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Pirates of Romanticism: Intellectual Property Ideology and the Birth of British Romanticism

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PIRATES OF ROMANTICISM:
INTELLECTUAL PROPERTY IDEOLOGY AND THE BIRTH OF BRITISH ROMANTICISM

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In August 1817, printer Richard Carlile reproduced without permission the series of satirical squibs for which radical bookseller and author William Hone was already awaiting trial on charges of blasphemous libel. Attorney-General Sir Samuel Shepherd pressed those charges on the basis that Hone parodied material from the *Book of Common Prayer*, though the author’s obvious intent was to mock government corruption rather than any particular point of Anglican dogma. Shepherd, it seems, lacked the confidence to pursue an accusation of sedition on behalf of a government widely perceived to be just as the satirist portrayed: decadent, unjust and uncaring toward the poor, and staffed by obsequious social-climbers. As Hone prepared to defend his rhetorical choices and the much compromised liberty of the press, he expressed disapproval of Carlile’s reprints. He feared their continued dissemination would worsen his chances of acquittal and wrote requesting a meeting to discuss the matter with the printer on 8 August (Hackwood 116). After the printer went ahead with publication anyway, Hone wrote to *The Times* to publicly proclaim himself “much disgusted” and disavow the new editions, explaining he had “no intention of republishing those works in any other shape than the report of [his] trials.”

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1 *The Times*, 24 December, 1817, 3.
This dramatic instance reveals the complex legal situation of unauthorized reprinting in early nineteenth-century Britain and its function as a political act. Operating in the gray areas of copyright and libel law, if not challenging them outright, radical and other pirate publishers offered cheap access to ideas that seemed to threaten a reactionary government. In the process, they defied original authors and publishers’ power to dictate how texts would be represented and who would be able to read them. Carlile in particular went beyond simply reproducing the texts for his versions of the liturgical parodies, inserting marks of his own personality and political convictions. Each edition he put out of a work that might be declared seditious or blasphemous was in itself a textual performance affirming both the righteousness of his cause as a radical and freethinker and the ineffectuality of prosecutors who could not even bring a printer to take them seriously.2 The paratext of the squibs continued to play out the public identity he had newly established in his post as publisher of Sherwin’s Political Register and presented an aggressively radical rhetoric. His approach to political discourse clashed with the texts he reprinted, markedly more incendiary than Hone’s humorous calls for reform while lacking in the bookseller’s relative satirical sophistication.

Carlile included his name and business address on the title page in accordance with the 1799 Seditious Societies Act, which sought to curtail just such cheap political publications by requiring that all printers register with authorities and keep records of their clients. At the same time, he seized the opportunity to openly sneer at the prospect of the government's wrath. His editions of Hone’s works proclaim they are “Printed and

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Published by R. CARLILE, late of LAW'S HOLD, in the County of Surrey, but now of 183, Fleet Street; and sold by those who are not afraid of incurring the displeasure of his Majesty's Ministers, their Spies or Informers, or public plunderers of any denomination.”

The government soon answered Carlile’s jibes, and he found himself arrested as well. He was imprisoned at King’s Bench Prison eighteen weeks before the author came to answer for the moral character of the squibs at trial (Holyoake 11-12). Fortunately, Hone brought his wit and extensive knowledge of satire to bear in his three trials of December 18-20th, 1817, explaining such parodies

were as old, at least, as the invention of printing; and he had never heard of a prosecution for a parody, either religious or any other. There were two kinds of parodies; one in which a man might convey ludicrous or ridiculous ideas relative to some other subject; the other, where it was meant to ridicule the thing parodied. The latter was not the case here, and therefore he had not brought religion into contempt. (Three Trials 18)

The combination of Hone’s arguments and reading the parodies into the court record led the jury to laugh the state’s case out of court on all three charges.³

With the author cleared of blasphemous libel, Carlile proceeded to print further versions by the end of December, adding dedications directly referencing the trials and his time in jail while blatantly jeering at Shepherd’s inefficacy. He jokingly presented a Hone squib excluded from the blasphemy charges, *The Bullet Te Deum*, as the fruit of his

³ Kyle Grimes sums up the importance of Hone’s broad appeal and circulation strategies: “The particular strength of Hone's parodies in this context lay in their ability, despite official efforts to squelch radical discourse, to reach a huge and diverse audience via a decentralized network of distribution, a kind of *samizdat* which was the legacy of a waning eighteenth-century chapbook and ballad literature. It is hardly surprising that the government tried to stop this circulation; after all, Hone's parodies were both available and accessible to readers of virtually all social and economic classes and they tended thus to level the hierarchies within the British readership that Shepherd sought to enforce. But it is also not surprising that the government's repressive efforts failed. The cumbersome machinery of libel prosecution simply cannot stifle a text that circulates primarily through the countless face-to-face interchanges of popular culture rather than through the more localized and tangible channels of the mainstream publishing industry” (152).
own time of enforced reflection. His dedication claimed the piece, clearly inspired by the rock thrown at the Regent’s carriage in January 1817, was a “translation of an ancient Greek Manuscript,” which had been “the productive amusement of a prison hour” and thanks Shepherd for “[t]he kind notice and protection you have condescended to shew towards me for the last eighteen weeks …” In the dedication to a reprint of the Political Litany he turns to gloating specifically over Hone’s acquittal and the additional attention brought to his satires by the trial:

The effect of the informations which you have filed against those Parodies, which have been so nobly and successfully defeated, and justly held up to public derision, have operated like a magic wand on the public mind. All! All are anxious to have them, which hath afforded me the opportunity of dedicating to you this Second Edition. I congratulate you Sir, as an Attorney General, more friendly to the Cause of the People, the Cause of Reform, than any of your predecessors; for whilst you will condescend to notice such trifling squibs, and make that of importance which otherwise would have sparkled and vanished, you render the country a most essential service, by holding up to its view, the real and undisguised characters of your employers.

Through these additions, the squibs themselves represented the conflict they inspired, reinforcing Hone’s rhetoric and allowing Carlile to relish portraying his own fearless contempt for the government.

For Carlile and other radical publishers, the very act of producing texts that were considered “illegitimate” because of their blasphemous or seditious content, lack of permission from the author, or both, as in the case of the Hone pamphlets, could serve as a blow against corruption and repression. Carlile rallied like-minded radicals around the persona he carved out for himself as an unconquerable and irreverent agitator, unconcerned for maintaining the trappings of respectable or civil discourse and willing to violate of the concepts of intellectual property. Convinced the stakes for his publishing
operation were the very minds and liberty of England’s lower classes, he could brook no compromise in his ability to reproduce and alter texts. As a consequence of this ethic of unrestricted ideological and intellectual exchange, booksellers like Carlile and, to a lesser extent, Hone himself made the very illegitimacy of their publications part of a rhetorical strategy.

Carlile’s continued provocations did not go unnoticed in the repressive political atmosphere of the early 1800s and led to a series of charges for blasphemous and seditious libel. The legal repercussions came to a head following his eyewitness account of the Peterloo massacre in Manchester, published in Sherwin’s *Political Register* and his own *The Republican*. However, he was first brought to trial for publishing a volume of Thomas Paine’s *Theological Works* in December 1818, including a reprint of the banned *The Age of Reason*. Like Hone before him, when prosecuted for his circulation of a banned text he involved the proceedings in his publishing practices by reading it aloud in court, ostensibly for the jury to judge its illicit nature, and selling daily accounts of the proceedings in twopenny sheets.4

Carlile found ways to ensure to his printing and bookselling operation carried on while he took his place in Dorchester Prison from 1819-1825, his imprisoned body offering an exemplar of his unshakeable political principles befitting the ongoing printed output that mocked his persecutors. His more practically minded wife Jane, sister Mary-Anne, and a procession of volunteers worked to keep his shop open while he continued to produce his own writing from prison. The volunteers, coming to their stints at the radical

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4 Joss Marsh notes that Hone took a more direct hand in the trial, setting aside any lingering resentment he may have felt over his pamphlets and offering assistance in preparing Carlile’s defense, “provid[ing] not only the most eloquent but also the most humble moments of the proceedings”(67).
bookshop from a wide array of trades, were quickly arrested. However, they succeeded in keeping *The Age of Reason* available and gradually wore down the authorities. After 1825, the attorney general no longer pursued further blasphemy charges based on its reprints (Marsh 71). Carlile’s chosen role is evident throughout his controversial career in literature and politics from his own works, his choices of texts by others to reprint, and the paratexts he included in both his reprints and accounts of his ongoing confrontations with the law. For instance, after the state’s attention had turned from the imprisoned patriarch to his family’s continuing endeavors, he dedicated the 1825 volume recounting his wife’s trials for her involvement in their publishing business to former Foreign Minister Viscount Castlereagh, who had committed suicide in 1822. According Carlile, the perennial villain of British radicalism “did that for himself, which MILLIONS wished some noble mind would do for him – CUT HIS THROAT” (3). As such provocative use of paratext illustrates, even from prison Carlile perceived his role in publishing seditious, blasphemous, and piratical works as fighting a major front in the larger war against tyrannical authority.

Research on radical and pirate printers and booksellers has tended to focus on the roles they played in the political history of nineteenth-century Britain and the economic development of mass reading. However, an area that remains underexamined is the consequences the methods of publication and circulation so-called literary pirates had for both contemporary reading and the broader narrative of literary history. The illegitimate publishing of the late eighteenth and early nineteenth centuries had a greater scope of impact for the reading and criticism of the works of that period than has been previously

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5 For instance, Richard Altick in *The English Common Reader* and Iain McCalman in *Radical Underworld*. 
acknowledged. In this study, I will outline a variety of ways that the discourses and practices of piracy shaped the body of literary work that later scholars called Romantic. Pirates made an essential contribution to developing the conceptions of authorship and literary property that characterized British Romanticism as a body of literature and ideology. Indeed, in large measure piracy made Romanticism.

Material Conditions for a Posthumous Movement

Scholars have widely accepted at least since Jerome McGann’s publication of *The Romantic Ideology* in 1983 that critical constructions of British Romanticism as a literary period depended less on any clearly unified set of post-Enlightenment ideas among the major canonized poets or their contemporaries than on the ways their texts were read and studied later in the century. These critiques were a vital defense of the field in the wake of post-structuralism, with the death of the author and birth of the “author function” in Barthes and Foucault. Consequently, it has been necessary to question Romantic self-portrayals of the poet’s exceptional artistic mind whose inspiration is immanent in nature and communicated in elegantly direct and expressive language. For all its persistence as a category of literature, the term “British Romanticism” explains little about the thought and motivations of the authors who worked in the period it designates. Romanticism in Britain was a posthumous movement only defined following the Victorian-period formalization of literary studies in the academy. It comprises a wide range of revolutionary and counter-revolutionary works written during the political and social upheaval coinciding with the French Revolution, the ensuing wars, and their aftermath.⁶

Much of the poetry associated with that time and place is based in aesthetics informed by

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the Gothic and sentimental modes *en vogue* in the late-eighteenth century, but the
tremendous variation in styles, tone, and political orientations has plagued attempts to
systematically characterize the period.\(^7\)

One prominent example is Coleridge’s questionable insistence in the *Biographia
Literaria* that “a tried experience of twenty years, has taught me, that the original sin of
my character consists in a careless indifference to public opinion, and the attacks of those
who influence it” (1.44). That pretense to apathy comes of a shifting relation between
author and a widening potential reading audience, and the tradesmen, booksellers, and
tastemakers who stood between the two. His later frustration with the idea of popular and
critical acclaim, after all, only developed after he had made numerous attempts at
inspiring broader appeal, perhaps most apparent from his autobiography in moments such
as his early venture into finding readers for *The Watchman*. He tells of visiting first with
a radical artisan, a chandler by trade, who was dismayed by the investment the young
author requested for a thirty-two page “*large octavo, closely printed*” every eight days.
The man readily admitted this quantity of text was “more than I ever reads, Sir! All the
year round” (1.182). Moving up the class structure brought no more success as the
prosperous cotton-dealer Coleridge saw next evidenced considerably less interest or
politeness than the politically conscious chandler. While the young author failed to gauge
how the actual reading habits of his prospective audience might impact his appeals for
support, such disappointments clearly had an important influence on the course of his
career. Indeed, though his political and religious commitments shifted over the years,
Coleridge did not cease his attempts to find a wider readership, nor entirely give up on

the subscriber-financed periodical as a vehicle for his ideas. In his later attempt at maintaining a popular base to pay for the publication of *The Friend*, he met with the difficulty of holding their interest with an eclectic paper given to forays into idealist philosophy. He complains that ninety subscribers “threw up the publication before the fourth number, without any notice; though it was well known to them, that in consequence of the slowness and irregularity of the conveyance, [he] was compelled to lay in a stock of stamped paper for at least eight weeks beforehand” (1.176). While it is apparent Coleridge could not afford to be as apathetic to popular tastes as he liked to claim, in building periodicals around his own eccentricities he consistently failed to capture that taste with his complex and changing set of political, religious, and philosophical ideals. Though still given to digression and obscurity, he eventually found in the critical lecture a format that balanced his habits of mind with an ability to sustain the interest of laymen and provide a steady income.

In Coleridge’s biography then, we see an author with avowedly poor sense of the marketplace nonetheless striving to match the forms of his work and his mode of expression to the tastes and understanding of an increasingly diverse readership. There are obvious disjunctions between a Romantic ideology that called, in the words Coleridge offered to Wordsworth, for the “original” author “creating the taste by which he is to be enjoyed” and the practical realities of literary careers (*Shorter Poems* 654). This distance between ideal and necessity has meant that scholarship on the period became largely preoccupied with repeatedly challenging the claims of authors about their methods and motivations, grounding the grand statements of artistic vision in a quotidian world of
historical and commercial context. Much critical print therefore has been devoted to arguing the importance of considering interactions between authors, booksellers, critics, readers, and others for a historically contextualized understanding of how the period’s literature was produced. An important discursive shift occurred between the production of Romantic texts and how their writing and publication came to be narrated. Considering how that slippage developed within the texts of the period and in the criticism that discussed them for the succeeding two centuries can elucidate the history of how a small subset of writers working in a variety of styles, tones, and social contexts came to characterize the literary output of Britain from roughly 1789 to 1832. Pierre Bourdieau traced back to the birth of European Romanticism a field of cultural production split by “the opposition between the sub-field of restricted production and the sub-field of large-scale production … and secondly, the opposition, within the sub-field of restricted production between the consecrated avant-garde and the avant-garde” (53). The *habitus* to which the “avant-garde” author submits his or her works relies on the dialectic between the potential outcomes of either outright commodification as disposable entertainment or entrance to an artistic canon. The possibility for literary immortality became institutionalized, with English literature enshrined as a major topic of academic study and the “major” writing defined as that which was anthologized and taught.

In turn, Romanticists reacted against the long-established image of the autonomous author of singular genius. Jack Stillinger emphasized the importance of collaboration even in works generally considered the product of a single authorial mind
and the instability of texts, particularly in Coleridge’s major poems. Lucy Newlyn centered the anxiety of Romantic-period authorship, not in the writers’ inner turmoil or reflections on childhood, but in their relationship with critics who mediated whether and how they are read. She writes, “Romanticism [was] a species of reaction-formation against the new power of reading, [in which] writers weave[d] their own 'ghostly web' from the materials of the past, seeking to consolidate their diminishing sense of authority through strategies of mystification” (48). But the anxieties for authors and booksellers over how printed works would spread and be received did not end at the newfound cultural authority of literary critics. The conditions of publication, reprinting, and appropriation created a wider range of possibilities for the circuit of communication and reading than even these accounts suggest. Examining those conditions provides important insights into literary, political, legal, and, most significantly here, book history.

It is a crucial fact in this history that Romantic-period British literature was widely disseminated by printers and booksellers outside of the legally and culturally sanctioned circles of marketing and reception, often in direct opposition to the wishes of authors or legitimate booksellers. Although as the scholar responsible for the model of the communications circuit, Robert Darnton, admits in considering the banned books of prerevolutionary France, “[r]eading remains the most difficult stage in the cycle to understand,” we can gather revealing clues to the conditions of reading in a particular place and time (184). We may never grasp precisely how all the factors and processes involved in acquiring a piece of print and experiencing its appearance and tactile qualities

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all came together to impact the experience of readers. Nevertheless, if we are to further our understanding of literature’s reception outside a very small circle of professional readers and writers and its transmission over space and time, we must consider the available evidence for how reading took place and was affected by contemporary material and economic conditions.

Primary accounts can offer some help in learning how people obtained reading material in spite of the expense and at times legal dangers involved, as well as offering a sense of reader responses outside of publishing and critical circles. For instance, the autobiographies of radicals Allan Davenport and Samuel Bamford each recount the powerful influence of cheap reading material. While Davenport was only discouraged from his own less distinguished literary pursuits by reading a series of the British poets in sixpence numbers, he found his calling in “[a] work by the honest and indomitable Thomas Spence, containing a new administration of the landed property of the kingdom; his trial in Westminster Hall for sedition; and a great number of letters on various subjects, all calculated to improve the condition of mankind” (16). Though at times overwrought and melodramatic, Bamford’s prose conveys the excitement and lasting political influence of early access to books. The radical offers a secular and explicitly political version of the traditional religious conversion narrative when he describes in rapturous terms how when the poetry of Robert Burns “fell into [his] hands” he was so transported by reading, “or rather compress[ing] to [his] very soul, every word of that precious book” that he beheld a vision of the poet himself (289). This is only the most remarkable of his several formative encounters with texts, including with Milton. Readers
like Bamford saw in such textual experiences the potential to build a shared cultural background for artisans and workers. The value for the working-class political cause of making literature, especially recent and topical literature, cheap and accessible enough to circulate beyond the cultural elites lay in spreading not only outright propaganda but habits of thought and conversation. New circuits of communication branched out as workers, artisans, and radicals purchased and shared newspapers, political tracts, satirical pamphlets, poetry, and other forms of print available to them.

We do not have such detailed first-person accounts of readers’ encounters with most of the period’s books and periodicals or specifics of how particular editions’ features changed their readers’ thinking about a work. However, examining paratextual and formal elements, such as paper and print quality, advertisements, editors’ or publishers’ notes, and interpolated epigraphs, can provide important clues to how those books were deployed and received. This evidence shows printers and booksellers, both legitimate and illegitimate, making additions or alterations to texts in order to recontextualize or redirect them and appeal to audiences of various political persuasions and levels of class and education. British Romanticism as we know it, a body of literature fraught with questions about the authorial role, the nature of subjectivity and memory, and political and economic change, was born out of encounters with widely pirated texts. And as sold in pirated editions, the works of Shelley, Byron, Southey, and others were already vested with the marks of ongoing struggles over representation and censorship.
Copyright and Print in the British Romantic Period

The history of publication and reading in the Romantic period and to a degree the concept of Romanticism itself are in part the history of statutory copyright. Copyright restrictions gave claims to the financial and cultural value of literature a backing in the law and a connection to the long tradition of considering private property as the basis for the rights of Englishmen. Martha Woodmansee and Mark Rose each argue the conditions for the emergence of Romantic ideas of the author were set by this legal development. Where Woodmansee focuses on the concept of “genius” taking hold in German Romanticism, Rose applies similar principles to consider the British author as the creator and proprietor of a piece of property. In their formulations, a codified copyright in the eighteenth century was a necessary condition to make possible the creative ideology inherent in the Romantic author. Rose writes, “the romantic elaboration of such notions as originality, organic form, and the work of art as the expression of the unique personality of the artist was in a sense the necessary completion of the legal and economic transformation that occurred during the copyright struggle” (76). More recently, Mary Poovey has expanded on this line of thought, citing the split in *habitus* and valorization of the original and “genuine” in the works of Romantic-period authors as a direct reaction to the increased commodification of imaginative literature brought on by intellectual property laws and changing publishing practices. She explains, “Armed with the newly available aesthetic model of value as a *differential* category (i.e., as incommensurate with market value), these poets tried to manage the torrent of print by proposing various categories designed to help readers discriminate between 'good poetry' and other, inferior, kinds of
imaginative writing” (290, italics hers). These were indeed major shifts in print culture, establishing the commodity value of imaginative pieces of writing as unique and valuable properties in law and the market. But the history of illegitimate publication is no mere byproduct of the invention of copyright. Rather, it is a tradition with its own ideological implications and unique signifiers, entangled with the larger narrative of changes in the economics of writing and publishing. The more easily traceable story of copyright legislation and enforcement does however provide a vantage for understanding how piracy was defined and operated in the late eighteenth and early nineteenth centuries.

The 1710 Act of Queen Anne, titled *An Act for the Encouragement of Learning*, first established statutory copyright in Britain. Coming into effect April 10, the law included a provision establishing a copyright term of fourteen years during which an author had sole right to print a work and allowing for the author, if still living, to renew for another fourteen. Texts that had already been sold to booksellers were protected for twenty-one years from the act’s passage. However, the law failed to establish how these limits would be administered or enforced, and they were largely ignored by booksellers. English booksellers insisted the Statute of Queen Anne was a mere reinforcement of the traditional common law copyright, under which they retained the right to print texts in perpetuity. Beginning around 1719, they maintained their monopolies over texts through the conger system, in which cartels shared in the ownership of texts, cooperating in paying production costs and reaping profits. Meanwhile, Scottish courts took a very different tack, enforcing the copyright term limits stated in the statute. This allowed for a

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thriving Scottish reprint market, the products of which often made their way into England, and eventually led to the major legal challenges to perpetual copyright.

Alexander Donaldson, an Edinburgh bookseller who had in 1763 established a shop in London selling cheap Scottish reprints declared open opposition to the entrenched booksellers in a tract the same year. He accused them of systematically and unfairly snuffing out growth in the provincial markets, writing,

> London booksellers have entered into a combination and conspiracy, under the terour and threats of severe prosecutions in the courts of law and equity; upon their joint expenses, to suppress the sale of all books originally printed in England, and reprinted in Scotland, without any distinction in point of time when these books were first printed and published; which, in other words, is asserting their claim to a perpetual monopoly of these books. (5)

In the 1769 case of *Millar v. Taylor*, a group of London booksellers who had purchased the rights to James Thomson’s *The Seasons* following the death of the original publisher, Andrew Millar, prevented a Berwick bookseller from producing an edition. Although the term ostensibly granted in the Statute of Anne had expired, the Court of the King’s Bench upheld the cartel’s interests. Donaldson reacted by producing his own edition of *The Seasons* with the express intent of incurring an injunction as Taylor had and bringing his own challenge to perpetual copyright to court. *Donaldson v. Becket* came before the House of Lords in 1774 with Thomas Becket standing for the booksellers and printers who continued to claim copyright in Thomson’s work.

The pamphlet war around the case set the terms under which lawyers, authors, booksellers, politicians, and radicals would debate the proper understanding and administration of copyright for the next century. Francis Hargrave, the barrister for Becket early in the case, put forth an important line of reasoning for how literary works
and other imaginative productions, despite lacking a singular physical form, could be considered as property by arguing,

> whatever is susceptible of an exclusive enjoyment may be property; and that rights may arise, which, tho’ unconnected with any thing corporeal, may be confined in the exercise to certain persons, and be as capable of a separate enjoyment, and of modes of alienation and transmission, as any species of corporeal substance (10).

Catharine Macaulay contributed to such reflections on the nature of property the more practical consideration “that literary merit will not purchase a shoulder of mutton, or prevail with sordid butchers and bakers to abate one farthing in the pound of the exorbitant price which meat and bread at this time bear” (15). Copyrighted texts were to be simultaneously granted an elevated importance as sources of education and knowledge for the nation and treated as just another ware for sale by tradesmen. If the English government felt it had an interest in encouraging the nation’s reputation for accomplishments in literature and learning, as the 1710 statute suggested, it behooved the House of Lords to enforce laws that guarded the associated profits.

In the event, victory for Donaldson temporarily pushed back against the common law formulation of literary property and resulted in the short-lived enforcement of a fourteen-year copyright term in England. Older texts entered a newly instituted public domain, allowing for extensive reprinting of what William St. Clair refers to as the “old canon.” He argues this body of literature, appearing in numerous series of poetry and prose by various publishers, “owed its birth and its long life more to the vagaries of the intellectual property regime than to any carefully considered judgements.” (128). However, the state of affairs allowing that canon to spread beyond the more permissive borders of Scotland soon ended. In 1808 the copyright term shifted from fourteen to
twenty-eight years, tied to the requirement, much protested by publishers of luxury books in short runs, of depositing eleven copies to be kept at the British Museum and other designated libraries (Johns 216-20). William Wordsworth, among the most tireless and influential advocates for stricter copyright laws throughout his life (though he rarely wrote of the matter for public consumption) was unimpressed. He complained in correspondence,

The law, as it now stands, merely consults the interest of the useful Drudges of literature, or of flimsy and shallow writers, whose works are upon a level with the taste and knowledge of the age; while men of real power, who go before their age, are deprived of all hope of their families being benefited by their exertions.  

The copyright regime could not simultaneously serve the interests of booksellers attempting to maximize their profits both immediately and in the long term, a literate public desiring cheap and readily available reading material, and an author like Wordsworth, who saw the practical and romantic values of a place in posterity. He hence remained unsatisfied in 1814, when the term extended to either twenty-eight years or the life of author, whichever was longer. He drew a stark distinction between the enduring value of the timeless or avant garde work of genius and the immediate popularity and profitability of sordid entertainments. However, he also insisted a lasting book should be considered a form of inheritable property that by justice would financially benefit the author’s heirs as later generations came to appreciate its brilliance.

London booksellers had more pressing motives for their support of expansions in copyright law. They sought to maintain their existing business model against a divisive political climate, the growth and altering composition of the reading public, and

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10 To Richard Sharp. 27 September, 1808. Letters 2: 242. For further discussion of Wordsworth’s thoughts on copyright and piracy, see Chapter 4.
technological innovations in printing and paper-making. As James Raven explains,

The publishing sector continued to be especially handicapped by the requirement to have so much capital tied up in a particular item of production (an edition) before any part of it could be sold to realise returns. The book trades further suffered from the relatively inefficient deployment of resources that economists now term path dependency, that is, the continuation of particular (but in theory not inflexible) working practices because of cultural inertia and a resistance to change. (325)

Their countermeasures included suppressing wherever possible practices like underselling and reselling at a discount and insulating themselves against charges of sedition or blasphemy. Bookseller James Lackington notes in his memoirs that selling remainders at for half or a quarter of their originally offered price “created [him] many enemies among the trade; some of the meaner part of whom, instead of attending to the increase of their own business, aimed at reducing [his]” (225). Extending copyright and maintaining exclusionary trade practices that denied benefits to booksellers who departed from norms delayed major changes from taking hold in their industry. Even as technology developed and literacy expanded in the late eighteenth and early-nineteenth centuries, the London cartels clung to existing practices while increasing prices for new books. In 1818 Byron’s publisher, John Murray, claimed that high prices were themselves a selling point necessary to suggest the quality of a book, telling a House of Commons select committee, “I should take care … not to put too low a price on the book,

11 Altick writes, “It was principally from among skilled workers, small shopkeepers, clerks, and the better grade of domestic servants that the new mass audience for printed matter was recruited during the first half of the century. These were the people who chiefly benefited from the spread of primary education and whose occupations required not only that they be literate but that they keep their reading faculty in repair. And because these people shared more in the century’s prosperity than did the unskilled laborers, they were in a somewhat better position to buy cheap books and periodicals as these became available” (83).

12 By the Victorian period, publishers made trade discounts dependent on agreeing to conditions that would prevent or delay resale, practices encouraged by Mudie’s Circulating Library. See Guenivere Griest, Mudie’s Circulating Library and the Victorian Novel.
so as not to depreciate the intrinsic merit of it in the estimation of the public, which a higher price would indicate …”.

Apparent in accordance with this philosophy, the costs of long poems and especially three-volume novels continued their trend of sharp increases. The latter rose from an average price of about 12 shillings at the beginning of the century to 31s.6d. in 1840. In 1821 that price “reflected the premium readers had to pay if they could not do without Scott’s latest romance,” but it gradually became standard (Altick 263).

Printers and booksellers tended to embrace only those innovations that would lead to immediate savings in their production costs, while the prices of new books went up due to increased taxes and this strategy of thoroughly marketing books to the wealthy before making them widely available in cheap editions. Consequently, the changes in printing and publishing technology were slow as well, the first shift from the long-stable traditions of the wooden printing press occurring between 1800 and 1803, when Earl Stanhope invented his eponymous iron press. A number of similar machines followed, largely replacing older models by the 1820s (Gaskell 200). The fact that the iron press required only one pull, as opposed to the wooden press's two, ultimately did little to speed up the printing process, and the new machines were far more expensive (Eliot & Rose 275). Mechanized presses, first constructed by Friedrich Koenig in steam-powered prototypes in 1811-2, appealed to newspaper printers with their speed and productivity and were first used to produce an issue of The Times on November 29, 1814. However,

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13 Select Committee on the Copyright Acts, Minutes of Evidence Taken, House of Commons (1813), 66. For the bulk of his testimony, Murray, along with numerous other booksellers and publishers, insists on the damaging outcome of the requirement under the Copyright Acts to deposit eleven copies of every book published with libraries.
they were too expensive for most book printers and only came into use by the larger firms in the 1830s. Changes in paper production were only somewhat quicker. Though some techniques had evolved over the era of print, as in the shift from laid to wove molds and experimental use of chlorine bleach to make white paper in the 1790s, paper continued to be handmade from rags by skilled workmen throughout the hand-press period. Those workmen tended to form combinations and make demands displeasing to their employers, who consequently took readily to the idea of a mechanized process (Gaskell 216). When the steam-driven Foundrinier machine, designed by Nicholas-Louis Robert and constructed by Bryan Donkin, reached its more-or-less completed state by 1807, it provided that process. While a certain demand for high-quality handmade paper remained, over the course of the 1820s machine-made paper came to dominate the printing of books and periodicals.

Meanwhile, the copyright regime was well on its way to retracting the seemingly revolutionary shift marked by *Donaldson v. Becket* in favor of longer-term profits for the major booksellers. The concept of common law perpetual copyright no longer held sway and pressure from authors and booksellers did not result in a change in the deposit requirements until 1836. Still, publishers had a great deal of latitude to keep prices high and delay reissuing books in cheap reprints. The “taxes on knowledge” also contributed to the high prices of reading material, successfully holding back the expansion of the cheap press from 1795 until 1861 by increasing the cost of paper and placing an additional charge on newspapers. The most oppressive and effective tax on knowledge, at least according to Dickens, was the window tax, charged for every aperture on a house
above six (Altick 92). With the tax at its height from 1808-1823, landlords covered as many windows as possible. This kept smoke in and light, which might have been used for reading, out. For working people, candles were too expensive a substitute for natural illumination to use at any length. Meanwhile, some publishers, like William Cobbett, managed to find ways around the duty on newspapers, but they remained largely impossible for any but the affluent to buy, and certainly not more often than Sundays. Following Peterloo in 1819, the Six Acts raised the stamp duty on newspapers to 4d, in addition to the 3d per pound tax on paper. Middle and working-class readers could not pay the resulting prices to purchase newspapers themselves and instead illegally shared them among neighbors or read in coffee houses. But the taxes also had the side-effect of providing a rallying point for working-class radicals and their allies, who put out “unstamped” publications like the Poor Man's Guardian and the Working Man's Friend in protest. E.P. Thompson notes, “the fight for press liberties was a central formative influence upon the shaping movement. Perhaps 500 people were prosecuted for the production and sale of the 'unstamped’” (729). The tax on newspapers was not repealed until 1855, followed by the tax on paper in 1861. In the meantime, the cumulative effect of these legal, technological, and financial factors was that selling cheap, current reading material, especially recent books, remained largely the province of pirates and radicals.

Piracy and Politics

The economic and legal conditions under which the literary texts of the early nineteenth century were printed and reprinted, including the establishment of a statutory copyright, affected their content, deployment in political debates, and potential for later literary
canonization. But those conditions also include publication that occurred outside or in open opposition to the copyright regime and collaboration between established booksellers. Robert Macfarlane usefully points out the limitations of the reasoning that places copyright at the center of Romantic thought about creativity when he suggests that the very association between period and the privileging of the value of originality is itself partly the result of later critical construction. These claims deemphasize the importance of the acts of imitation and adaptation that actually took place throughout the literature of the period in order to develop their own author-centric narrative. While Macfarlane’s work focuses on literary appropriation and plagiarism throughout the century, in much the same way unauthorized printing or reprinting works was key to the circulation and reading of early nineteenth-century works. As Adrian Johns explains, piracy denotes a range of practices, shifting over time and over cultural distinctions, that has its own history beyond the dialectic with intellectual property law (6). The shaky and mutable definition of the term “piracy” is both a major problem in discussing the conventions and effects of illegitimate publication and key to understanding its ideological force. Piracy is always an accusation of misappropriation based in a specific historical context and on the economic and cultural interests of the accuser. Johns suggests “piracy was an invention of the seventeenth century,” for “[p]recisely when authorship took on a mantle of public authority, through the crafts of the printed book, its violation came to be seen as a paramount transgression” (19). While this understanding of the nature of the crime was still in evidence by the nineteenth century, as he acknowledges, the piracy of one era is not the same as another.
Indeed, part of what made piracy so significant to the circulation and reading of print culture in early nineteenth-century Britain was the particular problem of definition specific to the conditions of the period. St. Clair suggests,

A pirate bookseller, as the word had been used earlier, was one who infringed private intellectual property rights. But in the early nineteenth century only the most legalistically minded could have easily distinguished among those printers and publishers who committed a civil offence by reprinting texts without the owner's permission, those who committed a criminal offence by defying the imprint and registration laws, those whose books were liable to criminal prosecution as seditious, blasphemous, or obscene libel, those whom the state decided not to prosecute but who were privately prosecuted and harassed by the Society of the Suppression of Vice, and the large unrespectable publishing, bookselling, and print-selling industry which operated outside the mainstream. (312)

Elsewhere, he discusses the gap between the rhetorical flourish with which the terms of piracy were deployed by publishers and politicians and the actual legal consequences, pointing out “the London book industry often colluded with the ‘piratical’ practices it condemned and benefited from them” and the dominant metaphor became “a literary knockabout, a trope” (“Metaphors” 391). It is a vital point in the history of intellectual property that piracy has been to a great degree a crime in search of definition, but this should not be a reason to dismiss its significance as a dominant and often rhetorically effective model for claiming the usurpation of imaginative property. Rather, this study will consider piracy in the broad terms suitable to the historical context.

Piracy is a concept encompassing a wide range of publication practices that involve the printing of materials unauthorized or outright condemned by the original authors or publishers, though the resulting version may or may not have come into explicit conflict with contemporary copyright protections. The gray areas for editions that
might be referred to as piracies by the authors or publishers and yet not be liable for an
injunction were unquestionably vast. These included editions produced overseas, works
that were or had potential to be deemed seditious or blasphemous, transcripts of spoken
words not in copyright in printed form, etc. The distinctions between legitimate and
illegitimate and respectable and unrespectable print in the Romantic period were
motivated by both the economics of print and political ideology, interests which could
coincide or work at cross-purposes. The discourse of piracy thus developed in the courts,
the marketing of booksellers, and the claims of authors. The differing conceptions of the
parties involved matter because they contributed to determining the means of publication,
cultural penetration, and reading of the period’s works both in the short-term and into the
latter part of the century.

Through the operations of radical booksellers like Carlile, the book trade enacted
in microcosm the larger challenge about the nature of freedom under the English
constitution that had been posed by increasingly politically conscious members of the
working and artisan classes.14 This is not to say that literary piracy was an exclusively
radical activity; for instance, Johns has considered the eccentric but highly conservative
antiquarian Sir Egerton Brydges as for a time a major voice in the copyright debate who
felt “contemporary copyright law represented a mortal threat” to his interests in
preserving Britain’s cultural history (215). His opposition led to founding a private press

14 John Feather writes, “The gradual exploration of the meaning of the concept of copyright was . . . caught
up in a wider debate about the nature of property itself. On the one hand, there was the prevalent view that
property was a natural right, partially ceded to the state, which could be created and, having been created,
existed in perpetuity. On the other, there was the view that all property derived from the Crown, and was
therefore subject to the authority of the Crown and its agents, including laws made by the Crown-in-
Parliament” (86).
where he produced small runs of books and refused to obey deposit requirements. However, the concepts of agrarian socialism developed by thinkers like Paine and the radical bookseller Thomas Spence are well represented among the producers and readers of illegitimate reading material. Knowing they would be perceived as a radical mob of Jacobins, and often playing upon the fear this inspired in the government and conservative press, radical writers and printers threatened the interests of both the entrenched elite and developing bourgeoisie by rejecting hegemonic power over land, political representation, and military power. By operating outside officially accepted channels to deliver messages of reform or revolution, pirate publications became themselves performances of that transformational ideology. In their methods of production and textual content, they demonstrated a complex interaction between radical politics and other interests, including the system of English common law and claims of property-owners. By its nature piracy continually exposed and questioned the class barriers in political and cultural discourse, whether codified in law or played out in text. Through reprinting, the writing of socially elite but politically controversial authors like Lord Byron and Percy Bysshe Shelley mingled with lewd satires directed at the lower classes, expanding their audience in unforeseen directions and impacting their later place in the nascent narrative of British literary history.

Cheap print, including unauthorized reprints, provided the means for information and ideas to be transmitted along networks of people with shared social, political, or economic interests. Shut out of the bourgeois public sphere, radicals and members of the

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15 E.P. Thompson notes that the Spenceans, organized as the Society of Spencean Philanthropists, were distinguished “as the only English Jacobin grouping to succeed in maintaining an unbroken continuity throughout the wars” and for being unusually welcoming to women among their ranks (162).
lower classes had to form their own modes of communication and means of inserting themselves into political activity. Iain McCalman notes how radical leader, Thomas J. Evans, expanded his influence as exemplifying the role of “personal, family and community networks in binding and perpetuating radical groupings” (104). In Evans’s case, the connections he established through his work as a tradesmen and participant in the London Corresponding Society and United Englishmen allowed him to go on to succeed Spence as leader of the Society of Spencean Philanthropists. Radical print spread through networks of individuals with common political and economic interests, offering a shared vocabulary and set of concerns for discussion among the lower classes and their sympathizers. Those who trafficked in suppressed and pirated books relied upon networks of communication and their adaptability to shifting legal circumstances if they were to continue spreading their political ideas or stay in business. Keeping their businesses and political activities in operation required dodging or aggressively defying the spies employed by Society for the Suppression of Vice, an organization of aristocrats and Anglican ecclesiastics founded in 1802. Their informants investigated violators of the Seditious Societies Act and sellers of pornography, which became an increasingly prevalent source of income for radical and pirate booksellers over the early nineteenth century.

People outside the sphere of respectable literary or political discourse thus learned where and how to gain access to books and newspapers. This could be as simple as listening to a public reading of a political pamphlet or illegally renting a newspaper, but sometimes inspired rather convoluted maneuvers. A colorful example is the mechanism
developed by Carlile during his imprisonment and used briefly by volunteers at the 55 Fleet Street shop to avoid being seen selling works considered seditious and blasphemous. It was described by one of those volunteers:

Mr. Carlile had formed a plan to sell the books down a spout, so that the person purchasing the books could not see the person that sold them. In this way it was accomplished: -- There was a little door on the counter, which the person wanting a book had to rap at, when the door opened, and the purchaser asked for the book which he wanted. Then a small bag was lowered down for the money. When it was drawn up, the book with the change—if any was required—was lowered down to the purchaser. By this system the informers were baffled; and Mr. C. was enabled to carry on his business, and also to collect subscriptions from the different parts of the country, direct, without passing through the hands of the committee, which was essential service to him, in case of his shop being closed. (Royle 105)

The diminutive Spencean ultra-radical Samuel Waddington, who briefly served among Carlile’s volunteers, adopted a version of this method in April 1822 when he opened his own shop in the Strand. He advertised with signs outside the establishment mocking the authorities while plying his trade in deistic and republican literature through a bag a tied to a rope (McCalman 185-6). Despite the clever arrangement, the combination of highly visible disrespect with ostensibly surreptitious transactions could not hold. Waddington was soon caught by informers for the Society for the Suppression of Vice, who hid in a nearby shop. He came to trial and was imprisoned at Coldbath Fields. But his brief tenure as a shopkeeper exemplifies the variation and innovation that characterized the burgeoning radical culture and the exchange of reading materials essential to its continued existence.

That culture thus largely defined itself through the production and distribution of pirated and otherwise illegitimate books. While piracy predates and exists as a
phenomenon outside of intellectual property statutes, much of the rhetorical force of illegitimate reprints in the Romantic period came from the ways they developed and enacted an anti-copyright ideology. By circulating books that made no secret of their questionable status under the law, the pirates suggest an understanding of the rightful ownership of property and ideas functioning outside restrictive British laws and culture. Pirate publishers produced physical evidence that the terms deciding whether a text or visual design settled under copyright protection in early nineteenth-century England were, as always, highly contingent. And often, as Carlile did, they inscribed those works with additional material referring to their own political allegiances, encounters with the judicial system, and prejudices. Through these methods they revealed the limitations of the legislative and judicial institutions that attempted to suppress the exchange of undesirable ideas and texts. Parliament and the courts attempted to cope with a changing landscape of media and consumers, balancing pressures from various corners: the leading publishers who sought to maintain their tight grip on the industry,¹⁶ the imperative to suppress printed works that threatened established authority, and an increasingly literate public.

The pirated texts themselves offer evidence that supplements primary accounts to help reconstruct how they engaged readers in ways different from and at times directly opposed to authorized editions. The forms in which works were reprinted or adapted and sold had an immediate influence on how they were read, especially outside of the economic and cultural elite, and could reflect back on authors with important

¹⁶ The activities of combinations of publishers included efforts in 1802 to remove the paper duty, in 1808 to reduce the number of copies of new books required to be sent to libraries, to reduce penalties on printers who omitted their legally required names and addresses from title pages, and to extend the copyright term.
ramifications for their legal, social, and artistic standing. By falling into the hands of radical and pirate publishers, the works of Southey, Byron, and Shelley were not only incorporated into the literature of a growing lower-class political movement with which none of them were entirely comfortable, but appeared on shelves in even more scandalous company. Their poetry in cheap editions sat alongside bawdy satire directed at artisans and workers and a range of obscene and pornographic materials. Considering these conditions is another way of working against the persistent mythologizing of Romantic authorship, exposing its origin in networks of legal constraints, artistic influences, and economic interests. But this approach also leads to closer examination of the business dealings of authors and booksellers and specific texts, providing important insights into how later constructions of Romanticism were influenced by and contributed to the discourses of copyright and intellectual property.

