Prologue

> The first book tyrannizes over the second.
>
> – Ralph Waldo Emerson

Unoriginality is nothing new. Walter Jackson Bate quotes a scribe from 2000 B.C. who feared that everything had already been said before.[1] Marilyn Randall suggests the complexity that is involved when one ventures into the regions of originality and unoriginality: "The history of 'plagiarism' is tentacular, involving not only concepts of copyright and intellectual property, but also questions of authorship, authority, originality, and imitation."[2] Indeed, intellectual property has been vexed long before our own age of YouTube parodies and online piracy. In Victorian Britain, enterprising authors tested the limits of literary ownership by generating plagiaristic publications based on the leading writers of the day. Confronting the mass of nineteenth-century imitations, one encounters anonymous and pseudonymous texts; part-issue and penny publications; works that are incomplete, infrequently or never reprinted, rarely read, woebegone, lost. What is more, there is a degree of instability at work in such paraliterary offerings. In 1741, Solomon Lowe wrote to Samuel Richardson to commiserate about the opportunists who capitalized on the success of Richardson's novel *Pamela*; Lowe referred to "the Labours of the press in Piracies, in Criticisms, in Cavils, in Panegyrics, in Supplements, in Imitations, in Transformations, in Translations, &c."[3] A similar diversity is on display in a twentieth-century *Dickensian* article, which claims that Charles Dickens "suffered at the hands of literary hacks of the period, who, having no imagination or ability of their own, adapted, continued, plagiarized or stole the fruit of his brain."[4] That this anonymous author resorts to four verbs – *adapted, continued, plagiarized, stole* – suggests some indecision about what is going on.

By uncovering ephemeral, scurrilous texts – in many cases ignored or undertheorized for the past century and a half – this book charts their

interactions with their sources. These texts form something of a countercanon or a subgenre, a neglected counterpart to the "Victorian Novel" as taught in universities and construed by literary criticism.[5] Margaret Cohen refers to the "great unread," and John Sutherland, among others, demonstrates how our canon of frequently read and reprinted novels is only a small fraction of the century's fictional output.[6] This book focuses attention on works that are drawn to three centripetal figures – whether for inspiration or exploitation, whether to emulate or to castigate – in order to deepen and complicate our understanding of nineteenth-century authorship. The book argues that imitative works illuminate their sources and the literary culture that produced them. Surprisingly, these imitative works usurp authorial identity and control, thus compelling the three test cases – Charles Dickens, Edward Bulwer Lytton, and George Eliot – to pivot away from the imitators, to undercut or outperform them, and to change narrative modes and publication formats in order to distinguish him- or herself from the epigones. There is, I will show, something of a continuity or a continuum between the source texts and their successors. In what appear to be instances of reverse chronology, imitative works that come *after* a literary source in fact change that source – or at least our understanding of it. Through an archival study of print material found in libraries in the United Kingdom and the United States, I recover plagiaristic texts that altered literary history and that demonstrate a more dynamic relationship between what is original and what is unoriginal.

The range of terms that could be used to describe this corpus, with varying degrees of accuracy, is vast indeed: *imitation, adaptation, appropriation, transformation, repetition, re-mediation; satire, parody, pastiche, travesty, burlesque, lampoon, caricature, spoof; forgery, counterfeit, hoax; intertext, metatext, hypertext; sequel, prequel, continuation, fanfiction, remake, revival, reboot; paraphrase, summary, condensation, digest, précis; allusion, quotation, reference, parallel, homage; copy, piracy, palinode, plagiarism, palimpsest*.[7] While the present study will not investigate every one of these historically complex terms, it is worth noting that formal and generic shifts are at work when one surveys what Gérard Genette calls "literature in the second degree."[8]

