent.⁷ It might be more accurate to say, however, that copyright developed out of struggles to elaborate or transform these regulatory mechanisms.

Although there may have been some sort of licensing system in the second decade of the sixteenth century, Henrician licensing as we know it seems to have developed out of the ecclesiastical proscription of particular books during the mid-1520s.⁸ Licensing is the subject of repeated royal proclamations from the 1530s forward and the system was subject to various modifications in procedural detail. It is important to realize that Tudor censorship constrains both authors and stationers – with stationers including publishers, printers and booksellers. It is perhaps as common to see a stationer suffering for the publication of seditious or heretical works as to see authors so suffering; indeed, the language of those Tudor royal proclamations and Star Chamber rulings that promulgate licensing is aimed specifically at the book trade and not at authors (or at readers), whose activities were not constrained by *special* forms of legislation.

Licensing, which constrained the printing industry from without, was complemented by an internal institution, "entrance," the institution from which modern copyright is the direct descendant.⁹ In order to control competitive pressures within the printing industry, the Stationers' Company developed a

⁸ In Burned Books, 2 vols. (New York: Columbia University Press, 1932), Ripley Gillett asserts that Henry made his first direct attempt to regulate the press in 1526, but the 1526 proclamation that Gillett attributes to Henry was in fact issued by the Archbishop of Canterbury; Burned Books, I:20. John B. Gleason suggests that a system for scrutinizing religious books printed in England may have existed as early as the first decade of the sixteenth century; "The Earliest Evidence for Ecclesiastical Censorship of Printed Books in England," The Library, series 6, 4 (1982), 135–41. For a careful account of the origins and practice of early Tudor censorship, see Cyndia Susan Clegg, Press Censorship in Elizabethan England (Cambridge: Cambridge University Press, 1997), 25–54. Her great contribution to the study of the early English press has been to show the incoherence of Elizabethan censorship and so to demonstrate how poorly the notion of hegemonic discursive control sorts with the factual record.

On ecclesiastical censorship in the 1520s, see A. W. Reed, "The Regulation of the Book Trade Before the Proclamation of 1538," *Transactions of the Bibliographical Society*, 15 (1918), 157–84 and D. M. Loades, "The Press Under the Early Tudors: A Study in Censorship and Sedition," *Transactions of the Cambridge Bibliographical Society* 4 (1964), 29–50. And see also Rudolph Hirsch, "Pre-Reformation Censorship of Printed Books," *The Library Chronicle* (University of Pennsylvania), 21 (1955), 100–05.

⁹ A. W. Pollard, "The Regulation of the Book Trade in the Sixteenth Century," *The Library*, series 3, 7 (1916), 18–43; M. A. Shaaber, "The Meaning of Imprint in Early Printed Books," *The Library*, series 4, 24 (1943), 120–41; W. W. Greg, "Entrance, License, and Publication," *The Library*, series 4, 25 (1944), 1–22, and *Some Aspects and Problems of London Publishing Between 1550 and 1650* (Oxford: Clarendon, 1956); and Leo Kirschbaum, vigorously contesting Shaaber's argument, "Author's Copyright in England Before 1640," *Papers of the Bibliographical Society of America*, 40 (1946), 43–80.

⁷ The account of stationers' copyright, the printing privilege, license, and the larger mechanism of constraint, the London Stationers' near-monopoly on English printing implies several other forms of constraint: illiteracy (which inhibited demand), market inefficiency (which immeasurably, but certainly led to misguided production), and apprenticeship and similar mechanisms (which limited productive capacity).

system whereby individual members could secure an exclusive right to market a given text - to print it or to have it printed, to distribute the printed text, to sell it or to have it sold. A guild member submitted a MS, the so-called "copy," to the guild leadership, and paid a registration fee; upon his doing so, the text was usually "licensed to him" or "entered to his copy" in the company Register.¹⁰ It was not always so registered: from the somewhat casual nature of the convention of actual registration ensued a number of disputes concerning what procedure was necessary and sufficient to secure copy; more will be said of this in the next chapter. One can say securely, however, that a stationer's exclusive right to market a manuscript was not originally seen as the sort of personal property right which we associate with modern copyright; it was a privilege conferred by the guild on one of its members, part of an imperfect, but not ineffective system by which the guild sought to preserve internal order.¹¹ Licensing served the crown as a mechanism of ideological control, safeguarding England from sedition or heresy; entry served the guild as a mechanism of economic control, safeguarding the stationers from internal hostilities and profit-shrinking competition.¹²