Paul Edward Geller usefully sums up the history of copyright law’s development as competition and interaction between two major paradigms. “Marketplace norms,” which drove English copyright policy through the eighteenth century, were based in Enlightenment ideals of “maximizing the information available to society,” and thus “guide[d] lawmakers in fashioning copyrights to secure incentives for incrementally creating works and for investing in otherwise scarce media to communicate them” (166). The result is a system advantageous to the publishers, who are rewarded for acting as entrepreneurs investing in the production of new texts. “Authorship norms” emerge out of the Romantic lionizing of the individual genius, and seek to maintain the author’s

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17 See David Saunders, “Copyright, Obscenity and Literary History” for a brief summary of the historical and cultural contexts of this juxtaposition.
“autonomy of self-expression … by giving authors continuing control over their works” (167). While still largely drawing on marketplace norms, the concept of literary property established in early nineteenth-century British law treated texts as commodities held by the author and granted to the publisher for the period of the copyright term. And even when institutional support was limited, Romantic authors often maintained a sense of their own continued personal or moral rights over their works, though the concept would not find a place in the legal code until the twentieth century. Instead, the author’s prerogative in defining and limiting his audience is asserted in the texts themselves. The economic and educational barriers of class-standing restrict the entrance of readers to the rarefied space of the poetic sphere, enforced by both content and expensive, high-quality editions.

Meanwhile, illegitimate publishers took up opposition to both the romantic privileging of the author's intentions and domination of the market by the most powerful publishing interests, competing not only for a share of sales in the book market, but to establish their own version of the foggy terms under which a text could or could not be considered “owned” by its author or publisher. They offered a more democratic, if legally and morally problematic, model of book-authorship, production, and reading to compete with that of legitimate publishers and authors. Pirate publishers operated under the constant threat of prosecution, fines (which they generally could not afford to pay), and imprisonment for their violations of laws restricting the printing trade and the contents of their releases. Individual publishers' intentions may have been primarily based in committed radicalism or simply reaping the profits to be made by meeting the demand of
an enlarged reading public that lacked the financial means to purchase recent literature. But certainly some also purposefully played upon the resulting aesthetic and political problems their versions raised for the original authors. Each unauthorized edition of *English Bards and Scotch Reviewers* put out by French publishers or copy of *Wat Tyler* reprinted by English radicals has unique features, whether subtle or blatant departures from the author's expressed preferences, that can alter the reading and potential personal or political impact of the work.

This study considers how the varied sets of publication practices called literary piracy functioned as an ideological concept and major influence on the reading and eventually canonization of early nineteenth-century British writing as a Romantic movement. While scholars such as St. Clair and Johns laid the groundwork for this approach by their research into illegitimate publication and beyond, their wider perspectives tend to elide many economic and textual issues that may be elucidated through closer attention to the individual producers and artifacts. By looking at the publication history of particular pirated works and understanding the claims apparent in these unauthorized editions we can see how the unique features in each pirated version of a work, whether subtle modifications or blatant departures from the author's expressed preferences, were played upon the resulting aesthetic and political problems their versions raised for the original authors.

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18 Thomas Owens sums up a major aspect of what made pirated editions threatening to authors when discussing Wordsworth’s reaction to foreign reprints of his works. Owens argues such editions function as “literary creation[s] – constantly being recreated – whose manifest availability engendered an aesthetic anxiety for the poet himself” (30-1).

19 Byron's *English Bards and Scotch Reviewers* and *The Curse of Minerva*, which he had attempted to suppress, were published in an unauthorized edition by the French publisher Galignani in 1818. See Chapter Four for a discussion of Byron’s interaction with Continental pirates.

20 See Chapter Two for a discussion of how radical pirates attacked the poet laureate for apostasy while playing out their anti-copyright ideology through paratextual additions to Robert Southey’s early radical drama.
preferences, alter its meaning and personal or political impact. In this way, the conflicting claims over intellectual property norms directly affected the shape of early nineteenth-century literature, actually marking the physical features and paratexts of pirated editions. Further, the legal disputes over and appropriation of these texts affected the political deployment of Romantic poetry later in the century and mediated canon formation, making possible the rise of what came to be called the Romantic ideology.

I will develop these claims over the chapters that follow, first by considering the pirate editions of works by major authors in the period and the effects those editions had for the authors’ writing and publishing practices. Chapter Two will primarily focus on the unauthorized printings of Robert Southey’s *Wat Tyler* and Percy Shelley’s *Queen Mab*, both of which became major texts for the working-class radical movement by continuing to circulate after their authors disowned them. Chapter Three will investigate how two commercially dominant authors, Lord Byron and Sir Walter Scott, altered their publishing strategies in response to cheap reprints and adaptations. Chapter Four argues that unauthorized foreign reprints such as those produced by Galignani in Paris raised pressing questions about the definition of piracy while offering a form of critical appreciation and early canonization that otherwise eluded the younger Romantics. Chapter Five suggests that the techniques of appropriation and adaptation in cheap periodicals and graphic satire presented influential alternative constructions for the ownership of texts and borrowing of creative ideas.

Foregrounding the marks left by piracy and claims to intellectual property on Romantic-period texts provides useful historical, economic, and social contexts for those
texts and the ideas they express about authorship and ownership. However, this work also situates Romanticism in the longer history of debates over how ideas or language can and should be “owned” and when they become part of a public commons. Tracing the roles of copyright and piracy over a short but fertile period in British letters points to the artificiality and enduring power of these concepts, which have only become more pressing in a world of new media, digital rights management, and ubiquitous corporate trademarks. As my study will demonstrate, the invocation and subversion of intellectual property law have always been acts steeped in political and ontological complexities that are too often elided.
CHAPTER 2

DEAD LEAVES:

SOUTHEY, SHELLEY, AND THE ANXIETY OF PIRACY

In an 1819 Quarterly Review article Robert Southey argued that copyright is a justly, if imperfectly, codified expression of natural rights, one that cannot be justly limited in its term. He asked, “upon what principle, with what justice, or under what pretext of public good, are men of letters deprived of a perpetual property in the produce of their own labours, when all other persons enjoy it as their indefeasible right—a right beyond the power of any earthly authority to take away?” (212). Southey’s argument vests perpetual rights in the author, not the publisher, while rejecting the idea that cheaper, more widely available versions of books circulated without their creator’s approval might do any good to the public at large. Rather than spreading knowledge and literary appreciation, such activity compromised an Englishman’s entitlement to administer his holdings. In Southey’s view, the author’s rights inhered in any work he produced, whether he chose to sell the copyright or it never saw print. The Poet Laureate’s beliefs on copyright had been confirmed and hardened by bitter experience two years earlier, when his lack of control over his 1794 verse drama, Wat Tyler, was publicly exposed. His ownership of the long

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1 As of 1814, copyright terms stood at the author's lifetime or twenty-eight years, whichever was longer. The term had been gradually increased after dropping to fourteen years following the 1774 decision in Donaldson v. Becket, which required publishers to obey the restrictions imposed in the Statute of Queen Anne (1710). Southey's article primarily consists of an argument against the requirements, also set forth in the statute, for publishers to deposit copies of each new book with the British Museum and the universities. For more on deposit requirements and the opposition to them, see Adrian Johns, Piracy (213-45).
since abandoned poem was challenged first by publishers, who produced an edition without his permission, and then by the legal system, which denied him an injunction to prevent its sale. The case set a precedent under which piracies of works excluded from copyright protection multiplied, allowing these works to be widely read outside their targeted social strata and, in time, promoting the general circulation of radical political thought in England. The unauthorized editions that proliferated as a result embody the competing claims to authority over texts by authors, their legitimate publishers, and pirates.

The controversy surrounding the unauthorized publication of *Wat Tyler* revealed the law's limitations and, though other risks of prosecution persisted, offered pirates license to ignore intellectual property protection when reprinting blasphemous or seditious material. The drama quickly became central to contemporary disputes over copyright and piracy as subject of what William St. Clair considers “the most decisive single event in shaping the reading of the romantic period” (*Reading Nation* 316). In March, Southey sought an injunction in Chancery against the publishers, but Lord Chancellor Eldon found that the seditious content of the work left it unprotected by copyright restrictions. Opening the case, Eldon explained:

If this publication is an innocent one, I apprehend that I am authorised, by decided cases, to say that, whether the author did or did not intend to make a profit by its publication, he has a right to an Injunction to prevent any other person from publishing it. If, on the other hand, this is not an innocent publication, in such a sense that an action would not lie in case of its having been published by the author and subsequently pirated, I apprehend that this court will not grant an Injunction. The Court does not interfere in the way of Injunction to punish or to prevent injuries done to the character of individual; but it leaves the party to his remedy at law. It is to prevent the use of that which is the exclusive property of another, that an Injunction is granted. There is, however, a difference between the
case of an actual publication by the author, which all the world may pirate, and that of a man, who, having composed a work, of which he afterwards repents, wishes to withhold it from the public. (Merivale 437-8)

Eldon's interpretation of the author's property in an imaginative work as conditional upon that work's “innocence” meant that intellectual property rights met a sharp boundary; an author could not simultaneously claim ownership over a pirated work in order to suppress its sale by others and avoid responsibility for its inflammatory, and potentially illegal, content. The case of *Southey v. Sherwood* crucially defined how publishers producing unauthorized printings of politically or religiously incendiary works would operate.

Eldon’s decision was the latest in a series of attempts by Britain’s legislative and judicial institutions over the course of the late eighteenth and early nineteenth centuries to set and refine the terms deciding what imaginative productions should receive copyright protection and what that protection entailed. Since copyright law would not prevent the sale of publications declared seditious or blasphemous, authors like Southey, Shelley, and Lord Byron were trapped in a series of double binds, unable to staunch the flow of new printings of their more controversial works. Though authors might perceive the resulting editions as piracies, their claims did not hold up in court. Rather than being able to gain restitution in civil proceedings and force piracies back into obscurity, authors helplessly watched as the ‘guilty’ works were endlessly reprinted. When conservative thinkers condemned their contents, authors found themselves in the awkward position of concurring. If for no other reason, disavowing their own writing was necessary to avoid gaining the attentions of the Society for the Suppression of Vice, who would instead focus on printers, booksellers, and working-class radicals.
Under these conditions, piracies of *Mab, Tyler*, and other works excluded from copyright protection multiplied, with the long-term effect that some came to be widely read outside the social strata that otherwise would have access to new books. In time, pirate copies of those poems, along with other literary and polemical works, proved essential to the circulation of radical political thought and action in England. Tories who feared the effects of radical writing circulating freely among the lower classes soon came to see the problems for the censorious powers of legal and state apparatus. A July 1822 *Quarterly Review* article laments the ready and cheap availability of pirated copies of banned works as a function of their very social unacceptability, imagining a visitor to London told that *Wat Tyler* and *Cain* and *Lawrence’s Lectures* were allowed to be circulated without restriction because it was supposed that their intentions might be injurious to society—that *Wat Tyler* was supposed to be an attempt to support the worst passions by the worst reasoning and to inflame the idle and the abandoned into an attack on the property and the laws of the kingdom; the *Lectures* to remove the restraints of religion by denying the possibility of a future state, and the credibility of a revelation; and *Cain* to turn immortality and revelation into the sources of unutterable horror and misery by proving the malevolence of the Supreme Being: and that therefore *Wat Tyler,* and the *Lectures,* and *Cain* were allowed to be disseminated to an extent which could not have taken place if their tendency had been useful, or barely innocent. (123-4)

For the article's anonymous author (likely Nassau William Senior2), piracy is an epidemic stemming from the same kind of disregard for law, property, and the virtue of honest work as is expressed in *Tyler*. That the drama in fact defends those values while basing them around a more equitable form of property rights is irrelevant, because its attack on social hierarchy is an impetus toward disorder in the same way as the other two works'

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2 This attribution is made by the *Quarterly Review* Archive, ed. Jonathan Cutmore, with reference to the work of Hill and Helen Chadwick Shine.
questioning of Christian beliefs. The article claims copyright law fails to function as a deterrent against the spread of such dangerous concepts because its sanctions are inadequately improvised from common law, continuing, “[Injunctions] soon became the only defence of literary property. The violator of that property never can have any character, seldom any fortune. He is, in general, a man who, having nothing to lose, seeks to gain by a robbery, which differs from other species of unlawful taking only in not being criminally punishable” (125). The article downplays unlawful publications’ intended ideological function by playing upon the denotation of unauthorized printers as “pirates” and portraying the editions in much the same way Southey did to no avail in court: as evidence of intellectual larceny. Separating the crime of copyright violation from the issue of content lessens the editions' force as political statements and denies any claim to elevated status the publishers might have sought to accrue to themselves as men of conviction, or their productions as valuable contributions to public discourse. Rather than, as they might imagine, spreading enlightenment to the masses cut off from learning by tyranny, they were striking at the foundations of English society.

The copies of *Queen Mab*, *Wat Tyler*, and other works that first came before a larger public through unauthorized editions illustrate the pirate publishers’ contrary interpretation of their role, often prominently displaying the publishers’ radical intentions through bibliographic codes and paratextual, as well as textual, content. The legal questions that persisted around copyright and piracy left the nature and function of imaginative writing as property open to challenge by an understanding developed through the underground economy, very different from either the author or market-centered
models. By co-opting literary works for their own motives, they implicitly claimed that as soon as the author allows a piece of writing out of his or her own hands—regardless of any protestations of “misguided” youth, or the lack of a commercial printing run—the work is left open to be reprinted and offered to new segments of the reading public. Pirates could profit from selling texts while potentially altering content to deflect prosecution or further their own political purposes.

Eldon’s decision in *Southey v. Sherwood* inadvertently exposed copyright law’s foundation in an often ill-defined set of conditions that could be exploited with relative ease. It provided radicals with sufficient legal wriggle room to continue selling works officially considered obscene or dangerous in their reflections on reform, revolution, or free-thought. Thus Southey with *Wat Tyler* and Shelley with *Queen Mab*, however unintentionally, helped to develop the rhetorical and philosophical basis for politically conscious pirates, and were themselves confronted by the unstable, possibly self-destructive nature of their textual legacies. In the mere physical existence and, often, printed contents of unauthorized publications the official understanding of the nature of imaginative work and property, as well as authors' sense of their property rights, were set at odds with the actions and ideological commitments of pirates. The anxieties surrounding publication come to crisis when works are published or republished without authorization, as Southey and Shelley saw their early poetry removed from the customary circuit of publication and “disfigured” by the intervention of pirate publishers. The author of a work could not be certain it would only be read by its originally intended audience or within its intended historical context, or that its textual content and physical
appearance would not be altered without his being consulted or paid.

*Wat Tyler: Re-contextualizing the Apostate*

The eponymous folk hero of Southey’s *Wat Tyler* protests in soliloquy,

... look at these wolves of the law,
They come to drain me of my hard-earn'd wages.
I have already paid the heavy tax
Laid on the wool that clothes me—on my leather,
On all the needful articles of life!
And now three groats (and I work’d hard to earn these)
The Parliament demands—and I must pay them,
Forsooth for liberty to wear my head. (1.190-7)

The dramatic narrative serves primarily as a vehicle for such condemnations of the state's ability to enact tyrannous infringements upon private property. Southey’s polemic hinges upon a reading of property rights as the essential expression of the English subject's freedom, lending moral and ideological weight to the newly radicalized protagonist’s violent resistance. The Tax-Collector demands an unreasonable flat tax of three groats to support what he insists is “a glorious war,/A war of honor,” but Tyler dismisses as “the luxuries and riots of state.” While Tyler decries the kind of excess that nineteenth century readers would associate with the profligate Prince of Wales, his enemies attack the rights of the lower classes under a false pretense of honor and patriotism. In fighting to protect his family and livelihood, the honest blacksmith acts a patriotic British subject while revealing the corruption and hypocrisy that stem from the unchecked exercise of monarchical authority.

By the time the “dramatic poem” saw print in 1817, Southey, the now thoroughly respectable poet laureate, thought it well-buried in the past, the regrettablably explicit summation of his early political views fortunately left unpublished. In 1794, the nineteen-
year-old Southey had entrusted the manuscript to his brother-in-law, Robert Lovell, by whom “it was put into [radical publisher Samuel] Ridgeway's hands, he being then in Newgate.”

Ridgeway's own time in jail and the persistence of widespread counter-revolutionary sentiments and active government suppression, including the suspension of habeas corpus, seem to have dissuaded the publisher from going through with the project. Consequently, the drama's first printing came in a pirate edition published by Sherwood, Neeley and Jones on February 13, 1817. It thus emerged in the course of another period of exceptionally volatile domestic feeling, with habeas corpus suspended again following the Spa Fields riots. Though by the time the poem came before the public Southey had disavowed the vast majority of the opinions he held as a young republican, he understood the publication as a blatant usurpation of his own right as an English citizen to control his property – a right the state should have jealously protected, but did not.

Wat Tyler's didactic purpose as a critique of a government that did not respect the right of the lower classes to defend what they considered their own property was also immediately relevant to the situation of the radical pirates who published it. In their choice of text and presentation, the publishers foregrounded their own ideological conflict with conservative culture, choosing a particularly attractive target in an author representative of both their political opposition and an unjustly restrictive publishing industry. In pursuing their project, the pirates compromised the author's ability to control his own public persona and bibliography while claiming a moral right of their own to publish works without permission in order to serve political goals. Their immediate purpose was to shame Southey by exposing his own radical past, deriding his apostasy to

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the cause in taking on increasingly conservative political views and the role of poet laureate. By the time of the piracy, simply drawing attention to the beliefs that characterized his youth was already a well-established standard line of assault from his liberal opponents. Hazlitt, for instance, wrote an 1816 review of Southey's “Lay of the Laureate,” an occasional poem prepared upon Princess Charlotte's marriage, in which he casts Coleridge's truism upon the nation's official man-of-letters: “If we had doubted the good old adage before, 'Once a Jacobin and always a Jacobin,' since reading 'The Lay of the Laureate,' we are sure of it. A Jacobin is one who would have his single opinion govern the world, and overturn every thing in it. Such a one is Mr. Southey” (Political Essays 82). Hazlitt and his allies insist that fanaticism and monomania, rather than any basic flaw in liberal politics, were what turned the French Revolution to a bloodbath, and that conservatives are just as capable, if not more so, of the same vices. Meanwhile, the evils of Southey's political convictions are exacerbated, and perhaps outweighed, by the inauthenticity they argue is apparent from the fact that he changed sides. As far as his critics are concerned, both Southey's personal credibility and his poetry's aesthetic value were lacking because he wrote to grasp at station and influence, rather than in service to a romanticized concept of artistic inspiration or fiery radicalism.

The Sherwood edition of Wat Tyler aggressively pursues this line of assault on Southey's character, with greater force than possible through a mere jab in an essay. The pirate publishers exhibit the propagandistic potential of a work re-directed to an otherwise economically marginalized audience by ignoring intellectual property claims. They brought the play within the means of a middle-class and artisan readership, the first
pirated edition selling for two shillings at a time when most new books of the same length were priced at 10s 6d (RN 317). By keeping the price exceptionally low, Sherwood and his associates rejected the paternalistic discourse and market controls that kept most new books out of the lower classes’ hands. They invited the mob into literary and political conversations with a work that portrays the exercise of their untapped power, as they also showed the polemic force available by rejecting publishing restrictions. The pirates forced Southey back into the populist discourse from which he was otherwise insulated by law and the price of access to new literary works, building upon the already-prevalent criticisms of him in paratext and offering occasion to continue them through both further editions and a growing field of reception.

The radicals' perception of Southey overtakes the poet’s self-portrayals, systematically redeploying his early convictions and writing to explode his credibility as a defender of conservative ideals. The title page blatantly insists that readers consider the text a challenge to the laureate's public identity and judge him for his betrayal of the firebrand he once was. The publishers stop short of directly identifying the drama as Southey's, offering him an opening to deny his authorship. But his name nonetheless appears twice on the title page, as two epigraphs extracted from other early poems are emphatically attributed to him. The first four lines of Southey's own epigraph to Madoc (1805) serve the purpose with their call for readers to remember his other early long poems, Joan of Arc and Thalaba, the Destroyer:

Come, listen to a TALE OF TIMES OF OLD!-

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4 The effect is extended in the ensuing 1817 edition released by Bailey, which emphasizes the contrast between the poet’s current position and past radicalism by explicitly crediting the poem to “Robert Southey, Poet Laureate,” as well as including the epigraphs.
Come, for ye know me—I am he who sung
The “MAID OF ARC,” and I am he who fram'd
Of “THALABA” the wild and wondrous song.
SOUTHEY!

The publishers take up the poet's portrayal of himself as a romantic bard, which is fitting to another work set in a legendary past and also indicates the dilution of his imaginative vitality and political ideals. The epigraph in its original place was a self-aggrandizing performance, assuming readers' familiarity with poems that, as of 1805, had not been highly successful in either sales or reviews. That discordance between the author's ostensible expectations and the readers' knowledge is redoubled in the lines' new context, as most readers of the 1817 *Wat Tyler* probably would not have been able to afford any of the legitimately-published poems. Both *Joan of Arc* and *Thalaba* were priced at 16s., and *Madoc* itself at 42s in its first edition (though the second and third editions of 1814 and 1815 came down to 16s). By placing *Madoc* in clear succession with his other work, Southey obscures the long process that led to its publication. Sherwood, for his part, challenges the narrative of poetic progression the lines suggest by presenting them in the front matter of an earlier, abandoned work. Southey could not control which of his productions found an audience in what order, nor how they affected his reputation.

In the pirate edition's construction, Southey’s professional life as well his politics is caught in inexorable decline from a promising beginning. *Madoc* is an appropriate reference point for this account of his career. It was a work that over the sixteen years it took from the initial idea begun in prose, to circulation in a fragmentary manuscript, to a printed edition as a two-part epic had developed along with the poet's transition to Toryism. Over the years leading up to its publication, the author identified the poem with
his hopes for posterity. In 1799, he wrote, “if I live it is my determination not to publish it for many years – I would build upon it my after reputation & correct in the maturity of life what was produced in the warmth of younger years ...”\textsuperscript{5} In 1801, though he admits that “Madoc, in its crude state has been sleeping two whole years,” he still maintains, “... I build the hope, the confidence of my own immortality upon 'Madoc.'”\textsuperscript{6} By the time of publication, he preferred to keep this incubation process obscure, leaving unpublished a preface that would have made explicit the extended period of composition and revision. And in the end, Southey was disappointed by Madoc's lackluster sales in its expensive quarto edition. Thus, both the pirated Wat Tyler and the authorized epic recalled on the title page serve to underline the author's inability to determine the circulation and reception of his own imaginative output. Authorial and piratical intentions interact, recalling a bardic self-portrayal that makes all the more pathetic the depths into which his mature persona has fallen. His critics saw his past pretensions to poetic vision and the crafting of a timeless work giving way to the ephemeral pieces through which he genuflected before the pomp of royal life.

The pirates filter the poet’s more personal reminiscences through their disapproval in the second epigraph. Quoting from “On my Own Miniature Picture Taken at Two Years of Age” (comp.1796, pub.1797 Poems), they cut from the text to suit their purposes. The poem as published reads:

\begin{quote}
And I was once like this! That glowing cheek
Was mine, those pleasure-sparkling eyes, that brow
Smooth as the level lake, when not a breeze
\end{quote}

\textsuperscript{5} Letter to John May; 19 July, 1799. Collected Letters 423.

\textsuperscript{6} Letter to William Taylor; 27 July, 1801. Collected Letters 595.
Dies o'er the sleeping surface! Twenty years
Have wrought strange alteration! (PW 5.56)

The Sherwood *Wat Tyler* epigraph leaves out most of the poem’s first five lines, and adds a note of satiric shock and dismay at the author by tripling the previous epigraph’s hyperbolic punctuation:

And I was once like this!...........
..............................Twenty years
Have wrought strange alteration.
SOUTHEY!!!

As re-contextualized, the lines, instead of offering a nostalgic memory of romanticized childhood, look back twenty years prior to the pirating of *Wat Tyler* (though by then Southey had already begun distancing himself from his former utopianism), the poet's mourning for the loss of innocence co-opted to express the publisher's disgust at the creeping effects of corruption. The epigraph predicts the anxieties of the middle-aged Southey when confronted by that naively idealistic version of himself. And, along with the previous epigraph, it illustrates that not only the full text of *Tyler*, which would later be found to stand outside the intellectual property regime, but any of his past output could be seized by third parties, altered in context or content, and turned against him. Through the intervention of the underground economy, Southey's look backward was no longer an exercise of poetic imagination mediated by his own artistic goals, financial interests, and chosen publisher. Instead his past became physically manifested as part of a previously unknown party's commodity and sold without consideration or remuneration to him.

The publishers follow the epigraphs with an excerpt from Hume's *History of England*, recounting Wat Tyler's peasant rebellion. The authority of the leading
eighteenth-century British historian lends credibility and further political weight to the youthful Southey's version of the events, even as the edition as a whole works to strip the perception of those qualities from the older poet. It also makes clear why Southey would be reluctant to see his poem loose in the world, illustrating the continuing relevance of the Wat Tyler story to revolutionary thought. For readers of the pirate edition, aware of its illicit status, the final sentences quoted from Hume summon associations with both the French Revolution and the English working-class movement the edition tries to encourage:

> It was pretended, that the intentions of the mutineers had been to seize the king's person, to carry him through England at their head, to murder all the nobility, gentry, and lawyers, and even all the bishops and priests, except the mendicant friars; to despatch afterwards the king himself; and having thus reduced all to a level, to order the kingdom at their pleasure. It is not impossible that many of them, in the delirium of their first success, might have formed such projects: but of all the evils incident to human society, the insurrection of the populace, where not raised and supported by persons of higher quality, are the least to be dreaded: the mischiefs consequent to an abolition of all rank and distinction become so great, that they are immediately felt, and soon bring affairs back to their former order and arrangement. (x-xi)

A popular movement eliminating the English king, along with much of the nation's political and religious power structure, seemed a more immediate and, depending on the reader, terrifying or liberating possibility in 1817 than it did when Hume wrote in the mid-eighteenth century. Legal precedent had established that nearly any action against the government could be considered “compassing and imagining the death of the king” and, therefore, treason. The claim that the portrayal of revolutionaries as butchers and regicides is a propagandistic misrepresentation was relevant as present British subjects found their right to due process stripped once again for fear of ultra-radical activity.

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7 See John Barrell, *Imagining the King’s Death: Figurative Treason, Fantasies of Regicide, 1793-1796.*
Burke had provided both the logical structure and sentiment that would shape conservative fears of the rabble, depicting the suffering of the French royals at brute hands, but a text like *Wat Tyler* offers a heroic legend to counter his narrative. The “swinish multitude” he described may have struggled to develop a unified political voice, but they did not accept their representation in the conservative press. Many radicals and reformers situated their goals as a return to constitutional principles, however ill-defined and pastoral their conception of those principles may have been, rather than the overthrow of tradition and order that Burke dreaded. The selection from Hume suggests a relatively moderate, reform-centered course of action as a reasonable alternative to the outright rebellion in the narrative. The ultimate reason for the inefficacy of Wat Tyler's actions, the passage suggests, lay not in the rightfulness of monarchical authority, but his movement's inability to enlist support from the upper classes. It was, after all, the affluent who were able to drive successful turnovers of power in the English Civil War and Glorious Revolution. On the other hand, in its recasting as paratext to Southey's drama, the selection also offers a rebuke to those who have proven insensible to the suffering of working people. The English constitution cannot function justly and properly when the entrenched power structure protects only the property of those at the top. The laureate’s continued opposition to his work’s circulation only solidified the claim that he shared in those misaligned priorities. As more pirated editions appeared, it was a failure on his part that he concerned himself with protecting his right to suppress the text, rather than seeing the injustices it decries redressed.

The piracies thus lent fuel to the imputations that Southey was, at heart, an
opportunistic traitor and his mature work as laureate a series of cynical obsequies, compelling him to shore up his reputation in response. His delicate position required that he downplay any discomfort over the political implications of the *Wat Tyler* piracy. In a letter to John Murray, he dismisses the “dirty transaction” as a trifle, writing,

> God be thanked that the worst which malice can say of me is no more than what I was once proud to say of myself and never shall be ashamed of saying – that I was a Republican in my youth. Were it not for a certain feeling of resentment which makes me desire the publisher should be a loser by his rascality, I should let the thing take its course. I heartily wish the Attorney General would prosecute him for sedition.⁸

Southey (as well as Coleridge, when he defends his old friend from criticism based in his time as a “stripling bard”), operates from the tenuous premise that while *his* youthful republicanism demonstrates only an inborn passion to fight injustice, since channeled to wiser purposes, the actions taken by those who continue to hold such opinions are criminal and dangerous. He portrays his objection to the circulation of *Wat Tyler* as a matter of justice against the publisher who has violated his property, though the legal apparatus that exclude seditious and blasphemous material from copyright protection makes it impossible to make a case on that basis. Therefore he calls for a prosecution based on the content of the work he in fact wrote. To justify this position he must thoroughly disassociate himself from the poem that radical publishers and critics have worked to attach inescapably to his reputation. While he claims to be at peace with his former beliefs, he also insists on the thoughtless, inconsequential nature of those early labors. He explains in another letter the drama “was the composition of two or three

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mornings, thrown off at a heat and without the slightest correction or revision." If, even at the height of his naïve radicalism, he put no effort into the poem and cared little whether it ever saw print, then years later he should not be held responsible for either its wild ideas or emergence into the public sphere.

Still, no dismissive remark or cry for judiciary intervention could return the genie to the bottle. Southey's attempts to repress the Tyler piracies could only make them more attractive commodities for underground publishers and targets for his political opponents. Southey's apostasy once again made an easy target for his enemies, his disillusionment with reform revelatory of a personality open to vilification as “calculating and haughty,” his rhetoric demonstrating either a dismal lack of self-awareness or outright contempt for his readers (Craig 139). Hazlitt, for one, seized the opportunity presented by the awkward state of Southey's legal position and public persona, making frequent reference to Wat Tyler as he repeatedly mocks Southey in the press, along with his own one-time mentor, Coleridge. In a March 9, 1817 article, he contrasts the polemic of Tyler with a recent Southey essay in the Quarterly Review “On Parliamentary Reform.” Portraying the laureate as “a literary prostitute” with an “effeminate soul,” Hazlitt points to the problematic conceptions of authorship and ownership inherent in Southey’s lawsuit and associated self-justifications (PE 191). Before quoting extensively from some of the play’s most incendiary passages, he ridicules Southey's action against the pirate publishers, by which he, “utterly disclaims the hypostatical union between the

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10 I would consider this an early instance of what is now known in Internet parlance as “the Streisand Effect,” whereby any attempt to suppress information that has already entered public awareness results in merely increasing the circulation of and attention paid to that information.
Quarterly Reviewer and the Dramatic Poet, and means to enter an injunction against the latter, as a bastard and impostor” (190). In the rhetoric of Southey's enemies, his efforts were not a matter of his rightful legal control of property, but a hopeless attempt to efface the past version of himself embodied in pirated texts.

The splitting of Southey's authorial persona, which Hazlitt treats as a symptom of apostasy, proceeded from the legal situation in which the author and his work were caught. Referring to Shelley v. Clark and Murray v. Benbow, cases that followed the precedent of Southey's suit, David Saunders writes,

> In such circumstances we see that the authorial personality has no essential unity. Three incommensurate statuses are involved: the bearing of an ownership right in a copyable commodity; the locus of criminal (as distinct from moral) responsibility for the publication of an obscene or immoral matter; and the cultural standing afforded to an exemplary being made whole in and by his or her works. (Authorship and Copyright 216)

The claim to copyright becomes a futile gesture at maintaining agency over a work, though it allows the author to make a show of forsaking his past and insulate himself from prosecution and political backlash. But within the established copyright regime the criminalized language cancelled out the proprietary claim, and the author's cultural standing in various quarters became a casualty of the conflict. Southey's best efforts could not rid him of his association with his early poem, nor keep its title from being continually invoked in his liberal opposition’s writing. Striving to control the drama’s circulation or safeguard the narrative of his career only tied him more definitively to the embarrassment of his creation and, eventually, his legacy as a Romantic apostate.

Though frequently dismissed as thieves, traitors, or heretics, the pirates managed to exert sufficient influence to frame these problems of legality and literary and political
self-representation from their place outside of the copyright regime, an effect only extended as editions multiplied. William Hone's edition, like Sherwood's issued in 1817, adds paratext to represent in detail the division within Southey's authorial persona, and the challenges to it offered by his political critics and pirates. Hone retains the material from Sherwood's version, but adds a preface “suitable to recent circumstances,” in which he expands on the previous edition's tactics by responding to Southey's defense that *Wat Tyler* was a well-meaning youth's indiscretion. Hone devotes the bulk of the preface to reprinting an attack from the *Morning Chronicle*, the radical printer able to accrue authority for his position by attributing the major objections against the laureate to a respectable Whig publication. In the excerpt, the author mocks Coleridge's claim that the drama was the misguided work of a “stripling bard.” Offering a series of quotations from Southey's poetry in the years following the composition of *Tyler*, he is able to turn the poet's abiding interest in the suffering of the poor and the abuses of the powerful into damning evidence. In a political climate still highly charged with suspicion of liberal and radical opinions, any gesture sympathetic to the lower classes can be construed as residual Jacobinism. Indications that Southey's former commitment to a radical, utopian world-view was not altogether a passing phase becomes a vulnerability in his self-portrayal, his *oeuvre* treated as potential ammunition to be deployed by his enemies more extensively than in the epigraphs imposed upon the Sherwood edition's title page. The article's longest selection consists of the entire text of a 1798 anti-war poem on “The

11 David V. Erdman attributed this article, which appeared 22 March, 1817, to Hazlitt in his 1978 edition of Coleridge's *Essays on his Times*. Duncan Wu disputes the authorship, pointing to both stylistic features and evidence that Hazlitt was not again employed by *The Morning Chronicle*, after being fired in 1814, until John Black took over as editor, sometime before the end of June 1817. Wu suggests Black as the article's most likely author (*New Writings of William Hazlitt* 474-77).
Battle of Blenheim,” its sarcastic refrain praising the “famous victory” that left “many thousand bodies here/... rotting in the sun” (51-2) The author in the Morning Chronicle dates the poem to 1800, when it appeared in the Annual Anthology, offering it as proof that Southey retained at least some of his early attitude toward the state through the age of twenty-seven. He jibes, “We do not know whether a pension and a Poet-Laureateship improve the understanding; but, otherwise, we should think the opinion of the stripling of twenty-seven as much worth attending to as that of the stripling of forty. At any rate, it cannot be asserted that MR. SOUTHEY maintained Jacobinical opinions merely when he was a very young man” (xv). All other texts produced by Southey himself and those rallying to his support become attached to the paratextual field of the one he would have preferred suppressed. The edition’s audience is more likely to go on to read not just the pirated Wat Tyler but any of Southey’s poetry or polemical essays with an eye to self-serving subtext and in a context of political and class conflict.

Hone concludes the preface by connecting the article’s criticisms to Southey’s fondness for memorials, writing “Mr. SOUTHEY, in the first edition of his Travels in Spain, proposes to raise a national monument in Smithfield—the well-known scene of WAT TYLER’s exploits—Will Mr. SOUTHEY indulge the world with the re-publication of that passage, and with such an inscription for the monument as he would then, about a dozen years ago, have written for it?” (xvi) Within the poems, public spaces became

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12 The point is somewhat weakened by the incorrect facts it is based upon: “The Battle of Blenheim” previously appeared in the Morning Post in August 1798, when Southey was twenty-four, and he turned twenty-six in 1800, not twenty-seven.
marked by an ongoing narrative of the struggle against tyranny. For Hone, the younger Southey's focus on the power inherent in visible markers of historical tumult weakens the older man’s stance when he wishes to hide or minimize a significant portion of his own biography. In the 1798 poem to which he refers (like the critique Hone reprints, first published in the *Morning Chronicle*, rather than the *Quarterly Review*, which later became Southey's periodical of choice), Southey imagines a column constructed at the site of Wat Tyler's demise where “Monarchs ... may learn,/If they oppress their people, if they waste/Their blood, and rob from the poor labourer/His hard earn'd mite, that there may come a day of vengeance” (5-9). He is, however, careful to also warn “the Citizen” that change should be achieved by developing a “calm, collected public voice,” rather than through violence (9, 12). In the assessment endorsed by Hone, the gradually moderating Southey of 1798 bears a strong resemblance to the utopian idealist he had been, but the conservative poet laureate of later years retained only the unfortunate inclination to engage with a fixed idea to the detriment of his judgment.

The mocking challenge for the poet to reprint a poem expressive of his former conceptions of liberty and history demonstrates the poet's limited power to control how he and his work are remembered. Whether he approves or not, the opinions he insists he has matured beyond are placed in public view, the biographical details of his ascent to fame and success remade as a litany of charges against a disingenuous social climber. As the imagined monument to Wat Tyler and the play named for him each serve to recall the ill-fated peasant rebellion, the Hone edition acts as a memorial for the Southey of the

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13 Lynda Pratt writes that the genre of the inscription, which Southey was inspired to employ by Mark Akenside, “provided the younger poet with a means of actualising the historical potential of a place, of producing a series of poems which were both highly politicised and highly public” (8).
past. The text's call for the lower classes to act against their political and economic marginalization implicates the author in that purpose, despite his insistence on his unimpeachable motives. In the long run, the unauthorized reprints and discourse surrounding them defined how literary history remembered Southey. The rhetorical split between the young and old Southey, set against each other in the pages of pirated editions, became enshrined in the always relatively limited critical discussion of his contributions to early-nineteenth-century poetry and thought.

**Queen Mab and Radical Ambivalence**

When William Clark, in collaboration with printer Thomas Moses, published an unauthorized edition of *Queen Mab* in 1821, Shelley registered his disapproval from Pisa in a letter to Leigh Hunt's *Examiner*:

> I have not seen this production for several years; I doubt not but that it is perfectly worthless in point of literary composition; and that in all that concerns moral and political speculation, as well as in the subtler discriminations of metaphysical and religious doctrine, it is still more crude and immature. I am a devoted enemy to religious, political, and domestic oppression; and I regret this publication not so much from literary vanity, as because I fear it is better fitted to injure than to serve the sacred cause of freedom. I have directed my solicitor to apply to Chancery for an injunction to restrain the sale; but after the precedent of Mr. Southey's 'Wat Tyler,' (a poem, written, I believe, at the same age, and with the same unreflecting enthusiasm,) with little hope of success.\(^{15}\)

Many critics have taken the letter’s conflicted tone as justification for dismissing its arguments, seeing an ironic statement Shelley contrived to deny responsibility for the reprints while quietly gloating over his increased visibility as a poet. Stuart Sperry detects

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\(^{14}\) St. Clair argues that Moses was the “real” publisher, putting up the money, while Clark, new to the business, acted as a frontman. (GS 515) Leigh Hunt's account of being approached by Clark in the preliminary stages of publication (see below) does suggest that Clark had an active role in the process.

\(^{15}\) Dated 22 June 1821. Printed in *The Examiner* 15 July 1821. *Letters* II, 302
“[b]ehind such disclaimers … a certain wry amusement and even an element of personal gratification” (2). Stephen Behrendt argues, “Shelley's certainty that the application for a Chancery injunction will fail indicates how knowledgeably he was going through the motions of seeming to retract and disavow Queen Mab without actually doing so and how much he was enjoying the irony of the situation” (86). There is support for these interpretations in Shelley's correspondence, such as a letter to John Gisborne that considers the piracy “[a] droll circumstance” at which he is “amused,” and explains, “For the sake of a dignified appearance however, & really because I wish to protest against all the bad poetry in it, I have given orders to say that it is all done against my desire.—and have directed an attorney to apply for an injunction, which he will not get.”16 But as he insists on appearing nonplussed, he also exhibits the concern for his public image and the elitist attitude that at least partly motivate his striving to reach the proper audience for his major poems. Even if his attempt to elicit redress from the courts was an empty gesture, his dismissal of the poem's value and unwillingness to cooperate with or authorize a reprinting demonstrate that he retained genuine concerns over its circulation. Its publication was an affront to his rights as an author, the political causes for which he could now plead more effectively, and the value of his mature poetic voice.

Prior to Clark's piracy, the full text of Mab had been published only in a privately printed edition of 250 copies in crown octavo commissioned by Shelley through the publisher Thomas Hookham in 1813. Even that edition had technically been an illegitimate one, if not in the author's personal and moral estimation, bearing an imprint that violated the Seditious Societies Act. Mab's title page and colophon credited Shelley

16 Letters II, 300-1.
himself, rather than Hookham or any licensed printer. Before sending copies to likely sympathetic parties, Shelley tore out the printing information, making clear his awareness of the potential danger from judicial and social sanctions against the book’s radical and blasphemous contents.

With the circulation extremely limited, the poem initially received little attention from critics, the reading public, or regulating authorities. However, as Kenneth Neill Cameron notes, the poem “was not, contrary to the widely circulated belief, a post-adolescent product”; rather, it was written by an author with “considerable political and literary experience behind him” (240). As the poem grew in notoriety and, eventually, accessibility by a far more diverse audience, Shelley felt it necessary to cast the entire production as the printing freak of an overly passionate young gentleman given to “unreflecting enthusiasm.” He repeatedly exaggerates his temporal and philosophical distance from his first major poetic work, claiming to have written it when he was eighteen and thus dating its composition to 1809-10. In fact, Shelley had not been ready to declare the poem “finished & transcribed” until February 1813. Even at that point, he was still assembling the notes and the poem likely underwent further revision before printing. Shelley disowned the text and rewrote its history only after was already claimed as a legal weapon against him by the representatives of his late wife's family, and placed on the marketplace as a commodity offered by a previously unknown publisher. But it

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17 Who really printed the 1813 Queen Mab remains unknown. From its first edition, the book engaged with the conventions of the underground book-publishing economy, the motivations of its original producers eventually overlapping with those of the later pirates.

18 Timothy Shelley's phrase for his son's early literary efforts while they remained a fond indulgence, rather than a source of shame.

19 Letter to Hookham. 15 February 1813. Letters I, 351.
also carries radical ideology that, while in his words and based on the beliefs he still maintained, was represented in a manner and to an audience of which he could not approve.