Originality has its adherents. Johann Joachim Winckelmann states, "Of scholars and artists, general history immortalizes only inventors, not copyists, only originals, not collectors."[9] By 1840, Thomas Carlyle's lecture "The Hero as Man of Letters" could praise the "original man" who is not a "borrowing or begging man."[10] Isaac D'Israeli, however, sounds a little

less certain: "It is generally supposed that where there is no QUOTATION, there will be found most originality."[11] He settles for a syllogism: if this, then that. Paul K. Saint-Amour suggests that originality (so-called) may be little more than the result of an "originality effect": "the great individuals loom large because others are blotted out, forgotten."[12] For Robert Macfarlane, "Originality and plagiarism are in many ways the invisible men of literary history."[13]

That history can be traced to the Greeks. Plato was skeptical of the arts: poets, in his estimation, rank somewhere below gymnasts and prophets.[14] In the Platonic theory of Forms, our world of phenomena is the reflective shadow of inaccessible ideas; therefore, human works of representational art are merely copies of the copy. Aristotle, on the other hand, is the great theorist of *mimesis*: "it is an instinct of human beings, from childhood, to engage in mimesis" because "everyone enjoys mimetic objects."[15] Nick Groom notes that "mimesis is commonly translated as 'imitation,'" but Richard McKeon finds that "the term is vague, inadequate, primitive."[16] Groom adds that mimesis further suggests "portrayal, representation, reproduction, copying, aping."[17] Despite its liabilities, the term *imitation* has been used in English to suggest the practice recommended by classical rhetoricians for orators and writers.[18]

In the neoclassical period, "capturing the spirit of the original author" was the admirable goal of any imitation – hence the many poetic reworkings of Horace.[19] Through imitation, a writer finds him- or herself. "Your own Wit will be improved," claimed Henry Felton, in 1709.[20] According to Samuel Johnson's *Rambler*: "When the original is well chosen and judiciously copied, the imitator often arrives at excellence, which he could never have attained without direction."[21] In 1832, *Fraser's Magazine for Town and Country* suggested that a writer "must accumulate a stock of ideas by extensive reading, and improve his style by the sedulous study of the best models."[22] "Stock" is a suggestive word, since it implies a storehouse, a financial instrument, and a cooking process in which matter is simmered and reduced to its essence. Robert Browning, in 1842, could still subscribe to the ancient ideal: "Genius almost inevitably begins to develop itself by imitation."[23] In a more mundane frame of mind, James Brander Matthews reminds us that "[t]he man who plants cabbages imitates too."[24]

According to various literary-historical accounts, the so-called Romantic movement in Great Britain deviated from this imitative tradition. Zachary Leader refers to "spontaneity, originality, genius," and Linda Hutcheon cites a similar trio, "genius, originality, and individuality"; K. K. Ruthven

asserts that under such conditions, "the text is an autonomous object produced by an individual genius."[25] Opposed to this Romantic figure is the "the scribbler, the journalist or literary drudge."[26] Robert Macfarlane, drawing on the work of George Steiner, distinguishes "*creatio*" ("creation as generation") from "*inventio*" ("creation as rearrangement"), with the autonomous Romantic author striving for the former.[27] Macfarlane writes, "1840 can usefully be considered as the high-water mark of originality as *creatio* in Britain."[28] Yet from 1839 to 1840, as John Sutherland indicates, fifteen imitations of *The Pickwick Papers* (1836–37) were on sale.[29] At a moment when *creatio* seemed ascendant, *inventio* was not far behind. Tilar J. Mazzeo further complicates the story: Romantic writers "did not, in fact, insist on the impossible goal of ex nihilo creation that has often been attributed to them." Rather, "Romantics were centrally concerned with narrative mastery, domination, and control over borrowed materials."[30] Samuel Taylor Coleridge, famously, was accused by Thomas De Quincey of "unacknowledged obligations" and "barefaced plagiarism," particularly of German sources that Coleridge translated but failed to assimilate. The irony, in De Quincey's retelling, is that the poet did not *need* to steal; yet "[w]ith the riches of El Dorado lying about him, he would condescend to filch a handful of gold from any man whose purse he fancied."[31]