But the crown had more particular interests than those of ideological control and the guild had broader concerns than those of mere internal stability and prosperity. That it was normal company policy to enter only copies which had been approved by a reputable licensing authority is implied by occasional entries in the Stationers' Register indicating exceptional and grudging registration: copies "tolerated unto" their owners and those to be printed "at the peril" of the registrant.¹³ The draft ordinances drawn up for the Company in 1559

- ¹⁰ In Shakespeare and the Stationers (Columbus: Ohio State University Press, 1955), 34–37, Kirschbaum offers a brief but useful survey of the various formulae used in the Registers to record entrance and suggests an intelligible drift in the valence of entrance discernible in the various locutions. See also Clegg, Press Censorship, 15–18.
- ¹¹ On these matters, L. R. Patterson's Copyright in Historical Perspective (Nashville: Vanderbilt University Press, 1968) is particularly useful, though his narrative of the development of sixteenth-century regulatory mechanisms has some notable gaps. See also A. Renouard, Traité des droits d'auteurs dans la littérature, les sciences, et les beaux-arts, 2 vols. (Paris, 1838); Henri Lemaire, Histoire du dépôt légal (Paris, 1910); Royce Frederick Whale, Copyright: Evolution, Theory and Practice (London, 1971). For a more general introduction to jurisprudential issues, see M. J. Kaplan, An Unhurried View of Copyright (New York, 1967).
- ¹² A terminological *caveat*: throughout this book, unless otherwise noted, I use "ideology" and "ideological" in a limited sense, to refer not to the deep structure of historical experience, a semantic substrate to which individual historical agents usually have no conscious access, but to the strategic orthodoxies that those in power seek consciously to impose on others.
- ¹³ The first of the "tolerated" entries they are usually entries for ballads dates from May 1580. (This comes not coincidentally only a few months after the publication of Stubbs' *Gaping Gulf* for which two stationers were convicted of slander and sentenced to lose their right hands; only one of the two was pardoned.) The remarkable entry "at peril" dates from November 1583, though an entry from May 7, 1582 shows a similar scruple: the latter reads, "*Edward white* Receaved of him for printinge a booke of phisicke called *the pathwaie to health for the poore* Translated and gathered by PETER LEVENS And the said *Edward* hathe undertaken to beare

(but probably never approved), suggest that the Company intended to conduct, or to continue conducting, its own blanket scrutiny of all manuscripts to be printed.¹⁴ The guild eventually assumed some of the responsibility for licensing, so that by the seventies entrance can usually be assumed to entail license. More important than guild participation in censorious regulation, though, is the fact that the crown frequently involved itself intimately in the regulation of competition. It did so by granting printing patents to favored stationers, following an older model of privileged printing which had long flourished in continental Europe: the patent constitutes the fourth of the major English regulatory institutions.¹⁵ English printing privileges were remarkably broad grants, and very lucrative ones, whereby certain stationers gained control of whole classes of publication: law books, for example, or service books; music, or the official primer.¹⁶

That these regulatory mechanisms constitute a complex suite of constraints on publishing has some general theoretical consequence. To allege an interrelation between mercantilist protectionism and censorship – to trace press licensing, for example, not only to efforts to secure religious orthodoxy but also to monopolistic policies designed to encourage industrial development – is to challenge the Foucauldian truism that penal regulation of discursive practices has precedence over economic ones. In *The Author's Due* I argue that monopolistic competition and its discontents do more to condition the rise of intellectual property than do censorship and its critics. This is intended not to discredit the importance of ideological regulation as a stimulus to authorial self-consciousness, but merely to assign that stimulus its appropriate historical place.