Though Shelley expresses embarrassment over the promulgation of his thoughts on liberty in their formative phase, his concerns are also largely based in the class identity of the poem's expanding readership. Cheap editions could reach members of the middle and lower classes, whose often-limited education and vulnerability to suffering the brunt of the nation's economic woes made Shelley cautious of the ideas he directed toward them. Though his political stances led him to express sympathy and common purpose with the rural poor and artisans, Shelley participated in the upper-class attitudes that found shop-men and mechanics incapable of comprehending intellectual debate, or practicing the proper critical distance and restraint when confronted with social injustice. Michael Scrivener argues, “It is not necessary to account for Shelley's distrust of the poor because he would have imbibed such a bias from virtually any source in radical and romantic culture. It was an unquestioned assumption that the poor were to be represented and led, not allowed to determine their own forms of struggle” (199). Certainly, even the reform-minded among the upper classes found discussions of natural rights and republican government too dangerous for the impressionable minds of the poor, uneducated, and potentially violent. Meanwhile, the political forces opposed to reform could use the fear of the mob, which radical writing helped to perpetuate, to justify continued repressive measures. In the poem and notes, Shelley attempts to negotiate his position by condemning, with the off-handedness available to the aristocrat, all pursuit of
monetary rewards. In *Mab* he expresses contempt for commerce as “the venal interchange/Of all that human art or nature yield;/Which wealth should purchase not, but want demand,/And natural kindness hasten to supply”(38-41). His dismissal of property as a motivating factor in his imagined future only reaffirms its importance in the present, particularly when his ownership of the poem itself falls into dispute.

Shelley had already established what he thought *Mab's* correct place in this class divide at the time of original publication. His intentions are readily apparent in the instructions he submitted to Hookham that the book, from which he “expect[ed] no success” be printed in “[a] small neat Quarto, on fine paper & so as to catch the aristocrats: They will not read it, but their sons and daughters may.” His later response to the *Mab* piracy, then, is part of a continuing struggle with finding the proper modes of expression and presentation in order to offer guidance to the masses, but, more importantly, build his reputation and influence among the genteel left. In the notes, he explains his attitude toward egalitarian principles: “I will not insult common sense by insisting on the doctrine of the natural equality of man. The question is not concerning its desirableness, but its practicability; so far as it is practicable, it is desirable” (*CP* 249).

Shelley, by and large, did not find it practical to treat members of the lower classes as capable of approaching intellectual parity with a serious thinker such as himself. This was not entirely a matter of untried snobbery. When he engaged in explicit political activism, he had come up against the obstacles of both official suppression and disorganization and

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20 By making this argument, David Duff suggests, Shelley emulates a Burkean nostalgia for a romanticized, chivalrous past that allows for “contrasting a condition of society in which man's virtuous propensities are fulfilled and one in which they are denied or destroyed” (67).

prejudice among his ostensible allies. There was his 1811 ejection from Oxford over *The Necessity of Atheism*. In 1812, his servant was jailed for publicly posting political posters in Barnstaple at his behest. When he traveled to Ireland in the same year to foment rebellion, his efforts to involve himself in the local opposition were frustrated by sectarian prejudices and the Irishmen's distrust of unorthodox beliefs. Meanwhile, Godwin repeatedly and emphatically cautioned against attempting to motivate the lower orders to physical action. The younger writer seems to have taken those warnings to heart in an 1812 letter that claims, at least under the corrupted state of modern England, a sort of biological determinism maintains the barriers between classes: “Probably, in a regenerated state of society agriculture & manufacture would be compatible with the most powerful intellect and polished manners; – probably delicacy as it relates to sexual distinction would disappear. Yet now, a ploughboy can with difficulty acquire refinement of intellect, & promiscuous sexual intercourse under the present system of thinking would inevitably lead to consequences the most injurious to the happiness of mankind.”

His longer poems, portraying in detail his political and religious positions and vision for the future social order, were thus still targeted to the “highly refined imagination of the more select classes of poetic readers,” as he wrote in the preface to *Prometheus Unbound* (1819). Meanwhile, though his thematic preoccupations remained consistent, he offered a mostly unpublished exoteric output intended to appeal to the middle and lower classes, such as his attempt at popular drama in the *Cenci* and the political songs responding to Peterloo (Sperry 127).

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22 Letter to Godwin. *Letters* I, 197. Holmes discusses the implications of these claims for Shelley's radical project in the context of a growing underground of working-class and artisan autodidacts, while speculating the argument might have been calculated more to please his mentor than declare his own position (151).
In the authorized edition of *Queen Mab*, Shelley once again imitated Southey's verse romances by placing much of his work's polemic weight upon the notes, which act as an educational shibboleth that restricts how the poem can be read and by whom. For multilingual, probably university-educated readers, they make explicit the political, religious, and dietary claims suggested in the poem proper. But with their stream of references to Godwin, Locke, and Hume and lengthy, untranslated quotations from Holbach, Spinoza, and Plutarch, they are largely incomprehensible by those outside the target audience. Their openly radical intent also adds to the potential for prosecution on charges of blasphemy and sedition, which would come to be a key consideration whenever the poem was reprinted. Though Shelley admitted the potential danger to Hookham in publishing the poem from both "the arm of the law" and "exasperation of public opinion," he apparently felt he was made secure by the selectivity with which that material would be made visible to readers (or felt it advisable to convey that confidence to his publisher). Along with the limited print-run and low expectations for public interest, he claimed that consigning much of the most radical material to the back of the volume would serve as a defense, even though notes drew attention by taking up half the volume: "The notes will be long philosophical, & Anti Christian. – this will be unnoticed in a Note." Acting as a mechanism to both more thoroughly express his opinions and direct them specifically at readers he thought would be receptive, the notes are, moreover, an expression of the author's very power to control and restrict his own imaginative property that piracy would call into question.

Maintaining the proper degree of influence over his poetry's textual life proves

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23 Ibid.
essential to the notion of freedom for which Shelley contends in this and other poems. He may have little respect for commerce as a whole, but the language of property relations remains the only one through which he can maintain agency in his output’s production and distribution. Authors’ rights are first and foremost moral ones, but within the context of the English system and against the threat of pirate publishers, the obligation to respect imaginative creation can only be enforced by emphasizing one's proprietary rights. Leigh Hunt's letter to the Shelleys reporting the prosecution of Clark, who incited the flurry of *Queen Mab* piracies, by the Society for the Suppression of Vice suggests how both moral and property rights might work in conjunction in this situation. He expresses relief that he “refused [Clark] the use of a copy for his purpose [of producing a new edition]; for I had no right, of course, to do such a thing without Shelley's leave, and concluded, upon the whole, he would not like. Indeed, when I found that the work was out, I felt remorse at not having interfered more actively.”24 If he sees fit, it is the author's right to prevent his work from becoming too widely available or easily comprehensible. As a possessor one of the poem's limited copies, Hunt is under moral, if not legal, compunction not to turn control of the property over to any unauthorized agent – this in addition to his more general tendency of acting in his capacity as editor and publisher to buffer Shelley's risk of bringing further trouble on both their heads by seeking to publish provocative material. The law's failure is in not properly recognizing that responsibility as Hunt understands it.

Shelley's apparent intentions and the poem's circulation history are complicated, however, by the circuitous and often obscure route which led to that first piracy. The beginnings seem to lie in visits paid to the Shelleys and Godwin by the radical lawyer,

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24 10-11 July 1821. *Correspondence* 1, 166.
writer, publisher, dissenting minister, and pornographer George Cannon in January and
February 1815. Despite the personal aversion that led Shelley to proclaim Cannon “the
most miserable wretch alive” and a “[v]ulgar brute” in Mary's journal, he apparently
allowed the publication of his writing in the new freethinking periodical, the Theological
Inquirer.25 When Cannon put out the first issue in March it featured the first part of a
review of Queen Mab, consisting largely of extracts from the first canto with commentary
by the Spencean shoemaker/poet Robert Charles Fair, along with the first of two parts of
“A Refutation of Deism.” By seemingly assenting to this use of his work, Shelley
demonstrates an ambivalent sense of who should be reading his poetry, and in what form
it should reach them, inconsistent with his specific instructions to Hookham. Certainly,
he does not seem to consider Cannon himself a proper vehicle for political and
philosophical ideals, going on to declare in the same entry of Mary's journal, “it is
disgusting to hear such a beast speak of philosophy and republicanism. – Let refinement
and benevolence convey these ideas.” Nonetheless, he accepted – or at least did not
openly protest – the opportunity to gain the politicized artisans who read radical
periodicals like Cannon's as a potential audience for selected portions of Mab, mediated
by Fair's explanations and praise.

The ostensible review takes the form of correspondence submitted by “F.”, the
name of the poem's author remaining unmentioned. Fair offers an account of how the
work came into his possession, claiming to have received a copy “during an excursion to
the continent, in the last summer” from “the celebrated Kotzebue” and “afterwards

25 7 February 1815. The Journals of Mary Shelley 1, 63. Mary referred to Cannon as “a very foolish man,”
whom the couple simply refused to see in an entry dated 29 January (1, 62).
purchased six copies of it at Berlin” (White 46). Reprinting and assessing the selections is presented as part of an evangelical project of disseminating free-thought and philosophy from the Continent. The brief narrative suggests the poet has gathered at least some measure of fame among the cognoscenti in that haven of metaphysical thought and romantic sentiment, German accolades providing Shelley with the aura of reputation that he had yet to acquire in reality, as well as further deferring culpability by concealing his direct involvement in the periodical publication. As further selections from *Mab* followed in the April, May, and July issues of the *Theological Inquirer*, the poem instead entered the “unrespectable” discourse of ultra-radicalism and became subject to the ideological commitments of its editor and publisher. In his conclusion, Fair renders both the poem's content, and its existence as a whole, a representation of his own polemic against English restrictions on the press. He declares, “surely my selections must interest the soul of fancy, the heart of feeling, to such a degree, that the energies of resolution will be impelled with increased force to the accomplishment of that great object the complete freedom of the press in matters of public opinion” (51). In the absence of such liberty, he regrets that “[t]he copious and elegant notes to the poem, it is not within my design to call your attention to” (ibid.). According to Fair, it is the clearest illustration of the injustice of society's present state that the very work which would decry it and pave the way to a utopian future cannot be openly distributed in unexpurgated form. The notes' arguments,

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26 Kyle Grimes lauds this as an exceptional rhetorical turn, taking the material instantiation of the work as the strongest evidence of its point. He writes, “To put it simply, the reviewer recognizes the social significance of the poem's having been censored and, through a formal twist worthy of Marshall McLuhan, he turns the reader's attention and indignation towards the institution of censorship which makes *Queen Mab* a poem 'the whole of which there is but small probability of the present generation becoming acquainted with' (p. 852). The medium—in this case, the censorship of the press—is indeed the message” (11).
with their appeals to scientific and philosophical reason and departure from the vernacular, are placed outside the periodical version's purview, meaning that in the minds of the *Theological Inquirer*'s readers, the focus remains on the poem's more sentimental and dreamlike content, unbalanced by the supplemental material.

For Shelley's part, if he at least grudgingly and for a time accepted the value of finding new readers through the underworld of working-class radical publication, he seems to have later returned to his original reluctant stance. The poem proved legally problematic for Shelley when it was entered as evidence against him in the 1817 Chancery proceedings concerning the custody of the children from his first marriage. He refers to this turn of events in the final paragraph of the *Examiner* letter as part of a wider pattern of repressive action by English authorities, considered of a piece with the suppression of writings opposed to the established government and church: “it is scarcely necessary for me to protest against this system of inculcating the truth of Christianity and the excellence of Monarchy however true or however excellent they may be, by such equivocal arguments as confiscation, and imprisonment, and invective, and slander, and the insolent violation of the most sacred ties of nature and society.” Shelley turns the official rhetoric that sets up the state as a protector of property—and therefore freedom—and tradition against the entities that have banned his poem and denied him access to his offspring. Both his children and imaginative creations are subject to controls from authority that he finds unjust and tyrannical, neither adequate nor interested to protect his rights.

While his objections were at least exacerbated by the legal reality that the
edition's criminality lay in its content, rather than the violation of his ownership of his creation, Shelley also seems to have been sincerely perturbed by the unauthorized sale of his literary property. He follows Southey's argument in connecting his own liberty to his ability to control the products of his imagination. Rather than defining a split in his own political life, though, Shelley goes on to accuse the publishers of erring in the pursuit of good ends. He claims the pirates are in fact aiding the tyranny they seek to oppose by violating his proprietary control over the text and spreading it to new readers. There is a practical concern operant in this claim, based in a reasonable fear of arousing unwanted attention from authorities.\(^{27}\) The unauthorized edition of *Mab* threatens both Shelley's legal standing and the literary reputation he has sought to construct based on the more recent works he considers aesthetically and ideologically superior. Again echoing Southey (explicitly in the *Examiner* letter), he places the poem in his personal narrative as a yet-immature writer's primitive jab at a major statement.

The comparisons Shelley draws between himself and Southey in developing the account of his authorship and legal setbacks necessarily carry a hint of irony. Though he had found the future laureate “great and worthy” when they met in 1811, this estimation was in spite of his deplorable beliefs and political loyalties.\(^{28}\) The mixture of artistic respect and contempt on matters of principle certainly came through in the lightly mocking tone of his 1812 letter, in which he admitted to Thomas Jefferson Hogg that

\(^{27}\) The most significant text of Romantic-period radicalism, Thomas Paine's *The Rights of Man*, did not incur legal sanctions (including the conviction of the author for treason *in absentia*) until the second part became available in cheap and plentiful editions, priced at sixpence and distributed by the London Corresponding Society.

Mab itself garnered influence from the older poet's epic romance, Thalaba. Nonetheless, there is greater congruity in their responses to piracy than would seem to fit Shelley's alignment against all the laureate stands for and continuing support of many of the free-thinking, republican, and dietary convictions declared in the poem and notes. He is aware of the limited legal significance of his disavowal, and may experience some schadenfreude in knowing the greater embarrassment visited upon Southey. Still, Shelley too had lost control of his creation, seeing it offered as evidence against him in court and beginning to define his literary reputation as another sensational detail to join his ill-fated first marriage and snotty displays of his controversial positions in the logs of Swiss hotels. Each poet was stripped of his ability to administer the handling of a piece of imaginative property rightfully belonging him, even to suppress it, both the laureate and a scandalized aristocrat confronted with the piratical reading of their intellectual property rights, or lack thereof. The pirates compromised Shelley's proprietary authority, and thus the freedom already constrained by censorious governmental authority. He could only soften the impact of this violation by imitating Southey's dismissal of the poem itself as aesthetically and ideologically weak, and therefore an insignificant loss, however accurate those assessments may or may not be. Certainly, the letter's pleas of adolescent impetuosity retained sufficient credence to serve the latter guardians of Shelley's often-questionable respectability and affect critical judgments of Mab through the twentieth century.

At the time, however, the objections Shelley raised were entirely ineffectual in

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29 Shelley writes of his metrical choices, “If authority is of any weight in support of this singularity, Miltos Samson Agonistes, the Greek Choruses, & (you will laugh) Southey's Thalaba may be adduced.” Letters I, 352.
stemming the appearance of unauthorized editions. In 1819, the after the custody trial where the poem had played a pivotal role, he reasserted his desire to avoid the complete work's circulation through such a potentially broad audience, managing to temporarily assert his moral right over the poem by refusing permission for Richard Carlile to publish a new edition. Carlile's apparent acquiescence may have been less than sincere, as both the credited publisher and the printer of the first pirated edition, William Clark and Thomas Moses, had formerly worked at his shop. Still, when Mab did come into the pirates' stock, it was directed well afield of working-class audiences. Clark's octavo, priced at 12s 6d in boards, may have initiated the movement of the poem beyond the exclusive audience for which Shelley once stated his preference, but it remained a luxury item relative to the means of most readers.30 The edition's purposes and unauthorized status are emphasized in the publisher's missive that precedes Shelley's explanatory notes: “It will be seen by the author of QUEEN MAB, and those few gentlemen who have a copy of the former edition, that I have been studious in adhering to the original copy. The notes in French, Latin, and Greek are printed verbatim, as the classical scholar would prefer them in the language they were originally written in, and the general reader in translation.” Clark foregrounds the lack of authorial approval, but assures readers that scrupulous attention has been paid to providing a faithful transcription of the text, while making it available to more than “those few gentlemen” who received the 1813 version.

30 St. Clair suggests that earlier printings of the Benbow edition, which lack the preface, may have preceded the Clark edition. He argues, “Clark was only a front man for a publisher who knew of the success of the 'New York' edition.” That success motivated Carlile's printer, Thomas Moses, to finance the publication of “an extremely dangerous title” in “a large expensive edition” (GS 515). Reiman and Fraistat dismiss the bulk of this theory based on their collation, finding that the “the text of the Benbow edition …, excepting the translations, is based directly upon the Clark” (CP 514).
Clark's emphasis on accuracy and choice to maintain the more esoteric elements of the text are appropriate to marketing an octavo that, despite being cheaper than the original version, remained outside the means of most readers. By printing the untranslated notes, he caters to an audience of educated readers who would otherwise be unable to purchase Shelley's poem and supports his claim to accurately represent the original version's text. But he also demonstrates an awareness that, through intervention by editors and publisher, *Mab* could over time reach a considerably larger readership. Including translations in footnotes and the message from the publisher mean the form of the edition itself makes an argument against the exclusivity that Shelley maintained and in favor of a more widely available and easily understood discussion of political and philosophical topics. The Clark edition also reveals the conflicting motives that could drive literary piracy. The ambiguities of blasphemous works' legal status and the profits to be made without paying for the copyright made for an inviting opportunity. But as the attendant risks emerged, Clark attempted to dodge accountability for promoting such treacherous material by also putting out (and perhaps writing) *An Answer to Queen Mab* (1821), which questions “the anti-matrimonial hypothesis and supposed atheism of Percy Bysshe Shelley” (White 62). Clark seemingly addresses himself in the opening note, denying any intention to bestow the poem upon the lower orders or, through it, influence their beliefs. “You have probably thought yourself conferring a benefit on the literary world, by the re-publication of Queen Mab,” the author writes. “I say the literary world; for the splendid edition you have published, plainly indicates you did not intend to circulate it among those whom a certain portion of the press would call the 'rabble
readers’” (63). His claim of naïveté notwithstanding, he continued operating in the blind spot of copyright law and creating new and varied physical forms for *Mab*, censoring the most offensive passages in later editions. Clark and Moses (and perhaps Carlile) established the conditions under which they and other pirates were able to override the author's paternalistic bent and offer editions that ranged in price, size, editorial quality, and textual content.

The argument for *Mab*'s place as a populist political document formed the basis for the pirated version to follow Clark's first, also printed in 1821. This *Mab* appeared in duodecimo from London publisher William Benbow, working with Fair and Cannon. The publishers again took advantage of the law's limitations by using the lack of international copyright agreements to hide their identities from the authorities. The title page claims as its publisher “J. Baldwin and Co.,” whose address is the “Corner of Chatham St.” in New York. The preface is signed by “A PANTHEIST,” printed beside the reversed “P” St. Clair identifies as the monogram of Cannon's pseudonym, the Reverend Erasmus Perkins in “New York. 27th Oct. 1821” (*GS* 514). Cannon and his collaborators leave a mark identifiable to those familiar with his other works under the Perkins guise. As in the *Theological Inquirer* review, the paratext renders the surreptitious publication of *Mab* in itself as an argument against the unjust restrictions on English publishing. Through his assumed role as an American editor, Cannon complains that increased censorship is the desperate action of a tyrannical government. He argues, “The press of England was never free, even in her best days, but now that she is rapidly declining in the scale of empire and prosperity, and bending her neck to the yoke of despotism, it is completely
enslaved.” The very attempts to hold off rebellion from within are what is truly destroying the English way of life. Illegal publishing is a necessary counter-measure against the decay of the empire's cultural influence and its subject's liberty. As such, piracy fulfills radical constitutionalist rhetoric, a seemingly subversive cause revealed as in fact patriotic. That larger purpose transcends the attempts of current political forces to tamp down dissent, and certainly any claims to ownership over a text by a particular author or publisher.

Cannon carries on this doubled communication by developing a narrative that mixes aspects of the poem's actual circulation history with development for the fictional publication information. Instead of centering the work's relevance in its connection to German metaphysical debates, it is returned to England from the United States, a work suppressed at home accruing its proper respect in a nation that has already shaken off its imperial bonds. As Cannon tells it: “THE Editor of this edition of 'Queen Mab,' was in England in the Spring of 1815, and received a copy of the Poem from the Author, who was then in his twenty-second year. It was written during his minority, and a small number were printed, and circulated privately, without a title page, or printer's name.” The transfer of the work to its latest publishers is no longer so heavily mediated as in the 1815 version, and in some ways seemingly closer to the truth of Cannon's meetings with the Shelleys. Following the Chancery proceedings and a previous pirated edition, there is no longer any strong impetus to disassociate the author from his creation. Instead, the publishers confront the author with the work he has disavowed and refused permission to reprint.
However, in contrast to the unambiguously hostile tone of the *Wat Tyler* printings, the Benbow edition offers an ambivalent attitude toward the author's position. The publishers simultaneously proclaim the genius of Shelley and flaunt their defiance of the desires he expressed for his work at the time of the original publication and again as piracies began to pour out. They make the case that, for all his skill and commendable intentions, he has underestimated both the poem's value as a polemical document and the intellectual capabilities of lower-class readers. Through the paratextual content, the publishers model and attempt to provoke in that audience what they see as the proper reception for the poem. Its illicit nature and the writer's disapproval are advertised by reprinting Shelley's letter to *The Examiner*, disavowing the poem and vilifying those who have produced unauthorized editions. The author's missive sits uneasily alongside Fair's “short Sketch” of the poem and fawning “Ode to the Author of Queen Mab.” The former consists of selections from the text that opened the first part of the *Theological Inquirer* review six years earlier, and the latter appeared in the July issue. The combination of elements provides a miniature history of the poem's circulation and reception, though the emphasis certainly remains on the pirates' belief in its power to spur social change. In the “Ode,” Fair declares,

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Though now defrauded of the praise
Due to thy truth-supporting lays;
Though noxious Prejudice and chilling Sloth
Retard thy blooming chaplet's flowering growth;
Though now a shackled press refuse
To aid thy nobly-daring muse;
Yet is that time in progress, when thy theme
Shall universal spread as day's bright beam.
Then shall the bloody brand of ire
Quenched in love and peace expire:
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Their mitres, cowls, and crosiered staves
Be torn from man-deluding knaves;
The gorgeous canopies of tyrant might
Sink and o'erwhelm him in eternal night. (15-28)

The verse appreciation, itself the product of autodidactic working-class culture, repositions Shelley's poem as a call to revolutionary arms for radicals, decidedly removed from the original edition's attempt to address sons and daughters of aristocrats. According to Fair's account, *Mab* was previously held back from a larger public only through the prejudice of conservative cultural gatekeepers and outright censorship, its author's apparent snobbery left aside. Its publishers are fulfilling the more pressing intentions they consider inherent in the text, rather than the ones expressed by the author. By bestowing his work on new readers, they are doing their part to bring to pass the liberated era in which the poem will be truly appreciated as the prophetic document it is.

Despite the frequently solicitous tone of its paratext, the edition stages a far more direct public challenge to the poet's intentions in constructing his literary identity and audience than Clark's did. While Shelley remains in most regards a friend to the radical cause, he is in the publishers' view either genuinely mistaken about the best methods of spurring change or overly eager in seeking cover from accusations of continued seditious intent. For the pirates who choose to ignore Shelley's preferences in presenting his poetry, his anxieties over finding effectual modes of political address and retaining his class identity are at least distractions and perhaps obstructions to the goal of achieving meaningful reform. The dismissal of the author's supposed rights and stated intentions demonstrated in the Benbow edition is an extension of the economic and political problems inevitably raised by the status of pirate publishing under British copyright law.
and market conditions. The preface shows the pirates' awareness of the disjunction between the audience Shelley once expected for the poem and the one they have targeted. They advise readers who can afford more expensive books and may therefore already have some familiarity with Shelley's works that they would be better served by the Clark version:

Those gentlemen who may be in possession of "The Revolt of Islam;" the tragedy of “The Cenci;” the lyrical drama of “Prometheus,” and the various other poems of the same author, which are printed in the octavo shape, will find the English edition, before alluded to, more suitable to bind for their libraries, the present one being got up merely with a view to give extensive circulation to the principles contained both in the poem and the notes.

The tacit implication, of course, is that their edition is preferable because it is cheaper than any other currently available. The radical pirate can undersell or present a claim to greater authenticity than his competition, but it is a delicate balance if the pirated book is to succeed as both ideological object and commodity. A publisher portrays his particular version of a work as somehow the most desirable of those available, and therefore also, in theory, the most dangerous in the eyes of the authorities. The Benbow edition's publishers choose to focus on their claim it exists in opposition to the treatment of new poetry as a status symbol available only to the well-to-do. In the space offered by the pirate book market and the copyright limitations that make it possible, Mab's function as a carrier of radical ideology appears to override its commodity status, though it now has the potential to make a profit for its printers as it never did in its privately printed first edition.

Thus, the strongest ideological claim made by the Benbow edition is its accessibility in both price and comprehension. Faithfulness to the original text remains a priority, but secondary to ensuring that some form of it reaches current or potential
supporters of greater political and religious freedom among the middle and lower classes.

The preface explains,

The object of the projectors of this edition, was cheapness and portability, in order that it might come into the hands of all classes of society; consequently it was thought that translations of those passages in the notes, quoted from Greek, Latin, and French authors, would be acceptable. This has been done with the greatest fidelity; and the Editor pledges himself that there is no variation throughout this volume from the original, except four places in the notes, where the translation is substituted for the French and Greek, with a view to render the book less expensive.

In addition to the translated notes, the edition precedes the text with a summary of the poem's narrative. Cobbled together from the Inquirer review and now credited to the Perkins pseudonym, it operates as the prose argument Shelley had not felt necessary to clarify the progression of Ianthe's vision to his upper-class readers. The “sketch” very briefly guides the reader through the text's diegetic action and the less morally offensive philosophical preoccupations: “THE author has made fiction and suitable poetical imagery the vehicles of his moral and philosophical opinions. The attributes of Queen Mab form the machinery of a work, in which the delightful creations of fancy, and the realities of truth, unite to produce an indelible impression on the mind.” In the pirates' hands, the poem is emphatically an expression of enthusiasm and evangelism. Its esoteric aspects are a sign of the author's intellect, but not a bar to the reading public.

The clash between the author's complex sense of the balance between class-appropriate discourse and freedom of expression, and the pirate publishers' position opposing the author's right to maintain such stewardship over the work is clearest in the interaction between Shelley and Carlile. Before his own poem, as well as his larger reputation and legal culpability were involved, Shelley had shown support for Carlile's
crusade against restrictions on the press. When the printer faced blasphemy charges in 1817, Shelley pled his case in a long letter to *The Examiner* (though Leigh Hunt left the piece unpublished). Though Shelley thoroughly misrepresents Carlile's intentions, he argues persuasively that the prosecution has more to do with his social position than the actual radical content of the works he has written and circulated. The version of Carlile that Shelley portrays, bearing little relation to the actual man of unwavering political commitment, is less interested in overthrowing the present social order than garnering the limited profits from the poorer segment of the reading public. He is “[a] bookseller, I imagine, of small means who with the innocent design of maintaining his wife & children took advantage of the repeal of the acts against impugning the Divinity of Jesus Christ to publish some books the main object of which was to impugn that notion, & destroy the authorities on which it is founded.”31 Shelley's condescendingly paternalistic, if well-meaning, construction suggests that while a lack of financial security drives risky publishing projects, it also invalidates the positions of writers and publishers who belong to or write for a lower-class public. Working-class radical discourse remains inescapably circumscribed from serious literary, political, and philosophical though. Someone like Carlile can attack the same targets, but lacks the intellectual resources necessary to properly judge, much less collaborate in publishing and distributing, his more esoteric literary productions.

Carlile saw no such gap in the capability of the classes to embrace radical and freethinking ideas. Writing from jail in 1824, he offered a very different notion from Shelley's of the most effectual circulation for his own work:

Yes, daring and unblushing Atheism is creeping abroad and saturating the working population, which are the proper persons to be saturated with it. I look at no others. It has been said to me by more than one person: 'Let us write in the style of Hume and Gibbon, and seek readers among the higher classes.' I answer no; I know nothing of the so-called higher classes but they are robbers; I will work towards the raising of the working population above them. And this is now in admirable progress. (18-19)

When their opposing views of the proper mode of disseminating radical ideas came into conflict, beginning with Carlile's approach in 1819, Shelley had no legal recourse to stop the printer from putting out what he liked. In any case, Carlile had not shown deference to political or legal authority over the output of his presses in the past. As with Cannon and his associates, he saw his continued printing operation as in itself an important act of protest, and he was considerably more flagrant in inviting his own martyrdom. He criticized other publishers of *Mab* for bending to the threat of prosecution or hiding their identities: "If Mr. Clark had stood his ground and kept the copies of “Queen Mab” on sale, until a Jury had given a verdict against it, the present publisher would then have taken up the public sale of it in his turn, and this is the way the warfare ought to be carried on. … Poor 55, in Fleet Street, has to sustain all the burnt of the battle, whilst others wish to strip it of its feathers and laurels without assisting to fight in the same foremost rank."32

Carlile's initial request for permission to print a work he considered useful to his cause is a moment in which the author-centered and piratical models of publication and reading come into direct conflict outside the courts. In this case, the printer at least seems to temporarily abide by the author's wishes, though he may have simply passed the job along to his associates. Nonetheless, the request suggests a modicum of respect for an

author's moral rights, ultimately cast aside as unenforceable and unimportant when compared with the pirates' goals. By the time Carlile put out his own edition of *Mab* in 1822, he clearly no longer felt any compunction to even pretend to obey Shelley's already thoroughly compromised wishes for the poem. He released several editions under his own imprint, as well as buying up the remaining stock of Clark's first edition and 180 copies of the 1813 authorized printing to be “sold at the same price in sheets to those friends of Mr. Shelley, or others, who may prize an original copy.”³³ When offered for sale by the radical publisher, the first printing, always of dubious legality, became itself a piracy under author-centric terms.

Over the years, Carlile proceeded to release a long series of unambiguously pirated editions, unwilling to distance himself from the controversy involved by decrying its contents or censoring the more offensive language as Clark did. When putting out the first edition under his imprint, he justified his actions in his periodical, *The Republican*: “... 'Queen Mab' was suppressed without going to a Jury, without even a struggle on the part of its publisher. Here then it was certainly fair game for any person to take up, particularly for the present publisher, who has suffered from the redoubled violence of the prosecuting gangs occasioned by the scandalous compromised which have been made with them by others” (White 96). He publicly set the unabridged versions he continued to offer as competition against later editions from the initial pirate. If there had been collaboration between the two in bringing the 1821 edition to press, it was certainly over after Clark bent before prosecution. The printer objects to the lower quality of Clark's editions and, in particular, their expurgations: “The imperfections of the copy selling

under the imprint of William Clark, consist in the exclusion of all the words and sentences which some simpleton considered libellous.”34 Carlile proposes an ethic, diametrically opposed to Shelley’s claims, in which it is the pirate's responsibility to spread literature salutary to reform while ensuring its faithfulness to the copy text. With new versions multiplying, put out by publishers he felt did not possess his courage of convictions or commitment to correctly reproducing the poem, he concludes the work must be defended from unscrupulous practitioners by a pugnacious radical.

Still, Carlile’s elevated notion of his role does not prevent him from taking advantage of the work of the past pirates. An 1822 copy features a new title page and his name and address pasted over the original printer's imprint (the initials of Thomas Moses visible beneath) but is otherwise identical to the 1821 version, including Clark's signed preface to Shelley’s notes. Carlile's deprecation of the other publisher is consistent with his radical project as a whole, but his opposition to the corruption of works through censorship did not necessarily mean that he, or the associates who often ran the shop during his incarcerations, maintained strict controls over textual quality. Rather, the shop did its best to saturate the market with copies of Queen Mab at various sizes and price points, at times with little regard for the subtleties of editing. For instance, an 1826 sextodecimo, in which the poem takes up 64 pages rather than the 89 of the earlier Clark and Carlile editions, unhelpfully maintains the other versions' page references in the notes.

Carlile and other radicals were able to draw Mab out of its tightly bound original discursive network, definitively breaking with its original form as a crown octavo and

34 The Republican. 27 December, 1822. White 98.
making it a cornerstone of working-class radical culture. Neil Fraistat argues, “The piracy of Shelley, an aristocrat writing against aristocracy, can ... be seen as one means by which radicals tried to gain access to the system of representation, a not altogether unproblematic way 'low culture' could attempt to appropriate high culture so as to come to know itself better as a public--and perhaps, ultimately, as a public within a classed social system” (Fraistat 418). As the work takes on new forms, rendered increasingly affordable and comprehensible to readers of lower social class, it is also distanced from direct associations with its writer's intentions and target audience. But contemporary critiques suggest that the pirated Mab remained in some estimations too philosophically erudite and idealistic for the publishers' more grounded motives. An otherwise laudatory review of in the London Magazine and Theatrical Inquisitor exemplifies that continuing radical perception of Shelley, as he was inadvertently thrust into communicating with readers well below him in class-identity and education. The author “earnestly exhort[s] Mr. Shelley to undertake something truly worthy of his great powers – something that can be read by the generality of mankind – something divested of those peculiar associations which render him at present so unpopular” (White 54). Once ignored, Mab was now pored over in the context of the more direct political discourse from working-class leaders like William Cobbett and Henry Hunt and set against the criteria of a public used to that populist style. For the London Magazine reviewer, it remains questionable whether the pirate publishers have been able to extend understanding of the poem as well as access to it. When evaluating the poem on behalf of middle-class and artisan readers, he argues Shelley will not have a truly notable achievement until he sacrifices his
aristocratic eccentricities in the interest of more direct communication of his principles.

The history of radicalism in England suggests otherwise; those publishers had indeed done sufficient work to bring *Queen Mab* into the radical political consciousness. Clark, Carlile, and their fellow pirates vastly enlarged the poem’s readership, producing a range of possibilities for middle and lower-class readers to encounter some version of the text and leading to the enshrinement of the poem and its author in Chartist circles. *Mab*’s abstruse aspects may have remained a challenge for those readers, but their function as products of a politically subversive subculture was readily apparent from the multifarious printings and the paratextual markers in each unauthorized edition. Criticism wishing that Shelley would have shown more interest in engaging the immediate problems of the material world has never been lacking, and did not recede as the poem rose to prominence in the literature of working-class activism. In 1840 or 1841—the midst of Chartism’s embrace of Shelley—James Watson, another former Carlile employee, opened his version of *Mab* by reprinting the preface to the 1829 Galignani edition of Shelley’s works. The Galignani editor, and presumably Watson, concurs with the early critical reception among radical circles: “The writings of Shelley are too deep to be popular, but there is no reader possessing taste and judgment who will not do homage to his pen. […] He is too much of a philosopher, and dwells too much upon favourite images that draw less upon our sympathies than those of social life” (12). With Shelley’s poem definitively transferred to a new sphere, bearing vastly altered physical markers, that he had no interest in directing what became its primary audience proved beside the point. As Mary Shelley and later protectors of his legacy attempted to keep the attention of readers on his
work, *Queen Mab* continued to circulate along the pirate model. Its status as a book suppressed by both state decree and the author's preference, but embraced by segments of working-class and radical culture determined its readership, modes of presentation, and reception through the twentieth century.

*The Triumph of Life and Textual Decay*

In *The Triumph of Life* (1822), Shelley exposes the anxiety standing behind his own attempts to embody artistic vision in text, troubled by the threat of personal exposure and backlash. Near the fragment's close the parade of figures fallen to Life pass by the poet-dreamer and he observes:

... each one
    of that great crowd sent forth incessantly
    These shadows, numerous as the dead leaves blown

In Autumn evening from a poplar tree--
    Each, like himself and like each other were,
    At first, but soon distorted seemed to be

    Obscure clouds moulded by the casual air ... (526-32)

Donald Reiman considers this image a part of the poem's depiction of “Life distorted, perverted, compromised into hypocrisy, enslaved by self-seeking power, by the meretricious tinsel of worldly gain, by the chains of custom, wasted by a vain pursuit of shadows-- ... a living death, and such is the life of most men ...” (81). I would point out, however, that though they recall the Allegory of the Cave, the shadows are not precisely portrayed as objects of delusional pursuit. Rather, they suggest the “obscure” and “distorted” aspect of printed remnants spawned from poets and philosophers, continuing after their creators are deceased and gradually losing all but the most superficial
resemblance to the spirits that cast them.

Shelley emphasizes the connection through the simile to fallen leaves, carrying the unavoidable connotation of a book's pages. He had previously rendered leaves as carriers of ideas and revolutionary potential, a key image in the “Ode to the West Wind” (1820). In that poem’s final stanzas, Shelley bids, “Drive my dead thoughts over the universe,/Like wither’d leaves, to quicken a new birth” (63-4). Both poems present the decaying lives of texts as a prospect more fraught than simple human mortality. Texts can live on well past their authors, and memorialize them, but that shot at immortality comes with risks. Publishing necessarily means tainting romanticized motives for writing by making the inspired literary work a commodity, and opening the content to printers’ errors and readers’ misunderstanding or hostility. Works are reincarnated in a potentially endless array of forms, re-purposed and reproduced by printers and publishers with a range of motives and scruples. The envisioned thinkers find that the revenants of past creations are increasingly unrecognizable, and yet inescapable.

While Shelley could have only a limited idea of the place *Mab* would find in the political discourse of the latter nineteenth century, his return to the genre of the dream-vision in *The Triumph of Life* reflects the earlier poem's publishing history up to that point. As a fragment, the *Triumph* is both formally marked by and diegetically engaged with textual instability, often seen as an illustration of Shelley's struggle with the limitations of his own agenda and the moral and political force of poetry. The challenge to his exaltation of the poet's purpose as one of the “unacknowledged legislators of the world” was in part one of problematic textuality, as represented in the *Mab* piracies.
Imaginative ownership remains largely the issue of English rights and liberty that Southey described, but the possibility for compromising an author's agency has further dire implications for Shelley's goals. He argued the previous year in “A Defence of Poetry” that the poet's most important role is to serve as a conduit for higher truths. Those truths transcend an author's particular turns of expression, but are nonetheless tailored to serve in their historical moment: the language of poets “marks the before unapprehended relations of things, and perpetuates their apprehension, until the words which represent them, become through time signs for portions or classes of thoughts instead of pictures of integral thoughts ...” Though represented in printed marks or oral recitation, poetry—or at least “true” poetry—harkens to a prelingustic, neoplatonic realm of Ideas. The spirits in the procession, like the poet himself, grasp at that higher level of communication, but over time “All but the sacred few” fall to the oppression and corruption of Life. James Chandler argues,

For Shelley … it is not so much that the 'spirit' of a privileged writer 'corresponds' to the putative spirit of the age but rather that, in manifesting itself through a given writer, the spirit of the age displaces the work of the personal spirit. This historical spirit is not only 'unapprehended' by the person it makes its instrument; it can actually stand quite powerfully with his or her personal-authorial opinions and intentions.” (186)

The interaction between the individual consciousness and the “historical spirit” plays out in the pages of poetry, while the reader's ability to glimpse a higher purpose, transcending historical context, remains subject to the contingencies of textual embodiment.

By those standards, the poem inevitably falls short of producing a fully-realized expression of the engagement with the spiritual and historical forces that motivate its creation. The constantly intruding hints of unfulfilled ambition lead Paul de Man to hold
up the *Triumph* as proof that, ultimately, no text can overcome its own inadequacy to represent the reality of thought or event. The poem, particularly through the *memento mori* of its fragmentary nature, reveals the limitations of language, poetic or otherwise:

[Shelley's] defaced body is present in the margin of the last manuscript page and has become an inseparable part of the poem. At this point, figuration and cognition are actually interrupted by an event which shapes the text but which is not present in its represented or articulated meaning. It may seem a freak of chance to have a text thus molded by an actual occurrence, yet the reading of *The Triumph of Life* establishes that this mutilated textual model exposes the wound of a fracture that lies hidden in all texts. (120)

The fracture between thought and poetry, reality and artistic representation is always already present in the imaginative text, in *Mab or Tyler*, as well as the *Triumph*. But the urgency of text's limitations becomes increasingly pronounced as a work is removed from its original context, its content and presentation passing through a tangled series of publishers and printers. As Shelley tries to maintain his ideological agenda, he and his imagined poets must contend with mediation from unknown sources that are at times adversarial to authorial intent and, even when well-intentioned, must raise questions about the value of poetry as a vehicle of political and philosophical ideas. When pirates seize the materials and deny authorial rights and intention, they bring to the surface and exacerbate the impact of that most recognizable of Romantic tropes: the author's failure to fully convey an idealized poetic vision.

The intervention of unauthorized third parties determined *Wat Tyler* and *Queen Mab*'s circulation and reception. The multifariousness and paratextual content of the editions kept their function as products of a politically radical subculture readily

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35 The Benbow “New York” edition of *Mab* includes in its listing of other available works an edition of *The Three Imposters*, which Reiman and Fraistat suggest may be a winking reference to the hidden identities of its publishers (513).
apparent. And when coupled with the often-crippling ambivalence of programmatic Romanticism, those marks of piratical intent suggest the degree to which a sense of authorial control over the text is contingent upon a set of legal conditions. Even in the most faithful of reproductions, pirate publication by its nature means overriding authorial intentions and defying the dominant models of intellectual property rights in which those authors have chosen to participate. Nonetheless, this was not a straightforward conflict between the competing paradigms but a complex interaction between the letter of copyright law, authors' vaguer impressions of their ownership rights, and the pirates' ability to subvert those prior claims for their own purposes. The pirated editions embody and illustrate their publishers' engagement with questions of who owns a text, and how far that ownership should extend as they establish the way Romantic-period radical works will be read. The ideological connection between the sanctity of private property and the freedom of the English subject, central to the young Southey's arguments, becomes fluid in the realm of ideas. The pirated editions represent the influence of social forces beyond authorial influence and insist that, given an engaged public and determined publishers with access to means of printing, imaginative works cannot be effectively monopolized or suppressed by major publishers, the state, or embarrassed authors.
CHAPTER 3

MISCHIEVOUS EFFECTS:
BYRON, SCOTT, AND ADAPTING TO THE ILLEGITIMATE

In 1822, John Murray attempted to gain an injunction to end the sale of radical pirate and pornographer William Benbow’s edition of Lord Byron’s *Cain: A Mystery*.¹ The case failed, as Lord Chancellor Eldon strongly implied he considered the drama blasphemous, although it was out of the bounds of his proceedings to characterize it as such. At the same time, he admitted, “It is true that this mode of dealing with the work, if it be calculated to produce mischievous effects, opens a door for its wider dissemination.”²

The problems inherent in the confluence of censorship laws and copyright had been clear when Southey was denied an injunction to stop the publication of *Wat Tyler*, but legitimate publishers remained unprepared to challenge that system in court. The counsel for Byron’s publisher, John Murray, told Eldon he was “almost afraid … to claim a property in this book,” to which the Lord Chancellor replied, “I know I have no wish to claim a property in it, I assure you.” As Eldon predicted, *Cain* continued to sell for under a shilling in multiplying versions. With its infidel ideas circulating to poorer audiences, the drama suggested print culture still posed a threat to conservative interests,

¹ In Benbow’s edition the play is credited to “the author of Don Juan,” the identification by a widely pirated work emphasizing the increasing familiarity of Byron in the literature of working class radicalism.