For Alexandre Dumas, "the man of true genius never steals, *he conquers*."[32] Dumas knew of what he spoke. He employed a number of writers to work as his subalterns, in various forms of collaboration. August Maquet, it has been asserted, is the actual author of *The Three Musketeers* (1844) and *Twenty Years After* (1845), but only the name "Alexandre Dumas" appeared on the title pages of these products of corporate authorship.[33] By 1896, the *Scottish Review* could proclaim, "There are no greater borrowers than those whom we regard as the classics of literature."[34] H. M. Paull takes the argument a step further: "The history of plagiarism is indeed the history of literature.[35] Such a statement can be corroborated by canonical writers who, at different times, have been accused of pilfering from others: Chaucer, Montaigne, Marlowe, Shakespeare, Jonson, Webster, Milton, Molière, Voltaire, Sterne, Scott, Coleridge, Tennyson, Dickens, George Eliot – a veritable Norton anthology of literature.

If *plagiarism* can refer to the efforts of a brilliant author as well as the careless essay of a hasty undergraduate, then perhaps the term is too vague to be of any service. Thomas McFarland, in *Originality and Imagination*, defines *plagiarism* as "the appropriating, in the name of an individual's needs, of the insignia of another individuality, and it is therefore censured

in a way that imitation and influence are not."[36] The "therefore" is not quite earned here: why "censured"? Why is allusion noble and plagiarism a fault – the "Original Sin of literature," for Stephen Orgel, or rather "the unoriginal sin," according to Robert Macfarlane?[37] A more cogent exposition can be found in Peter Shaw's article on "Plagiary." He defines *plagiarism* as "the art of using the work of another *with the intent to deceive*."[38] Shaw also finds in plagiarism a "hysterical revolt against the tyranny of originality" and compares the plagiarist to the kleptomaniac; as in De Quincey's account of Coleridge, "what is stolen may not be needed."[39] In the nineteenth century, Ralph Waldo Emerson made the point that "it is as difficult to appropriate the thoughts of others, as it is to invent."[40] Some plagiarists work quite hard at it; they bury clues, cover their tracks, paraphrase, update metaphors. Yet all this effort, for Shaw, demonstrates "the desire to be caught," a need for "self-exposure."[41] If one does not want to be caught, surely the safest course is abstinence. Martin Amis, whose 1973 novel *The Rachel Papers* was plagiarized, believes that "there must be something of the death wish in it."[42] Indeed, plagiarism is a form of self-abnegation, an unwriting of the self, an erasure.

For Hillel Schwartz, plagiarism is a "cultural addiction" and "a defiance of capitalism."[43] Yet plagiarism predates capitalism in its modern, industrialized forms. The English word derives from the Latin *plagiarius*: a kidnapper, someone who abducts children or slaves. "[K]idnappers in Cicero's time were called plagiarii," explains one nineteenth-century journalist.[44] The root, *plaga*, can refer to a net, which could be used to capture people, but it can also refer to a stripe or a lash, as in the punishment inflicted.[45] The metaphoric use of *plagiarius* is attributed to the Roman writer Martial. A number of his epigrams refer to literary thievery, sometimes practiced by Fidentinus: "Rumor has it, Fidentinus, that you recite my little books in public just like your own. If you want the poems called mine, I'll send you them for nothing. If you want them called yours, buy out my ownership."[46] Martial here asserts the monetary value of his literary productions; poetry is a commodity that can be bought and sold. In Epigram 52, the word *plagiaro* is used, in reference to the "kidnapper" of Martial's "little books."[47]

These epigrams were translated into English verse, in 1577, by Timothe Kendall. Soon after, forms of the word *plagiarism* appeared in English. At the end of the sixteenth century, Joseph Hall referred to "a Plagiarie sonnet-wright."[48] The more familiar *plagiarism* and *plagiarist* can be traced to 1621 and 1674, respectively, according to the *OED*. But through the seventeenth century, the word *plagiaries* could still refer to those who steal

physical books. In *A Dictionary of the French and English Tongues*, Randle Cotgrave translates the French word *plagiarie* as "a booke-stealer, or booke-theefe" but also as "one that fathers other mens workes upon himselfe."[49] By 1775, *plagiary* approached our modern understanding, as in John Ash's definition: "one that clandestinely borrows the thoughts or expressions of another."[50]