Early in *The Author's Due*, I discuss a labor dispute that erupted within the Stationers' Company in the late 1570s. This episode has general historical interest, since it brings to the surface a trade instability that will persist to the end of the seventeenth century and thereby guarantees that the book trade continued to present itself as a problem in need of solution: the Statute of Anne was one of many such solutions. But this printers' revolt has a more particular interest as well, since it specifies one of the regulatory mechanisms as an irritant to internal trade relations. The printers manifest their discontent, first, by petitioning against printing patents and, then, in the early 1580s, by infringing

and discharge all troubles that maie arise for the printinge thereof ... 12d" (Edward Arber, A *Transcript of the Registers of the Company of the Stationers of London, 1554–1640 A.D.*, 5 vols. [London and Birmingham, 1875–94], II:411).
¹⁴ "Every boke or thinge to be allowed by the stationers before yt be prynted" (Arber, *Transcript*,

¹⁴ "Every boke or thinge to be allowed by the stationers before yt be prynted" (Arber, *Transcript*, I:350). The language of the register is, however, ambiguous, and this "allowance" may simply be that guild sanction, regulating competition, which is implied by entrance.

¹⁵ For an account of Venetian printing privileges see chapter 3 of *The Author's Due*.

¹⁶ A list of privileges extant in 1582 may be found in Arber, *Transcript*, I:115–16 and 144; a similar list may also be found at II:775–76. The history of English industrial privilege is taken up in the fourth chapter of *The Author's Due*.

some of the more important ones – among them the Psalter, the Primer, and the Grammar. These patents were tremendously lucrative engines of capital formation and, in the long run, devastatingly disruptive to guild fellowship. The Elizabethan rights of copy could not cohere, just as the fragile internal stability of a self-regulated guild economy could not endure, under the disruptive pressure exerted by royal privileges.

The Privy Council intervened to quell the unrest and in 1586, the Star Chamber issued a decree that strengthened the power of the company masters to police the trade and to ward off competition from without. The most important institutional effect of the revolt against the printing patent is that, in the short term, stationers' copyright, the right conferred by entry, was consolidated, while the risks of failure to register also increased somewhat. But monopolistic practices within the book trade continued to be as irritating as they were important in the years when the likes of Jonson and Shakespeare began their writing careers, years in which new monopolistic practices ramified throughout the English economy and were subjected to stringent criticism. A literary history that can "perhaps find a role... in the context of a total history of society" may begin by probing the relationship between the growth of English monopolies and the rise of intellectual property.

Thomas Coryat, Samuel Daniel, and George Wither enter the "total history of society" as authors who found ways to perform functions normally performed by stationers exclusively. Daniel, the first English author to supervise the publication of a collected Works, is of particular importance in the history of possessive authorship. A non-stationer, but a patentee, he secured an unprecedented degree of monopolistic protection for several of his other books, while his long-term alliance with the stationer, Simon Waterson, enabled him to control the resistance of the Stationers' Company to his infringements on their customary prerogatives. George Wither also secured extraordinary publishing privileges, but was hardly so fortunate in his relations with the Stationers' Company, and largely because he managed to intrude upon some of the company's most valuable privileges. He made himself a particularly articulate adversary of the stationers' monopolies. Since he was himself the beneficiary of such a grant, he exempted printing patents from his criticism, but mounted an attack on stationers' copyright as a misappropriation of what Wither asserts to be authorial rights.

Wither's assertion is ground-breaking, although the anti-monopolism is not: the chapter also investigates the development of this important idiom of seventeenth-century politics. The problem of monopolies became an important concern of the last Elizabethan parliaments and Bacon's presence in those sessions guaranteed that the concept of monopoly itself should be subjected to careful analysis, an analysis that developed into a reflection on inventiveness as such. But since anti-monopolist sentiment was expressed in any number

of forums in late sixteenth-century England, I devote some attention to Sir John Harington's strange Erasmi-Rabelaisian pamphlet, *The Metamorphosis* of A-Jax, at once a contribution to the history of indoor plumbing and to the late Elizabethan critique of monopoly and invention.