² *The Times*. 13 February, 1822, 3.
despite measures like Fox’s 1792 Libel Act, which empowered juries to determine both whether a work was libelous and its likelihood to encourage violent action, and the 1819 repression of the working-class radical press.\(^3\) The reprints meanwhile seemingly extended the potential danger to the original publisher’s legal and financial status through the flagrant disregard of copyright and the implication that the work was exempt from such protection anyway.

The publishers and legal and religious authorities who wished to suppress unauthorized reprints characterized them as particularly insidious contraband that could both corrupt the lower classes and drive legitimate publishers out of business. In this ideological construction, unauthorized reprints were dangerous to property rights and British political stability. But mainstream booksellers disregarded or downplayed the fact that they had very different audiences in mind when issuing expensive editions of new novels and poetry from the operations putting out cheap reprints for the lower classes. Customers who purchased high-quality editions and immediately rebound them for display in their collections would not be tempted by copies featuring small print and low-quality paper. Still, while most piracies likely did little to impact the bottom lines of publishers and authors, their disrespectful air made them a target. Moreover, the persistence of pirate editions made clear the limitations of booksellers’ efforts to fight against shifts in their industry by raising questions about the ideological implications of publication and confusing the lines between public and private circulation. They challenged respectable booksellers’ defense of politically controversial works that they

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\(^3\) For a discussion of Tory use of libel law, see Phillip Harling, “The Law of Libel and the Limits of Repression, 1790-1832.”
were for audiences sufficiently educated that they would not be lured into rebellion, as well as a publication system in which initially expensive books were gradually reprinted in cheaper editions.

Rather than catering to the lower classes, who were considered especially susceptible to such demagoguery, the major booksellers increasingly treated new books as luxury items, expensive for even the customers to whom they were marketed. In connection with *Cain*, Sir Walter Scott’s son-in-law, John Gibson Lockhart, suggests those prices did not in fact make for an entirely effective appeal to the upper class readers the publishers targeted. In his review of the 1821 volume in which the text originally appeared, along with the dramas *Sardanapalus* and *The Two Foscari*, Lockhart departs from the literary reviews’ usual practice of ignoring prices as matters of little concern to their well-heeled readers. Instead, he couches his caustic remarks in terms of the financial burden the new release imposed on loyal readers, even as he disclaims any right to make such a criticism from his position as a judge of literary aesthetics. Lockhart jibes at the particular failures of taste and business sense that led to “publishing a dullish volume in octavo, price fifteen shillings in boards.” The issue is compounded by the fact that the respective publishers of Byron and Scott chose to issue their most popular writers’ latest books simultaneously, with Scott’s *The Pirate* appearing on the same day. “Mr. Murray and Mr. Constable should understand each other a little better, and each would serve his own interest, by not being too anxious to interfere with his rival,” Lockhart groused. “[W]e cannot help saying, that Lord Byron and the Author of Waverley might quite as well choose different months for favouring the public with their visits—which are rather

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4 *Blackwood’s Edinburgh Magazine* XI (January, 1822), 91.
more pleasant, to be sure, but quite as regular and expensive as if they were two tax-gatherers” (90). The books are not merely offered, but thrust by their publishers upon an affluent public compelled to maintain their own cultural capital by purchasing both the literary works and the publications in which they are advertised and critiqued.

The publishers’ attachment to the industry’s traditional division of labor and risk and mistrust of novelty exacerbated the challenges they and their authors faced from the underground economy in which radicals and other smaller bookselling operations participated. Whether turned out cheaply at London printing operations or crossing national borders while the copyright protections they relied on did not, unauthorized reprints were a constant annoyance and occasional threat to publishers. When texts like *Cain* or *Wat Tyler* came under legal challenge, authors and publishers protected themselves by disassociating from the unsavory forms in which their productions reappeared. But merely reacting to the economic, political, and legal problems raised by piracy and foreign reprints was insufficient. The continued appearance of these editions and their repercussions also influenced even highly successful authors and publishers to consider altering the formats and price points associated with reprints of recent novels and poetry. Byron and Scott, two writers whose commercial success lent them exceptional influence over their works’ reproduction and sale, both gradually modified their practices in response to an expanded notion of the marketplace for books and the entertainment and ideas they carried.

Byron and Scott cast seemingly opposite roles for themselves in their relations to publishers and handling of copyrights. Scott’s financial stake in his printer and close
working relationship with his publishers meant he retained more control over the publication of his works and a far greater share of profits than customary for authors. He shows off his immersion in the business of selling his work in an 1817 letter to Joanna Baillie, including an explanation of some of the ways he has taken advantage of or departed from the trade’s usual practices. As much as possible, he tells Baillie, he has attempted to maximize his own influence and long-term profits for himself and his estate by avoiding the usual outright transfer of rights to his publishers: “... I have always found it best to allow a liberal but a temporary interest to booksellers in my labours. I sell editions but never of late years copyrights and submit to some temporary loss to keep up my right in these things the value of which may be supposed to be increased after the death of the author.”

Byron, by contrast, followed customary practice in selling his copyrights and avowed little interest in the publishing business. Though he profited from much of his early writing, Byron thought such an income unseemly and gave away the copyrights to Childe Harold’s Pilgrimage I and II and The Corsair to his cousin, R.C. Dallas, who had copied Childe Harold and undertaken the duty of finding a publisher. By 1816, he had greater need of money and no longer engaged in such magnanimous gestures. Even after selling Newstead Abbey in October 1817 left him financially secure, he chafed at the fact that Murray paid him no better for his copyrights than far less

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5 17 March, 1817. *Letters* iv, 412. Scott sums up the difference between a properly-handled edition and a case of mismanagement by contrasting the sales statistics for Longman’s issue of Guy Mannering with the other works of the Author of Waverley handled by Archibald Constable.

6 For a brief overview of Byron’s business dealings, see Peter Graham, “Byron and the Business of Publishing” in The Cambridge Companion to Byron. See also Peter Cochran, “Did Byron Take Money for his Early Work?” Cochran argues that, excepting Childe Harold and The Corsair, “Byron received payment for nearly all the remaining major poems which he wrote prior to his departure from England” (73).
profitable authors. Though he usually brushed off the business side of publication as beneath his notice, his actions in asserting his will over the content and production of editions of his works contradicted that stance.

The two authors engaged in series of negotiations, not only with their associates, but within the works themselves, mediating between the romantically inflected creative goals they each set forth and the demands of their social positions. Their stances were further complicated by the vagaries and limitations of intellectual property law, often ineffectual to stem the flow of foreign reprints and domestic piracies. As Eldon had pointed out, the law at times led only to “wider dissemination” of supposed blasphemy and sedition. As a result, the published works of Scott, Byron and other authors circulated in variety of expressions, outside of the audiences and formats they or their publishers intended. Given the slow movement of any reform in copyright law and the trade’s reluctance to make any major shifts, authors and publishers adapted to their situation in piecemeal fashion. Ultimately, the authors came to see the advantage in responding adroitly to developments in the legitimate and illegitimate markets for English books. In the process of confronting illegitimate publication, Byron and Scott had to face the disconnection between their stated literary goals and various public self-representations; the exigencies of following literature as an occupation and the desire to maintain the trappings of elevated social and class position. Even when their actual effect on the market value of books was negligible, unauthorized editions complicated the already overdetermined public images of the day’s best-known Englishmen of letters. Ultimately, Byron’s and Scott’s choices in publishing and marketing their works influenced not just
the short-term operations of the English book market, but emergent understandings of Romantic authorship and the later development of the early-nineteenth-century literary canon.

**A Stalled Revolution in Bookselling**

Increasingly concerned about abridgements and dramatic adaptations of the Waverley novels appearing in Britain, Scott’s publisher Archibald Constable wrote in 1823,

> I have for some time been of the opinion that, permitting so many publications under the very titles of the works of the Author of Waverley, and composed either entirely of the very words, or at all events of abridgements of the originals, may have a tendency to injure the circulation of the larger works. I used to consider them formerly as acting to a considerable extent as advertisements; but the thing now assumes a more formidable aspect, and you will perhaps be of opinion that what I am now stating is worthy of your early consideration. The theatres are entirely supported by these works. I am fully aware that the author will not propose any illiberal restriction, but there is no need of fortunes being allowed to pass into other hands without a share coming to those who best deserve them.⁷

Scott’s extensive cultural reach became disconcerting to the very men whose livelihoods depended on producing and selling the novels as they were adapted and repurposed by others. Scott’s publishers saw themselves as the holders of valuable property, but neither adaptors nor the author were prepared to defer to their administration. In 1816, William Hone issued a chapbook of *Guy Mannering the Astrologer or, The Prophecy of Meg Merrilies the Gypsy*. More common were dramatic adaptations of Scott’s novels, including those put on by the Edinburgh actor and theater-manager William Henry Murray, with whom Scott was friendly and for whom he wrote the stage versions of some of his own novels. When John Murray took the Theatre Royal, Drury Lane to court in 1822 for putting on a heavily cut version of Byron’s *Marino Faliero* without permission

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⁷ To Scott. 31 March, 1823. *Archibald Constable and His Literary Correspondents*, iii, 260-1.
the court found that only printed texts, not performances, were subject to the Copyright Acts (McFarlane 37). Thus, Constable did not have a sustainable legal complaint so long as the dramatic versions of Scott’s works were only onstage. His concerns in 1823 stemmed from a pair of printed plays centered on the Scottish goldsmith George Heriot, who had been fictionalized as a character in Scott’s *The Fortunes of Nigel*. Constable himself had attempted to take advantage of the consequent public interest in the historical Heriot by putting out an edition of the jeweler’s memoirs in 1822. But he now saw his rights being encroached upon by dramas based on Heriot’s life that hewed too closely to Scott’s words. Moreover, the publishers he considered in violation of his copyright had the audacity to engage in a legal battle over the rights to their respective usurpations.

In spite of the obvious signs of interest in the Waverley novels from the lower classes and Constable’s increasing sense that cheaper derivative works were a threat to the sales of their source material, Scott and his partners had little motivation to lower the prices of his new novels. Rather, as he produced the Waverley novels, they led the upward trend of the standard cost for new English books. Constable published the first edition of *Waverley* in 1814 under a cloud of uncertainty about the commercial prospects for a newly-fledged novelist whose popularity as a poet had diminished as Byron’s star rose. Constable put out 1,000 copies, priced at 21 shillings in three royal duodecimo

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8 The situation was altered in 1833 with the passage of the Dramatic Copyright Act, which extended protections to performance rights as well.

9 Altick notes, “The effect of Scott’s popularity upon English book-trade economics, and therefore upon the rate at which the reading public was to grow, can hardly be overestimated. The commercial success of his poems, and even more of his novels, seemed at the time to prove that exorbitant prices were no bar to large sales” (262).
volumes, with some trepidation about the volume of the printing.\textsuperscript{10} His concerns proved unwarranted and two more print runs, one of 2,000 and another of 1,000 copies, followed within the year. With the immense popularity of “the author of Waverley” firmly established, \textit{Ivanhoe} in three octavo volumes cost 30s in 1819. His next two novels, \textit{The Monastery} and the \textit{Abbot}, were issued in duodecimo at 24s. But 1821’s \textit{Kenilworth} came out in three octavo volumes for 31s 6d, setting the standard format and price for new novels that held until nearly the end of the century. Scott’s novels experienced exceptional sales for their period and unprecedented cultural penetration. However, in a period when skilled workers earned at best around 36s a week, the books were far too expensive for many of his readers or potential further audience to purchase for themselves. The volumes thus remained in constant demand at circulating libraries and in the far cheaper reprints available on the Continent. These alternate means of acquiring or reading the books did little to impact the tremendous sales of the romantic period’s most popular author. Constable’s persistent concern to protect the copyrights to Scott’s novels suggests that the ideological stakes for established publishers could outweigh the practical goal to maximize the profitability of their catalogues. Shutting down the publication of a cheaply produced derivative work might have a negligible effect on sales but it reinforced publishers’ right to continue profiting from a particular work as long as possible, the authenticity and superiority of the copyrighted edition over any piracy or adaptation, and the distinction of keeping abreast of new literature as an amusement of the upper classes.

\textsuperscript{10} See Todd and Bowden for bibliographical and price information.
Consequently, Scott’s publishers long made only limited gestures toward bringing the costs of his older novels down to a widely accessible price, though they did gradually reprint the existing novels in sets of reduced size and expense. Constable, Longman, and Constable’s London agents, Hurst & Robinson, cooperated to issue the first such collection in twelve octavo volumes at a cost of £7.4 in 1819. The 1821 duodecimo version put out by Constable and Hurst & Robinson in sixteen volumes brought the price down to £6, and the 1823 “Miniature Edition” in twelve volumes to £4.4 (Todd and Bowden 611). While the publishers saw the sales potential inherent in reducing the cost of access, there was no need to expand greatly upon the established market base and distribution mechanisms for new fiction as long as the author in question was still turning out successful work. Constable felt that even the gradual reduction in price they had undertaken might negatively affect the bottom line, writing in 1821,

> The octavo edition of the Novels and Tales has been extremely well received, but it has interfered somewhat with the original or coarser editions, and purchasers hang back, particularly as to The Abbot and The Monastery, in the hope of getting them one day in the octavo form.\(^{11}\)

But his misgivings were insufficient to forsake the course, as he insisted there was opportunity for the long-term profitability of Scott’s *oeuvre* in luring those reluctant buyers with a full set of cheap reprints:

> I would be very glad to see Ivanhoe, The Monastery, The Abbot, and Kenilworth in an octavo form, the appearance of which would enable us to gratify those who wish to possess the books in that form, and to a certain extent would be quite a safe speculation. They would make six volumes, and, with the author’s approbation, I would propose that they appear under the title of ‘Historical Romances by the Author of Waverley.’\(^{12}\)

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\(^{11}\) To Scott. 15 August, 1821. *Archibald Constable and His Literary Correspondents*, iii,150.

\(^{12}\) Ibid.
By June 1825, Constable fully embraced the strategy of lowering prices and set out to alter drastically the marketing of recent literature. He would offer legitimate reprints in a uniform series at prices that members of the middle and working classes could afford. Lockhart, in his biography of Scott, portrays the publisher engaging in manic effusions over his intended series of cheap editions to be issued under the umbrella of “Constable’s Miscellany.” When enlisting the author to his cause, Constable insisted his plan would bring about “a total revolution in the art and traffic of bookselling” (4.270-1) through issuing “a three shilling or half-crown volume every month, which we must and shall sell not by thousands, or tens of thousands, but by hundreds of thousands – ay, by millions!” (273) Scott offered his Life of Napoleon Buonaparte as the Miscellany’s first release, but Hurst & Robinson insisted the Waverley novels be excluded. Constable certainly agreed with them that there were still greater profits to be reaped from the existing novels, suggesting a quite different reprint series for release in tandem with the Miscellany. Priced at £1 1s a volume, this deluxe edition of Scott’s novels would feature illustrations and the notes from Scott, which he had already begun to assemble for an intended posthumous edition. As Constable imagined it, the works of the Author of Waverley could be simultaneously repackaged in one edition as populist literature to amuse and edify an unprecedented mass audience and in another that solidified their presentation as costly symbols of class status and cultural taste.

From the original issue of his first novel, Scott had presented an authorial persona based in romantic conservatism, longing for a proper balance of class and social roles; that balance, of course, determined by men like him with an Enlightenment-based view
of history and order. Lukács sees Scott clinging desperately to way of life that has no place in the fast-changing economy of the early nineteenth century: “His world-view ties him very closely to those sections of society which had been precipitated into ruin by the industrial revolution and the rapid growth of capitalism” (32). In the opening pages of *Waverley*, he makes clear his strategy of characterizing himself as an author with privileged, exceptional insights into human nature and history. The centrality of Scott’s sense of history to his narrative and ethos is indicated by the prominent statement on the title page of the novel’s setting in a fictionalized Scottish past “Sixty Years Since.” The seemingly straightforward subtitle in fact reveals that from the first issue in 1814, Scott muddied some of the details behind the composition and publication of the novel providing a link to that imagined historical truth.

Scott later explains in the General Preface to the Magnum Opus edition that during the period intervening between Scott’s conception and publication of *Waverley*, he received discouraging feedback from “a critical friend,” and the beginning “of the manuscript was laid aside in the drawers of an old writing-desk, which, on [his] first coming to reside at Abbotsford in 1811, was placed in a lumber garret, and entirely

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13 Marilyn Butler sympathetically notes, “Scott’s Toryism is more a matter of old customs and general social continuity than a system based … on veneration for property” (109). Property-holding remains nonetheless the key to participating in those customs.

14 The precise nature of Scott’s engagement with Scottish history and contribution to defining Scottish national identity and history has been a jumping-off point for a great deal of criticism and debate. Jane Millgate argued that Scott’s insistence on a historical situatedness was the Waverley novels’ major contribution to the form: “A new precision about time and place becomes the vehicle for imposing pattern on the realistic surface. Romance is not in competition with historical truth in Waverley; it is the medium through which that truth is expressed” (*Sir Walter Scott* 40). See Caroline McCracken-Flesher, *Possible Scotlands* for a discussion of Scott’s continuing relevance to Scottish identity and national mythology. Ian Duncan in *Scott’s Shadow* credits the Scottish literary culture to which Scott was central with “shap[ing] an imperial British culture that lasted throughout the century,” including “definitive versions of the prose genres … that informed the nineteenth-century reading public” and “figureheads of an industrial mode of literary production” (xi).
forgotten” (xi-xii). Originally intending the subtitle to read “‘Tis Fifty Years Since,” he altered it “that the actual date of publication might be made to correspond with the period in which the scene was laid” (xi). The adventure is cast farther into the past by his explanation, accounting for the gap between the beginning of composition and completion. Yet within the text proper he continues to date back from the moment of the novel's conception; he explains in the first chapter, “By fixing, then, the date of my story Sixty Years before this present 1st November 1805, I would have my readers understand that they will meet in the following pages neither a romance of chivalry, nor a tale of modern manners” (11-12). By keeping the “present date” discussed in the introductory first chapter fixed in late 1805, even in the revised version of 1829, he elides the fact that the novel actually remained incomplete and unpublished until 1814 (34).

Scott supports his romantic construction of authorship in the original introduction to Waverley by obscuring any influence from his political or class positions. He insists on a paradoxical set of qualities characterizing his literary inspiration and glosses over his struggles with the material realities of composition and publication to which he would later admit in the General Preface to the Magnum Opus edition. In 1814, he claims, “It is from the great book of Nature, the same through a thousand editions, whether of black-letter, or wire-wove and hot-pressed, that I have venturously essayed to read a chapter to the public” (14). As his metaphor treats nature itself as a product of the printer's art, his declaration of immutability in fact points to the variability that would be demonstrated by the novel’s re-embodiment in the Magnum Opus edition. His narratives are always subject to outside intervention, through the initial processes of editing and publication.
and, thereafter, adaptation, authorized and unauthorized reprints, and illustration. Scott’s early argument for his work’s value relies on ignoring the alterity inherent in nature itself and in creative work as it develops from human interactions and is read in political contexts.

Scott’s continuing commitment to the ideals expressed in the first issue of *Waverley* was tested by the 1826 downturn in his fortunes. In the wake of the financial crash that crippled Hurst & Robinson, Constable, and Scott’s business dealings, Constable’s ambitious plans and health both fell by the wayside. The publisher’s partner and former son-in-law Robert Cadell established his own firm, altering and synthesizing the older man’s plans while he usurped his place as Scott’s publisher and advisor. Cadell synthesized the schemes for producing two series of reprints, arriving at a plan to put out a cheap, uniform edition featuring new authorial apparatus and illustrations (Sutherland 329-30). The decline in Scott’s wealth and consequent development of the Magnum Opus edition resulted in dramatic alterations of his novels’ presentation and his authorial persona. In Scott’s more prosperous days, he was able to conceal his identity as Britain’s most successful novelist (though many knew or suspected the man behind the Waverley novels), while also keeping his business interests

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15 Sutherland finds that, despite the experiences of Scott and his publishers and others who faced difficulties, including John Murray, claims about both the degree of the 1826 crash’s effect on the publishing business and the lasting structural changes emerging out of it tended to be exaggerated. See “The British Book Trade and the Crash of 1826.”

16 Ross Alloway has attempted to rehabilitate Cadell’s reputation in the face of accounts that tend to characterize him as an unscrupulous opportunist lacking in compassion for Constable or the failing Scott. He credits Cadell for his business savvy and proactively working to ameliorate the effects of the Crash on Scott and the associated publishers and printers (125-47).
quiet. If his anonymous authorship provided an often ineffectual mask, he still felt it prudent to maintain lines between the public images of “Sir Walter Scott, Baronet,” “the Author of Waverley,” and his private business dealings. He preferred not to be known to engage in pursuits unbecoming to a newly-fledged noble, the perceived coarseness of his writing for money and, especially, active and unsuccessful entrepreneurship potentially placing him at a social disadvantage. He apparently kept even Lockhart ignorant of his investment in Ballantyne’s printing operation, as well as ill-fated prospects like the Berwick-Kelso railway, a glassworks, and the development of oil-gas technology. In 1824, he found it necessary to misrepresent the state of his finances as he established his family’s future by arranging his son and heir Walter’s marriage to the heiress, Jane Jobson (Sutherland 276-7). When his financial situation plunged, his pride – or by more partial accounts, chivalry – kept him from seeking help from the wealthy friends most able to provide it. 

But Scott’s time of need inevitably made the lines between his public and private identities even blurrier as he set out to return himself to solvency by capitalizing on his past works. The enticement of a peek behind the curtain of his authorship, which he had preferred to offer readers only after his death, could no longer wait. In his zeal for a scheme that offered an escape from his entanglements, Scott even attempted to regain in court the copyrights he sold to Constable in 1818. His hope was that he could, without

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17 For an enumeration and discussion of the many reasons proffered for Scott’s choice to remain anonymous, despite having previously published other works under his own name, see Seamus Cooney, “Scott’s Anonymity – Its Motives and Consequences.”

18 Jane Millgate refers to Scott’s “honourable but foolhardy” course of dealing with his debt (Scott’s Last Edition 3). Sutherland contends that such generous characterizations offer an “unsatisfactory […] way of dealing with the crash” (296).
involving or compensating Constable, prepare an edition that borrowed heavily from his former publisher’s plans. He predicts in his journal,

I alone can by Notes and the like give these works a new value and in fact make a new edition. The price is to be made good from the 2d. Series Chronicles of Canongate sold to Cadell for £4000 and it may very well happen that we shall have little to pay as part of the Copyrights will probably be declared mine by the Arbiter and these I shall have without money and without price. Cadell is most anxious on the subject. He thinks that two years hence 10,000 may be made of a new edition.⁹

Scott takes up agency over the project of adding “new value” to his works, seeing it as his role, rather than his publishers’, to develop a version that is profitable precisely because of the increased authorial presence in “Notes and the like.” Above cosmetic repackaging and reductions in price, greater access to his voice and ethos is the selling point to drive the development and advertisement of this latest version of his novels. English publishers, including Constable in his response to infringements upon Scott’s work, had worked to maintain an opposition of the cheap and popular against the authentic and literary. The Magnum Opus altered that dynamic by circulating cheaper texts that were also expanded based on the preferences of the author.

This stance was possible because Cadell substantially altered the direction for the new edition from Constable’s original plans. Rather than aiming for the extreme ends of the existing book market, he proposed a more moderate path: the Magnum Opus introduced sufficient new material and bore a low enough price at 5s per volume to discourage English readers from seeking foreign editions and invite repeat buyers who might appreciate a uniform edition or added materials, without attempting the revolution in bookselling that Scott’s other associates considered the wild fantasy of an unstable

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alcoholic. Cadell was not given to such a passion-fueled adventure, and a publishing plan closer to Constable’s original proposal would wait until the 1840s releases of the lavish Abbotsford edition and the cheap “people’s” edition.\textsuperscript{20} Cadell instead focused solely on gaining the greatest possible profit from Scott’s productions, liquidating the remaining stock of the older novels, and spurring the author to keep himself in the public’s consciousness by continuing to write (Garside 113-4). In declining health, Scott worked at producing and maintaining the market value of the Magnum Opus edition from 1829 until his death in 1832. Their efforts paid off, as the edition indeed fulfilled its purpose of re-establishing the novels’ commodity value and expanding their readership. The Magnum Opus established a pattern for selling Scott’s works in all genres, to be followed by collections of his poetry and non-fiction prose. Though Scott died in debt to his publisher, the publishing strategy helped retain Abbotsford for his heirs.

In his texts, Scott asserts his literary identity as a gentlemanly artist through his elision of the material realities that motivated and complicated his work through the production of the Magnum. When he abandoned poetry to seize what he saw as a lucrative corner of the literary marketplace in the novel, he placed that identity at the fore, even as he concealed his own name. The anonymous author offered a limited rehabilitation of a supposedly inescapably lurid and effeminate form by setting himself above his contemporaries.\textsuperscript{21} Adaptations and reprints could only borrow from that

\textsuperscript{20} Cadell issued both the Abbotsford edition, in twelve heavily-illustrated large octavo volumes, and the “people’s edition,” in five royal octavo volumes, 1842-7. The former cost £12 12s, the latter £2 10s.

\textsuperscript{21} Gary Kelly claims that the “literariness” of his style worked to remake public perception of the novel so that it “could be seen as a gentleman’s culture” and “put to the purpose of reinforcing the historiographical authoritativeness, and thus the political authority, of his narratives” (173).
reputation, while returning the romantic adventures and Gothic trappings of his works to a cheaper and customarily less-exalted form. While his publisher sought ways to claim that market as well, Scott’s privileged position on the social scale and in British cultural consciousness allowed him to continue acting as arbiter of what is authentic in the portrayal of history and nature. Even as he embarks on the Magnum Opus, an ambitious project to make his novels again lucrative by expanding upon their seeming ubiquity, he once again glances back longingly at outmoded cultural practices and economic and political systems. He must ignore the fact that, contrary to his claims for the novels’ transcendent status, the very existence of the Magnum Opus illustrates that they emerge out of the mundane challenges inherent in a book market with a highly restrictive cost structure and inadequate measures to stem piracy and foreign reprints.

The dire straits that motivated Scott are nowhere to be found in the marketing materials that promoted the new edition. Cadell maintained much of the rhetoric from the abortive Constable’s Miscellany as he took his more measured approach, characterizing the new project as a generous gesture toward the lower classes hitherto deprived of Scott’s prose. He advertised,

The circulation of these works having been hitherto confined, in a great degree, to the wealthier ranks of society, the Proprietors have resolved to place them within the reach of readers of all classes, by republishing them in a less costly, but at the same time more elegant shape, and with the additional advantage of a periodical issue.²²

In the prospectus issued February 1829 (much of which would later appear as the “Advertisement to the Waverley Novels” in the Magnum Opus editions themselves), Scott foregrounds his artistic intentions for the edition:

²² Literary Gazette (18 April, 1829), 264.
It has been the occasional occupation of the Author of Waverley, for several years past, to revise and correct the voluminous series of Novels which pass under that name; in order that, if they should ever appear as his avowed productions, he might render them in some degree deserving of a continuance of the public favour with which they have been honoured ever since their first appearance. For a long period, however, it seemed likely that the improved and illustrated edition which he meditated would be posthumous publication. But the course of events which occasioned the disclosure of the Author’s name, having, in a great measure, restored to him a sort of parental control over these Works, he is naturally induced to give them to the press in a corrected, and, he hopes, improved form, while life and health permit the task of revising and illustrating them.²³

Scott characterizes the Magnum Opus as a revelation of his authorial identity and methods, an ideal form of the works impossible prior to his exposure to the public. But it is also, more importantly, a bargain. The prospectus lays out the books’ specifications: “The size is to be royal 18mo, printed in the very best manner, and hot pressed; each volume to contain about 400 pages, price 5s. done up in cloth.”²⁴ The most extensive additions occur in Perevil of the Peak and The Pirate, which as shorter novels required extensive annotation on local customs and scenery to reach lengths commensurate with the other volumes, and the opening of the first volume, which includes the advertisement, a general introduction, and an additional tale. The Magnum serves as a self-canonization by the period’s bestselling novelist, reasserting control over his fictions as they take on new forms with revised texts and greatly expanded paratextual material, but he never fully concealed the business concerns that were entwined with his literary ambitions. The claims in the novels’ paratext for Scott’s artistic motivations and methods must be

²³ Edinburgh Literary Journal (30 May, 1829), 32

²⁴ An additional charge for hot-pressing (smoothing printed sheets by applying heat and pressure) led to conflict between Cadell and Ballantyne. See Millgate, Scott’s Last Edition 33-5.
reconciled with a different, though related, set of goals based in his economic interests and desire to maintain his class and social status.

That conflict did not escape contemporary observers such as The Athenaeum, who disdained the mercenary impulse they detected behind the prospectus’s claims, seeing the changes in the novels as the marketing ploys they in part were. The front-page response expressed skepticism toward any promise of a truly inexpensive edition from Scott’s publishers: “The superior cheapness we take to be a bibliopolical fiction, though much less brilliant than the romantic fictions to which it relates.” 25 To contemporary critics, the greatness of the Waverley novels was a given. At the same time, the critics felt they could safely assume that Scott’s publishers would continue to gouge prices as much as possible, the books’ commodity value a function of their reputation. Cadell and Scott’s departure from the longstanding treatment of the Waverley novels, furthered by the change in formal presentation, was counter-intuitive to those who had watched the gradual increase in prices over the course of Scott’s publications.

The most obvious change in the novels was the inclusion of illustrations in each volume of the Magnum Opus, suggesting that Scott did not have full confidence in his sense that notes alone would be sufficient to boost sales. The edition offers both a portrayal of the author’s mind at work, interacting with historical sources, and visual representations of the past he reveals to the reader. The author’s attitude toward illustration has often been taken as antagonistic and his authorization of those illustrations

as a serious compromise of his principles in the name of commerce. Scott felt antipathy toward much contemporary visual art, including the representations of his settings that had become commonplace exhibition pieces. But he actively engaged in the process of choosing illustrators for the Magnum Opus edition, seizing the opportunity to include work by artists he respected and thought capable of properly depicting Scotland. Their presence served as a striking physical marker for potential purchasers that the new edition offered added value through an expansive encounter with the novels’ fictional worlds and the processes behind their creation. The Athenaeum was again skeptical, discounting the supposed added value of illustration and claiming through their cynical impression of the project as a whole, “[t]he abstract idea of book-engraving is an invention of the devil.” In line with the feelings attributed to the younger Scott, they argue that the best illustrations lack the romantic power of a reader’s own imagination, they insist, and the naked commercialism of the author’s latest endeavor is a compromise and betrayal of his talent for spurring those imaginations.

Though such criticisms are sensational in their harshness, they do point to the tension between the conception of authorship for which Scott argues and the physical and paratextual re-contextualization of his novels. The Magnum Opus must prove itself as providing two seemingly conflicting forms of value. The edition claims its worth in a more thorough access to the artistry and edification provided by a great writer, but must

26 Richard J. Hill objects to such accounts of Scott’s motivation, arguing, “Scott was consistent throughout his life in his views on painting and illustration; he understood the commercial benefits of having his work illustrated, but, contrary to his self-deprecatory remarks and subsequent critical appraisal, his willingness to have his work illustrated was not purely a commercial motivation” (16).

27 Peter Garside presents evidence that Scott was heavily involved in choosing artists for the edition, his distaste for the work of Henry Corbould a major factor in passing him over in favor of other candidates. See “Illustrating the Waverley Novels.”
also fulfill the more immediate purpose of making money. Scott attempts to find that balance, in part, by developing the narrative of his arrival at a career as a novelist. He discusses in the General Preface the hesitancy of his initial writing and the fallow period in which the manuscript lay in his drawer. It was only when Scott took up the text again to re-edit and introduce it in 1829, driven by financial setbacks and with his former anonymity thoroughly compromised, that he could acknowledge the slow process of material creation.

As the celebrated Author of Waverley, returning to introduce his first work of historical fiction, Scott can discuss his project’s birth pangs without concern that such candor will do any great damage to his literary reputation. Rather, the early hesitancy can fit into the teleology of a great author’s process—over time his grasp upon immutable historical and natural truths became stronger, his expression of those ideas more assured. The new edition presents the latest and final step in that process, an eventuality toward which, he tells readers, he has had his eye throughout his career as novelist. Though the traces of the uncertainty that clouded the novel’s beginnings are expressed in the opening pages’ discussion of his writing process and dating of the narrative, his novels’ cultural cache is sufficiently established to support his grand claims of insight and invention. In his original introduction to Waverley he sharply distinguished the historically based characters in a tale which is “more a description of men than manners” from the stock figures and conventional Gothic plots he claims populate the work of his contemporaries (12). By the time of the Magnum Opus, however, he also insists upon “a romancer’s privileges and immunities,” when he admits to ahistorically portraying the Countess of
Derby in *Peveril of the Peak* as a Catholic (x). He also saw fit to alter the date of *The Bride of Lammermoor* from prior to the Act of Union.\(^{28}\) In the version of his works he left for posterity, he could both reinforce his claim to crafting unprecedented representations of historical and human reality in the novel and defend his poetic license to knowingly alter the details of that reality.

Within Scott’s texts, nature, art, and history all line up to support his conservative political perspective, mistrustful of the industrial and cultural developments that allowed for both his successes and failures. In the Magnum Opus edition, he concludes that narrative by revealing the baronet behind the curtain as it were and re-imagining the Waverley novels as a continuing project. His writing career reaches fruition with the new version’s affirmation of an artistic and commercial value unattainable by imitations, adaptations, or pirated editions. In his formulation, renown and book sales are the products of the unique insight captured by a man who has the luxury of setting a manuscript aside for years before embarking on his life’s major undertaking. Exalting his own artistry in the prospectus and preface simultaneously furthers and obscures the cause of sorely needed self-promotion and his broader engagement with the business side of the book industry. The distance he maintains, even after the revelation of his name, between his authorial persona and the sordid business details of publication is necessary if he is to retain his ideological high ground.

**Pirates and the Forms of Byron**

As Scott established his domination of the English novel in 1814, Byron’s public persona had already grown into a major commodity in itself. Byron reached the peak of his

\(^{28}\) Millgate discusses these examples in detail in *Scott’s Last Edition* (71-5).
celebrity status and domination of the market for new English poetry that year with the publication of *The Corsair*. His fame had proven highly lucrative to John Murray, who sold six editions of *Childe Harold’s Pilgrimage* from 1812-14 and claimed 10,000 copies of *The Corsair* sold on the first day of publication. The pirate tale reaped the benefits of and extended the growing legend and commercial viability of Byronism, as Byron encouraged his readers’ continued identification of the poet with his characters by casting the eponymous privateer, Conrad, in his heroes’ customary mold: a mysterious figure, a man of brilliance and principle, nonetheless unable to escape his own dark past and heartache through a string of globe-trotting adventures. Conrad’s romanticized exploits on the seas remain thoroughly removed from both the crude violence of real piracy (i.e. he chivalrously orders his crew to leave the inhabitants of a harem untouched and rescues his enemy’s wife, Gulnare) and the author’s usually blunt satire. Though Conrad’s decision to abandon life on land carries an implicit critique of English hypocrisy and social mores, Byron limits the poem’s direct commentary on the culture the captain escapes. Though his life and beliefs were subject to speculation and moralizing, Byron as both author and celebrated cultural figure could at this stage be perceived as offering Gothic-influenced sensation without any real threat to his audience’s sensibilities or

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29 St. Clair finds some of Murray’s claims for the wild success of Byron’s works exaggerated, pointing out that the publisher substituted title pages in copies of *Childe Harold* in order to claim the poem went through ten editions by 1815. Still, the information he cites from the Murray archives shows 25,000 copies of *The Corsair* produced in nine octavo editions, exceptionally successful even for Byron (St. Clair 586-7).

30 Marilyn Butler argues, “[Byron’s] rebellious Corsair is sanitized, as far as the English public is concerned, by wielding his sword well away from the French proponents of liberty and equality, and still further from the machine-breakers and petitioners of the English provinces. Nor has his rebellion any hint of a philosophic dimension. It is drained of ideological content, to a degree actually remarkable in the literature of the period. An image potentially of revolution is presented in terms sufficiently unintellectual to allay the fears of the propertied public” (118-9).
social consciousness. The sensational narrative renders the economic and political forces at work upon the character and the lives of Byron’s readers as a vaguely defined and easily relatable spur toward excitement and liberty.

In the Eastern tales, Byron sells a romanticized glimpse of the encounter with cultural difference, ultimately working to exalt the outsider hero who, like him, can cross boundaries and glory in indeterminacy. The problems of the fictional Westerner asserting his identity through Eastern adventures are tied to those of the author operating within and against a commercial system of publishing and the legal regime regulating it. In their Orientalism, his tales thus display the intra-cultural conflicts that are in many ways only further complicated by writing from a celebrated cultural position and an elevated, aristocratic identity. The Byronic phenomenon proved unsatisfying to the author at the center of it, but was based in the complex, often seemingly self-contradictory intentions played out in his works. He refused to confine his production to either straightforward polemic, satire, or the largely inoffensive Gothic romances that sold well for Murray and that many of his loyal readers preferred. Rather, as in the case of The Corsair, a single text or edition is divided between populist romance and political provocation. And the political commitments prove thornily dialectical in themselves, expressive of both the author’s sense of his own noble privilege and the liberal ideas to which he directed his influence.

Byron’s celebrity and heavy use of similar literary personae make his output synonymous with his personality. The divided nature of his work and image also leaves

31 Frederick Garber writes, “When Byron is working at his best the tensions between the components of his dialectical patterns, particularly those in which Otherness is sought out for the sake of self-definition, resolve into the tensions and qualities of the text” (90).
Byron chafed at the imitations and illegitimate reprints that in his eyes cheapened his own brand as an author, political thinker, and gentleman. But his texts were logical and advantageous commodities for pirate publishers, whether they were primarily focused on spreading his ideals of liberalism and noblesse oblige, simply turning a profit from his fame with its attendant gossip and controversy, or some combination of those motivations. In 1822, Benbow illustrated the degree to which Byron had become associated with the world of illegitimate publishing by naming his bookshop The Byron’s Head. He and like-minded radicals saw the poet as a kindred spirit, unfairly driven from the country by their common enemies. Benbow’s *The Rambler’s Magazine* expressed that view in the same year by carrying a review of John Watkins’ unflattering *Memoirs of the Life and Writings of Lord Byron*. The article dismisses “such truly common-place cant of criticism as that of this reverend scribe, who has done no more than vent his spleen against the poet because he writes verses to please himself, and does not prostitute his talents to curry favour with priests or kings.”33 Benbow later defended the late Byron against an attack from Southey, while justifying his own reprint of *Wat Tyler* in an 1825 tract, *A Scourge for the Laureate*, by explaining, “my motives were different from the writer’s—mine were to do good; his to accomplish evil” (Madden 327). Benbow could support Byron’s politics and non-conformity with Anglican morality

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32 Ghislaine McDayter demonstrates the continuing appeal of the romantic and reactionary notion that imitation and influence subtract from a sanctified original. She insists that Byron had good reason to see the publishing industry as a pack of vampires: “while promiscuously reproducing the original (Byron) in every detail, this process simultaneously drained the ‘life blood’ of the poet’s legitimate progeny in order to reproduce hundreds of false replicas – replicas, all animated with an uncanny life of their own” (54).

33 *The Rambler’s Magazine* VII (July 1, 1822), 319.
while opposing his business interests in court and suggesting a moral imperative behind his unauthorized editions. When he and other publishers took hold of the intellectual property Murray at least in theory controlled, the controversy attendant on Byron made the appropriation a credible threat to the author and publisher’s profits and public images to a degree that was not true for the conservative and respectable Scott.

The literary pirates who capitalized upon Byron’s fame did so by playing upon and exploiting the allure and threat inherent in his romantic self-construction. While high seas piracy in the East was a sufficiently exotic choice of subject to offer harmless popular entertainment, the line between romance and politics was nonetheless eminently permeable for a figure with Byron’s cultural influence, whose opinions and personal life were mired in controversy even at his fame’s apex. As Peter Manning has pointed out, *The Corsair* was not quite so safely removed from contemporary conflicts as it might seem based on the text of the poem alone. Byron chose to present it in the context of political discourse.  

At the time of publication, Murray, to whom Byron would refer in 1822 as “the most timorous of god’s booksellers,” found himself struggling to temper his star author’s desire to mingle the popular entertainment of an Eastern romance with poetic and satirical expressions of his political beliefs. Byron seemed determined to ensure it would be caught in the very English political controversies his fictional pirates conveniently avoided. Murray particularly objected to the dedication to Tom Moore, in which Byron praised his friend as “among the firmest of [Ireland’s] patriots,” and compared the tyranny of Arab rule portrayed in the narrative to “[t]he wrongs of [his]

34 “The Hone-ing of Byron’s *Corsair*” in *Reading Romantics* (216-40).

35 13 April, 1822. *Letters and Journals* vi, 49.
own country” (224). Here and in the pro-Caroline lyric “To a Lady Weeping,” one of the six short poems that followed the romance, Byron proclaims sympathy with resistance to abusive authority. The sentimental description of Princess Charlotte’s suffering under the yoke of the Prince of Wales, as a supplement to the longer work, quietly ties Byron’s persona and his seemingly apolitical pirate tale to the ocean of printed commentary upon the Caroline controversy, a cause célèbre for radicals who wished to demonstrate their commitment to traditional English values in defiance of the Prince’s excesses and Parliament’s folly. To Murray, these open statements of association with celebrated liberal and radical causes were legally and commercially hazardous. He therefore in one edition excised the poem. Byron disapproved of Murray’s move, and demanded that the publisher reinstate the lyric to its proper place, more worried that he might appear afraid of political backlash than about the backlash itself.