In the eighteenth and nineteenth centuries, a species of "source hunter" or "plagiarism hunter" arose: journalists who performed pre-electronic-era searches to discover borrowings and concordances.[51] Tennyson referred to "editors of booklets, bookworms, index hunters, or men of great memories and no imagination."[52] Such hunters were "eagle-eyed" or "argus-eyed"; Harold Bloom calls them "those carrion-eaters of scholarship, the source hunters."[53] The *Spectator*, in an article entitled "The Cry of Plagiarism," explains their motivation and method: "There are some genial critics who seem to make it their business to catch the literary man tripping, entrap him into telling an apparent lie, and then confront him with parallel columns."[54] Besides the ironic note of "genial," this passage casts the plagiarism hunter as the aggressor, looking to "catch" or "entrap" a victim. Sir Walter Scott, one such victim, railed against the practice: "It is a favorite theme of laborious dulness to trace out such coincidences; because they appear to reduce genius of the higher order to the usual standard of humanity, and, of course, to bring the author nearer a level with his critics."[55]

Other writers shared this skepticism about plagiarism hunting and the usefulness of promoting "originality" as a literary virtue. In the words of Emerson, "There never was an original writer. Each is a link in an endless chain."[56] He developed these ideas further in an 1876 essay, "Quotation and Originality," which argues that "there is no pure originality. All minds quote. Old and new make the warp and woof of every moment. There is no thread that is not a twist of these two strands."[57] Paul K. Saint-Amour uses the term "apologists" to describe those who want to minimize the category of plagiarism or absolve individual cases.[58]

For many, the charge of plagiarism could be forgiven if the alleged plagiarist improved upon the source. An anonymous article, "Recent Poetic Plagiarisms and Imitations," published in the *London Magazine* in the early nineteenth century, articulates this point.[59] "Few readers care how a man's ideas are come by, so they be forcibly and fervently brought out" (601). Originality is not prized here, rather the strength of an argument. One important innovation in this article is the suggestion that "[n]ew thoughts and new modes of expression are literary property" (597). This

marks a transition from an eighteenth-century view that a writer owns only the words on the page to a later view that "modes of expression" – "tone, style, and voice," according to Mazzeo – are the rightful property of any author.[60] Now a plagiarist could borrow the *style* of another. Yet the *London Magazine* separates "culpable plagiarism" (that is, "without improvement") from a more productive kind (597). The article develops an optimistic narrative of art as progressive, accumulative; the plagiarist-poet "should regenerate the thoughts of his inferiors, giving them the cast of his own mind" (598). Such benign plagiarism rescues "[i]solated ideas, originating with men of scanty imagination," which otherwise would have been lost (598). The poet-plagiarist thus provides a service to humankind, as long as he or she fully assimilates the source in question.[61]

Plagiarism in Anglo-American culture is not, strictly speaking, a crime. For Alexander Lindey, "Plagiarism and infringement are not the same thing, though they overlap."[62] Saint-Amour calls plagiarism "an ethical rather than a legal transgression," and Peter Shaw finds it to be "a breach of professional ethics."[63] In the Romantic period, plagiarism was more of an aesthetic category: to plagiarize is to write badly, to fail to exert Percy Bysshe Shelley's "power of assimilating" over found materials.[64] Yet the development of copyright law in eighteenth- and nineteenth-century Britain necessarily informs any study of Victorian literary reproduction.