Late in The Author's Due, the question of censorship, so long deferred, is resumed as part of a sustained discussion of Milton's Areopagitica and censorship here takes its place among the other regulatory determinants of authorship and intellectual property. Areopagitica has long been accorded an important place in the historiography of English book culture, and particularly in that Whiggish historiography that makes freedom of expression into the central problem in literary history. My purpose is to situate the treatise in the history of intellectual property by rendering as precisely as possible just what properness to authors Milton attributes to books. To some extent, my account wrests Milton from his traditional place of honor in the historiography of individual liberty and replaces him in a somewhat less honorable - but somewhat more interesting - history of possessive individualism. The next chapter, which continues the political history of licensing through to the early eighteenth century, also continues the work of "replacing" Milton in the history of English Book culture: the Whig Milton of the late seventeenth century turns out to be most important as a figure around whom those who wished to abridge the power of the stationers would rally. The Statute of Anne turns out to be a device for hobbling the stationers; it purges the work of ideological regulation of the trade protectionism which had shadowed it since the first half of the sixteenth century. By the turn of the eighteenth century the Milton of Areopagitica and, more important, the Milton of Eikonoklastes had emerged as a hero of authorial property, and he would remain so in the legal tradition that made modern sense of the Statute of Anne by discovering beneath it – inventing in opposition to its terms – a "natural" authorial copyright that commodifies thought itself.

This is the larger historical argument to which the pages that follow contribute. *Jonson and Possessive Authorship* offers an account of the imaginative culture that conditions, say, a Witherian sense of authorial prerogatives, a Haringtonian hostility to intellectual protectionism, and a Miltonic sense of the uncanny vitality of the printed book under a regime of suspicion; it is an institutional history of various distinctively Early Modern authorial affects. Earlier literary historians have attempted sociological explanations for the sudden rise of authorial self-promotion around the middle of Elizabeth's reign. My purpose in this book is to situate this "author-campaign" within the quickening (and mutually interfering) economies of book trade and theater. The possibility of authorial participation in these early economies transforms the way authors present themselves – on stage and on the page – and accelerates the decay of literary patronage. A variety of authors figure in this discussion of the economics of authorship – Sidney and Heywood, Shakespeare and Brome – but, as

An introduction to bibliographical biography

L. C. Knights shrewdly observed more than half a century ago, it was Jonson who was most excruciatingly alert to the competitive economic milieu of writing, in which actors, theater owners, stationers, and authors collaborate and compete. Knights' Jonson is a critic of this milieu; the pages that follow detail his vexed and compromising engagement therein: Jonson's reactionary creativity makes him almost unrivalled as both chronicler and agent of modern authorial practice. But I have also sought to disturb the conventions of literary historiography, at least occasionally, by remembering that there are other "agents of discourse" who determine the evolution of intellectual property and even the evolution of authorship. In The Author's Due, a number of stationers -John Wolfe, Christopher Barker, Simon Waterson, John Twyn, and Jacob Tonson – appear as determining figures in literary and legal history. Here in Jonson and Possessive Authorship, several others join their ranks - William Ponsonby, George Eld, Walter Burre, and William Stansby – for they make an inestimable contribution to the sociology of Early Modern symbolic forms, the history of cultural conventions.

Still, authorship is my focus here, and its determining conditions are various. An account of the origins of authorial "investment" in both the theater (and its constituent institutions) and the printed book (and the industrial structures that support it) would necessarily be partial were it to ignore the influence of received ideas concerning authorship. Chapters 3 and 4 below recall a crucial antique contribution to the history of intellectual possessiveness, the development of a discourse of plagiarism, and examine its revival in and around the work of Ben Jonson. My goal in these pages is to examine an occasion at which the economic conditions of writing, and the technological determinants of printing crucially interact with a very specific revival in intellectual culture; we might think of it as a moment at which the Renaissance provides a conceptual map of modern practice, at which the Early Modern comes to know itself as a Renaissance.