Byron’s personal and professional frustrations stemmed in part from the disjunction he perceived between the role he had carved out for himself as a poet and the vicissitudes of popular opinion. He grew increasingly impatient with Murray and contemptuous of the mechanisms of publication and public taste as a whole. By 1818, Hazlitt could take Byron’s cult of personality as proof of artistic limitation, writing, “… Lord Byron shut himself up too much in the impenetrable gloom of his own thoughts, and buries the natural light of things in ‘nook monastic.’ The ‘Giaour,’ the ‘Corsair,’ ‘Childe Harold,’ are all the same person, and they are apparently all himself” (302). Byron found the opinion of “a very pretty Italian lady” who valued Childe Harold over Don Juan indicative of his loyal female readership’s failures of taste: “the women hate every thing
which strips off the tinsel of Sentiment—& they are right—for it would rob them of their weapons.”

More damaging, though, were the readers who ideologically aligned themselves against him. In Byron’s view they allowed their judgment to be clouded by convention and themselves to be made tools of oppression. In response to the outcry over *Cain*, he wrote, “they hate me—and I detest them—I mean your present Public—but they shall not interrupt the march of my mind—nor prevent me from telling the tyrants who are attempting to trample upon all thought—that their thrones will yet be rocked to their foundation.”

His supposed triumph lies in a sustained individual defiance of conservative government and religious interests that is difficult to reconcile with the phenomenon he built around himself as a part of the established social hierarchy and the bookselling business. Friction develops amidst Byron’s conflicting senses of his own identity and responsibilities as he tries to turn the persona he crafted to his own purposes of political action and self-portrayal. Those conflicts are essential to how his works operate as narratives and ideological statements, but also as salable commodities for his legitimate publishers and pirates.

In challenging Murray’s right to exclusively produce and sell the products of the Byronic cultural phenomenon, pirates extended the poetry’s reach to a greater readership and, in some cases, re-emphasized the political content its legitimate publisher would

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37 To Douglas Kinnaird. 2 May, 1822. *Letters and Journals* ix, 152.

38 Jerome Christensen suggests, for Lord Byron to write in opposition meant to write against himself, or at least against ‘Byronism,’ that systematically elaborated, commercially triumphant version of himself devised and promoted by his publisher, celebrated and denounced by his reviewers and readers. The problem of opposition is magnified even more, however, because Byronism was promoted and deplored as a stance of gloriously Romantic … or neurotically compulsive opposition. (88)
have preferred to downplay. Hone released six editions of a one-shilling collection of pirated Byron works over the course of 1816, choosing the title *Poems on His Domestic Circumstances* to capitalize on the scandal surrounding the dissolution of Byron’s marriage. With the collection unprotected by copyright, several other publishers followed with their own versions. Hone’s edition balances a nod toward respectability in its presentation of pieces by England’s most famous poet with its obvious goal of capitalizing on the sales power from the more sordid aspects of his biography. The crowded cover declares the slim volume the “COMPLETE AND CORRECTED EDITION OF THE WHOLE OF LORD BYRON’S NEW POEMS, UNIFORMLY WITH HIS LORDSHIP’S OTHER WORKS” and pitches,

> W. HONE’S PUBLICATIONS are peculiarly distinguished by originality of character, correct style of execution, and Economical Price. Their reception into COLLECTIONS of the first respectability, and their extensive and increasing sale throughout the Kingdom, stimulate him to persevere in continuing to issue, from time to time, a succession of Productions which will ultimately form a SERIES of Facts and Varieties of most abundant novelty and interest.

The high-minded justification for the release is immediately undermined by an advertisement for a lurid account of a French execution, long the stuff of lower-class entertainment. Sold on the basis of the rumors swirling around Byron’s sexuality and exile, a note informs readers of the edition’s structure: “The first two Poems were last produced. – The other five follow the order wherein they were written.” Even a committed radical like Hone sees the advantage in placing the poet’s fascinating personal life at the forefront, and de-emphasizing the other, politically inflected poems. The preface to an 1816 reprint from Bensley and Son adds a note of irony as it advises moderating public outrage against “the favorite bard, whose chaste and tender numbers
have so long been, and still will be, the delight and admiration of every admirer of poetry” (i). Byron’s purported chastity and tenderness were most certainly not what readers hoped to glimpse in the proliferating editions of “Fare Thee Well” and its accompanying pieces.

In spite of any defenses the publishers might offer for their motives and on behalf of the author’s right to conduct his own private affairs, such pirate editions also gave critics unsympathetic to Byron opportunities to challenge his artistic merit and unsavory character. The Antijacobin Review downplays the irregular nature of the release of Hone’s Poems, listing Murray as the publisher and dismissing the contents as “a few light productions of Lord Byron’s pen, probably never designed for publication … They are none of them worthy of criticism, and certainly add nothing to the fame which his lordship has acquired as a poet.”39 Unchecked piracy blurs the lines between private and public writing and, especially for Byron, the always shaky distinction between his authorial voice and personal life. The critique takes the association between Byron and the publishing world’s underbelly as an opportunity to condemn the author. Reviewing Sherwood, Neeley, and Jones’ reprint of William Hone’s unauthorized edition, William Roberts contemplates what it means to publish a work when printed without the author’s approval, and where to assign the blame for its existence:

What, then, is it really published? No, says the author; no, says his bookseller, we have neither of us authorized the publication. Who then originally gave it vent? Who then permitted it to taint the air through the channel of the public newspapers? Can we trace the escape of the mephitic to any other source than the original manufacturer and vendor?40

39 Antijacobin Review L1 (December, 1816), 374.

This was not a question with only ontological and bibliographical significance. It was essential to the more immediate issues of the book industry’s profits and the means available to the government in suppressing dissent. Piratical practices troubled authors and legitimate publishers in part because they raised such thorny issues of when a work is considered “published” and how a book’s formal presentation and price reflects and caters to particular audiences. Benbow’s edition of *Cain*, or the sixpence 1822 version from Price that adds to the play’s Satanic appeal with a color frontispiece of Lucifer displaying the glories of space, contend that Byron’s play belongs among the radical political works directed to middle and lower class readers. Roberts argued in *The British Review* that Byron’s unconventional domestic affairs, as represented in print by an unauthorized collection of poems, are a failure to fulfill the standards of “an Englishman, and the cherished sense of domestic virtue that name should comprise.”

Wittingly or not, Byron had become a part of the radical pirate economy, and hence in his enemies’ eyes further degraded as a gentleman and English subject.

Byron may have had little interest in the constraints Tories would place on his life and art, but the usurpation of his literary property and reputation was a source of concern. His very fame meant losing control over his own public image and how his name and writing would be invoked in political discourse. Hone continued his appropriation of Byron’s work by following the edition of poems with a prose adaptation of *The Corsair* in 1817. By selling the tale among his other wares, the publisher resituates the original poem as part of the radical discourse and cheap entertainment in which he customarily

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41 *British Review* VII (May, 1816), 513.
engaged. Byron’s own paratextual choices had nodded to quotidian political and economic conflicts with sentimental rhetoric. But when removed from its intended purpose as genteel escapism and co-opted by an outspoken radical, his narrative is forced into a far starker ideological context. The title page is explicit about both the book’s status as an adaptation and reliance on public recognition of the original author’s name.

The heading to *Conrad the Corsair; or, the Pirate’s Isle* declares the work to be “Hone’s Lord Byron’s Corsair,” with the modified title and the authorial credit to Lord Byron printed far more prominently than the proviso “ADAPTED AS A ROMANCE.” With the exception of brief epigraphs to each chapter, Hone’s prose replaces Byron’s poetry. Stripping the tale down to its unadorned plot, Hone also does away with much of the mystique surrounding the central character, explaining at the outset, “A long course of adventure, crime, and misfortune had formed the mysterious character of Conrad, who by birth, was a noble Venetian, and at one time had the possession of an ample fortune” (5). The straightforward exposure of a figure Byron rendered as alluringly obscure is appropriate as Hone proves that the poet’s own claim over his intellectual property is particularly slippery. From the piratical point-of-view, the lower classes had more need for the kind of liberation from social norms Conrad represented than the well-off purchasers who snatched up the original poem. Hone’s adaptation may have been a poor substitute, but, whatever its literary deficiencies, it had the distinct advantage over the 5s 6d authorized edition of selling for four pence.

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42 Manning suggests that the greater significance of Hone’s piracies and adaptation lies in how they “bring into prominence the ways in which a text, once written, separates from its author and enters an economy of production and distribution, to be acted upon by forces beyond the writer’s prevision or control” (233).
Piracies and adaptations spread at least bits and pieces of Byron’s lyrics and romances to the lower classes, and the force of Byron’s name and reputation brought sales and attention to pirate publishers’ stocks. His celebrity could be invoked by unauthorized publishers to attract lasting interest in an apocryphal piece like *The Vampyre*, the short novel developed by Byron’s one-time physician and traveling companion John Polidori from the poet’s fragmentary contribution to the famous 1816 ghost story exchange at Villa Diodati. Beginning with its April 1819 publication in *The New Monthly Magazine* by Henry Colburn, the novel afforded various other publishers the opportunity to reprint a Gothic tale that could be stubbornly attributed to and associated with the poet and possessed at least the authentic aura of Byronism. Colburn printed Polidori’s novel without his knowledge or permission, crediting Byron as author and preceding it with an “EXTRACT OF A LETTER FROM GENEVA, WITH ANECDOTES OF LORD BYRON, &C.” since attributed to Colburn or John Mitford.43 The author of the letter mentions Polidori only in passing and never by name, recounting Byron’s stay with high, romantic praise for the poet “whom we have so often read together, and who – if human passions remain the same, and human feelings like chords, on being swept by nature’s impulses shall vibrate as before – will be placed by posterity of our English poets” (193). The account of the storytelling contest keeps the focus on Byron’s grandeur and implies inside information to support the story’s attribution with the claim, “I obtained the outline of each of these stories as a great favour, and herewith forward them to you, as I was assured you would feel as much curiosity as myself to peruse the *ebauches* of so great a genius, and those immediately under his influence”

43 *New Monthly Magazine* 1 April, 1819. Vol. 11, No. 63.
Despite Byron’s denials of authorship and a letter from the actual author explaining the circumstances of writing in the following issue of the *Monthly Magazine*, the association stuck. When Polidori contacted Colburn, the publisher offered £30 as restitution and altered the title page of his own edition to read, instead of “a tale by Lord Byron,” “a tale related by Lord Byron to Dr. Polidori.”

Colburn was also able to arrange for Sherwood, Neeley, and Jones, who had already issued an April 1819 edition crediting the novel to “The Right Honourable Lord Byron,” to remove Byron’s name from the title page of their second printing. However, the publishers continued to include the “Letter to the Editor” from the periodical version, with its implication of Byron’s authorship (Viets 90). Following the text of *The Vampyre*, the publishers continue to focus attention on the mysteries of Byron’s personality with “An Account of Lord Byron’s Residence in the Island of Mitylene,” where Byron sardonically noted, “… I should have no objection to reside, but where I have never yet resided.” 44 The piece describes the poet in the mode of his heroes: distant, mysterious, eminently aristocratic, but basically good. “With respect to his loves and pleasures,” the correspondent writes, “I do not assume a right to give an opinion … Lord Byron’s character is worthy of his genius. To do good in secret, and shun the world’s applause, is the surest testimony of a virtuous heart and self-approving conscience” (83-4). In the underground economy of unauthorized publishing, Byron’s image could fully overtake the inconveniences of reality. The lack of copyright on the periodical publication meant less scrupulous publishers could feel free to continue putting out their own versions and,

\[44\] To Galignani’s *Messenger*. 27 April, 1819. *Letters and Journals* iv, 286.
if so inclined, more explicitly credit Byron, as in John Miller’s 1819 London edition and Galignani’s three Paris editions published in the same year.

Byron’s struggles with his own cultural niche and the bookselling market culminated in the unusual course he took in releasing *Don Juan*. Over the course of publishing *Don Juan*’s sixteen cantos from 1819 to 1824, Byron and his publishers reacted through their formal choices to the problems in the legal and economic systems driving both the legitimate market and piracy. The poet grudgingly copes with the commercial and political concerns that went along with disseminating his productions, while through his verse he satirically plays upon both his own and Scott’s positions as Britain’s most popular and influential authors. Reaching his goals meant in part that, like Scott, he eventually needed to abandon the traditional divide between the roles of author and publisher. Where Scott concealed his name and business affairs, Byron attempted to maintain a buffer of aristocratic apathy between himself and business, despite a regular and lucrative output. But isolating himself from practical matters became increasingly difficult as he abandoned the highly respectable and gun-shy Murray and took on experiments within the established publication system beyond what Constable dreamed.

When issuing the first installment of *Don Juan*, John Murray again feared the potential backlash from obeying Byron’s wishes, even with some inflammatory material like his intended prefatory assault on Southey excised. The first two cantos, published in quarto at a price of £1 11s 6d, left the names of both the author and publisher off the title.

45 According to James Chandler, the poem was an “ambitious effort to rival Scott’s campaign to modernize the writing of epic in the post-revolution period, and of course Byron was the only contemporary writer with the literary reputation—the ‘sign value’—to take Scott on” (357).
page, though Byron’s authorship was widely known even before the poem was issued. Murray described the publication as “having fired the bomb,” and indeed cheap pirate editions surfaced quickly, the first a four-shilling version issued by Joseph Onwhyn.\(^{46}\)

The *Quarterly Review* (published by Murray) later bemoaned,

> no sooner was it whispered that there was no property in ‘Don Juan,’ than ten presses were at work, some publishing it with obscene engravings, others in weekly numbers, and all in a shape that brought it within the reach of purchasers on whom its poison would operate without mitigation … ‘Don Juan’ in quarto and on hot-pressed paper would have been almost innocent—in a whity-brown duodecimo it was one of the worst of the mischievous publications that have made the press a snare.\(^{47}\)

Echoing Eldon’s alarmist sentiments from the Benbow case a few months earlier, the article suggests the drastic difference for readers who encountered the work as a droll, if some what risqué, bit of amusement of the wealthy, as opposed to those who saw it for sale amid rabble-rousing political squibs and lurid graphic satire. Murray’s very attempt to avoid culpability for publishing seditious or blasphemous material meant that Byron’s writing again found a place in the reading material of the lower classes and appeared to belong there.

Jerome McGann agrees with the *Review’s* assessment of the significance of the bibliographic variation in editions of *Don Juan*, arguing that the first two cantos “developed along two different signifying lines and in neither case did Byron’s authority or intentions predominate” (58). The variation in the bibliographic codes of *Don Juan* was not, however, a simple split between the legitimate and pirated versions. As the textual content of the work courts illegality through its risqué nature and scattershot


\(^{47}\) July 1822, 128.
political attacks, the strategies employed by Byron and his partners confronted readers with the economic and intellectual property conflicts raised by its publication. Murray’s trepidation over the possibility of accusations of obscenity or sedition and Byron’s concerns about piracy determine the multiplicity of the work’s “signifying lines,” as it appears through multiple publishers authorized and unauthorized, in alternate formats and with varying degrees of authorial input. Complications mounted with later cantos as a market that encouraged piracy through high prices and restrictions on subversive or blasphemous content affected Byron's and his publishers’ intentions, resulting in an even greater range of expressions for the work. With piracies of the first two cantos widespread, Murray moved from printing the expensive quarto to a 9.5s octavo within the year. In 1821, Murray attempted to preempt the pirates by making the unique choice of issuing Cantos III, IV, and V in both octavo at 9.5s and a “small paper” (foolscape octavo, 5 ¼ x 7") 7s version. He explained, “if published as before in 4s some villain may again pirate it & leave no alternative for the preservation of Copyright but the public legal discovery of the Author....”48 Byron wished to take this strategy to its extreme in 1822, when he suggested Murray publish *Vision of Judgment* “in a very cheap edition so as to baffle the pirates by a low price.”49 When Byron finally ended his contentious partnership with Murray in 1823, he instead enlisted John Hunt to print Cantos VI-VII, IX-XII, XII-XIV, and XV-XVI at three price points, with the poet receiving half the net profits.50

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49 To John Murray. 13 April, 1822. *Letters and Journals* ix, 142.

50 On 29 October 1822, Murray refused to publish Cantos 6-9 without revision due to their “outrageously shocking” content (*Letters* 455).
arrangement allowed middle-class readers to purchase legitimate copies of the latter installments, the cheaper versions issued simultaneously with the most expensive. The demy octavo, matching the format of the Murray editions, cost 9s 6d, the “small paper” version 7s, and the “common” 18mo (3 ½ x 5 ¾”) edition 1 shilling.

Byron’s chosen mode for issuing the latter cantos inevitably leads to inconsistencies across the three versions, which as Gary Dyer documented “about forty-three discrepancies in Canto VIII between the octavo and the duodecimo, one hundred fifteen between the octodecimo and the octavo and one hundred forty-eight between the octodecimo and duodecimo” (33). Even when pirate editions are left out of the equation, the multiplicity of options for scholarly editors among the set of authorized editions suggests the range of possible readings that were available to contemporary readers, based on their class or level of concern about the paper quality and size of books. Choosing a particular size and price point for the later cantos did not ensure any consistency in a particular reader’s experience of Don Juan as a whole, or fully counteract the appeal of unauthorized reprints. The copyrights to individual cantos were dispersed between Murray and Hunt. Pirated editions therefore remained preferable for readers who could not afford the expensive Murray quarto or the more reasonable octavos, but wished to own all the published installments, and for those who wished to have all the issued cantos in a single volume.

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51 Dyer goes on to argue, “for each installment there are three distinct editions, printed from different settings of type and their simultaneous release makes the term ‘first edition’ problematic” (33). He contends the best solution to the problem of choosing a copytext is to follow the octodecimo edition, which he claims incorporated Byron’s proof corrections and was also seen by the most contemporary readers.
Nor could the changes in distribution eliminate the association of Don Juan and its writer with the disreputable side of publishing. Rather, the attempts to ward off pirates through innovations in the poem’s distribution could be taken as an admission that the poem contained illicit material and was therefore exempt from copyright protection. When Byron attempted to gain an injunction against radical publisher William Dugdale for selling a pirate edition, the publisher took up a line of defense similar to Benbow’s from the previous year. He claimed neither Byron nor his publishers could hold property in the obscene Don Juan. Since he was not under prosecution for obscenity, Dugdale could base his defense on the work’s salacious content and formal presentation in its authorized edition, arguing the poem’s “tendency was immoral in the highest sense of the word, most calculated to taint the minds of the public, licentious, in every way most destructive of the morals of the community at large.”

By dipping into the realm of what conservatives found socially unacceptable for his purposes of satire and artistic invention, Byron risked his own and his publishers’ claims to the work, while the state of copyright law incentivized efforts by the pirate publishers to make that always ill-defined line between art, sedition, and obscenity even blurrier. The work’s labyrinthine publishing history simply proved its unfitness for public consumption and that its offenses to decency were directed at the lower classes, where they could do most damage:

the work called Don Juan first appeared before the public about three years ago, and so convinced was the publisher of its immoral tendency, that he shrunk from avowing himself to be the author the book. There appeared no publisher’s name in the first two cantos; and although Mr. Murray was known to be the publisher, and he sold them publicly in the shop, he had never to this day avowed himself as the publisher. The same observation would apply with equal strength to the three cantos subsequently published. A long period had elapsed between the publication

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52 The Times, 9 August, 1823, 2.
of those cantos, and the present three cantos, with respect to which an injunction
had been allowed. At length, however the long-looked for cantos appeared, and
the very manner of their appearance he conceived to be a very powerful argument
in his favour. They were published in three separate editions, one at nine shillings,
another at seven shillings, and a third at the low price of one shilling; and it was
announced in the advertisement printed in the public papers that “a cheap edition
at one shilling to counteract piracy” would be published. The publishers
themselves, therefore, assumed most indisputably, that they were conscious that
the work did not deserve protection in a court of law or equity. 53

Murray’s squeamishness and Byron’s attempts at altering the nature of his poem’s
distribution were tacit admissions that the author had knowingly descended into the gutter
of radical culture. 54 As those who administrated or relied upon copyright and censorship
to control texts and pirate publishers opposed one another, the latter proved the most
adaptable. Authors and publishers attempting to negotiate the industry’s legal and
economic situation were repeatedly hamstrung by the very laws ostensibly meant to
protect their interests, and their superiority to the pirates and radicals was called into
question.

For those publishers, the means of enlisting Byron’s texts and celebrity for their
own purposes was clear and carried on well past his death. Illegitimate publishers
continued to find new ways to profit from his popularity while promulgating his ideas to
middle- and lower-class readers over a series of increasingly extreme formal
metamorphoses. In 1826, William Clark published an 11-centimeter, one-volume edition
of Don Juan, cramming the text into 432 pages of difficult-to-read print. The size made it

53 Ibid.

54 For Colette Colligan the case is evidence that there never was a clear separation between the worlds of
the major booksellers and their underground counterparts, demonstrating “the extent to which obscenity
was entangled in London’s print communities, its production not easily separated from so-called legitimate
enterprises” (435).
cheap and easily concealed, emphasizing the lewd, socially unacceptable nature of the contents over the ability to actually read them. Clark, likely the same publisher who had previously pirated Shelley’s *Queen Mab* in 1821, works back against this effect somewhat in the Biographical Notice. He argues for the poem’s literary greatness, placing it above *Childe Harold* in the late author’s oeuvre: “it is to Don Juan, the last of [Byron’s] productions, that he will owe his immortality. It is his only work which excels by its allurement and delight; by its power of attracting and detaining attention” (xiv) and assures purchasers, “every reader, when he arrives at its conclusion, will view it with an eye of sorrow, such as the traveller casts on departing day” (xvi). But Clark bases the poet’s literary and ethical authority in a libertine morality, accepting the idea that, like one of his fictional heroes, he possessed an innate superiority to other men and their morality. Clark dismisses the criticisms of Byron’s personal life and focuses his attention primarily Byron’s death in the heroic pursuit of Greek liberty: “[h]e possessed the fine qualities of generosity and benevolence; but to many actions of his life, the common rules of society are altogether inapplicable” (xiii). Despite the difficulty of reading such a small copy, the pocket version was reprinted the following year by Plummer and Brewis for J. Thompson, and impressions are recorded dated 1829, 1830, and 1832 (St. Clair 688). The tiny edition embraces its obvious nature as contraband. In its very cheapness and limitations as a reading text are claims for its value. Like its author, the poem is above the petty, small-minded judgment of the law, and poorer readers can be initiated into a particularly irreverent form of radical politics through it.
Byron’s pose of being above the fray of the bookselling business only complicated his actual engagement in the negotiations that brought his works to the public. Pirates reprinting and repackaging his poetry led him to modify his own intentions, responding quietly to the publishers who infringed on his interests as he explicitly displayed his opposition to his political enemies and literary rivals. The innovations he and his publishers made in the practices of publishing poetry were necessary to cope with the complications raised that underground market, especially as it interacted with the copyright and censorship regimes. Still, despite catering to a wider readership and strategically attacking the problems in the publishing industry that allowed for piracy, he could never extricate his work from its associations with lower class satire and obscenity, nor entirely remove the appeal of cheap, unauthorized reprints. Protecting his interests required countering widespread perception of his nefarious nature and corrupting influence, in favor of the kind of admiring deference to his gentlemanly excellence that a pirate like Clark posthumously offered. Parsing out the difference between a work like Don Juan or Cain and the cheap material it was sold alongside grew increasingly difficult as his controversial productions became part of what the political elites saw as a treacherously rebellious radical underground.

Competing on the pirates’ terms by putting out increasingly cheap editions more quickly, as Byron attempted to do, did not allow one to avoid myriad other sources of friction in the book trade. In their own ways, he and Scott continued taking advantage of the public images upon which they had built their reputations and success, while making the adjustments they thought necessary to contend with a book market drifting out of the
control of supposed industry leaders and government regulation. The concomitant material, legal, and economic complexities determined which works would be available, at what booksellers, to which readers, and at what prices. Despite the image booksellers presented in trade journals and court, the market was not a straightforward competition between a small number of major publishers and respected authors, occasionally disrupted by interlopers. The various forms of Byron’s poetry and Scott’s novels reveal the conditions of bookselling were far more multifaceted and fraught with incompatible claims to authenticity.
CHAPTER 4

DIVIDING THE CARCASS:

FRENCH REPRINTS AND THE BORDERS OF TEXTUAL LEGITIMACY

In his 1854 autobiography, the journeyman printer Charles Manby Smith relates that after failing to secure a position in London in the wake of the 1826 financial crash he moved to Paris. There he quickly found work compositing type for editions of English books put out by the firm of Anthony and William Galignani. As he recounts his early days in the trade, Smith nods to the objections consistently raised against French reprints by English publishers and authors. Following multiple abortive attempts at coming to agreement, beginning with an ineffectual 1838 act setting terms for reciprocal international copyright, those complaints eventually led to an Anglo-French convention, codified in the International Copyright Act of 1852 (Nowell-Smith 22-40). However, as Smith explains, earlier in the century there was no room in the perspective of even those deeply involved in reprinting English books in France to consider the longstanding debate and acrimony surrounding their products. He and his fellow workers gave little thought to the wider implications of their livelihood: “the want of international law of copyright was the occasion of our prosperity; and the question of printer’s piracy, though it was not very profoundly discussed amongst us, was, whenever alluded to, invariably settled on the principle that ‘whatever is, is right’” (72). The dismissive attitude Smith sums up
succinctly illustrates the legal and ethical conditions under which international reprints of
English works were produced prior to the stricter measures instituted at midcentury. The
publishers of editions like those Smith composited filled the demands of cosmopolitan
intellectual and social life on the Continent for new English books. They extended the
availability of those works, some rare and most expensive in their authorized versions.
Unrestricted by any international agreement to prevent the reproduction of books outside
their country of origin, both Continental and American booksellers were able to turn out
reprints far cheaper than the original English editions, with speed and accuracy
dismaying to the original publishers.

American and Continental reprints raised disputes over English ideological
constructions of intellectual property in large part because of their legality. They operated
on the borders of legitimacy, decried by the writers and publishers who ostensibly held
authority over copyrighted works in Great Britain. Meanwhile, English booksellers’
justifications for their high prices and trade practices were increasingly challenged and
undercut by others not subject to the same agreements among industry leaders or legal
restrictions. In the long run, the often adversarial, but sometimes mutually profitable,
interactions between the participants in the English book industry and the Continental
publishers affected the forms and means of circulation for works that would develop into
the Romantic canon.¹ Galignani’s productions in particular raised questions about how
legal or moral authority over a work’s circulation could be voluntarily transferred or
seized outright. Conflicts between English publisher and foreign reprinters made clear the

¹ For a detailed example interactions between the French reprinters and Anglo-American copyright holders,
see Barnes’ discussion of the handling of the rights to James Fenimore Cooper’s novels in “Galignani and
the Publication of English Books in France: A Postscript.”
inexact, ideologically fraught nature of the category of the literary pirate. The sale and reading of Romantic period works would be in part determined by the semantics of “piracy” as applied to foreign reprints, how the associated rhetoric was deployed for political and marketing purposes, and sporadic attempts on both sides of the Channel to develop more satisfactory arrangements for foreign reprints without international copyright conventions. Given the lack of formal legal backing against the reprints, those who wanted to discourage the Continental and American trades in English books needed to condemn those editions in extralegal terms as violations of basic property rights, the special province of authorial creativity, or the proper transfer of agency over the works in question. Meanwhile, in combination with the domestic pirates, those foreign publishers also complicated the concept of Romantic authorship, forcing English writers to confront the fundamental disjunctions between their claims to the right to control the printing and sale of works, which affected their authorial identities, and those works’ vulnerable condition as easily co-opted commodities.

The status of texts as salable commodities relies upon the agreements between authors and publishers, regulated by copyright law and censorship regimes, which establish certain printings as legitimate. As Adrian Johns notes, “[a]ll nations’ systems of literary property were peculiar to themselves,” despite general agreement among “leading authorities across Europe [that] some form of literary property, however defined, was the bedrock on which public reason had to rest” (146-7). Though the wares of foreign reprinters were not in themselves illegal, they necessarily operated outside that conception of legitimacy. In the evaluations of many in the English book trade,
Continental and American publishers profited by blatantly violating the bounds of morality and justice, compromising the sanctity of property in copies and lessening the commodity value of authorized editions. They responded by advocating for stricter statutory regulation and protections of the property, and in some cases moral, rights they claimed were violated by such practices. In one notable effort to turn the book-buying public from foreign reprints, John Murray appealed to both their better instincts and sense of shame by assuring them in his advertisements that “No one need condescend to purchase foreign editions” (St. Clair 301). In the short term, registering such protests could make little impact, as their rhetoric against the “foreign invasion of British Copyright”2 was stacked against the continuing demand for English books abroad and the profits to be made by publishers who seized the opportunity. Meanwhile, the laws restricting importation of books were largely confusing and difficult to enforce, with legislators slow to make changes in law they feared might artificially raise costs (Seville 43).

From an English bookseller’s perspective, the French reprinters inserted themselves forcefully into this murky domestic conflict over the character of the property authors and their agents held in printed matter. These interlopers underlined the vague and localized nature of the intellectual property claims that restricted books’ production, sale, promotion, and, ultimately, reading. In the English publishing industry’s rhetoric, foreign reprints were lumped in with the domestic piracies that had become central to their claims that they required stricter, longer-term copyright. They argued that neither the regulations offered by first the Statute of Anne, which they had circumvented, the

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2 Publishers’ Circular 15 February, 1842
law’s application following the decision in *Donaldson v. Beckett*, nor the twenty-eight year copyright term established in 1814 properly protected their interests.\(^3\) When Sergeant Thomas Talfourd argued in the House of Commons to extend that period, he was able to tie in his horror that

> not only is the literary intercourse of countries, who should form one great family, degraded into a low series of mutual piracies – not only are industry and talent deprived of their just reward, but our literature is debased in the eyes of the world, by the wretched medium through which they behold it. (164)

Though the situation was considerably more complex, proponents of greater restriction suggested that reprinters at home and abroad were two aspects of the same problem. The “victims” of the unscrupulous reprinting operations within and without Britain depicted those practices as a perversion of the sanctity of English property, threatening the prosperity of respectable businessmen and England’s rightful place in the worlds of the intellect and letters.

For the purposes of English publishers and authors, both types of unauthorized bookseller could be classified and, as necessary, condemned under the dismissive but odious tag of pirate. Catherine Seville contends the opprobrium attached to the term “piracy” in connection with foreign reprints developed gradually as the discourse around the possibility of an Anglo-American copyright intensified (Bently 19-43). She rightly underlines the importance of attention to shifting historical context in considering matters of semantics and ideology. However, both she and St. Clair are too quick to downplay the

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3 Some significant examples of the major arguments for considering literary works as property and expanding copyright protection in England in the late eighteenth and early nineteenth centuries include Francis Hargrave, *An Argument in Defence of Literary Property* (1774), Catharine Macaulay, *A Modest Plea for the Property of Copyright* (1774), Robert Southey in the *Quarterly Review* (January, 1819), and Talfourd’s speeches before the House of Commons of 1837 and 1838.
significance of the term “pirate” in the arguments of copyright-holders and the venom with which the charge could be hurled in response to domestic and French reprints (even if this was often done cynically or with a private air of ironic detachment). Pirates may have become simply a matter of course in the eyes of many members of the book industry, but many authors and publishers inveighed against the practice, and used the term “pirate” as an important weapon in their rhetorical arsenals. The term has stuck to those eighteenth and nineteenth-century overseas reprinters when they are discussed down through recent scholarship, even as the word’s meaning and legal application has shifted and broadened over the development of new media. But classifying the period’s Continental and American publishers as pirates results in eliding the details of the overseas trade. The term’s wide application meant foreign booksellers could be considered pirates whether or not their particular firm actively sought to export their productions in England, employed possibly illegal or unethical methods to gain copies and market their editions, or, indeed, reached out to develop working relationships with the authors and publishers whose copyrighted materials they reproduced.

When producers and authorities grappled with how copyright might be enforced across national borders and the smuggling of contraband books effectively restricted, it was not only an issue of contemporary political and economic debate. Rather, those questions reflected a central problem in defining the purposes and limitations of intellectual property legislation and the texts governed by those laws. Much of the polemic offered by authors and publishers protesting foreign republication held little force if copyright protections were solely a privilege granted by the respective states “For
the Encouragement of Learning” within their borders, as the title of the 1710 Statute of Queen Anne suggested. There was, on other hand, potential political and financial advantage in insisting on the emergent, romanticized vision of intellectual property, in which an author acted on a natural right when staking his or her claim to ownership of a text. In both England and France, the precise nature of the property that existed in books, whether as ideas originating in the mind of the author or printed matter for sale, remained a matter open to dispute and carrying serious economic and ideological consequences.

Copyright and book historians have followed Jane C. Ginsburg in countering the once-prevalent, if problematically teleological, narrative in which French copyright was from its inception vastly distinct from Anglo-American practices in prioritizing the rights of authors over publishers. Though the long tradition of droit moral has been a major factor distinguishing the administration of intellectual property law in France, that focus on authors’ rights and privileging of romantic creativity was no foregone conclusion as the book trade underwent a tumultuous period of change in the late eighteenth and early nineteenth centuries. Though highly restricted by trade regulations and royal censorship, the Paris guild of printers and booksellers entrenched under the ancien regime had backed such definitive, and expensive, Enlightenment undertakings as Diderot’s Encyclopédie. The Revolution, however, called for the liberation of the press, beginning with slowly dismantling the Administration of the Book Trade, which oversaw

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Ginsburg writes, “revolutionary legislators, courts, and advocates perceived literary property primarily as a means to advance public instruction. Contemporary authorities certainly also recognized authors’ claims of personal rights rising out of their creations, but the characteristic modern portrayal of French revolutionary copyright as an unambiguous espousal of an author-centric view of copyright requires substantial amendment” (158). David Saunders emphasizes that Ginsburg and Carla Hesse’s work leads scholars away from accepting a model of French copyright based in a romantic view of authorship as a priori an act with certain rights and protections attached (Authorship and Copyright 90-5).
censorship, the royal inspectors of the book trade, and the granting of royal privileges that functioned as a copyright system, as well as the organization of the guilds. The Administration had already been stripped of nearly all its authority by the time it was officially eliminated by the National Assembly in August 1790 (Hesse 29). The next year, new legislation went on to dissolve the long-dominant trade organizations, opening up the printing and bookselling professions to anyone with the means to obtain a press.

With no central regulating authority, the piracy of new books and the titles and contents of periodicals previously protected under royal privilege became widespread. When offering new works, the newcomers to printing and publishing found their interests were better served by quickly turning out inflammatory political pamphlets and popular novels than making the heavy investments necessary to keep the key texts of the Enlightenment available. The “Declaration of the Rights of Genius” on July 19, 1793 rendered the business model of publishers still more tenuous, as authors were granted limited property rights in their works, no longer reliant upon the bounty of the monarchy’s representatives. While this development and the act’s grandiose title suggest it fits comfortably into the narrative of French preoccupation with author’s rights, its measures in the name of those rights had mixed results. The Assembly continued to strip away the repressive prerevolutionary structure of printing regulation without taking into account the consequences for the economic viability of the associated trades or encouraging circulation of the Enlightenment texts central to the new political powers’ stated projects. The law explicitly eliminated the privileges left over from the previous regime while establishing copyright terms for new works, limited to ten years after the
author’s death, thrusting the bulk of the French corpus out of legal protection. The combination of the Terror’s wave of political repression, changes in law, war’s toll on the market, and an emergency decree in September 1793 requiring all presses to print government propaganda proved devastating to the trade, and “by 1794 book publishing was at a near standstill” (Hesse 127). The revolutionary government’s expressed goals of liberating the press from the fallen regime’s strictures, showing the proper respect for the roles of authors, and setting an ideal of public sharing of knowledge at the forefront of the book trade proved impossible to reconcile.

Like many aspects of French life, regulation of publishing shifted in a markedly conservative direction under Napoleon, who in 1810 established a General Direction for the book trade and a new licensing system for booksellers, vesting the authority to enforce those laws in the police. The emperor’s decree restricted the right to print books in Paris to eighty printers, each operating at least four presses, and put prepublication censorship back into effect, while extending literary property claims to twenty years after the death of an author and his immediate family. In the aftermath of the massive restructuring the trade underwent in both the Revolutionary and Napoleonic regimes, the fragility of the industry had been made abundantly clear. The conception of author’s rights remained foggy, as even those expressed in the 1793 act had been highly compromised from the outset. In the atmosphere in which France resumed normal trade

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5 Hesse argues, “… the law did not resolve the epistemological tensions between Condorcet and Diderot. Instead it produced an unstable synthesis of the two positions. Although it drew on a Diderot’s rhetoric of the sanctity of individual creativity as an inviolable right, it did not rigorously respect the conclusions Diderot drew from this position. In contrast to the privilège d’auteur of 1777, the law did not recognize the author’s claim beyond his lifetime but consecrated the notion … that the only true heir to an author’s work was the nation as a whole” (121).
relations with England, neither a strictly protectionist ethic of centralizing the printing and bookselling industries nor scrupulously author-centered notion of rights in imaginative works would necessarily seem an evident good to publishers. Consequently, French and English booksellers alike operated amidst competing claims over what kinds of rights copyright did or should protect, a socially, politically, and economically-inflected discourse that only grew more complex and heated when books passed over national boundaries.

The rhetoric offered by proponents of expanded regulation of literary property tended to set up unauthorized printings as a rather shocking breach of authorial and publisher’s rights. But the entrance of reprints into England from outside the intellectual property regime was a long-established tradition by the nineteenth century. Before 1774, Scotland served as a primary source for cheap books, the Scottish courts struggling to determine the practical application of the 1710 Copyright Act. But with Scotland and, in 1801, Ireland brought under the same restrictions as the London printing industry, opportunity thereafter opened for continental publishers. Following the 1815 end to hostilities, France became the center of unauthorized reproduction of English works, led by Giovanni Antonio Galignani, the Anglophile scion to a long line of Italian booksellers.

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6 The shift from predominately Scottish to French imports has been a sticking point in discussions of how profound the changes in the English book trade following the 1774 establishment of a short copyright term actually were. Though St. Clair acknowledges this history (RN 293), Thomas F. Bonnell and James Raven have criticized him for exaggerating the shifts emerging from Donaldson v. Becket (1774) and neglecting to fully take into account the effect the trade with Scotland had on the circulation of what he calls the “old canon.” See Bonnell “When Book History Neglects Bibliography: The Trouble with the “Old Canon” in The Reading Nation” and Raven, “Booksellers in the Court: Approaches to the Legal History of Copyright in England before 1842.”

7 For further information on 18th century Scottish and Irish reprints and their legal repercussions, see Warren McDougall, “Copyright litigation in the Court of Session, 1738-1749, and the rise of the Scottish book trade” and “Smugglers, Reprinters and Hot Pursuers: The Irish-Scottish Book Trade and Copyright Prosecution in the Late Eighteenth Century.”
After a stay in England, Galignani began his Paris publishing business as a partnership with his father-in-law, the English bookseller Parsons, in 1804. From the first the firm offered reprints of English works, beginning with Hester Lynch Piozzi’s *British Synonymy*, originally published in London in 1794, and Robert Bloomfield’s popular 1800 debut, *The Farmer’s Boy*, among the duodecimo British Library in Verse and Prose issued in numbers (Galignani 8). The resumption of war in 1807 may have temporarily slowed the reprint market, but as Barber notes, the series in fact continued through 1813, with the publication of Maria Edgeworth’s *Tales of a Fashionable Life* (268). The British Library, numbering around sixty-eight volumes, sold together for 92 francs.  

After the Treaty of Fontainebleau and then the conclusion of the Hundred Days resulted in far more potential customers residing in or traveling through Paris, English books became attractive investments for the city’s booksellers. The production overhead was far less than producing new books, since there was no need to purchase copyright from an author, and the reprint market offered the freedom to compete at ever lower prices. Galignani’s primary competitor was Louis Claude Baudry, and in the mid 1830s the firms collaborated on the Collection of Ancient and Modern British Authors in numbers, effectively forming a cartel to dominate the printing and sale of English literature in Paris (Barber 277). But in the trade’s earlier years, others joined the fray, such as Hector Bossange, who previously operated in Montreal, and Jean Baptiste

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8 Through the early nineteenth century, the exchange rate remained steady under the gold standard at approximately 25fr.:£1.

9 When Byron investigated, he was informed that selling 400 copies of a French edition would be to sufficient to cover the associated expenses (*Letters and Journals* x, 134). St. Clair notes that this is “only a little less than the British rule of thumb but at a lower price level” (301)
Balliére, who focused on medical and scientific works and was seemingly chased out of directly selling reprints in the London branch he established in 1830 through legal action by Richard Bentley four years later.\(^\text{10}\)

It was only in such blatant cases as Bentley encountered with Balliére, and which he continued to sniff out wherever possible, that English publishers could take meaningful legal steps against the overseas reprinters. As long as the unauthorized editions appearing in France, as well as the United States and Germany, were not resold in Britain, they were legal.\(^\text{11}\) Many tourists returned home to England with cheap reprints in their possession, as they were legally allowed a single copy of each book. It is, of course, impossible to accurately gauge how often and in what numbers smugglers brought in larger quantities. It is certain that the leading London publishers felt sufficiently threatened by the prevalence of cheap reproductions that in 1829 they increased the pressure within the industry to conform to protective measures. These included establishing systematic terms under which prices and discounts were to be set for booksellers’ inventories and a committee to inspect bookshops for evidence of underselling. They would deny credit to any bookseller caught challenging their price or import controls, potentially ruinous for shops that dealt in new books (Barnes, Free

\(^{10}\) I have drawn my overview of the history of Galignani and their reprints of English works, from the Galignani Library-issued pamphlet, *A Famous Bookstore* (1821) and Giles Barber, “Galignani’s and the Publication of English Books in France from 1800 to 1852.” For information on Bossange see Yvan Lamonde, “La librairie Hector Bossange de Montréal (1815-1819) et le commerce international du livre.” For Bentley’s case against Balliére, see Barnes, *Authors, Publishers, and Politicians*, 97-99.