***

> How dare you thus unlawfully invade
> Our Properties, and trespass on our Trade.
>
> – Edward Ward

Although authorship and plagiarism have origins in the ancient world, copyright is "a specifically modern institution."[65] Mark Rose, in *Authors and Owners: The Invention of Copyright*, argues that this institution was born at a particular historical moment in "printing technology, marketplace economics, and the classical liberal culture of possessive individualism." For Rose, "Copyright is founded on the concept of the unique individual who creates something and is entitled to reap a profit from those labors."[66] The philosophical foundation lies in John Locke: a man owns himself and therefore owns his own labor.[67] The legal development of copyright also led to a changed understanding of works of art themselves. "No longer simply a mirror held up to nature, a work was also the objectification of a writer's self," Rose explains. He makes the canny point that the novel and the biography, two forms that specialize in clarifications

of the self, grew in prominence after the advent of copyright.[68] As the law developed in Great Britain, a key distinction was made between idea and expression. "Dressed in language, the writer's ideas became a property that could be conveyed from owner to owner in perpetuity according to the same principles as a house or a field."[69]

The older, medieval view of literary property was that whoever owned a manuscript could do what he or she liked with it. If a bookseller purchased a manuscript from an author, then that bookseller could print it, burn it, cut it into pieces, rewrite it, or sell it to a competitor. Buying a manuscript was no different from buying linen or cloth. For Rose, "True copyright is concerned with the rights in texts as distinct from the rights in material objects."[70] John Sutherland finds this notion rooted in a Platonic view that a work of art transcends any particular manifestation.[71] In the eighteenth century, Johann Gottlieb Fichte separated "physical [*körperlich*] and ideal [*geistig*] aspects of a book."[72] William Enfield, in a 1774 pamphlet, drew on William Blackstone in order to divide the "corporeal" from the "incorporeal": "corporeal" are things of the senses, and "incorporeal" are, according to Blackstone, "creatures of the mind."[73] For Enfield, both types can be deemed property and thus protected by law.[74]

One thing that you cannot copyright, it seems, is style. Although D'Israeli maintained that "an author can have nothing truly his own but his Style" and the *London Magazine* article found that "modes of expression" (597) belong to an author, copyright law does not cover style per se.[75] Trevor Ross explains that "copyright protects the expression of a style in a work, but not the style itself to the degree that it can be abstracted from expression."[76] Style, which a reader may perceive and appreciate, is not protected by law: only the particular manifestation of that style in a text. Ross points out the irony that "copyright is grounded on a notion of individuation yet is indifferent to individual achievements in style."[77] This issue will return in the chapters that follow. Charles Dickens and Edward Bulwer (later Lytton) could, to some extent, protect particular novels under the auspices of copyright, but the Dickensian or Bulwerian style so important to the success of those works was fair game for the aspiring imitator. This exception for style, as delineated by Ross, runs counter to the history of copyright – a domain that has grown temporally, spatially, and conceptually over the years.

Copyright in England was born in a 1710 Act of Parliament, although Adrian Johns notes that the word *copyright* was "nowhere used in the original law."[78] In previous centuries, forms of proto-copyright existed through royal patent and the Stationers' Company of London (chartered

under Queen Mary, 1557). These two modes of protecting authors and booksellers often fell into conflict.[79] After the Regulation of Printing Act lapsed in 1694, a fifteen-year period followed in which piracy ran rampant; no authority was in place to stop it. Evoking the image of the *plagiarius*, Daniel Defoe, in a 1710 periodical, complains about literary kidnapping: "these Children of our Heads are seiz'd, captivated, spirited away, and carry'd into Captivity." In the same work, he also endorses "a Law to prevent Barbarity and Pyracy."[80] Such a law received royal assent from Queen Anne and was enacted on 10 April 1710.[81] Under the terms of the law, older works were protected for twenty-one years; new works, for fourteen years, after which rights reverted to the author, if living, for another fourteen years.[82]

Through the nineteenth century, Parliament occasionally expanded the term of copyright but did little to expand or clarify the breadth of its coverage. In 1814, the term was extended to twenty-eight years or the life of the author – whichever was longer. This decision "put the author at the very centre" of what had previously been a law to protect the interests of booksellers.[83] Such an adjustment also meant that copyright in a work necessarily died with its biological author – an innovation that living writers with children found unsettling and unfair. Thomas Noon Talfourd, lawyer, playwright, Member of Parliament, and friend to many writers, introduced a number of bills from 1837 to 1841 to extend copyright's length once again. Although he lost his seat, in 1841, a new law was enacted, on 1 July 1842: now the copyright term was forty-two years or the life of the author plus an additional seven years – whichever was longer.