Towards authorial fantasy

In 1604 John Baylie entered and Simon Stafford printed *The View of France*, apparently annoying its author, Robert Dallington. He complained of the unauthorized publication in his prefatory letter to the new and very slightly expanded edition issued within a few months by Thomas Creede:

Gentlemen, The Marte is open for writing: & this towne at this time more ful of such Novelties then ever was Franckfort, though more for the Printers gaine, then the Authors credit, or benefit of us the Readers.

The letter marks the deliquescence of what might be called literary feudalism, for it shows us the customary structures of patronage exploded by the market

in printed books. We now say "market," but this is perhaps inaccurate; for Dallington it is a permanent fair, which registers the transitional moment, the moment when politics gives way to economics as fundamental social determinant: "this towne . . . more ful of such Novelties then ever was Franckfort." A modern market, then, a constant explosion, with concomitant burstings-open of old intimacies: Stafford has "exposed that to publicke view, which I had destined to perpetuall privacie." The spectacular idiom of the travel writer makes Dallington himself a violator of privacies and thus not so very different from Stafford. Dallington may have a dim sense of this: the title page of the revised edition, *A Method for travell. Shewed by Taking The view of France*, suggests an attempt to mute the spectacular character of his undertaking by placing viewing under the supervision of method. Dallington is working within the conventions of prefatory *apologiae*, no doubt, but his modesty has an unconventional pitch:

This discourse was written long since, when the now Lord *Secretarie* was then Lord Embassador (*quem honoris causa nomino*) & intended for the private use of an honourable gentleman: you may therefore pardon those passages which have lesse coherence with these times, for that the face of thinges is much altered in France.

Writing and, especially, printing fix texts indiscriminately, rendering them mimetically "incoherent" and dislocating them from those private milieux in which, Dallington urges, they have true utility. This mournful sense of social disruption and of representational lapse – fallings-off regularly exposed and lamented in Elizabethan social satire – marks, as I said, the end of literary feudalism, but Dallington imagines the market as a terminal blow to authorship (though the next decades and centuries expose the groundlessness of such fears). He feigns a personal collapse: "As it was out of my power to call in the booke: so it is out of my will to correct it." The press is regulated, books are licensed and proofs corrected, but Dallington protests that authorial intention has been made impertinent to such regulation.

Knowing that "it was out of my power to call in the booke," Dallington did some next best thing, though it is difficult to reconstruct from the bibliographical evidence just how he proceeded. The title page of *A Method for travell* indicates that the book was printed by Thomas Creede, but that is almost certainly not true. Creede had printed a new title page, Dallington's prefatory letter, "To All Gentlemen That have Travelled," from which I have been quoting, and Dallington's brief essay, "A method for travell," which defensively subordinates the travel book to a larger project, the promulgation of a theory of travel. But that seems to have been all that Creede printed; the rest of the book was made up by binding in the unsold sheets of Stafford's edition of the *View of Fraunce*. This much is clear. What is not clear is how Creede acquired Stafford's pages – whether he (or Dallington) purchased them

at wholesale prices from booksellers, or from Stafford (though there is little reason to suppose that Stafford kept a large stock of the book on hand) – nor is it clear whether he did any *more* than acquire the unsold copies of the *View*, as, for example, arranging for a more-or-less formal transfer of stationers' copyright in the work. The Stationers' Register contains nothing to shed light on the case, which is made somewhat more confused by Dallington's own account:

As it was out of my power to call in the booke: so it is out of my will to correct it: not holding it worthy the paines of a re-view, much lesse the charge of a re-impression. I have onely taken it from the Godfathers and Nurses this publisher had bespoken (being now almost seaven yeares olde and past the Nurse) and put him to schoole to your favourable entertainment.