\(^{11}\) For information on German reprints, see William B. Todd and Ann Bowden, *Tauchnitz International, Editions in English 1841-1955*. Barnes outlines the Anglo-American book trade, the slow progress toward a Transatlantic copyright agreement, and the countermeasures English publishers instituted against illicit imports from all sources in the interim in *Authors, Publishers, and Politicians*. 
An 1830 change in the law emphasized that the tourist’s allowable copy of a reprint was to be for personal use only.

Despite the industry’s internal response and laws to encourage excisemen’s expanded and increasingly onerous searches for printed contraband in boats from Paris, instances of the French collections of British authors appearing in English bookshops and circulating libraries were commonplace throughout the 1830s. The importers found methods to circumvent their opposition through misleading packaging and an overwhelming quantity of goods, as G.P.R. James found when he investigated the means by which “this nefarious traffic” was carried on in 1842:

At first it would appear that the pirated editions of these works printed on the continent was [sic] intended only solely for the supply of English travellers and residents abroad; but very speedily the publishers saw the means of profitably extending their sale, and measures were taken for throwing great numbers of these works into the British colonies, the Channel Islands, and England itself … All the ordinary modes of smuggling have been employed, but especially that of sending over the works placed in layers between sheets of French works, and as it is impossible to expect that custom-house officers should examine every sheet in a large bale, which pays duty by weight, this method has been very successful.12

Wordsworth saw that the materials thus smuggled in were readily accessible in shops, and the proprietors who sold them were apparently fearless of legal or trade consequences. He claimed he inquired incognito in an English bookshop about obtaining copies of Galignani’s one volume Poetical Works of William Wordsworth, which sold for twenty francs in Paris. A shop assistant assured him that he could obtain five, ten, or even

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12 “Of some observations on the book trade, as connected with literature in England.” Journal of the Statistical Society of London VI (1843), 56. As of 1825, British Customs charged a £1 per hundredweight duty on French books published before 1801; the duty for more recent books was £5 per hundredweight. See Barber, “Treuttel and Würtz,” 139.
500 copies of the volume, given “only time.” This anecdotal evidence is highly suspect, and Wordsworth’s credulity toward the last of these numbers especially is a product of his general alarmism about foreign piracy and other forms of copyright infringement. But the fact he deemed this experience sufficient proof that French reprints had significant effects on the supply of English books and endangered the industry suggests the rhetorical force such claims exerted. While it may be impossible to get a clear sense for just how many copies of any particular book were smuggled back into England, publishers and authors saw utility in painting them as a serious threat to the market dominance and price controls upon which they relied.

**Negotiating Legitimacy in the French Reprint Trade**

Galignani found a renewed focus for his business in selling inexpensive but high-quality reprints of recent English books, beginning with his reprints of Byron’s early poems. Byron had declared in the preface to his first published volume of poetry, *Hours of Idleness* (1807) that this collection was a nineteen-year-old peer’s “first and last attempt” at publishing poetry (ix). As he embarked upon his literary career, he was a proud dilettante, operating outside his “primary vocation” in politics for personal amusement (vii). When those words proved far from prophetic, he attempted to suppress that now rather embarrassing first foray into publishing, along with his satirical riposte to the critics who greeted his debut in *English Bards and Scotch Reviewers* (1809) and privately

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14 Barnes offers a few further examples of French reprints appearing in English shops, drawing mainly on Bentley’s attempts to snuff out those incursions on his copyrights. He cites as “the most interesting case of all,” one uncovered in 1840 in which the proprietor of a Bolton shop and circulating library developed a system to regularly smuggle across the channel books purchased from Galignani’s at wholesale prices, as well as prints and other items (101-4).
printed attack on Lord Elgin, *The Curse of Minerva* (1812). He was no longer a young man about to set out upon a brilliant career in the House of Lords, but the most famous living poet and, moreover, friendly with some of the members of the literary community he had earlier mocked. It seemed that allowing the continued circulation of those volumes, openly expressing the mien of a noble amateur with nothing to lose by an indiscriminate assault would do more damage to his reputation than their literary merit or his fans’ curiosity were worth. Consequently, the first collection and two longer poems were all left out of the five and three-volume editions of *Collected Works* Murray published in 1818 and 1819, respectively.

Galignani perceived the demand for affordable copies of those rare early works in peacetime and issued editions of both *English Bards* and *Minerva* in 1818. The scarcity of the poems and the air of the forbidden that consequently surrounded them were their strongest selling points, which Galignani was certain to underline. He advertises *Hours of Idleness* as “almost impossible to obtain … in England, at any price.” *English Bards*, along with “other suppressed poems” is “so scarce in London, that copies have sold for 5 guineas.” In Galignani’s editions, each went for six francs in duodecimo, or approximately five shillings. His catalogue offered the poems as part of a six volume collection of Byron’s works for 36 francs – “this, the only complete edition published, amounts in price to less than one fourth of the London one,” his advertising proclaims – or individually. The 1818 collection thus had the distinction of providing a more complete selection of Byron’s works than the official versions then available. Later versions kept pace with Byron’s output, including *Don Juan*, which did not appear in a
Murray collected edition until 1830. Meanwhile, as the title – *The Works of the Right Honourable Lord Byron. Comprehending all his suppressed poems* – suggests, Galignani seized the opportunity to continue playing up both Byron’s aristocratic persona and the controversial nature of certain of the collected works in his promotion.

The Byron edition set the pattern for Galignani’s approach to reprinting English texts. He simultaneously contributed to the romanticization of the author, foregrounding writers’ personalities as the organizing principles of the editions, and seized agency over the printed commodities through which those personalities would be defined. The firm paid homage to and, in general, fairly represented the writers whose work they took up for their own profit. Galignani sought to establish a reputation for his firm that transcended the appellation of “old pirate,” making his endeavors central to the lives of his intended audience. He knew well the travelers and expatriates likely to visit the “English, French, Italian, German, and Spanish Library” at 18 Rue Vivienne, and adapted his operation to appeal to that customer base, resurgent after years of war. In the obviously partial description appearing in the Galignani-published *New Paris Guide* for 1822, the library is declared “the most distinguished of [all reading rooms and circulating libraries], and that most frequented by Englishmen, as well as foreigners” (cvi). The guide goes on,

>The Reading-room is spacious and handsome, decorated with maps, and adapted in the most commodious manner; contiguous to which is a large garden where subscribers can walk or sit and read. The various tables are covered with all the periodical publications worthy of notice … and upwards of 20,000 vols of books in the English, French, Italian, German, and Spanish languages, comprise the advantages of this splendid establishment. (cvi-cvii)
Galignani offered a welcoming, social space, attempting to render both his establishment and the publications he issued central to the lives of Englishmen visiting or living on the Continent. He provided the expatriates a connection to cultural and political events back home with a much lower price of entry and greater sense of liberty in subject matter than was possible there. The choices of new publications and reprints attest to this sense for the desires and interests of the library’s visitors, offering, in addition to the annually-updated Paris Guide, specialized European travel guides and, beginning in July 1814, the popular English language periodical, The Messenger.\footnote{The New Paris Guide was first issued in 1814 under the title Pictures of Paris and later became the Illustrated Paris Guide. Galignani’s other offerings on this score include a guide to exploring the Pleasures of Paris “with a few necessary cautions to young Englishmen” and Paris Gaming Houses Unmasked, which performs the service of “with a fearless hand [dragging] to light all the dark and delusive mysteries of these haunts of iniquity.”} The four-page, thrice-weekly paper collected news from home, and, as Barber notes, “at least through the second half of the nineteenth century” the newspaper was more profitable than the shop itself and “the English language paper available in continental Europe” (282).\footnote{Though the paper had since been sold and folded, Galignani’s successors could boast in 1923, “It was a small four-page paper, no larger than a sheet of foolscap, but it contained as much news as could be crammed into the limited space, and was a perfect godsend to the English colony. Everybody who could afford it subscribed to the paper; the reading room in rue Vivienne became a favorite rendez-vous of all Britons in Paris, and copies of Galignani were soon on sale in most of the principle cities of Europe.” (11)} Meanwhile, the library’s selection of books for sale remained up-to-date and affordable, offering extensive collections of the work and apocrypha of popular authors such as Scott, Byron, and Thomas Moore. As in London bookselling, the huge popularity of Byron and Scott proved a driving force for the Parisian publishers. Thorough gatherings of their works in

As to the matter of affordability, according to an 1828 advertisement, a single issue cost 10 sous, with subscriptions available in increments appropriate to an audience of travelers and expatriates of two weeks (6fr.), one month (10fr.), three months (28 fr.), six months (52 fr.), or one year (100 fr.).
various formats formed the backbone of Baudry, Galignani and other reprinters’ catalogues.

Galignani distinguished his firm’s venture into the reprint business by presenting the editions as uniquely authoritative texts, the lack of authorial permission or supervision treated as details hardly worth mentioning, and putting out the editions with exceptional rapidity and accuracy. The back-cover blurb carried on 1821 installments in the Collection of Modern English Authors lays out the firm’s goals for their reproductions of English works and their own public image:

**THIS COLLECTION OF THE FIRST-RATE WORKS IN THE ENGLISH LANGUAGE,** reprinted from the London Editions, comprises the Poems, Novels, and other works of the modern writers who in England enjoy a merited reputation. It will be printed with a correctness and elegance that will bear a comparison with the original editions sold at THREE times the price.

Galignani portrays the reprints as a form of canonization for the finest contemporary exemplars of English belles lettres and the attention to detail in producing them proof of his personal taste and high regard for the selected works. In an advertisement in a copy of *Waverley* dated 1821, Galignani offers reprints of *The Abbot, Guy Mannering, Ivanhoe, Kenilworth,* and *The Pirate,* all in three duodecimo volumes at a price of 13 francs, or about 10s10d and with the promise that “The remainder [of Scott’s novels] are in the course of publication.”¹⁷ The ad copy’s constant refrain is of the quality of the editions (surely, it insists, more reliable and respectable than other Paris booksellers listing the

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¹⁷ In the advertising, Galignani credits the Waverley novels to Scott for, as the author notes in the General Preface to the Magnum Opus edition, “while the paternity of these novels was from time to time warmly disputed in Britain, the foreign booksellers expressed no hesitation on the matter, but affixed my name to the whole of the novels, and to some besides to which I had no claim” (xxxvi). Todd and Bowden cite an 1822 German edition of *Waverley* as the earliest example of a novel bearing Scott’s name on the title page (321).
same titles) and the stark contrast to London’s luxury prices, with occasional interjections concerning the availability of works suppressed in their country of origin.

Following the elder Galignani’s death in 1821, his two eldest sons, John Anthony and William, carried on and expanded the major publication and reprinting practices he established, selling a wide selection of English works hard upon their release in London. Smith writes that his first day compositing Galignani editions in 1826 found him setting type for the third volume of Scott’s yet-to-be issued *Woodstock*. Though he could not know the source of the copy text, he surmised that he worked from “the corrected second proofs, with … the author’s corrections transferred” (71). Working quickly and reliably from the most thoroughly corrected version of a book available gave the reprinter an essential leg up on the competition who would surely sweep in to print their versions as soon as possible. Such practices also help to explain the discomfort English writers and publishers felt over the more reputable lines of French and American reprints, which unlike domestic piracies, did not tend to offer markedly lower textual or formal quality than the originals. The texts were usually on par with the London versions, and sometimes more complete, in addition to being significantly cheaper and available in smaller, more convenient formats.

The still tentative nature of English and French copyright made the foreign trade seem a serious threat as foreign editions multiplied from Galignani, Baudry, and their often less scrupulous competitors. Despite his catalogue full of unauthorized reprints and blatant marketing to the English, Giovanni Antonio Galignani and, in turn, his sons

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18 “By the late 1820s,” St. Clair writes, “every new British novel was on sale in Paris within three days of its publication in London, in a beautiful, well printed, convenient, cloth bound single-volume edition, at a quarter of the British price” (*RN* 296).
attempted to work back against the perception of French publishers as outright pirates, beginning in the early 1820s. Their immediate motivation was market competition: when Galignani found even the reduced prices of his stock undersold by other French publishers, he decided that, instead of continuing to engage in a price war and lowering the quality of his editions, he would make a measured alteration in the nature of his operations. Wordsworth claimed Galignani expressed to him sufficient concern over the problem of underselling that he “would be glad … to have copyright extended to foreigners.”¹⁹ Such discussions occurred as he made overtures to English authors, seeking to gain their approval for his reprints, in exchange for payment and assurances that the books would be sold only in France. Even if it had little effect on the already high quality of the texts and their presentation, authorization would lend Galignani editions an air of legitimacy. More importantly, he would be able to support his claims to French copyright in those works and take legal action against his competition when they issued the same books. The English writers and publishers could grant the Galignanis legal and rhetorical backing for the marketing claims and paratextual elements through which they hoped to set their productions above other continental reprints.

Foreign reprints were clearly valuable commodities and as long as there were not strictly and consistently enforced checks on their printing, sale, and export, they would continue to pour forth in Paris, Belgium, across the United States, and elsewhere. The more immediate issue was how authors and their authorized publishers could assert a stake in those productions, and whether they could do so without damaging their own profits, or, in the cases of the authors, their current public images and legacies.

¹⁹ To Isabella Fenwick. 24 March, 1837. Letters vi, 384.
Ultimately, both Scott and Murray, as the holder of Byron’s copyrights, struck deals with Galignani, making them the official French publisher for at least certain works. But they did so only after the French publisher had already thoroughly demonstrated the ability to reprint faithful copies of earlier books speedily and without any such cooperation. The writers, in association with their domestic publishers, were placed in the position of parleying directly with a bookseller they perceived as a pirate. Their willingness to come to terms with Galignani rendered all the blurrier that always politically, legally, and ethically fraught designation. In their negotiations, each side sought to define and place a cash value upon their contentions to legitimacy and accuracy. In practical terms, that meant determining a fair, or at least acceptable, payment for the rights to reprint a literary property, absent any clear legal structure to regulate their arrangements or support the arguments on either side. As Galignani sought to burnish their respectability, they still represented the larger potential for foreign competition that might cut into authorized book sales and endanger authors’ reputations by continuing to circulate little-known, suppressed, or apocryphal works.

Authors’ responses to this perceived incursion varied. Scott, whose novels and poetry had already been extensively reprinted by various foreign publishers, took a different tack when he most needed the money. He became heavily involved in dealing with those publishers, arranging, for instance, a payment of £105 from Galignani in exchange for permission to put out an edition of The Life of Napoleon Buonaparte on 20 February 1827, the same day as the London release. Galignani thus again gained a few days’ jump on his competitors. When arranging overseas publication, Scott left aside any
proprietary claims to his claim of control over the proofs of his publications based on his artistic privilege or English citizenship. He instead chose to maximize his immediate profits by making similar deals with other overseas publishers, including Carey in Philadelphia, who paid £295 for uncorrected proofs (Todd and Bowden 612).

Galignani’s negotiations with Byron and Murray are more typical of how the French publisher’s ventures usually played out, and suggest the implications they had for authors, original publishers, and the circulation and reception of the works in question. Byron, while accepting the inevitability of French reprints and ensuring that he had at least some gain from it, nonetheless wished to portray himself as above the distastefully pecuniary fray. Consequently, he left the arrangements mostly in the hands of Murray, while offering occasional interjections. Galignani had seen Byron’s collected works sold by other French booksellers for prices as low as ten francs, prompting him to write to the author, requesting the rights to authorized reprints. Though Byron was certainly aware of the publisher’s customary methods of issuing English books without permission, he does not demonstrate any great perturbation at being contacted by a bookseller who might be, and often was, construed as a pirate. Indeed, his usual affect of lordly indifference to financial matters makes his preferences in the case somewhat opaque. He refused to suggest that the copyrights to his work were any concern of anyone beside the man who regularly purchased them. When addressing his publisher in order to pass along the Galignani inquiry, Byron seems to fully embrace the principle that, once a copyright is sold, an author should have nothing to say about how the work is handled as a commodity. He assures his publisher, “As the poems are your property by purchase,
right, & justice, all matters of publication &c. &c. are for you to decide upon.” At least in this case and for this audience, he claims no moral or personal right to influence the handling of what was only formerly his property. Initially, he limits his intervention to advising Murray, “If you can check these foreign Pirates--do;--if not--put the permissive papers in the fire: I can have no view or object whatever but to secure to you your property.”

However, as many of Byron’s interactions with publishers – such as his objections to Murray’s proposed alterations to the contents of the Corsair volume and his attempts to suppress his own early works – reveal, he did not see himself quite so thoroughly removed from the processes of publication and circulation. He exhibited sufficient detachment to dismiss the business side of his vocation as he continued to participate elliptically in it.

If the existence of the foreign reprint trade represented a challenge to the rightfulness and security of English publishers’ copyright holdings, Murray felt he must attempt to counter that challenge. Hence, he asserted the superiority of his claim to the profits from Byron’s poetry by defining the distinction between his own business affairs and those conducted by his counterpart in Paris. To Byron’s chagrin, the publisher took his time in responding to Galignani. When he finally did so, he insisted on what he saw as fair payment for the French copyright, arguing for an inalienable moral right over a work that could be only willingly transferred from the author to the legitimate publisher. As the legal structure’s support of his position either in England or France was, at best, questionable, he relied upon his own ability to convince Galignani in correspondence of the rightfulness of his position. Murray’s reply to the reprinter therefore begins by

condescendingly scolding him for usurping a fellow publisher’s investment: “… I shall state what you do not seem to be aware of, that for the copyright of these works you are printing for nothing, I have given the author upwards of £10,000.” Ultimately, the negotiations between the two publishers show the limitations of both English copyright and even Byron’s celebrity. While Murray continued to emphasize his own expenditures as proof of his authority, he nonetheless quickly moved toward an arrangement:

Lord Byron has sent me the assignment, regularly made, and dated April 20 1818; and if you will send me £250 I will make it over to you. I have just received a Tragedy by Lord Byron, for the copyright of which I have paid £1050, and also three new cantos of Don Juan, for which I have paid £2100. What can you afford to give me for the exclusive right of printing them in France upon condition that you receive them before any other bookseller?21

To Byron himself, the distinction Murray drew between himself and Galignani was one without difference. Behind his pretense to apathy stands an assessment of the situation that finds both he and Murray will be best served by taking the best deal they can manage, as they lack any legal authority to halt Galignani’s operation. He attempted to improve the likely outcome of the negotiations by requesting Tom Moore explain to the publisher the nature of English copyright and the limited ability of an author producing within that system to control the sales of his own works. Presumably, this would not be news to Galignani. But Byron suggests, “a word of mouth from a ‘great brother author’ would convince him that I could not honestly have complied with his wish, though I might legally. What I could do I have done, viz. signed the warrant and sent it to Murray. Let the dogs divide the carcass, if it is killed to their liking.”22 At least when

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22 5 November, 1820. Letters & Journals vii, 218
communicating with a “brother author,” Byron feels free to declare both his legitimate publisher and the pirate of the same ilk: two greedy curs fighting over the physical products of the creative mind, neither possessing any particular claim to the profits they obtain from his poetry.

Byron’s sense of his honor and obligations as an aristocrat, combined with a personal distaste for sordid business matters, meant he could not simply cut Murray out of any deal, nor negotiate one without his active involvement. Still, he was uncomfortable with the idea that either Murray or Galignani deserved to fill their coffers from the financial fruits of his literary labor. Indeed, Thomas Medwin’s account of his Conversations with Lord Byron casts the incident with Galignani as one of several that Byron particularly held against Murray in their ever-tumultuous working relationship. He reports the poet complaining,

I don’t wish to quarrel with Murray, but it seems inevitable. I had no reason to be pleased with him the other day. Galignani wrote to me, offering to purchase the copyright of my works, in order to obtain an exclusive privilege of printing them in France. I might have made my own terms, and put the money in my own pocket; instead of which, I enclosed Galignani’s letter to Murray, in order that he might conclude the matter as he pleased. He did so, very advantageously for his own interest; but never had the complaisance, the common politeness, to thank me, or acknowledge my letter. (257)

The version of events as filtered through Byron and Medwin’s perspectives exaggerates the stakes of the deal with Galignani, taking the disagreement as occasion to underline the purported difference between the gentleman artist and the grubbier businessmen who seek to turn a profit from his genius. Byron and his partisans could distort the details of these negotiations in order to get across a narrative that elevated the poet and criticized his financial backers.
Questionable as Medwin’s details always are, the dissatisfaction he attributes to Byron is consistent with the poet’s correspondence. Ambivalent about the process of coming to terms with Galignani, he emphasizes to Moore that his position on the problem of French reprints is based not in personal regard for Murray as a business associate, or respect for the function he fulfills. He further expressed to Douglas Kinnaird his dissatisfaction with the handling of the Galignani situation and a general lack of communication with his publisher,

Murray certainly has shuffled a little with me of late; -- when Galignani wrote to offer me in an indirect matter to purchase [the] Copy-right in France of my works I enclosed his letters with the instruments signed – to Murray – desiring him to **make use of them for himself only** – as I thought it fair that he should have the advantage. – He never wrote for **three months** even to acknowledge – far less to thank me – but after repeated letters of mine – he at last owns that he had the letters – and offered the **instruments** to Galignani – for “a reasonable sum.” – – In this he only did as I meant him to do but it was not very liberal to say nothing about it – till it was wrung from him.23

The negotiations with Galignani provided one more grievance against a publisher with whom Byron often failed to see eye-to-eye, allowing him to accuse the other man of not only mishandling his duties as a publisher but the far more personal and unforgivable failing of ingratitude. To Murray himself he wrote the following day with a threat that he could easily choose to alter his previously-stated understanding of the author’s obligation to the publisher holding his copyrights,

You have learnt one secret from Mr. Galignani’s (somewhat tardily acknowledged) correspondence. – This is – that an **English Author** may dispose of his exclusive copy-right in France – a fact of some consequence (in **time of peace**) in the case of a popular writer. – Now I will tell you what **you** shall do – and take no advantage of you – though you were scurvy enough never to acknowledge my letter for three months. – – Offer Galignani the **refusal** of the copy-right in France – if he refuses – approve any bookseller in France you please

– and I will sign any assignment you please – and it shall never cost you a Sou on my account.

Throughout the affair, Byron affirms the idea that, despite the property held in copyright, an artist truly acts for little more than the acknowledgement of his genius and the gratitude of those who benefit from it. Meanwhile parasitical booksellers treat him as a mere producer of the commodities through which they maximize their profits.

Murray and Byron in turn attempted to compel Galignani and each other based on their claims to ownership of the texts, and thus greater payment for the right of reprint. Galignani meanwhile negotiated from the reality of his business and legal position. He sought to maximize his advantage over his competitors by pressing to secure superior prestige for his family business and ensure their speed at placing new books on shelves through the smallest possible overhead. He did not accept the argument that he was obligated to pay an amount commensurate with Murray’s outlay for the right to continue reprinting the works he and other French booksellers had already pirated. From his point of view, he had done nothing illegal or dishonest and had no need to hand over reparations for taking advantage of the copyright situation that made his business and many others on the Continent and in the United States possible. He was, however, willing to offer £100 for the new material, gaining authority for his version and a head start on other French publishers.

Galignani’s success in such negotiations was possible in part because the family and its business had accrued their own credibility. He could approach these potentially awkward exchanges from a position of strength, allowing him to insist upon the advantages of cooperating with him, rather than fruitlessly trying to stymie his reprinting.
So long as the English publishers could not prove that his activities and sales extended to shipping illegal books back to England, he was in no more or less legal danger than other continental publishers. However, his reputation as an unusually credible bookseller among those specializing in foreign reprints, keeper of an important meeting place for expatriates and tourists, and publisher of popular English-language periodicals held exceptional value. Whatever reservations they may have retained concerning his business practices, Byron and Moore were both well aware of the important roles the firm and its newspapers and library played in Continental literary and expatriate culture. As was the case for many English living abroad, they were regular readers of the *Messenger*, a fact attested to by frequent references to it in Byron’s correspondence, and Moore mentions numerous trips to Galignani’s library in his journal.24

Moore also records his complaints after purchasing the six-volume edition of his own works. French editions, particularly when put out with Galignani’s attention to detail and completeness, could be both gratifying indicators of an author’s popularity and frustrating revelations of obscure corners of his bibliography. Galignani saw the chance to make the Moore volume unique by bringing together not only all the poet’s published literary work, but also his “Melodies,” which had not been included in authorized editions of his poetry. The title page and advertising for *The Works of Thomas Moore, Esq., Comprehending All His Melodies, Ballads, Etc., Never Before Published Without*

24 Among those mentions is an annoyed insistence that Murray not credit the paper’s attribution of *The Vampyre*. Byron dismisses the claim by restating the nature of his relationship with Murray, with a suggestion of the fragility that would become clear when they parted ways a few years later. He writes, “I need not say it is not mine—there is a rule to go by—you are my publisher (till we quarrel) and what is not published by you is not written by me” (15 May, 1819. *Letters & Journals* vi, 125). Galignani’s 1821 advertisement continues to capitalize on the attribution, listing the second edition of *The Vampyre* among Byron’s works and explaining only that “[t]his most terrific and interesting tale was given out as LORD BYRON’S on its late publication in London.”
the Accompanying Music emphasized the inclusion of those elements. His writing intended for musical settings, themselves exceptionally expensive pieces of print, were gathered for the first time in the fourth volume. The ad copy breathlessly proclaimed the set’s tremendous value and exhaustiveness:

This is the only uniform edition of Mr. Moore’s works ever yet published; and when it is considered that the Melodies, Canzonets, etc., about 300 in number, have never before been printed but with the accompanying music, which amounts to full ten times the price of this entire edition, the advantages now offered are so evident they need no comment.

In their exhaustiveness, the Galignani editions offered an expansive image of the author as personality and artist, aspects of which he might prefer not recognize or openly acknowledge. Like Byron, when Moore expressed concern about the piracies, he downplayed any concern about alleged financial loss. Instead, he bemoaned in his journal the potential damage to his literary reputation and self-esteem: “cruel kindness this, to rake up all the rubbish I have ever written in my life, good, bad & indifferent, it makes me ill to look at it.”

He was likely thinking primarily of the sixth volume, containing the contents his early publications, Odes of Anacreon and Little’s Poems. In his case, as in Byron’s, Galignani and other French publishers made the lesser output he might have preferred forgotten part of his dubious canonization, but enshrining that body of work was still very much a part of the project. Despite Moore’s recorded dismay at the contents of the collected edition of his works, he accepts the risk of his oeuvre being usurped and repackaged as part of the nature of his occupation, and shows no intention of attempting to take any action against or cut ties with the publisher.

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For those like Moore who took the editions as an inevitable outcome of gaining a measure of literary popularity, the circulation of a few embarrassments was part of the cost of doing business. And he could be consoled that his works were framed by an effusive and politically sympathetic tribute. The biographical sketch picks up on Byron’s politicized praise of Moore in *The Corsair*, repeatedly illustrating his “enthusiastic attachment to the liberty and independence of his country” (vi).26 The bulk of the memoir focuses on a dinner during Moore’s a return trip to Ireland “graced by a large assemblage of the most distinguished literary and political characters” (x). Moore participates in a toast to the memory of Princess Charlotte and describes himself as one “devoted to the honour and advancement of his country’s name; whose love for that country, even they, who condemn his manner of shewing it, will at least allow to be sincere” (xii). Following the repeated assertions of the author’s nationalist credentials, the sketch concludes with a brief poem explicitly classifying the “patriot MOORE” with Sheridan and Wellsley (xiv). The Galignani edition could thus offer its readers an otherwise impossibly full perspective upon the corpus of that quintessential Irishman dwelling in France.

Byron needed help from the French booksellers to build his fame even less than Moore. Rather, when his collected works appeared in editions like Baudry’s lavish 1825 seven-volume *Complete Works of Lord Byron*, they contended for a respectable image of the often controversial late author calculated to please his loyal public. The Baudry version, for instance, includes a lengthy “biographical and critical notice” by Lake, the editorial additions full of adulation for Byron and steeled against the standard lines of

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26 Byron was unimpressed by this “botch of [Moore’s] life,” declaring in a letter to Moore, “If that damned fellow was to write my life, I would certainly take his.” (9 June 1820. *Letters and Journals* vii, 117).
moral disapprobation: “From the beginning of his true career – it began with Childe Harold – we, in spite of all manner of disclamations and protestations insisted on saddling Byron, himself personally, with every attribute, however dark and repulsive, with which he had chosen to invest a certain fictitious personage, the hero of a romance” (xlviii-xl ix). The harsh judgments to which the poet had been subject in the conservative press and his personal life were a matter of context, rather than inherent to the man or his works. A sympathetic presentation of his works in full could correct that injustice. For instance, in the Baudry edition the break in Don Juan’s unfinished sixteenth canto is marked with a rather more romantic note than John Hunt’s dry, procedural assurance in the London edition that “[t]he errors of the press, in this Canto, – if there be any, – are not to be attributed to the Author, as he was deprived of the opportunity of correcting the proof sheets” (126). The Baudry version rather focuses on the tragedy of the death and the greatness of his last work: “Whatever difference of opinion may exist in regard to the poem of DON JUAN, – the most original and wonderful of all its author’s productions, – the fatal cause of its discontinuance at the 16th canto can excite but one universal feeling of deep regret, for the premature loss of that mighty and prolific genius.” That final break in Byron’s poetry indicates a loss to all appreciators of literature, regardless of their political positions or methods of obtaining books.

French editions thus made possible fuller readings of the beginning and end of Byron’s writing career influenced by forms in which they were reprinted. In French editions, Byron’s poetry was liberated from much of the conservatism that limited the availability of certain works in England or made them objects for illicit trade. His and
Moore’s bodies of works were represented more thoroughly in texts appearing in Paris than in the English editions, and at lower cost. Meanwhile, Galignani’s bid for respectability through high-quality productions and negotiations with the authors and publishers involved made even more questionable the already problematic classification of these versions of the texts as “piracies.” In their paratextual content and physical qualities, the editions themselves make arguments for particular, usually highly laudatory and apologetic, views of the authors they represent and for the value of a thriving market in reprints. Unbounded by the restrictive pricing of London booksellers or the qualms of writers and publishers, the French reprinters offered a counter to the commercial ideology by which their counterparts across the Channel supported their interests. For Galignani, and later Baudry, this was an improvised, but calculated, compromise between the ideals of an author-centered ethic and the power of unregulated publishers.

**Complete Poetical Works: English Poets in One Volume**

In 1825, John Anthony and William Galignani issued the first of their signature one-volume editions, featuring Byron’s collected works and a biographical note crammed into 768 close-typed, double-columned pages. Through the physical features of these editions, the Galignanis exclaimed their role as arbiters of the best in recent English literature and purveyors of comprehensive and respectable, if cheap and unauthorized, editions. The one-volume collections offered portable and affordable but “complete” engagements with the bodies of work and personalities of English authors, rendered through a combination of engraved frontispiece illustration, a thorough gathering of published writings, and biographies that borrow heavily from Hazlitt. The ad copy explains,
In thus publishing the Works of the most celebrated Poets of modern times, including all their suppressed Poems and others not found in the London editions, Messrs. Galignani have had in view to facilitate their acquisition by reducing them to a compact form, offering them at a low price, and avoiding a heavy expense in binding, thus rendering them portable to the Traveller and available to the Economist. From the attention bestowed to bring the execution of these editions to the highest possible degree of perfection, they are, in all respects, worthy of a distinguished place in the library of the Amateur, and challenge a comparison with the finest specimens of typography.

In the editions themselves and in their promotion, Galignani attempted to walk the line of marketing the books as both economical and of exceptional textual and physical quality. By selling the items in their catalogue at various sizes, price points, and paper qualities, they appealed to the wealthiest travelers, as well as students of limited means. The one-volume octavo edition of Byron’s Complete Works sold for 25 fr., but was also available on vellum at 35 fr. or on vellum in royal octavo for 60 fr. The most luxurious editions are consistently advertised as particularly scarce, with “Only 50 copies printed.” Byron’s works were also available 13 32mo volumes at 45fr., sold as a “beautiful edition, from its size … admirably suited for a Lady’s library, or as a pocket companion.”

More than other reprints, the one-volume editions exemplify the reality that even when English writers struck deals with the reprinters for the “rights” to specific books, they could have but limited influence on which of their works would appear in what fashion, much less how they themselves would be represented through the selections and ordering of the texts and paratextual materials. The title page of the Byron edition again advertises its inclusion of “The Suppressed Poems,” continuing to emphasize the advantages of the French reprint over Murray’s London edition as liberated from English priggishness and the author’s reservations. It hints at the still rather scandalous public
image of the poet it seeks to immortalize, the air of the sensational and forbidden balanced with the celebration of the author’s greatness. Byron’s mystique, as commodified in his texts and so financially rewarding to Murray, had been dispersed through countless pirated editions at home and abroad. Though the Galignani edition’s “Life of Lord Byron” is full of romantic accounts of the poet’s life and heroic death, it will no longer allow the author to keep his persona separate from his financial dealings. The biography includes a list what the author was paid for the copyrights of several of his publications and attempts balance in its portrayal of the great man, noting, “As is the case with many men in affluent circumstances, Byron was at times more than generous; and again, at other times, what might be called mean” (xxix). Like the edition itself, the prefatory material drags out those aspects of Byron’s life and personality that he downplayed in his self-portrayals, stuffing all together in the name of value, portability, and exhaustiveness.

Inevitably, Baudry and other Continental publishers followed suit with their own one-volume editions, and the Galignanis increasingly felt the need to separate their printings from the others. This was in part a matter of redoubling their efforts at providing high-quality versions and the rhetoric of their advertisements, their need to compete inflating the claims in the paratext of books issued later in the 1820s. An 1828 advertisement describes Galignani reprints as “BEAUTIFULLY PRINTED ON SUPERFINE HOT-PRESSED PAPER, IN A CLEAR, BOLD, AND LEGIBLE TYPE; WITH VERY FINE PORTRAITS ENGRAVED BY WEDGWOOD; COPIOUS BIOGRAPHICAL MEMOIRS AND FAC-SIMILES OF HANDWRITING.” They insist
their editions are considerably superior to comparable Continental reprints, “feel[ing] it necessary to caution the public against purchasing editions of Byron, Moore, and Scott, which are printed in Germany or at Brussels, and which are far from being either correct or complete.” In several cases, they can claim to even outmatch the English originals, as when the front matter of *The Poetical Works of Coleridge, Shelley, and Keats* assures buyers they have made right choice in purchasing an edition “infinitely more perfect than any of those published in London; as [the publishers] have been favoured, from private sources, with many original productions of these esteemed writers, which are now for the first time given to the public.” This was certainly true in the case of Shelley, as Mary Shelley provided materials to assist in producing the edition. *New Monthly Magazine* editor Cyrus Redding, who had edited the *Messenger* under the elder Galignani took credit for writing “several notices of the lives of the poets” for his sons, including the Coleridge, Shelley, and Keats edition. He explains the nature of Mary Shelley’s contribution, in the process providing insight into how the paratextual elements of the Galignani reprints were assembled. According to Redding, she provided the most passable likeness of her late husband as reference for the frontispiece engraving, as well as corrections to the original printings of *Prometheus Unbound* and *Adonais* and a suppressed stanza from *Hellas* (ii, 363).

In contrast to the situations of Byron, Moore, and Scott, Galignani’s reprint granted the late Shelley and Keats some of the first evidence that they had meaningful and potentially enduring literary careers, which they had been denied in their lifetimes. These were poets whose work was worth presenting in conscientiously edited and printed
collected editions, sold alongside and in a similar format to the leading authors of the day and including prefaces and notes defending their compromised literary and personal reputations. The French reprint presented the most thoroughly corrected versions of Shelley’s works then available, while the “Memoir of Percy Bysshe Shelley” demonstrates an investment in improving the poet’s reputation. The preface draws a lengthy quotation from Mary’s characterization of her late husband in the introduction to the *Posthumous Poems* and insistently adds, “It is only from the false clamour raised against him during his life-time, that his poems have not been more read. No scholar, no one having the slightest pretensions to true taste in poetry can be without them” (x). The Keats biography is more restrained, but laments the loss of a promising young poet, while endorsing the legend that “[t]he unmerited abuse poured upon Keats by [the Quarterly Review] is supposed to have hastened his end, which was slowly approaching when the criticism before-mentioned appeared” (v). The better-established and still living Coleridge, on the other hand, receives relatively tepid praise, as “[i]t has been the custom of [his friends] to injure him by extravagant praise, and of [his enemies] to pour upon his head much unmerited abuse” (v). The producers of the Galignani edition take seriously their role as arbiters of what is best in recent English literature while making it increasingly difficult to parse out what constitutes a “legitimate” presentation of and engagement with those works.

Not all English authors could be persuaded to accept the idea of allowing third parties to put out definitive collections outside of the customary copyright regime, or were willing to simply resign themselves to that fate. John Anthony Galignani continued
to reach out in the hope of bringing others into a frame of mind similar to Scott, Byron, and Moore and establish agreements for the reprinting rights for further one-volume collections. His method in attempting to gain such approval was questionable at best, as he contacted authors whose works he had already reprinted without permission and forwarded complimentary copies of his versions to them. Where Byron and Scott attempted to exert as much control over the inevitable reprints as possible and garner some share of the profits themselves, neither Southey nor Wordsworth was interested in coming to terms with Galignani. They reacted with hostility and derision to the proposals from Paris. Beyond the immediate considerations of maintaining their livelihoods as professional writers, Wordsworth and Southey felt French publishers posed a danger to their future legacies by circulating their work in cheap and unreliable forms. In opposing the reprints, the poets can at times appear fruitlessly stubborn, clinging to a sacrosanct model of literary writing that was never really in operation. However, they rightly recognized that they had been engaged in a rhetorical conflict and that their responses might help determine their own future readership and how literary property would be understood and regulated.

Galignani’s methods for bringing recalcitrant authors into line are evident in the front matter of the 1829 one-volume collection of Southey’s poetry. The book is prefaced with an advertisement making claims for its contents consistent with the other collected editions, revealing

The entirety of Dr. Southey’s voluminous works—published in London in sixteen volumes—will be found in the present edition, in order to render which as complete as possible, it has been deemed advisable to insert, under a distinct head, the MINOR POEMS suppressed by the Author in the last collection given to the
Public; to these have been added several original productions with which the Publishers have been favoured by a friend of Dr. Southey. (iii)

By sending along copies of books that could make such confident claims for his ability to assemble materials, Galignani attempted to convince writers they were better off cooperating with his efforts. He showed that their work would be extensively reproduced with or without their approval and assistance, while coaxing them by showing the care that went into even those wholly unauthorized versions. The assertion of the publisher’s power does not stop there, but also influences the arrangement of the poetry contained within, with thirty of the double-columned pages dedicated to “suppressed poems.” Wat Tyler notably appears not toward the back of the substantial volume with those other products of the poet’s radical youth, but alongside his other major extended poetic works. The Galignanis assert their authority as publishers by reinstating a wide swathe of works to the laureate’s oeuvre and setting one that was subject of a very public controversy among the foremost examples of his acknowledged output.

In his correspondence, Southey enumerates his objections to the content of the volume, but he also shows his realization of the advantages of a widely available, cheap collection of his complete poetic works in extending his reputation in the short-term:

Galignani has sent me his edition of all my poems, with his compliments. He has put Lawrence’s name to the portrait, which is a worsened copy of ‘Fitzbust the Evangelical.’ He has got a most circumstantial memoir, in which every circumstance that is not totally false is more or less inaccurate; all of Hazlitt’s abuse of me is interwoven and mixed up with a hodge-podge of panegyric, which in its particulars is just as false. Some rubbish which I had thrown overboard is raked up; one poem given to me which is Crowe’s; another which is Cottle’s, and a third which is I forget by whom. And one or two pieces are printed twice over.
Withal, it is a goodly volume; and will make my poems known on the Continent to the cost of their sale at home.\textsuperscript{27}

Southey, with his extensive experience of the hazards of unauthorized printings, sums up the problematic nature of foreign reprints for an author concerned with their effect on how he and his work will be known and remembered. He takes issue with not only the image of himself as author as portrayed by the volumes’ wide-ranging compilations and editorial choices, but even the frontispiece portrait itself. Where the Galignanis preferred to focus on the mutual advantages that could come out of cooperative relationships with English writers and the editions’ glowing portrayals of their work and personalities, Southey saw the present situation of international publishing as a zero-sum game. The French booksellers could not issue a successful reprint without damaging the author’s sales and influence over his literary reputation.

Southey shared his major concerns about the French editions with Wordsworth, but took a rather more moderate tack in confronting them than his friend. Wordsworth consistently blamed the existence of foreign editions for the poor sales of his works. Longman produced 750 copies of his \textit{Poetical Works} in 1827, selling for 45s. When Galignani issued a one-volume collection of his poetry in 1828, the poet declared it “an end to the sale of the London Edition, his being to be had at a third or a 4\textsuperscript{th} of the price.”\textsuperscript{28}

Whether or not this development was the decisive factor, it took until 1832 for the authorized version to sell out (Longman archives, cited in St. Clair 663). Thereafter, Longman produced 2,000 copies of a 24s, four-volume version. This too was a slow

\textsuperscript{27} 4 March 1830. To Allan Cunningham. \textit{Life and Correspondence} vi, 89.

\textsuperscript{28} To Edward Qullinian. 11 November, 1828. \textit{Letters} iv, 656.
seller and the situation had only grown more dire in Wordsworth’s eyes by 1835 when he received word of a new French reprint from another publisher. He was uncertain of ever being able to sell new work, complaining, “If it were not for those vile French piracies, we should do well; I am informed that an edition of my entire works … is just advertized in Paris … This will prove very injurious.” Wordsworth established himself as the dogged opposition to those who would compromise his rights to his literary property and a committed supporter of extending copyright terms. He connected the failings of the existing system of copyright protections and the limited sales of works he considered worthwhile to the foreign market for reprints. Dismissive as he was of the idea that mere circulation of books was a worthy goal in itself, he argued in an 1838 anonymous letter to the Kendal Mercury that the overseas reprinting of books was ultimately as harmful to the extension of knowledge and ideas as it was to the financial interests of authors and publishers,

It is well known among the intelligent that the non-existence of copyright for English authors in America is a great hindrance to the republication of standard works. The speculation being left open to unlimited competition, publishers do not risk their capital, fearing that some one may afford to undersell them by sending forth the work incorrectly and meanly executed; and thus they who wish to be possessed of standard works are in many cases disappointed. So much for valuable works becoming, through the proposed bill, a “dead letter.” (Prose Works 309)

Wordsworth works from the assumption, which Talfourd had also put forth before the House of Commons, that unauthorized editions are necessarily inferior. He ignores the likelihood that, were that the case, any buyer with the means to buy books on the legitimate English market would consistently choose to do so. Though his logic is

29 To Edward Moxon. 25 September, 1835. Letters vi, 93.
somewhat convoluted, he does usefully point out the stakes in disputes over foreign reprints, painting a worst case scenario in which competition makes it no longer financially viable for legitimate booksellers to compete with subpar reprints, the situation that plagued the chaotic publishing industry of revolutionary France.