John Feather points out that the 1842 law "was ambiguous about abridgements, anthologies, magazine and newspaper articles, translations, dramatizations and many other matters."[84] Because early copyright law rarely addressed such paraliterary works, decision-making rested in a series of legal cases. As early as 1704, Defoe warned that a book, perhaps costing one pound, could be undercut by cheap condensations, "perswading People that the Substance of the Book is contain'd in the Summary of 4*s*. price."[85] Yet eighteenth-century authorities "gave wide latitude to derivative works, including abridgments, sequels, and translations."[86] In *Gyles v. Wilcox*, a legal case from 1740, the Lord Chancellor decided that an abridgement "may with great propriety be called a new book" because of "the invention, learning, and judgment" required.[87] *Dodsley v. Kinnersley*, a 1761 case, deemed that an abridgement of Johnson's 1759 novel *Rasselas* was "not a piracy."[88] In the 1774 case *Anonymous v. Newbery*, the Lord Chancellor determined that a particular abridgement was "not an act of

plagiarism" but rather "an allowable and meritorious work."[89] By the nineteenth century, according to Augustine Birrell, many believed that "a good, honest abridgement was a new book and in no sense a piracy."[90] Robert L. Patten sums up the matter thus: "in Britain both the law and the courts had allowed parodies, sequels, adaptations, abridgements, and some kinds of imitation to be protected by copyright."[91] The interplay between original works and their derivatives will be examined in the chapters that follow. Yet this Victorian phenomenon was not unprecedented.

***

> . . . books always speak of other books, and every story tells a story that has already been told.
>
> – Umberto Eco

During the eighteenth century, *Robinson Crusoe* (1719), *Gulliver's Travels* (1726), *Pamela* (1740), and *Tristram Shandy* (1759–67) were subject to a variety of "autographic" and "allographic" successors.[92] These terms, employed by Nelson Goodman in *Languages of Art*, were redefined by Gérard Genette to refer to works that are produced by their originating artists (autographic) or by others (allographic).[93] In the case of *Robinson Crusoe*, Daniel Defoe published an autographic sequel, *The Farther Adventures of Robinson Crusoe; Being the Second and Last Part of His Life, and of the Strange and Surprizing Accounts of His Travels round the Three Parts of the Globe* (1719). For the allographic, the numbers are legion. J. K. Welcher counts 277 eighteenth-century imitations, and variants continued to appear well into the nineteenth century, including *The Catholic Crusoe* (1862), the hopeful *Le dernier Crusoe* (1860), and *Der schweizerische Robinson, Oder der Schiffbrüchige Schweize-Prediger und Seine Familie* (1812, later filmed, by Walt Disney, as *The Swiss Family Robinson*).[94] For David A. Brewer, *Gulliver's Travels* is similarly "an inexhaustible public resource."[95] Welcher counts some four hundred variants by approximately two hundred different writers. Gulliver himself appears as the "author" of many such offerings, even when the texts have little to do with Jonathan Swift's book.[96]

In a study of Samuel Richardson's *Pamela*, Thomas Keymer and Peter Sabor create a vivid picture of an eighteenth-century novel's complex afterlife. "Richardson's novel is valuably illuminated by the appropriations and transformations, the resistant readings and creative misreadings, that followed its publication."[97] Within a year of *Pamela*'s appearance, in November 1740, publishers offered *Pamela Censured, Anti-Pamela, The*