There is a great deal to be said of the frequency with which Early Modern authors personify printed books: figures of books as persons abused, misused, or in need of discipline often reflect simultaneously on censorship, on the relation between the editorial labor and that of press-correction, and even on the proper-ness of authors and books.¹⁷ Dallington's figures are only gently disciplinary. Maintaining the imagery of enforced incoherence, Dallington presents the book as a youth infantilized by the book trade and describes himself as having restored the youth to the instructive and maturing social institution of an urbane readership. These imaginings obscure the actual commercial negotiations entailed by the "new" edition. Dallington can hardly wish away the agency of the press, of course, and when he waives any serious engagement in trade matters - "not holding it worthy the paines of a re-view, much lesse the charge of a re-impression" - his detachment is clearly partial. One way to interpret Dallington's absolute construction is to take it that the author *might* have been called upon to finance a corrected edition, although that would have been a fairly exceptional proceeding, but the syntax unterhers the exceptional, and lets the idea of the author's commercial engagement with the book float free, as fantasy.¹⁸ Language production, epitomized in figuration, is pitted against book production, epitomized in trade relations: "I have onely taken it from the Godfathers and Nurses this publisher had bespoken." We shall not know who paid for this "taking from," whether Dallington or Creede, nor shall we know what was taken - printed sheets or those sheets together with an abstract right: Dallington closes the Stationers' Register as he puts the book to school. The willful obscuring of the material production of the book is Dallington's jealous counterstrike against the press.

¹⁷ See the discussion of Areopagitica in The Author's Due, pp. 171–91 and my "Personal Material: Jonson and Book-burning," *Re-presenting Ben Jonson: Text, History, Performance*, ed. Martin Butler (Houndmills: Macmillan Press, 1999), 93–113.

¹⁸ On publishing by authors, see chapter 4 of *The Author's Due*.

Over what is he fussing and fighting? Over the very nature of the book. Is it to be (1) a material object or commodity, (2) a tributary gift, the sign and site of a complex socio-cultural relationship, or (3) the material signifier of "ideas" proper to their author? The personification resists the first conception, but the three conceptions are intertwined and Dallington is unable fully to set one against another; his personification fails to clarify. So the letter stumbles at the end, the referential function of his figures collapsing: the book has been taken from the publisher's godfathers and nurses and consigned to the tutelage of its readers, "of whome he may learne to speake better French, and to knowe the French better. Desiring as tender parents doe (because he is of a soft nature, and quickly snibd,) that you use him gentlie." It is fruitless to try to determine what is meant by describing the book as instructed by its readers: scholarship seems to shade here towards wardship, implying the most richly subjectifying discipline, the book stringently socialized. Of course, the figure is not analytic, but fantastic. In his effort to free the book from its place in a network of commercial relations, Dallington confers upon it an inordinately and incomprehensibly labile sociality. We could say, in summary, that he has responded to the mart for writing with a prefatory letter that is much too personal.

Cultural historiography may seek to reconstruct the ponderable, the range of possible thoughts and conceivable actions available at a given historical moment, but the outlines of the ponderable are not the only proper object of historical reconstruction; there are good reasons to wish to reconstruct the fantasies made possible by the knowledge, the conditions, the full habitus of the past. Dallington's prefatory letter is abuzz with fantasies - that books are personal, that a market in books is insignificant and may be forgotten, that conversational or epistolary or, at least, manuscriptive intimacies may be restored to writing within a modern culture of the printed book, that the gentlemen to whom an author might write in a printed epistle are distinguishable from the consumers who might buy a book, and - a final and more bluntly contrafactual fantasy that it might be *in* an author's power as author (rather than as nobleman) to call in a book, as if an author were a kind of intimate censor. These deserve to be understood as determinate fantasies. Since such fantasies are both historical products and historical motives, an attempt to "account for" such fantasies seems an entirely appropriate extension of normal historiographic practice.¹⁹ This book takes up two complementary problems: how the institutional structure of the book trade determines authorial fantasy and how such determinate fantasy manifests its motive power. How and how far. Jonsonian authorial fantasy cannot be exhaustively explained as a function of institutional history - it is idiosyncratic, but not capriciously so, and my purpose here is to account for

¹⁹ The attempt is not, of course, unprecedented; an influential recent antecedent may be found in Giles Deleuze and Felix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia*, trans. B. Massumi, 2 vols. (Minneapolis: University of Minnesota, 1987).

many of the idiosyncrasies – nor (of course) does authorial fantasy, however willful, prescribe the destiny of proprietary practice.