Wordsworth was not himself, however, interested in even attempting to compete with those cheap editions, taking a position diametrically opposed to Byron’s tactic of attempting to “baffle the pirates.” He not only withheld permission for the French printings, but he and his publishers at Longman decided against making concessions by issuing cheaper versions of English print runs to improve legitimate sales and counter the perceived competition from foreign editions. The proper response to unauthorized reprints, Wordsworth believed, was to double down on his commitment to high-quality, expensive editions. He saw treating new books as luxury items as an affirmation of the quality of his work and a way of fighting back against the insidious creep of textual decay. As pirates provided books in small print on cheap paper, he would preserve his work in a pleasing and durable form for future readers. He reportedly told Humphry Davy that he published the much-maligned *White Doe of Rylstone* in quarto specifically “[t]o show the world [his] own opinion of it.” Beginning with the 42 shilling quarto of

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30 To John Murray. 13 April, 1822. *Byron’s Letters and Journals* ix, 142.

31 Thomas Owens traces the production of the Galignani edition of Wordsworth’s poetry and considers how the author “endeavoured to counter [the pirated edition] formally – namely by changing the physical make-up of his own works” (24). He finds that all Galignani’s later printings of Wordsworth are set from the same type as the 1828 edition, suggesting the plates from the edition printed by Didot were stereotyped. The same plates were apparently used for the undated version for which the printing is credited to Belin. Owens suggests new title pages bearing Belin’s name were simply substituted into sheets remaining from the 1828 edition.

*The Excursion*, his volumes of poetry were the most expensive on the market, further limiting their potential circulation. Price indicated the quality of both the texts for sale and the readers who would purchase them. To issue new poetry in relatively inexpensive octavo editions, much less agree to sell reprinting rights to foreign pirates, would be admitting defeat in the commercial and cultural marketplaces. Wordsworth was unwilling to resign himself to such a failure.

Instead, Wordsworth campaigned for stricter and longer-term copyright regulations, while cursing the impact of Galignani and his ilk on sales and the very fate of English literature. While the problems of copyright terms and unregulated foreign reprints were in most ways distinct, Wordsworth tended to parse them each as part of the same unconscionable expression of contempt for the author by the publishing trade and lawmakers with the potential to leave artists and their families destitute. In 1819 he was annoyed by the focus in political debate on the publishers’ claimed losses to deposit requirements, writing,

> The attention of Parliament has lately been directed, by petition, to the exaction of copies of newly published works for certain libraries; but this is a trifling evil compared with the restrictions imposed upon the duration of copyright, which in respect to works profound in philosophy, or elevated, abstracted, and refined in imagination, is tantamount almost to an exclusion of the author from all pecuniary recompense …

Wordsworth’s advocacy for extended copyrights in the name of providing the rightful rewards for authors and their heirs only became more fervent over the years. The insufficiently regulated circulation of foreign reprints seemed to him to make the problem far worse. Of course, Wordsworth’s reading of causality in these cases is questionable,

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33 21 April, 1819.
and it is impossible to know to what degree the French printings were in fact detrimental to the legitimate sale of his poetry in England.

Clearer, however, are Galignani’s methods of countering any objection to the legitimacy of their edition and their portrayal of the author. They present the 1828 one-volume edition of Wordsworth’s *Poetical Works* in customary fashion as a thorough encapsulation of the poet’s life and career. Following the structure of the authorized 1827 Longman edition, the works are organized not by date of composition or the collections in which they originally appeared, but by subject matter and largely corresponding to the writer’s lifespan. Wordsworth explained this arrangement in his preface to the authorized edition:

> the following Poems have been divided into classes; which, that the work may more obviously correspond with the course of human life, and for the sake of exhibiting in it the three requisites of a legitimate whole, a beginning, a middle, and an end, have been also arranged, as far as it was possible, according to an order of time, commencing with Childhood, and terminating with Old Age, Death, and Immortality. My guiding wish was, that the small pieces of which these volumes consist, thus discriminated, might be regarded under a two-fold view; as composing an entire work within themselves, and as adjuncts to the philosophical Poem, “The Recluse.”

The ordering of the poems in the Longman edition is easily adapted into the Galignani ethos, the opening “Memoir” arguing, in line with Wordsworth’s own explanation of his project, “… Mr. Wordsworth’s writings are in their very nature and essence a species of auto-biography, and present the reader with a perfect and most interesting exposition of the feelings under which they were composed” (xiii).

Perhaps even more than for Byron, Wordsworth’s personality was synonymous with his work, making it both particularly appropriate for the Galignani editing style and
a more grievous crime in the mind of the poet. Though it did little to ameliorate the angry author’s reaction, the publisher’s attention to detail did not go unnoticed. Through his disgust at the edition’s publication, Wordsworth was forced to admit upon examination, “the book is printed with admirable accuracy, I have not noticed a single error that I am not myself answerable for.”\textsuperscript{34} The quality of the text could only make the unauthorized editions more dangerous. Unlike with many domestic piracies, there was no obvious way to argue for the superiority of the original printing except by emphasizing the author’s need for financial security and the publisher’s right to see a return on his investment. This made for a precarious position, in which an author like Wordsworth could not argue openly for what he felt were just legal remedies to the situation without appearing to be acting out of mere economic self-interest.

In fact, while publishers objected to the damage they claimed the reprints did to their domestic sales and exports, Wordsworth saw their production as a violation of the moral rights unique to authors. The English authorities’ failure to put a stop to the printing and importation of foreign editions was part of a long line of injustices committed upon the underappreciated literary men of the nation. Wordsworth’s claims about the role of the poet and the unique power of the poetic imagination formed a cornerstone of Talfourd’s arguments for the copyright bill.\textsuperscript{35} Wordsworth remained, however, reluctant to publicly support a bill that would benefit him and his family financially, as he feared the inevitable accusations that he was a greedy and bitter old

\textsuperscript{34} To Henry Crabb Robinson, 15, December 1828.

\textsuperscript{35} For further discussion of Wordsworth’s influence on Talfourd’s bill, see Richard G. Swartz, “Wordsworth, Copyright, and the Commodities of Genius.”
poet who had failed to meet the public taste. He was nonetheless spurred to express
support for Talfourd’s bill in his anonymous letter, arguing,

what we want in these times, and are likely to want still more, is not the
circulation of books, but of good books, and above all, the production of works,
the authors of which look beyond the passing day, and are desirous of pleasing
and instructing future generations. Now there cannot be a question that the
proposed bill would greatly strengthen such desire. A conscientious author, who
had a family to maintain, and a prospect of descendants, would regard the
additional labour bestowed upon any considerable work he might have in hand, in
the light of an insurance of money upon his own life for the benefit of his issue;
and he would cheerfully undergo present privations for future recompense. Deny
it to him, and you unfeelingly leave a weight upon his spirits, which must deaden
his exertions; or you force him to turn his faculties … to inferior employments.
And lastly you violate a fundamental right, by leaving that species of property
which has the highest claim to protection, with the least share of it; for as to the
analogy, which has been elsewhere much dwelt upon, between literary property
and mechanical inventions and chemical discoveries, it is … altogether fallacious.
(Prose Works 312)

In Wordsworth’s estimation, the rights authorship grants cannot be reduced to a set
number of years or the author’s lifetime, regardless of what the legislature or courts
might determine. Nor can the unique kind of property inhering in texts be conflated with
the privilege granted by the state in patent law (though he later softened his objections to
relating these issues). Imaginative labor stands apart from all other forms of work and
property. To make literary works potentially profitable to later generations of an author’s
family was to justly recognize the imaginative mind as above the immediate dictates of
the market and encourage him or her to write for posterity.

Even if, as Wordsworth did, individual authors and booksellers largely rejected
any explicit adaptation to the foreign and pirate markets, they had no choice but to
respond in some manner to those competitors. Though Galignani publications, like other
unauthorized reprints, have always carried with them the ideological claims of the debate
over copyright policy, the publishers made clear their intentions went beyond subverting those flawed safeguards. Through the Continental reprint trade tremendous selections of English authors’ works appeared in a variety of forms, the contents of the collected editions selected without regard to copyright, censorship, or the political or artistic scruples of the authors. They could, in turn, define how these authors would be read and remembered by readers who often encountered their bodies of work for the first time in those number issues or collected editions. Foreign publishers produced editions in which authors’ intentions and self-constructions as public figures were challenged and modified. For Byron, Moore, Mary Shelley, and others, it was worthwhile setting aside the applicable legal questions and ethical objections to gain some limited influence over the production of those volumes and profit from their sale. From this perspective, the lines between publisher and pirate, authorized edition and illegal reprint, were always contingent and negotiable. The concept of foreign piracy is central to understanding the circulation of literature in the nineteenth century. But without a full understanding of the complexities involved, it leads to an oversimplification of the political and geographical context in which that circulation took place.
CHAPTER 5
ORGANIZING ANARCHY:
CLASS AND INTELLECTUAL PROPERTY IN PERIODICALS AND GRAPHIC SATIRE

When Sergeant Thomas Talfourd presented the copyright bills of 1837 and 1838 to the House of Commons, his most vocal opponents were radical members of the reformed Parliament, including Thomas Wakley, elected Member for Finsbury in 1835 (Seville 40). A former surgeon, Wakley had firsthand experience of the conflict between the affordable circulation of ideas and knowledge and claims to intellectual property. In 1823 he had founded the journal, *The Lancet*, initially printed and published by Hutchinson, Knight, and Lacey.¹ The journal primarily focused on summarizing medical lectures and providing “correct description[s] of all the Cases that may occur, whether in England or on any part of the civilized Continent” at the price of 6d an issue.² By providing cheap access to the substance of lectures, which cost around £5 to attend, Wakley hoped to pass along recent developments in medical knowledge to general practitioners who could not afford to attend themselves, and thus improve care for the lower classes. *The Lancet* exemplifies the close association between piratical publication, cheap periodicals, and even the respectable face of English radicalism. The paper’s advocacy of a broader

¹ The early issues are credited to a “C.R. Clement,” in reference to their office’s proximity to St. Clement’s Church on the Strand.

² *The Lancet* 1.1 (5 October, 1823), 1.
radical agenda was apparent from the first number, which includes a piece criticizing livermen at Guildhall “for the violent and indeed unmanly efforts that were made to prevent a member of their own body from delivering his sentiments on the question before them; merely because he uttered some expressions rather disrespectful on the notorious Mr. Pitt…” Another refers to Robert Southey as a “sack-hunting, hypocritical rhymer.” However, the leading item in the first issue, to be continued over several following, recounted a lecture by the famed surgeon and anatomist Sir Astley Cooper. Cooper tracked down Wakley and confronted him in the process of correcting proofs, but ultimately agreed to the publication of his work, participating in its revision (Curwen 341). Other physicians, more reliant on the income from their lectures and seeing their words appear in The Lancet under mocking nicknames, made no such agreement. The senior surgeon at St. Bartholomew’s, Abernethy, responded by obtaining an injunction against Wakley in 1824.

The case hinged upon the limits of information and language a periodical could publish, even if there was no printed matter on which to base a charge of piracy. The defense fruitlessly argued this was an unjust distinction, for

“[i]n all these cases there was a work as well as an author. Here there was an author, but no work – nothing to found a claim of property on – nothing to which the statute of Anne and the rules of common law were at all applicable. Who ever heard of a piracy, or a trial of piracy, in publishing, without producing both the original and piratical copy?”

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3 Ibid., 11.
4 Ibid., 35.
5 The Times (20 December, 1824), 3.
While the legal defense of Wakley’s work in *The Lancet* demonstrates the inevitable imprecision in definitions of piracy, the work itself shows English radical culture’s reliance on what were deemed illegitimate modes of publication. In the years leading to the Reform Bill, radical literature, as developed in the cheap press and graphic satire, crucially defined itself in its opposition to the model of literary ownership for books under copyright law. Lord Chancellor Eldon’s verdict in the case led Wakley to withdraw in his blatant appropriation of lecture notes, and Joseph Onwhyn, who had previously courted controversy as the first English bookseller to put out a pirated edition of *Don Juan*, took over its publication. But Wakley continued calling for reform of the medical profession, and carried his radical ideals with him to the House of Commons. He solidified his credentials as an advocate of working people by becoming, along with his fellow member for Finsbury, Thomas Slingsby Duncombe, one of the two MPs to hold membership cards in the National Charter Association.⁶ His opposition to the expansion of copyright was of a piece with both his background in radical journalism and newfound place as a minority voice in government. Where Talfourd saw copyright as a means to justly reward the genius of authors, Wakley and other radicals saw a new tax on knowledge, increasing the prices of books and thus restricting which could reach the lower classes.⁷ Radical ideology was defined in a print and oral culture as diametrically opposed to the kind of centralized authority over discourse embodied in Talfourd’s

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⁶ See Dorothy Thompson, *The Chartists*.

⁷ See Catherine Seville’s reading of the radical position on copyright, *Literary Copyright Reform in Early Victorian England*, 47. The debates over copyright extension set Talfourd’s concern with the financial encouragement of producers of literature and ideas against the benefits of an autodidactic culture and free trade.
proposals for expanded copyright. And yet reformers repeatedly found that the appearance of a shared ideology was necessary to their political efficacy.

The Chartism Wakley embraced was the latest and perhaps most effectual expression of a longstanding fiction of unified movement crossing social and class boundaries. That fiction was essential for widely varied radical perspectives to effect any substantive change and maintaining it depended largely on the appropriations of radical print culture. The expressions of radical culture in oral performance, text, and image played complementary roles, while piracy proved both a practical necessity and central ideological statement. Alternative constructions of authorship and the ownership of text emerged from the forms in which radicals were able to develop and promulgate their ideas. Publishers, booksellers, and printsellers saw the potential for profit and, in some cases, for expanding the appeal of political reform by offering cheap periodicals, pirated books, and radical graphic satire, in spite of attempts at regulation. The means by which their producers evaded prosecution affected how the movements for reform and revolution disseminated their claims. Periodicals and satirical prints were media capable of carrying information, political discourse, and ideology across lines of geography and class. They communicated between and helped to define the social and cultural positions of an increasingly varied and politically minded reading public. These methods, with deep ties to literary piracy and its anti-copyright ideals, influenced literary discourse and the swiftly changing politics of the middle and working classes through the first half of the nineteenth century.
Radicalism and the Public Sphere

Thomas Davison’s radical newspaper, *Medusa*, reported on a June 18th, 1819 tavern meeting featuring Henry “Orator” Hunt by recording a selection of toasts “calculated to inspire men with the love of LIBERTY and to strike terror to the guilty bosoms of the profligate and remorseless OPPRESSORS OF THE PEOPLE.”8 The author acknowledges and promotes the radical rhetoric involved in situating the participants as patriots courageously facing down sinister forces, implicating the reader among the audience and as a partisan of the cause. Radicalism was often denigrated by its enemies as a chimerical, many-headed monster, and the description was apt in suggesting the disparate voices included in the movement. To build a coalition working for change in parliamentary representation, voting rights, and support for the needy, reformers took into account the varied motives and prejudices of the middle and lower classes, as well as sympathizers in the upper classes. The titles of *Medusa* and Thomas J. Wooler’s *Black Dwarf* embraced the monstrous vision of apocalyptic terror that reform efforts inspired in those with conservative interests.

The account of the toasts, which occurred about two months prior to what would prove Henry Hunt’s most significant speaking engagement at the August 16th mass meeting in St. Peter’s Field, is representative of the wider subculture as it stood in that moment, capturing the ritualistic nature of radicalism’s public displays. From the late eighteenth century, radicalism was characterized by its use of public spaces like alehouse debating clubs, coffeehouses, or, later, dissenting chapels. Reformers attempted to communicate across class barriers through a set of discursive practices repeatedly

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8 *The Medusa; or, Penny Politician* 19 (26 June 1819), 150.
redefined in opposition to conservative attempts to silence supporters of reform or revolution. According to the article, such broadly radical sentiments as “The downfall of Oppression, and may Tyranny be buried in its ruins!” and “Justice without a mask and Liberty without restraint” were followed by more specific cries of support for the movement’s most embattled and influential participants. Those in most immediate danger of legal retribution for leading the Spa Fields uprising were “Messrs. [James] Watson, [Arthur] Thistlewood, and [Thomas] Preston, and may the blow aimed at their Lives, soon fall on the head of their persecutors!” Also brought in for special praise was “The giant of the people’s press, William Cobbett, Esq.” These toasts suggest the importance of two very different faces of England’s radical politics: working class agitators drilling and calling for immediate reform or revolution and a print culture that tended to accept middle-class values and more gradual change. By evading or defying concepts of intellectual property and employing carnivalesque techniques, radical journalists imagined a public sphere in terms that overcame disenfranchisement while eliding political complexity.

From the Wilkite protests of the late 1760s, reformers saw that overcoming disenfranchisement to make the lower classes politically relevant would require establishing at least the appearance of a united front. Focusing the polemic of radical periodicals, graphic satire, and ideologically motivated book piracy was essential to making radicalism a political and cultural force, rather than a minor annoyance to the elite. These forms worked in conjunction and were often incorporated into oral culture to produce narratives of progress through reform or revolution. But the printed narratives in
fact show little uniformity. As at tavern meetings, the pleasures and rhetorical appeal of the printed output largely lay in its transgressive and parodic nature, with a variety of forms and genres brought together in a single journal or book, to form a bricolage.\(^9\)

John Thelwall of the London Corresponding Society exemplified an early version of this approach in 1793, when he issued his *The Peripatetic; or Sketches of the Heart, of Nature and Society; in a Series of Politico-Sentimental Journals*. As the title implies, the work comprises an eclectic and politically didactic mixture of poetry and prose.\(^10\)

In 1805 Samuel Taylor Coleridge described Cobbett as a “Political Harlequin” who appeared “under a multitude of dissimilar shapes. . .”\(^11\)

The multi-vocal, carnivalesque approach of early nineteenth-century radical print culture relied on co-opting a wide range of ideas and forms of expression, including tactics in opposition to a publisher-centered copyright law.

Evading suppression called for plasticity in forms of resistance and dogged individual determination. As the respects paid to Cobbett suggest, radicals also saw the necessity of modulating what aspects of radical culture were represented in print. The

\(^9\) Mark Philp argues that in the writing inspired by the French Revolution, “it is too often in their superficial diversity, idiosyncrasy, and imprudence that their force lies – a force which affects both the audience and, in many cases, the writer or speaker” (72). For John Mee the unstable generic and formal features of radical writing in themselves stake a claim for democratic thought and political engagement. He writes, “radicals defined their positions by undercutting the authority of the traditional rituals and symbols and politics,” with “‘the author function’ … often dissolved into parody and other protean forms circulating in popular print culture which suggested that cultural authority lay with a new kind of readership” (Davis 42). Mee has also underscored how radical literary forms were determined by the need to work against the use of sedition laws for censorship. See “Examples of Safe Printing” (Smith 81-95).

\(^10\) Introducing her edition of *The Peripatetic*, Judith Thompson holds that “Thelwall revolutionizes literature not by escaping convention but by highlighting it, forcing his reader to see language as a tissue of conventions and to interrogate them through ironic contrast …” (43).

\(^11\) *The Courier and Evening Gazette*, 8 January, 1805
former Tory turned working man’s champion typified a relatively moderate but tenacious form of radical thought, laying out his goals in 1817 as

*A Reform of Parliament* in England (and no man that I have ever been acquainted with has contemplated any thing further,) a reform of the House of Commons, agreeably to the principles of the English constitution, leaving the king and the lords, and the church, in full possession of all the lawful powers and privileges, this reform alone, I am perfectly convinced, totally destroy despotism in every part of the continent. (5)

Cobbett’s wide appeal made him a reformer whom the meeting could unequivocally proclaim at the front rank of his profession immediately after showing solidarity with the failed revolutionaries, in spite of his own insistence on respecting the institutions of the English state. 12 Methods, goals, and interests varied widely between the reformers meeting in the tavern, the revolutionary conspirators on trial, and the journalist, but all were subsumed in the category of radicalism, or, as its opponents preferred, Jacobinism. However, the litany of freedom’s enemies and heroes in which they are situated possesses its own rhetorical force which downplays any possibility for disagreement over the finer points of reform. English radical discourse during the Regency was, in large measure, made to suit such scenes of broad, boldly stated social interaction and performance. Consequently the movement’s discourse focused less on any specific reform than

12 Cobbett had established his interest in communicating with the common people of England their proper place in the states power structure from his early days as a conservative, though his perception of their role sharply altered. Upon returning to England from the United States, he proclaimed in an 1800 prospectus for a daily British newspaper to be called The Porcupine, his Irresistible desire to communicate to my countrymen the fruit of my experience; TO SHELP THEM THE INJURIOUS AND DEGRADING CONSEQUENCES OF DISCONTENTMENT, DISLOYALTY, AND INNOVATION; TO CONVENCE THEM THAT THEY ARE THE FREEEST, AS WELL AS THE HAPPIEST OF THE HUMAN RACE; AND, ABOVE ALL, TO WARN THEM AGAINST THE ARTS OF THOSE AMBITIOUS AND PERFIDIOUS DEMAGOGUES, WHO WOULD WILLINGLY REDUCE THEM TO A LEVEL WITH THE CHEATED SLAVES, IN THE BEARING OF WHOSE YOKE I HAVE HAD THE MORTIFICATION TO SHARE.” (7)
grandiose statements of principle, satire against archetypal targets of working and middle
class antipathy, and the insistence upon the right to occupy physical venues and use a
variety of symbols and print objects for expression. The oral and print performances in
clubs and public meetings modeled an alternative view of the English political
conversation. Especially in less respectable breeds like Spencean ultra-radicalism, they
acted out a new social order through modes of dress, bearing icons, producing coins, and
conducting mock elections. In radical discourse, oral performance and discussion, pirated
books, periodicals, graphic satire, and ephemera came together, characterizing and
shaping their concerns through the Chartist movement.

Periodicals provided news of the latest outrages and protest actions for those who
attended radical meetings or simply read at the local coffeehouse. They offered a shared
language and set of ideological hobbyhorses to express their grievances in performance
while conveying a sense of participation in a wider movement. Jürgen Habermas
characterizes nineteenth century popular periodicals as failed attempts to bring a wider
swathe of the population into the bourgeois public sphere, dismissing “the plebeian
public sphere as a variant that in a sense was suppressed in the historical process” (xviii).
Though he cites Cobbett’s eminently polemical Political Register as the “first newspaper
with a mass edition of over 50,000 copies” (168), he argues,

The mass press was based on the commercialization of the participation in
the public sphere on the part of a broad strata designed predominantly to give the
masses in general access to the public sphere. This expanded public sphere,
however, lost its political character to the extent that the means of “psychological
facilitation” could become an end in itself for a commercially fostered consumer
attitude. In the case of the early penny press it could already be observed how it
paid for the maximization of its sales with the depoliticization of its content—by
eliminating political news and political editorials … (169)
Habermas thus walls off the concept of the bourgeois public sphere from the intrusive presence of plebeian culture. But no such clear division could be maintained in the discourse of the historical moment, however much both conservatives and many upper class reformers would have preferred it so. Terry Eagleton therefore expanded upon this perspective by suggesting in the early nineteenth century a “counter-public sphere,” “a whole oppositional network of journals, clubs, pamphlets, debates and institutions invade[d] the dominant consensus, threatening to fragment it from within” (36). Jon Klancher goes further, arguing, “the ‘public sphere’ was deeply compromised from the start, no sooner projected than transformed into an image to consume by readers who did not frequent it” (15). Popular periodicals reflect a far more complex interchange of perspectives than Habermas took into account or is captured by Eagleton’s modification, their political significance often belied by a superficial fascination with the sensational and the cannibalizing of texts.¹³ Radical publishers’ willingness to draw on multiple sources and enlist these expropriated, frequently sordid, materials for their political goals enacted their liberatory ideology and helped determine the lower classes’ larger engagement with print culture. Though directed at a still largely oral culture, the periodicals build vital intertextual connections with the books circulated in cheap, often pirated or otherwise illegitimate, copies.

The nascent working-class political consciousness took root in the spaces where the middle and lower classes had come to gather for news, information, and socialization,

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¹³ Kevin Gilmartin has treated the resultant periodical pieces as objects for literary and aesthetic as well as ideological and historical scrutiny. According to him “[i]mmediate engagement [with existing conditions, through the movement’s fixation on parliamentary reform,] infused radical argument with an energy and intensity that remains compelling to this day” (10).
reading newspapers and pamphlets silently or aloud. Public houses were important locations for working people regardless of their political convictions, where workers were often paid or could search out a new position and found an escape from difficult working and living conditions. Though coffeehouses and taverns primarily served a bourgeois clientele, while workers patronized the alehouses, these were all spaces with the potential for members of otherwise disparate professional and social circles to come into contact.

Irish clergyman Dr. Thomas Campbell noted the class mixture in the Chapter coffeehouse’s reading room in 1775, which he found “remarkable for a large collection of books, & a reading Society &c,” where he “subscribed a shilling for the right of a years reading, & found all the new publications [he] sought.” As well as providing an impressive selection of new reading material, the room served as a meeting place for both booksellers and the working men of Paternoster Row, one of whom struck Campbell as “a specimen of English freedom viz. a whitesmith in his apron & some of his saws under his arm, came in, sat down & called for his glass of punch & the paper, both of which he used with as much ease as a Lord.” In the wake of the French Revolution, that blurring of class lines became increasingly politicized and fueled reactionary fears of working-class Jacobinism, especially when localized in radical meeting places.

Radicalism tied those physical spaces to an ideology that challenged traditional barriers against mass political participation. Francis Place describes the membership of the London Corresponding Society following founder Thomas Hardy’s 1794 acquittal on

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14 E.H. Hunt points out the particular appeal of such a place for working men: “The public house, warm and cheerful, and the company of friends were the more attractive if a man’s work was unrewarding, his home squalid and overcrowded” (124).

15 21 March. Dr. Campbell’s Diary of a Visit to England in 1775, 58.
treaSon charges as comprised by “vast numbers of the thinking part of the working people as well as many who were better off in the world” (139-40). The society charged a penny a week for membership, creating at least some restriction on just how low in the social ranks its membership could reach. But as E.P. Thompson emphasizes, the mere fact of the LCS’ inclusivity was a significant contribution to political discourse:

It signified the end to any notion of exclusiveness, of politics as the preserve of any hereditary élite or property group. Assent to this rule meant that the L.C.S. was turning its back upon the century-old identification of political with property-rights … To throw open the doors to propaganda and agitation in this “unlimited” way implied a new notion of democracy, which cast aside ancient inhibitions and trusted to self-activating and self-organizing processes among the common people. (21-2)

Such an open embrace of radical action by a diverse selection of the population would prove impractical as the war with France and associated domestic crackdown carried on. But the resistance to reform in Parliament and among local officials motivated the continued discursive exchanges and political alliances among skilled workers, artisans and small merchants.

For their part, conservatives and the authorities saw polemic directed to the lower classes in print and especially in large meetings as fuel for mass, likely bloody, Jacobin revolt. Attempts by the government and Loyalist associations to stem such an occurrence thus centered on fettering radicals’ access to public space or print. Political conflict in England was largely a matter of setting the boundaries of and price of access to the public sphere. This is clearest through the authorities’ actions in maintaining the taxes on knowledge, which included duties on paper and a 4d tax on newspapers that drove a regular purchase past the means of most in the middle class. In 1800, a newspaper cost
6d, and the price increased to 7d in 1815. The government also gradually stiffened the restrictions on tavern meeting places, altering regulations and tax policy to place obstacles in the way of politically motivated assemblies and sowing paranoia within the associations and meetings that remained. After the May and December 1792 royal proclamations, local magistrates threatened victuallers and publicans with the loss of their licenses if they allowed radical meetings. Those who did gather risked attention from government spies or unsympathetic private citizens.\textsuperscript{16} Beginning in 1793, pub benefit societies were required to register their articles with quarter sessions to ensure no unsavory associations were established, though political meetings carried on under the cover of aid or trade associations. Meanwhile, radical groups also faced the threat of violence from Church and King mobs, one of which destroyed a public house in Lancashire in 1794. In 1795, the Two Acts limited the size of meetings to 50 people and required license from a magistrate to charge admission for lectures.\textsuperscript{17} Snuffing out the Jacobin threat required leaving the radical movement homeless.

But the nature of radicals’ ongoing conflict over space and discourse in the early nineteenth century was set in 1802 with the founding of the Society for the Suppression of Vice. In addition to the censorship and taxation imposed by Parliament, an association of middle-class moralists sought to silence working-class political discourse in the name

\textsuperscript{16} James Epstein has considered the case of Society for Constitutional Information member John Frost, who was arrested and imprisoned for proclaiming his belief in equality at the Percy coffeehouse in Marylebone, as “mark[ing] the historical moment at which the boundaries between sociability and sedition, polite conversation and political commitment, become extremely difficult to negotiate” (43).

\textsuperscript{17} A venue like London’s Crown and Anchor tavern, Christina Parolin argues, “became a central institution in the public sphere, so ubiquitous that its name became a form of shorthand in the language of politics,” (107) where “those excluded from formal political power found … their own locus of power—an alternative parliamentary space” (148). See also Peter Clark, \textit{The English Alehouse: A Social History, 1200-1830}. 
of eliminating blasphemy and sedition. The Vice Society’s numbers quickly swelled, from 29 founders in March 1802 to 1,200 by late 1804 (Roberts 163). Rather than using the organization to exert political pressure, their focus lay in informing on and bringing to prosecution those who violated Anglican morality by profaning the Sabbath, engaging in disorderly behavior, or circulating obscene or blasphemous literature. It was apparent that the Society’s interest was more in diminishing the perceived threat from the lower classes and their connections with dissenting Christianity than in evangelizing. Like the attacks on the public houses, the Vice Society’s strategy disrupted the performative and social nature of radicalism, increasing the danger of openly discussing rebellion and freethought in the gathering places of the poor. Radicals’ awareness of a shared, if often unclearly defined, enemy in turn determined the forms of their print culture. Michael Scrivener notes the “political ambivalence” that characterized moderate radical leaders like Thelwall as they advocated for reforms that were considered “slippery slopes” into outright revolution and sometimes used revolutionary language and imagery themselves (Davis 70). This ambivalence was characteristic of a subculture reliant on imagining a unified political consciousness for a mass audience with limited education and accustomed to having little influence on public policy. In 1809, Sydney Smith summed up the widespread objections that the SSV acted through questionable means, creating hordes of informants as a means of controlling the behavior and gatherings of the poor, rather than to bring them into the light of religious belief. He argued against their strategies using a language of authenticity that places the defense of working-class culture in line with challenges to the intellectual property regime:
we have no great opinion of the possibility of indicting men into piety, or of calling in the quarter-sessions to the aid of religion. You may produce outward conformity by these means; but you are so far from producing (the only thing worth producing) the inward feeling, that you incur a great risk of giving birth to a totally opposite sentiment.\textsuperscript{18}

Radical political conversation and publication each hinged on the parody of Loyalism and piety, an imitation that pointed toward an opposing claim of authenticity. The very need to conceal the claims made in meetings and illegitimate print from the authorities could make them more persuasive.

Parliament, local magistrates, and Loyalist associations alike tended to underestimate the adaptability of reformers. Their measures did not stop political discussion and gatherings in alehouses, but it did make them more subtle and encouraged the participants to spread into new venues. In the early decades of the nineteenth century, radicals countered repression by cultivating new spaces in which to conduct their discourse and new methods to disseminate their beliefs in print. The working-class political subculture, by necessity amorphous and suspicious, continually refined its signs of commitments to evade repression and infiltration. The forms in which radical dissent was expressed were thus always in a state of reaction to the attempts at suppressing them. Contending with onerous governmental restrictions and leery of surveillance, the radical underground effaced their efforts at organized resistance. The traces of the culture thus remain elusive to attempts at tracking political and social developments through print artifacts.\textsuperscript{19} The performances and conversations that defined the working-class

\textsuperscript{18} \textit{Edinburgh Review} 26 (January, 1809), 337.

\textsuperscript{19} David Worrall argues for the importance of focusing instead on gathering evidence for the movement’s oral character, writing, “This is how insurrectionary radicalism survived: as a culture whose discourses
radicalism, particularly in its most revolutionary aspects, are preserved in only fleeting and often unreliable accounts. Many of the detailed descriptions of radical speech and practices come from spies sniffing out sedition and sometimes seeking to provoke attendants to ill-considered proclamations of revolutionary intent.\(^{20}\) Still, some remnants of radical culture are present in print through those spy reports, newspapers, graphic satire, and pirated books. More importantly, a fuller account of ultra-radical expression and of its effects is possible through examining the signs of interaction between the conventions of radicalism in print and performance and how those conventions worked within, through, or against social and class distinctions.

Hence, in both print and performance, radicals developed conventions that extended their ideology and appeals to artisans and workers while shielding themselves from persecution. The oral culture of radicalism modeled and encouraged the democratization that publishers of pirated books and working-class periodicals carried out in print. At the same time, radical meetings offered a paradigm of political discussion and participation symbiotic with a press willing to reject government controls over content and distribution. The movement from the oral into print culture was not always a smooth transition for radical organizations. For instance, Place counted the LCS’s attempt at producing a monthly magazine among its most “absurd” endeavors, plunging the organization further into debt (151). But he more enthusiastically engaged in the 1796 were oral rather than written, employing speech and song rather than writing. Unlike Spence's coins or pamphlets, speech and carnival have left few authored records” (89). Of course, we nonetheless remain reliant on the mediation of written material for any notion of what was involved in that oral culture.

\(^{20}\) See Thompson’s discussion of spying and the documentary record of radicalism (485-94) and McCalman’s measured corrective that government records nonetheless provide “a surprising diversity of testimony and perspective” (3).
production of a cheap edition of *Age of Reason*, though its publication led to the conviction of bookseller Thomas Williams. To have any hope of producing visible social change, radicals needed an economically viable and widely persuasive print culture that turned its illegal status to a rhetorical strength. Their writing and imagery attempted to appeal to an audience joined in their opposition to Britain’s existing power structure, but otherwise holding a disparate set of beliefs and concerns.

The performative and material forms of radical culture were thus interdependent, with radical organizations and meetings developing the networks that would allow the spread of print supporting reform and free thought. Defiance of intellectual property laws and censorship was necessary to the formation and circulation of radical ideology as expressed not only in pirated books themselves, but other products of print culture, including periodicals and graphic satire. Through their limited means, radical publishers and authors acted as evangelists and gatekeepers for an incipient subculture, the claims, physical forms, and legal situation of their products all offering appeals for radical political or religious causes. The more measured voices for change, especially early in the Revolutionary period, were capable of achieving mass appeal and building, for a time, a coalition between reformers in middle and lower classes. Cobbett and William Hone, for instance, brought together the differing interests of individuals from rural or urban backgrounds, involved in a variety of trades or crafts, and at significantly different levels of income and respectability by calling on language and imagery that elided those dissimilarities. They found a common enemy in the powerful and corrupt whom they
attacked by subverting the trappings of authority and building a print culture that celebrated multiple viewpoints and often outrageous ideas.

**Multi-Vocalism, Appropriation, and Radical Periodicals**

The centrality of periodicals to radical culture in the early nineteenth century was in part a function of the generally increased importance of newspaper-reading among the middle and lower classes. Especially during the Napoleonic Wars, humbler English citizens felt compelled to stay informed about major events, finding ways to read the news without paying the prohibitive price of a daily copy. Middle class readers, nonetheless, had more options than those in the working classes. They might illegally rent a copy of the day’s paper, split the cost of taking a paper with neighboring families, or pay about guinea a year for access to a subscription reading room with a range of newspapers and other periodicals. But in the first two decades of the nineteenth century, with rising taxes as barriers, it became increasingly difficult for workers to gain access to current periodicals. As radical publishers and readers developed the networks of production and distribution that would allow them to spread the ideology of reform, the political battle increasingly focused on the very access to print for the middle and lower classes.

For the most part, the dispute concerned newspapers and how their liberal spreading of information about developments in war and politics might encourage those who held no property to see themselves as active participants in the activities of the nation. The cheap press represented oral culture’s rhetoric with its sense of community and broader social engagement. But radical texts also made their own contribution, engaging an audience with a shared awareness of their subordinated social position and

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21 See Altick, *The English Common Reader* 318-47.
antipathy toward the vaguely defined corruption arrayed against them. The text embodies a version of the communal experience of radical meetings while it celebrates the potential of its own medium. Authors and artists recast working-class frustrations into the language of reform and satirical tropes while producing materials designed for oral performance and communal reading. With the bars for sedition and blasphemy set low and Habeas Corpus periodically suspended by a reactionary government, rhetoric relied on painting the opposition in broad strokes, calculatedly avoiding specific proposals in favor of provocation. Radical writers attempted to stake out a place within a hegemonic discursive field that would exclude them altogether by adopting the sensationalized epithets conservatives heaped upon them for their own purposes, i.e. comparisons to swine or mythological monsters, and composing their own mythos of England’s glorious past, prior to the Norman yoke. The elliptical, imprecise, but viscerally powerful and frequently humorous political discourse possible through parody allowed authors to stoke outrage by mocking broadly unpopular abuses of power, including corruption in Parliament and the Regent’s decadence. The forms radicals adopted for their journals, handbills, and pamphlets, meanwhile, influenced the development of the movement’s discourse and ideology, making the “radical canon” of pirated works accessible.

The often bawdy or bloody-minded rabble-rousing of the tavern was fueled by the ideas expressed in print, while such gatherings extended the small audience for radical

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22 The imagined readers are those Klancher describes as “undetachable members of an audience contesting its position in social and cultural space. The radical text was not meant to form a singular bond between reader and writer, but to bind one reader to another as audience, a readership the radical writer both confronted and spoke for in a complex rhetorical act of ‘representation’” (100).

periodicals and books. For Southey the connections between the press, oral radical
culture, and physical action were clear:

Speeches which produce no other effect in parliament than that of exciting
indignation at the effrontery of those who deliver them, or wonder at their
infatuation, operate very differently when they are reported in a condensed shape,
and all exposure of their futility and falsehood is withheld … [T]he Luddite
committees make a further use of them, and the most inflammatory harangues of
this description are printed like dying-speeches, and sold throughout the
manufacturing districts at a halfpenny or a penny each. The effusions of the hot
city orators and the most incendiary paragraphs of the anarchist journals are
circulated in the same manner.24

But Hone, as a relatively moderate proponent of reform, did not commit to print the
fantasies of revolutionary violence that appeared in those speeches and toasts; rather, he
couches his radical sentiments in the constitutional ideology aligned toward a return to an
imagined egalitarian form of English society. Burke had advised the French
revolutionaries who devised a new constitution rather than obeying precedent, “If the last
generations of your country appeared without much lustre in your eyes, you might have
passed them by, and derived your claims from a more early race of ancestors” (122).
Where Paine dismissed the English constitution as a construction imagined for the elite’s
benefit, followers of Spence, Carlile, and later Owen seemed to take Burke’s suggestion
to heart, authorizing their actions with a past constitution based on a lost way of agrarian,
egalitarian life. A 1780 Society for Constitutional Information Report of the Sub-
Committee of Westminster (reprinted by the LCS in 1794), explained,

An equal representation of the people, in the great council of the nation, annual
elections, and the universal right of suffrage, appear so reasonable to the natural
feelings of mankind, that no sophistry can elude the force of arguments which are
urged in their favour … They were substantially enjoyed in the times of Alfred;
they were cherished by the wisest princes of the Norman line; they form the grand

24 Quarterly Review 8.16 (December 1812), 348-9.
palladium of our nation; they ought not to be esteemed the grant of Royal favour, nor were they at first extorted by violence from the hand of power; they are the birthright of Englishmen; their best inheritance; which, without the complicated crimes of treason to their country, and injustice to their posterity, they cannot alienate or resign ... (6)

The report places the hopes for reform in a sense of unity among Englishmen as a people uniquely suited by nature and history to assert their own worth and rights: “One hope still remains in the native energy of the great collective body of the people, the native energy of a race of men, who have always stood distinguished in the annals of nations for every liberal sentiment and every generous principle that can dignify our kind” (5). The idea provided both a convenient rallying point for partisans and a way of presenting proposed reforms as a return to patriotic principles long since betrayed by the Monarch and Parliament.

As in their choices of meeting places, radicals’ self-characterization and rhetoric in print is in large part as a reaction to such conservative prescriptions. Thelwall, heavily involved in distributing copies of the most significant response to Burke in Thomas Paine’s *The Rights of Man*, refers to *Reflections on the Revolution in France* as

the most raving and fantastical, sublime and scurrilous, paltry and magnificent, and in every way most astonishing book ever sent into the world. A book, I will venture to say, which has made more democrats, among the thinking part of mankind, than all the works ever written in answer to it; or all the labours of those who, according to the cant phrases, and nonsensical jargon of our minster and his agents, *organise* anarchy and *establish* confusion, in every corner of the world.25

Thelwall’s sarcastic dismissal of his opponents’ skewed perceptions can, in fact, serve usefully as a characterization of the rhetorical and organizational strategies of English radicalism. The utopian, democratic world the debating societies attempted to embody in

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25 *The Tribune* 10 (16 May, 1795), 220.
their gatherings and preached in their rhetoric came through in Hone’s imagined future, as when he promises in the *Political Catechism* that reform will result in,

restoring to the People their Constitutional share in the Government; when they will be enabled, by their Representatives to prevent all unnecessary Wars; to abolish all useless Places; to compound for all unmerited Pensions and Sinecures; to diminish exorbitant Salaries; to reduce the whole expenditure of Government; and to make such Laws only as will promote the welfare of the Country, and the happiness of the People. (8)

Hone shares with Cobbett, Spence and others a fantasy of an agrarian English past in which the common people shared in the land and governance was just and limited. The social and legal limitations on political speech and writing and multivalent nature of the positions considered “radical” or “Jacobin” led to appeals for a new (or mythologized old) order that were always shaped by the actions and claims of their opponents. The results could make for witty parody and persuasive rhetoric, but the particulars of an idea like “Spence’s plan” for an agrarian republic were often sparsely fleshed-out and in any case likely to be caricatured or dismissed out of hand by the proponents of the status quo.26 James Gillray, for instance, drew Thelwall as a grotesque, disingenuous demagogue, crying out, “I tell you, Citizens, we mean to new-dress the Constitution, and turn it, and set a new Nap upon it” (November 1795, BM 8685). 27 Radical leaders like Thelwall in fact needed to “organize” anarchy if they were to channel plebeian resentment into meaningful action toward reform. Denied direct access to either direct political power or the bourgeois public sphere, radicals used the means available: the

26 Thomas Evans held the position that Spence’s Plan would come to pass through the force of public opinion “called into existence … by self interest, the ruling passion of mankind” (12). Communicating any such dissenting opinion to the ruling classes was difficult as radical print and petitions were easily dismissed for containing vulgar language.