If the sense of *semantic* rupture between sender and receiver is as old as language, the sense of *social* rupture between sender and receiver is as old as writing – the press did not invent it. For example, the poet who writes "*Voi ch'ascoltate in rime sparse il suono / di quei sospiri ond'io nudriva 'l core*" testifies not only to that interminable work of semantic reconstruction endemic to language, but also to the labors of recovery inevitable within a manuscript culture, labors made at once piquant and harsh as systematic textual scholarship invents itself.²⁰ When Petrarch goes on to refer to his "*vario stile*," in the fifth line of this sonnet, he is not merely boasting of his range, he is lamenting the fact that inscriptions, by their very scribal nature, are doomed to mimetic variance. These gaps, or variances, however endemic to writing *per se*, sustain themselves on the casual and manifold variances of manuscript dissemination, the brute mechanisms intervening between inscription and its vagrant dispersals. Petrarch's philological "vaneggiar" anticipates Dallington's plaintive fantasy. It more closely anticipates Chaucer's more low-mimetic complaint:

Adam scriveyn, if ever it thee bifalle Boece or Troylus for to wryten newe, Under thy long lokkes thou most have the scalle, But after my making thou wryte more trewe; So ofte a-daye I mot thy werk renewee, It to correcte and eek to rubbe and scrape; And al is thorugh thy negligence and rape.²¹

Noting the texts traduced – "Boece" (Chaucer's translation of a late-antique treatise) and "Troylus" (a "translation" of a "late-antique" tragedy) – we can see that the complaint against manuscript transmission is specifically aroused and authorized by early Renaissance philology, with its broad dismay about textual variability. Of course, the complaint is also personal; Chaucer curses his scribe, not scribal culture. (That there is something primal – Adamic – about the scribe he curses does not render the lapse abstract or impersonal.) Chaucer's complaint and Petrarch's plaintive self-display provide useful contrasts to Dallington's protest; Dallington is in a tradition that includes Petrarch and Chaucer, but his complaint is *impressive* and not *inscriptional*. But this is far too general a characterization: the novelty of Dallington's complaint against dissemination, its specificity to print culture, has to do with the coherent institutional character of the book trade he opposes. Impressive book culture is regular, impersonal, and abstract; it is a market phenomenon. The same may be

²⁰ Petrarch's Lyric Poems: The Rime sparse and Other Lyrics by Robert M. Durling (Cambridge, Mass.: Harvard University Press, 1976), 37.

²¹ The Works of Geoffrey Chaucer, ed. F. N. Robinson (Boston: Houghton Mifflin, 1957), 534.

said of the bibliographical ego, the fantasies it hosts: Dallington's fantasy is a market phenomenon.²²

The press enters cultural history as an extension of manuscription: early typography, for example, aims to reproduce handwriting. The evolution towards mass production, however, quickly disrupted the affiliation of printing with manuscription: the capital logic of mass production forced the development of broad and efficient distribution networks; the new scale at which dissemination operated forced the development of a censorship oriented toward the book rather than the writer; and, in England, the idiosyncratic history of guilds generated a book trade with highly developed monopolistic prerogatives. Together these developments created a book trade marked by an early dislocation from scribal disseminative traditions, an extreme rupture between the writing hand and the printing press. The alterity of the press expresses itself in Dallington's reactionary fantasy of authorship. But there is a good deal more to say about how this fantasy was conditioned. I want to propose that mass production, book censorship, and highly regulated marketing of books motivate Dallington's fantasies, but that the Elizabethan theater stimulated the *release* of those fantasies.

²² On the *ethos* of early-modern market phenomena, see Jean Christophe Agnew, *Worlds Apart: The Market and The Theater in Anglo-American Thought*, 1550–1750 (Cambridge: Cambridge University Press, 1986), 40–56.