27 All catalogue numbers for satirical images are in reference to Dorothy George’s *Catalogue of Political and Personal Satires in the Department of Prints and Drawings in the British Museum.*
carnivalesque parliament of radical meetings, with their emblematic pageantry and mock elections and cheap periodicals that enacted opposition by pulling together materials varied in their sources, forms, and genre.

Radical periodicals thus provided an alternative to the political discourse dominated by the interests of an entrenched elite and kept an eye to the power of communal reading. Their cheapness and assembly of a miscellany of lurid crime stories or devotional platitudes freely borrowed from various sources suggested that the constitutional protections of property could not be justly maintained by restricting the circulation of writing or ideas. In the French Revolutionary period, periodicals like Daniel Isaac Eaton’s Politics for the People or a Salamgundy for Swine (September, 1793 – March 1795; originally named Hogs’ Wash to double up the sarcastic riposte to Burke) and Thomas Spence’s Pigs’ Meat set the rhetorical terms and the means of distribution through the cheap press that would serve working class radicalism even during periods of intense repression. The broader social, economic, and ideological interchanges of working class radicalism developed along with the cheap press that disseminated its ideas. In 1793, Spence issued his journal in weekly parts of twelve pages priced at a penny out of his stall in Holborn. Malcolm Chase suggests “free and easy” meetings were appropriate to promulgating Spencean ideas because “[t]his extremely decentralized initiative mirrored Spence’s antipathy to centralization in government: it reflected his determination to promote his ideas which maximized their exposure among ‘my friends, the Industrious Part of Mankind’, and it was scrupulously within the definition of lawful assembly” (70). Much the same reasoning carries over to the content and production of
his journal (Wood 88-9). The agrarian socialist characterized himself as an exemplar of small-scale resistance to the abuses of the rich and influential, providing a self-description on the title page of the collected edition as an aging, worn-down, but committed warrior for reform, “the Poor Man’s Advocate (an old persecuted Veteran in the cause of Freedom).” His intent, he explains, is “To promote among the Labouring part of Mankind proper Ideas of their Situation, of their Importance, and their Rights.” Spence succinctly defines the working class political consciousness which he has attempted to instill one penny installment at a time as a matter of self-awareness, a realization of the conflict in which the poor are already embroiled without knowing it.

Eaton and Spence, among others, explicitly set up their work as a counterweight to Burke’s dismissal of politically active commoners as a “swinish multitude,” offering those pigs rhetorical and cultural defense from oppression and condescension.\(^{28}\) Their textual appropriations and violations of publishing regulations are justified by their patriotic commitment to restoring an ostensibly more authentic English identity. Eaton wrote, “rebellion, ingratitude, and disobedience, cannot be laid to our charge; we are not the fickle multitude our enemies, who are the creatures of the swineherds, pretend; we admire the good old way, let them repair its defects, and we wish no innovation.” Eaton provides a serialized history of England, credited to “Old Hubert,” that begins with the conquest by Caesar, and portrays a succession of tyrants and fools coming to and abusing power. The only departure comes in glorious days of Alfred, who codified the rights of

\(^{28}\) Olivia Smith suggests that Burke was perhaps the single most important figure to set the vocabulary and agenda of English radicalism in the French Revolutionary period: “By vividly defining a large part of the population as brutish and inarticulate, Burke provoked them into speech. The insult that embodied their social status as inadequate thinkers became the chosen mode for disproving the accusation by engaging in the act of writing” (81).
the English people. That exceptionally wise and kind monarch is contrasted with George
III, under whom the English people suffer “the curse of a standing army,” trials “preclude
the accused from the slightest chance of Justice,” “the aged and dying poor [are] driven
from Parish to Parish” and “no national establishment is to be found, by which the infant
poor can obtain the precious boon of being taught to read.”

Spence directed his polemic to inspiring action for reform among the lower
classes while attempting to demonstrate that, contrary to establishment fear-mongering, a
democratic polity would not possess an insatiable will toward chaos and destruction. He
draws contrasts between the perspectives of the workingmen and elite through his choices
of content and formal presentation. To lend authority to the radical cause, he assembles
selections on liberty from an array of thinkers, mingling a stab at learned culture in the
form of Cato, modern satire from authors like Swift and Smollett, and direct responses to
Burke and current politics, such as Robert Merry’s parody of William Pitt as “Gulielmo
Pittachio.” Signor Pittachio, the Della Cruscan ringleader informs readers, possesses
“justly celebrated CURIOUS SPY GLASSES, which distort and mispresent all Objects
that are looked at through them, and occasion in the Company a SUDDEN AND
SOCIAL DISMAY” (vol. 3, 5). Radical meetings and periodicals alike must operate with
the awareness of those spyglasses upon them and that the resources to spread their ideas
will always be lacking in contrast to their opposition. But rather than accepting the
subordinated position, Spence suggests through his journal, radicals will assail the
barriers between high and low culture that those in power use to demonstrate and

29 Politics for the People 3 (12 October, 1793): 32-4
perpetuate their superiority, promiscuously drawing from varied sources in the service of reform.³⁰

Spence portrays his philosophy of political action by representing his own suffering in the cause and untiring attempts to spread the word of his cause through whatever means are available. Opening the third volume of Pigs’ Meat with a letter reprinted from the December 18, 1794 Morning Post, he reminds readers of his arrest and imprisonment without due process, while making them aware of his efforts to expand the reach of his journal by placing an advertisement in that paper. He writes (from “Newgate, High Treason Side”), “finding, that on account of my long imprisonment, the business of my shop is much decayed, I have essayed once more to get my book advertized, hoping that now you will not be afraid” (3). Meaningful political discussion needs to take place outside of the mainstream and cannot be constrained by the laws enforced by the authorities that ignore or persecute men like Spence. He went so far as to produce coins bearing his slogans and develop a phonetic alphabet that he hoped would wipe out class disparity in reading. The periodical must illustrate that the cause of natural rights is universal and the power of ultra-radical political discussion in its refusal to declare any topic or mode of address off-limits. As in their choices of meeting places and oral rituals, radicalism as practiced in print benefited early from learning the merits of adaptability. Authors and publishers needed to establish an ethos diametrically opposed to a conservative literary culture that would in any case reject their efforts. References to historical or Biblical precedent might serve the purposes of a radical writer, but were

³⁰ Marcus Wood writes that Spence’s major contribution to the radical cause lay in his willingness “to look at any available means of reproduction as a vehicle for his ideas. … His work showed that in popular political satire anything might be joined with anything else” (67).
always to secondary to the need to display the signs of their dedication to the cause and fearlessness of prosecution, imprisonment, or exile.

Radicals reprinted materials without restraint or concern about infringing any claim to ownership of the works they presented. They thus indirectly offered support for literary pirates’ opposition to the intellectual property regime. Among the lower classes and radical subculture there could be little concern for the proprietary claims from the likes of Robert Southey or John Murray. Newspapers spread both information and a radical interpretation of liberty that did not rest on protecting the wealthy interests. Hence, conservatives saw newspapers in the wrong hands as an immediate danger to order in England. In 1812, Southey could sympathize with the plight of the poor and uneducated while decrying the periodicals he saw as corrupting their minds, exploiting their suffering and ignorance to incite and sustain Luddite rebellion:

Journals of this description are not designed for those whose place in society indisposes them to revolutionary tenets, or whom a sound understanding mind well stored, have fortified, as with Mithridate, against such poison. But there are thousands, and tens of thousands, prepared for it by the manufacturing system as completely as soldiers by want and cold are prepared for camp contagion. It is upon men whom that system has depraved that the diatribes of the anarchists operate with full effect.\(^{31}\)

To an establishment figure like Southey, whatever legitimate grievances workers might have, the reactionary fear of Jacobin sedition and Luddite machine-breaking was a more immediate concern. With the growth of periodical reading came the conviction of working peoples’ rights to knowledge and narrative, while the upper classes continued to insist that taxation and regulation on reading material protected the very fabric of English society. Enough information and rhetoric filtered down to workers for them to chafe

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\(^{31}\) *Quarterly Review* 8.16 (December 1812), 342.
against the taxes on knowledge and make those taxes a powerful focal point for reform campaigns.

Parliamentary attempts to keep news and propaganda out of the hands of the lower orders led to innovations in the forms of periodicals and the ways they were used. Workers incorporated a system of newspaper-sharing into their oral culture, dividing the 1s 1/2d price of Cobbett’s *Political Register* and then reading it aloud in alehouses. When Cobbett heard of this practice, he saw a chance to avoid the newspaper tax, and hence reach a far greater audience, through formal innovation. On November 2\textsuperscript{nd}, 1816, he began issuing the *Political Register*’s lead political essay without the accompanying news as a twopenny pamphlet. Instead of preventing workers from encountering such polemic, the taxes meant that essays arguing for reform were isolated and targeted directly to them in the multiplying “twopenny trash.” When Cobbett fled to America to avoid prosecution, Thomas Wooler’s *Black Dwarf* inherited much of his readership. Steven E. Jones argues the *Black Dwarf* offered a performance predicated on dialectic between Romantic sincerity concerning radical goals and satirical mockery of the order as it stood. In this regard, it was only the latest version of radicalism’s longstanding techniques of appropriation, a literature of reform defined by its opposition to state controls upon ideas and texts.

Hone showed his mastery of radical print’s conventions and uses in a culture of communal reading with the series of 1817 pamphlets that led to his trial. He marries the formal malleability and sense of irony found in radical periodicals with his own wit, extensive reading, and sense for the polemic force of illustration. Despite the knowledge
and eloquence the satirist displayed in his works and defenses in court, his engagement in the radical project was based not in producing novel political ideas, but his ability to turn existing forms to the purposes of reform and reveal the failures of established authority.\textsuperscript{32} To that end, he embedded his satires in parodies of religious ritual and popular verse that would be accessible to a working-class audience and well-suited to be shared through public performance. The \textit{Political Litany}, \textit{Political Catechism}, \textit{Bullet Te Deum}, and other squibs issued from 55 Fleet Street exhibit the influence of radical gatherings in their carnivalesque portrayal of political and religious institutions. Hone’s approach to his satirical materials elides difference among his audience by emphasizing a broadly humorous mockery of Old Corruption, readily sympathetic throughout the middle and working classes. \textit{A Political Catechism} also offers statistical support for its assault on injustice, encouraging readers to share information such as the vastly inequitable representation resulting from rotten boroughs (1) and lists of sinecurists and bishoprics with their incomes per annum (4). \textit{The Bullet Te Deum} emphasizes its oral and satirically pedagogical nature, by opening with a satirical set of instructions for its public reading:

There shall be read distinctly, with an audible voice, the Leading Article of the Courier, (except there be other LESSONS appointed by the Treasury for that day) he that readeth, so standing and turning himself, as he may best be heard of all such as are present. And after that, shall be said or sung, in English, daily throughout the week, as followeth … (3)

\textsuperscript{32} Wood concurs with Hone’s self-description as a “political entertainer,” rather than as an important thinker in his own right, summing up his contribution to public discourse. “As a political theorist he was not original or perceptive, but then as a satirist whose main function was to attack existing evils, rather than suggest solution to the social and economic organization of society, he was not required to be” (10). Kyle Grimes notes the rhetorical power Hone exerts through “the sheer familiarity of the borrowed forms” (Davis 146).
In spite of the edge of mockery and parody of religious ritual, the directions are in earnest when they place the squib as part of the same set of oral customs in which newspapers were publicly read. The tavern world of caustic humor and working class political engagement supplants the official culture that would marginalize the reader and listeners’ interests. When Hone was arrested for his series of pamphlets, the trial itself turned into an oral performance of Hone’s texts, which he could in turn embody in his published accounts of his trials. Without legally compromising himself, he could include the texts of his works as part of the proceedings, doubly emphasizing their performative aspect and with impact enhanced by being incorporated into the narrative of a common man facing down exploitative and humorless government with only his wit. Richard Carlile’s reprints brought a measure of the coarser features of the tavern meetings into print. He inserts his own voice into works that are already parodies of familiar existing texts, adding to the carnivalesque polyphony. In this and his later projects, he provided a model of printed dissent attractive to “physical force” radicals, maintained over his stays in prison because of the dedicated assistance of his wife, Jane, and other allies.

Cheap periodicals employed variable, sometimes conflicting editorial voices out of both political expediency and economic necessity. Following the suspension of Habeas Corpus in 1817, William T. Sherwin altered the title of the newspaper he produced in collaboration with Carlile from The Republican to Sherwin’s Political Register. An advertisement in Sherwin’s 1817 edition of Wat Tyler states the change came about because “there are many, who agree with the principle, but who are actually afraid of a paper, bearing such a name, being found in their possession.” While assuring “the tyrant
and the slave, that [he] will not swerve one jot from the principles [he has] begun with ...” he acknowledges the importance of not appearing committed to specifically revolutionary or republican identity. William Benbow developed a complicated, seemingly self-contradictory identity for his *Rambler’s Magazine* and his own ethos as bookseller. He brought together ardent support for radicalism and freethought, an often shaky pretense to respectability, and an eagerness to cater to his audience’s desire for the lurid and titillating. Court reports, poetry, theater listings, and pieces praising the genius of Byron and Shelley stand alongside accounts of crime, “The Cuckold’s Chronicle” (reporting on the decadence, inconstancy, and violence of the wealthy) and bawdy satire such as “A Dialogue in a Water-Closet” (finding humor in the same fascination with the bedrooms of the rich by imagining two noble ladies reflecting on the rampant promiscuity of their class).\(^{33}\) The magazine’s contents are representative of radical polyphony as a strategy of rhetoric and sales and of the variety of materials available at a shop like Benbow’s at Leicester Square, Byron’s Head. Branching out from any purely political agenda was a necessity for surviving as a radical publisher in the 1820s, when active dissent was at low ebb. Benbow’s profits from obscene, libertine publications supported continued efforts toward reform, while affirming his commitment to free thought. In the preface to the first volume, he sums up the first year of the periodical’s existence, as an underdog periodical scrappily clinging to its integrity:

> It is not for us to speak respecting its merits; but this we can assert, that few periodical publications have, under similar circumstances and disadvantages, obtained so much patronage and success in as short a space of time. We have had no puffing advertisements; no bookselling connection to force a circulation; we have not flattered hypocrites and scoundrels that we might share in their dishonest

\(^{33}\) *The Rambler* 1.2 (1 February, 1822), 55.
plunder. To unmask these has been our object, and with what effect, let the Vice Society tell. (iii)

The confrontational nature of the magazine is the best proof of its authenticity, inviting investigation by the Vice Society in their capacity as the servants of the hypocrites and scoundrels in power.

A bookseller like Benbow saw that there were opportunities for both propaganda and profit inherent in cross-marketing between periodicals and pirated books, particularly if the advertising offered a tinge of sensationalism. Benbow’s 1822 edition of *Cain* carries a notice for the second number of his magazine, marked as “[c]alculated for the Amusement of the Polite world” or belonging to the bourgeois public sphere. The advertisement, however, assures readers those amusements will include “CASES OF SEDUCTION, BIGAMY, AND RAPE.” Striking the necessary balance between political conviction and marketability often leads to departures from any call for immediate action, in favor of such litanies of horror. The politics that persist sometimes focus on fashionable causes more likely to embarrass and annoy those in power than bring any substantive reform in the political system. The clearest example is the liberal and radical fixation on the Queen Caroline Affair, a black eye for the Prince Regent that provided occasion for a long series of attacks. 34 Other than shaming the Regent and his Tory boosters, there was little apparent practical efficacy in pursuing this line of attack, the kind of fixation that Habermas took as license to ignore the plebeian public sphere and its print artifacts. But even when pursuing seemingly minor issues, however, radical printed

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34 J.J. Prothero insists criticism that the Queen Caroline affair was “a diversion of radicalism from reform” misses the point, carrying “a danger in being too intellectual …, for it may be that the fact of agitation was more important than its ostensible aim” (141).
culture worked toward its purposes. While furnishing pieces that could be easily
maligned or dismissed, cheap periodicals continued to force attention to the idea that the
lower classes had a stake in political discussion and a right to participate in it.

**Cartooning a Political Consciousness**

The satirical print was an important medium for expressing Regency radicals’ defiance of
class-constricted circulation and associated claims to legitimacy. The universalizing, if
not precisely democratizing, nature of such prints is a long-established critical
commonplace. Indeed, through graphic satire, artists could ridicule ideas and public
figures from all quarters, knowing the prints would be viewed by audiences from varied
social backgrounds and political allegiances. Yet artists did not necessarily strive for
leveling of political conversation, nor even maintain loyalty to any particular ideology.
Some, notably including Gillray (who even after receiving a pension occasionally used
his designs to mock the government) and his great disciple, George Cruikshank, were
willing and sufficiently in demand to offer their talents to multiple sides in the fights of
British culture. Nonetheless, graphic satire provided particularly useful tools to radicals
through their multivocal nature and diverse viewership. They found in the conventions of
graphic satire established over the course of the eighteenth century both a useful means of
communication and a model for other efforts to envision political change. Shelley, for
instance, called upon the imagery of graphic satire when presenting his own populist call-
to-arms in *The Mask of Anarchy* (Jones, *Shelley’s Satire* 98-9). The radical graphic satire
of the Regency appropriates the idealized conception of English history and liberty that
became ingrained in the genre to establish a more inclusive polity and challenge the
established systems of power and property. The satirical print operated in a significantly
different economic and legal context from either books or periodicals. Graphic satire’s
influence on those forms and political discourse in general was a consequence of the
uniquely liberated, sharply visceral, and paradoxically universalizing nature of its
approach to controversy and unique place in the intellectual property regime.

In the late eighteenth and early nineteenth centuries, prints moved from being
primarily an amusement for the wealthy to a form of mass entertainment that often
reached artisans and laborers while mainly expressing the values of a rising middle class.
The accessibility of graphic satire’s humor, topical nature of its subject matter, and means
of display and sale in print shop windows all meant that its circulation could not be
rendered exclusive in the same way as books. While the price of individual prints, usually
about one shilling uncolored or two colored, tended to make them unaffordable for the
working class, some radical and even reactionary works were priced and designed to play
on the political sympathies of the poor (Hunt 8-9). Regardless of particular prints’
intended audiences or cost, people of all social standings encountered them on display
and the prints demonstrate the artists and sellers’ awareness of this audience. Gillray’s
1808 print, “Very Slippy-Weather” (BM 11100) famously depicts the scene of viewing
and purchase as including all classes and the art itself as having the power to bring low
the wealthy and pompous. This expansive notion of the viewing public capitalized upon
and encouraged the function of print shops as galleries for the masses. Despite their
topicality and often vicious caricatures, the prints employed a hybridized visual language
that mingled text with image to broadly appeal across lines of class and political
alignment. They therefore closely aligned with radical periodicals’ attacks on cultural hierarchy and intellectual property ideology. Prints offered an expansive perspective on the lives and political engagements of the British public, mixing the respectable with the common, absurd, and even obscene. The ubiquitous and endlessly mutable figure of John Bull came to stand for a unified English identity bound up in the ideological constructions of constitution and liberty, even as the people who subscribed to those notions were frequently disgusted by their own leaders. Along with pirated books, cheap periodicals, and tavern meetings, graphic satires presented the possibility of an economically unrestricted space of political engagement.

The wide-ranging liberty of thought and discussion prints could imagine was largely illusory in the Regency’s repressive political atmosphere of taxes on knowledge and regularly suspended habeas corpus. But the intellectual property regime governing engravings and prints helped make caricature and cartoons a fertile ground for the expression of a broadening political consciousness. As in book publishing, the early history of British copyright in the medium is that of a legal system groping to define property in the artistic and intellectual products of a developing communication technology, often raising more questions about where that property inheres than it answers. But copyright in prints departed from the model set for books in Queen Anne’s Statute of 1710 by centering on the rights of the artist, rather than a publisher. The 1735

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35 Diana Donald argues, “it is a consciousness of the free traffic – and collisions – between 'high' and 'low' culture which ultimately helps one to make sense of the bewildering variety of styles, formats, media, and levels of sophistication evident in the prints” (9).

36 Tamara L. Hunt traces how John Bull supplanted the feminine form of Britannia (dangerously close to the archetype of Liberty that had become associated with the French Revolution and unsuitable for a populace dismayed at the thought of women involved in politics) as his “characteristics ultimately broadened to the point that virtually every class could see itself in him” (147).
Engravers’ Act (8 Geo. II c. 13) stated that the works of “every person who shall invent and design, engrave, etch, or work in Mezzotinto or Chiaro Oscuro” would be protected from unauthorized reproduction for fourteen years from initial publication. The most visible figure in the campaign was by far the best-known British cartoonist of his day, William Hogarth, and though he was joined by six other artists of varied social backgrounds in petitioning the House of Commons, the law became known as Hogarth’s Act (Hunter 130). Hogarth backed the campaign in an effort to prevent the kind of piracies that plagued his earlier work, damaging the subscription sales of his A Harlot’s Progress 1731-2, and secure profits for himself and fellow artists (Deazley 89). The measure was limited in its scope and certainly did not put a stop to unauthorized reproduction. One revision of the law in 1767 offered copyright to engravers who did not create their own designs and another ten years later barred engravers from copying designs without permission.

The Engraver’s Act established that the design itself, rather than any particular print or publisher, would be central to copyright in prints, but piracies continued to sell in London and Dublin. Artists gave up their rights to the plates they designed when sold to a publisher, and few cases of pirated engravings actually led to prosecution (Patten 78-9). This, in turn, encouraged artists to collaborate and adapt ideas submitted by others, as when Gillray credited the design for Very Slippy-Weather to his friend, the Reverend John Sneyd, and drew other concepts from suggestions by George Canning. Artists produced large quantities of works that were varied in their political appeals and

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37 Mark Rose sees the Engraver’s Act as “the earliest explicit recognition of the immateriality of the commodity created by intellectual property law – that is, the clear distinction between the artist’s invention or design and the piece of paper on which it is imprinted” (“Technology and Copyright” 63).
adaptable to the expanding milieu for a political print culture in the late eighteenth century. These practices also made it easier to diffuse responsibility if an artist were accused of sedition or libel, as designs might be attributed to a third party. With improved printing technology, spreading literacy, and newspapers engaging more people in the issues of the day, graphic satires could reach an unprecedented audience and help to shape public discourse.

As a publisher of radical tracts, pirated books, and satirical prints, Hone suggests a distinction between copyright in books and the rights in engraving, at least where it financially concerns him. Hone’s practices as a publisher of unauthorized editions and adaptations inevitably ran up against intellectual property law, as when he issued his unauthorized 1816 edition of Byron’s *Poems On His Domestic Circumstances*. But he manages to turn the terms of intellectual property law to his own purposes in the advertising that accompanies the volume. The front matter offers “handsomely coloured” caricatures, explaining, “All the above are by CRUIKSHANK. Those without his name and the name of W. Hone, are miserable piracies.” Hone openly flouted intellectual property ideology insofar as it might restrain the reproduction or adaptation of texts like Byron’s, but he nonetheless played upon the ethos inherent in those constructions of legitimacy to assure purchasers of the value of the prints he sold. Hone had been forced to take those claims to court the previous year, after Strand printseller, J. Sidebotham, copied Cruikshank’s “Louis VIII climbing the Mat de Cocagne” (1815, BM 12614), itself billed as an adaptation of a “New French Caricature selling privately at Paris.” Sidebotham had attempted to blackmail Hone into supplying copies of the print at a price
under cost. When the publisher refused, Sidebotham dispatched six pirated copies and requested that he exchange them for genuine copies. Hone destroyed the pirated versions and Sidebotham filed a civil action against him for the destruction, which the court dismissed on the grounds that Hone had been provoked and his trade injured by the reprints (Hackwood 106-7).

Hone needed to guard the value of the designs because the form’s very accessibility to an exceptionally broad audience and adaptability to divergent political goals and social perspectives invited adaptation and reprinting. As he fought back against the economic implications of this inclusivity in court he also made full use of its propagandistic potential. Hone’s differing conceptions of the property in visual and textual materials play out in the ways he uses them for his satire, freely appropriating text from Byron in piracies and adaptations, Cowper in *The Political House that Jack Built*, and Anglican ritual in his series of squibs, while defending the unique value of his prints of Cruikshank’s designs and illustrations. He ties his own name and personality to that of the designer and owner of the genuine engraving as he establishes a markedly more stringent standard of authenticity for reproductions of graphic satire than for texts. It is sufficient to confidently inform readers that he has accurately copied Byron’s poems, but he argues those who would similarly usurp Cruikshank’s engravings invariably do so to pass off inferior imitations. Textual content can be reprinted without any great loss of meaning, redirected at lower-class readers and granted greater political import. However, lesser reproductions of visual art diminish its ability to achieve the same goals.
Focusing the propagandistic attacks of graphic satire required finding effective tropes and applying them to a variety of political and cultural figures. As graphic satire became reliant on appealing to middle class moral and civic values, designs split English society between the honest masses and the entrenched interests who wasted their lives on vanity while exploiting their social inferiors. While satirists focused much of their energies on depicting the French Revolution and the ensuing conflicts, they also found a seemingly inexhaustible well of inspiration in subjecting the effete and fashionable to scatological indignities. Taking their cues from Restoration satires, they established the form’s major lines of domestic criticism, making claims for authenticity through their very exaggerations. In 1791, Isaac Cruikshank depicted as the *Miseries of Human Life* a gentleman treading in feces as he makes an elaborate bow before a cleaning woman. The same year, Gillray drew both the future Regent’s younger brother, the Duke of Clarence, caught in a cracked chamber pot representing his lover, the actress Dorothea Bland, and a Swiftian portrayal of Lady Cecilia Johnson disgusting a cherub with the stench as she sits in reflection (BM 7971, September 19, 1791). The prints present a space of direct political engagement for middle-class purchasers and lower-class window shoppers by using archetypal imagery that invites them to identify with the ongoing fights against corruption and folly.

Prints offer at least the pretense of stripping some of the power from the political elite through the rhetorical force of ridicule and widening networks of communication. The combination of text and image allows artists to juxtapose high and low life, making forceful claims for print media’s growing influence on the distribution of power. British
identity is thus bound in the values of a productive middle class, while politicians are generally venal creatures who indulge themselves in luxury and hypocrisy. They are disconnected from the practical concerns and moral uprightness of the middle class, as well as the suffering of the easily led poor. Charles Williams, for instance, draws the immense Fox REPOSING on a BED of ROSES (April 1806, BM 10559) alongside his fellow ministers. Sheridan complains of feeling as if he were “stung to death by a swarm of bees at a Hampshire Farmers,” arguing the press personified in Hampshire resident Cobbett had succeeded in discomfiting the previously complacent ruling class.

_Stephens Fair_ (BM 10966) an 1808 print etched by Williams from a design by George Moutard Woodward and published by the notorious seller of cheap books, Thomas Tegg, offers criticism of Parliament while incorporating images of the public to suggest the broad appeal of this line of attack. Woodward portrays the members of the House of Commons as barkers at a fair, offering such wares “New Taxes” and “Snug Sinecures” to a skeptical crowd of mixed social classes. On this open market of political discussion, the people have learned to question a sign like the one marking the booth of the anti-Catholic Chancellor of the Exchequer, Spencer Perceval as “THE ONLY TRUE CONSTITUTIONAL BOOTH.” While the particular items the Members of Parliament have on offer may appear to be in opposition, they are united in attempting to mislead and profit off their constituents.

The satires of George IV were effective in part because of their clear ties to the wider tradition of contemptuous portrayals of the foppish elite. The satirical devices established in such prints took on a greater political dimension served when artists set out
to criticize a scandal-prone Regent and associated figures. Though royal peccadilloes had long been a source for satire, the Prince of Wales offered an exceptionally tempting target. The sense of moral outrage over his behavior from the middle and lower classes proved more palatable to a wide audience than outright calls for reform or revolution. In an August 1816 print, *A Representation of the REGENTS tremendous THING ERECTED in the Park* (BM 12801), Williams depicts a war trophy installed on Horse Guards Parade as representing the disconnection between a cross-section of the English people and their vain ruler. The public, comprising fops alongside working-class women and several points in between, gathers to marvel and scoff at the phallic mortar, its association with the Regent’s own genitalia emphasized ad nauseum through the speech balloons. The mortar displays the excess, violence, and basic insecurity of those in power for the English people of all classes, and through graphic satire’s culture of reappropriation, the mortar itself took an important place in the iconography. Williams found the image sufficiently compelling to repeat elements of his own design in an 1818 print for Tegg, *VAGARIES of NATURE and ART, or Curiosities of the Parade* (BM 13058). Here the Life Guards and civilian fops alike are caught in the vanity of their ruler. In these prints and others like them allegiance to the Regent himself means loyalty to a superficial and status-obsessed culture. In *Conjugal Felicity in High Life* (BM 13226, c. April, 1819), Williams extends his attention to Prince Frederick, the Duke of York, along with his elder brother a major symbol of dissipation in the royalty and throughout the upper ranks of English society since resigning from his position as commander-in-chief in disgrace. In the illustration, he bears a broken arm he incurred on April 12th when visiting Windsor
for a report on the king’s declining health, underlining his physical and moral weakness. Both he and the insane monarch suffer for their failings, though his young mistress unconvincingly reassures him that despite “John Bulls I’ll [sic] natured assertions” the news of George III’s continued ill health is no “Judgment” upon the king or his supporters.

Satirists had defined their position by providing an endlessly multiplying, slyly rebellious counterpoint to the Regent’s attempts to defend his dignity. The impotence of the injured Duke and of the Regent’s warlike but ineffectual “thing” stand in sharp contrast with another “thing” invoked in one of the most famous of radical Regency graphic satires, The Political House that Jack Built. Here Hone and Cruikshank use the word to refer to the printing press, with its power to snuff out the people’s ministerial enemies. Publishing the pamphlet in December 1819, with the wound of Peterloo still fresh, they portrayed an English public “all tatter’d and torn,” but finding their proper weapon in the printing press and an unstoppable rallying cry in the word “Reform.” The author and artist used the genre’s established conventions to build a visual rhetoric that imagines a public unified by constitutional ideology in the pursuit of reform. In supporting reform and a free press, Hone capitalized on outrage and fit the current political situation into archetypal, easily moralized forms. Cruikshank’s illustrations sublimated the multiplicity of middle and working class interests into images that depicted a newly empowered polity comprising John Bull’s house. The lower classes are not an interloping mob, but rather far closer to the foundation of British national identity than their supposed betters. Whatever their individual differences and disagreements, the
newly inclusive polity shared in finding themselves under attack from the corrupt “vermin” who abused ministerial power while a “dandy of sixty” wasted his position as Regent to pursue a dissipated lifestyle. Through graphic satire’s modular and combinatorial shorthand, the pamphlet revealed its readers were already involved in the struggle for reform, whether they realized it or not, as viewers of a print culture exposed the government’s hypocrisy.38

The Regent was sufficiently disturbed by such attacks following Peterloo to open a session of Parliament in November 1819 with a request for further steps against “the seditious practices so long prevalent in some of the manufacturing districts of the country …”39 He went on to tell the House of Lords,

it will require your utmost exertion, collectively and individually, to check the dissemination of the doctrines of treason and impiety, and to impress upon the minds of all classes of his Majesty’s subjects that it is from the cultivation of the principles of religion, and from a just subordination to lawful authority, that we can alone expect the continuance of the Divine favour and protection which have hitherto been so signally experienced in this kingdom.

Graphic satire undercut such platitudes, offering a way to cast the Regent, a personification of unearned authority and unrestrained privilege, in an absurd and often bawdy light. The Queen Caroline Affair offered satirists and radicals boundless opportunity to turn images of sexuality and royal impropriety to a political rallying point. After taking the throne in 1820, George IV made a futile effort to suppress some of the more vicious satires against him buying up plates and their copyrights (George x, xii). Dorothy George cites Benbow and the caricaturist and printseller J. Lewis Marks as

38 See Steven E. Jones, “The Print in Regency Print Culture.” Jones explains that prints were “modular,” “built of component icons, motifs, signs that could be combined and recombined in various ways” (76).

39 Hansard’s Parliamentary Debates XLI (1820), 2.
committed radicals who were quite willing to take money from Carlton House in exchange for promising not to circulate their work. Having accepted, or in some cases extorted the money, there was little to stop the printsellers from selling their work anyway, much less prevent imitations and piracies (McCalman 169). The king attempted to use the force of law and existing copyright system in his fumbling attempts at buying out his critics, failing to compensate for the economics of graphic satire that encouraged proliferation and variation.

Since the economic structure of print engraving and selling also demanded the broadest possible appeal for satires, artists carefully chose the archetypal enemies of the people. If the form was often ill suited to depicting the subtleties of dealings in Parliament, artists could turn its blunt tendencies to an advantage when dramatizing an iconic horror like Peterloo or mocking a reliable bogeyman like the Secretary for Foreign Affairs, Lord Castlereagh. In September 1819, Cruikshank produced a pair of prints for Thomas Tegg that brought both Peterloo and Castlereagh to bear in criticizing a fresh abuse of the poor. The images both satirize the £50,000 grant proposed by Chancellor of Exchequer Nicholas Vansittart to relocate some of England’s unemployed to the Cape of Good Hope. Rather than drawing the poorly spoken Vansittart, generally perceived as a mere political pawn, Cruikshank chose Castlereagh as his subject in *A Strong proof of the Flourishing state of the Country* (BM 13267). The dandified “Honeymouth” addresses John Bull’s stricken, ragged family, presenting their options in life as the contrast between an image of the marauding yeomanry and another of fattened leisure on the Cape of Good Hope. The simultaneously published companion piece, “*All among the*
*Hottentots Capering ashore*!!, luridly imagines the violent outcome of emigration: settlers are “half roasted by the Sun & Devoured by the Natives!!!” in addition to facing attacks from a crocodile, lion, and boa constrictor. Even as Cruikshank plunges his hapless figures into an imperialistic nightmare, he reminds viewers of the more immediate abuses of the poor at home. One Englishman declares the cannibal eating his arm “as bloody minded as a *Manchester Butcher!*” as another laments, “I might as well have staid in England to be starved to death as come here to be eaten alive!” Cruikshank is able to use the racial caricature to both play on fears of subaltern revolt and emphasize the monstrousness with which the lower classes have been treated. They are trapped in the paired prints between starvation and oppression on one side and unspeakably horrific deaths far from home on the other.

Radical print culture in the early nineteenth century largely existed to sell the middle and lower classes that very sense of being trapped by untenable alternatives, the only dignified course left to join the chorus of voices demanding meaningful change to a corrupt system of governance. Along the way, disputes over the value of print as intellectual property and the nature of piracy impacted how producers of periodicals and graphic satire depicted this major shift in English politics. Carnivalesque discourse, piracy, and appropriation were important tools to reformers attempting to spur a populace grappling with the very idea of having place in politics. In 1840, William Lovett summed up the goal of the Chartist movement as “secur[ing] to all classes of society their just share of political power,” while admitting “the conflicting opinions entertained by some portion of the working-classes regarding the means of accomplishing that object have
hitherto greatly retarded it” (v). The reformist print culture of the early nineteenth century had indeed failed to synthesize those differing perspectives, but periodicals and cartoons suggested ways to work for common goals and to demonize common enemies. Their discursive modes and antipathy to existing constructions of intellectual property set important models for the unstamped periodicals of the 1830s and the workingman’s literature of the 1840s and 50s, as well as influencing the writing and reading of works that would become known as Romantic.
CONCLUSION

The British Romantic Period has always been situated and characterized in retrospect, the criticism and historical narratives that defined it affected by the material, economic, and legal conditions that mediated its recounting. I have argued here for the wide-ranging consequences of the loosely defined set of violations of intellectual property claims known as piracy upon those later constructions. Unauthorized reprints and the anti-copyright ideology they explicitly or implicitly espoused were variously a challenge to the ideological claims and economic security of writers and their publishers, a lexical and performative mode of political resistance, and a focal point for discourses of property, liberty, and nationalism. This dissertation has elaborated upon those texts’ relevance by examining the evidence that marks specific pirated editions by major authors as well as exploring broader issues, such as the effects of overseas publishing on the domestic English industry and literary canonization and the development of radical communications networks in cheap periodicals and graphic satire. Foregrounding the significance of pirated texts will continue to further our understanding of literary Romanticism and nineteenth-century British literary and political culture. The space I have here will not allow me to capture in full the longer-term effects of literary pirates for the culture in which they participated. I will, however, suggest how this research might proceed by briefly outlining two promising courses for future inquiry. One is the association between pirated works and obscenity in booksellers’ shops and the legal code;
the other the innovations in cheap reading matter in the Victorian Period that carried on the work of Romantic-period pirates.

The deep connections between Romanticism’s radical canon and obscenity came about out of economic necessity and the same expansive and imprecise definition of texts as illegitimate that made piracy a ubiquitous concept. Indeed, underground publishing in England survived the beginning of the nineteenth century, especially during the low-ebb of organized radicalism in the 1820s, largely through booksellers’ focus on the more profitable business in obscene books. These items included outright pornography, the kind of bawdy satire that had reached its pinnacle during the Regent’s scandals by mingling notes of scurrilous gossip and lurid titillation in political discourse, and works that stand somewhere in between, such as the Byron-quoting courtesan Harriette Wilson’s infamous memoirs. By the time the Chartists, their ideology centered on the long-standing myth of the English citizen's freedom under the constitution, took up the works of the Romantic authors and those who inspired them (Paine, Volney, Gibbon, etc.), it was in the context of purchasing those works cheaply from a shop that survived mainly off the sales of obscene material to better-off clients. The discourse and conflict across class in which readers of radical texts were engaged was enacted with any visit to the bookseller. Both in political debates and the sale of politically radical texts the working-class movement still relied on the ideas and patronage of aristocrats as they demanded representation in the English government—ultimately resulting in the frustration of many of their goals when the Reform Act finally passed in 1832.

As a result of censorship and intellectual property regimes, purportedly obscene
and seditious publications were sold under similarly dubious legality and occupied much the same physical space as pirated copies of *Don Juan, Queen Mab*, and other works later associated with canonical Romanticism. There is a long tradition of centralizing the sexual dimensions of canonical Romanticism, rooted in Mario Praz’s staking out a unified European Romanticism through the sensuality inherent in “a peculiar kind of sensibility at a fixed historical period” (9). Meanwhile, historical accounts have touched upon the association between obscene materials and Romantic texts. For instance, David Saunders uses this connection to consider the value of studying literature in its legal contexts and suggest that under continental, moral rights systems of copyright “an ethical judgement is made that the work is an integral part of its author’s person because it is an inalienable expression of his or her personality” (“Copyright and Obscenity” 442). McCalman notes radicals' involvement in the publication of obscene material, along with the matter of financial necessity, was at least partly motivated by the common ideological ground between free-thinking and libertine traditions. Arguing “[t]heir attempts to give philosophical credence to various obscene publications might have been shallow, inconsistent or self-justificatory but they were anchored in the tenets of libertinism,” he ties the same interest to the widely-pirated *Don Juan* and *Queen Mab* (208).\(^1\) However, there is still a great deal of room to explore how this shared cultural ghettoization affected the circulation and reading of Romantic writing and the promulgation of related political and philosophical ideas. The methodology I have employed throughout this

\(^1\) Not all radicals found this combination acceptable. McCalman also mentions Carlile's dismay at this combination of pornography and the great texts of radical dissent: “In 1822 he attacked [radical printer William] Benbow's obscene publications as 'mischievous to public morals', regretting 'that they should emanate from the same shop as the works of Paine'” (216).
dissertation, drawing evidence for the social and economic contexts of books from their physical and paratextual dimensions, could be fruitfully applied both to the editions of otherwise respectable literary works sold by pornographers and the pornographic works themselves.

The cheap reading matter of Victorian “workingman's fiction” developed in conjunction with the changes in workers’ lives and Britain’s political structure leading up to and following the Reform Bill. These works represent, in part, a continuation of Romantic-period debates over intellectual property and access to literature across class lines. Working people's encounters with fiction were deeply tied to eighteenth and nineteenth century initiatives to educate the poor, through Methodist meetings, Sunday schools, and Mutual Aid societies, among other philanthropic and religious endeavors. The mechanics' institutes, a movement that began in earnest with the March 1824 establishment of Henry Brougham's Society for the Diffusion of Useful Knowledge, represented a concerted attempt to educate working-class adults along a utilitarian model. As was the case for most of the charity schools and related phenomenon, such organizations emphasized the imparting of basic literacy, scientific information, and mathematics, not to inspire any innate sense of worth or elevate their status in the social order, but to make them more productive workers. Among the publications intended to achieve this goal, beginning in March 1832, was the cheap family periodical published by Charles Knight, the Penny Magazine. This miscellany of practical knowledge followed close behind the similar Chambers's Edinburgh Journal. William Chambers' venture proved far more enduring, largely because, unlike the Society-affiliated magazine, he
included a weekly short story. The leaders of the movement considered fiction antithetical to their goals of stripping away superstition and engaging people possessing only minimal prior education with lectures on math and science. But, as Richard Altick points out, “only as the utilitarian motive was diluted and, eventually, expunged did they swell the number of general readers” (188). In spite of lofty Benthamite goals, the institutes simply failed to consider the real desires of an exhausted workforce that by and large lacked both the basic knowledge and interest to take advantage of the material on offer, much less the few shillings to spare for their subscription. Consequently their willingness to add mental labor onto days full of arduous physical tasks quickly waned, and the institutes ended up catering more frequently to a middle-class audience than to the working people for whose benefit they were ostensibly intended. Their contribution to the expansion of a reading public, however, comes through their circulating libraries (though much controversy ensued whenever subscribers desired access to the “time-wasting” diversions of fiction and poetry) and presentation of lectures that turned more and more to literary readings and discussion.

It may be that the popularity of low-cost and low-quality fiction as the century wore on was a direct result of working people’s disillusionment with such educational projects. Louis James writes, “cheap fiction began to appear after the lower classes had largely abandoned their earlier aspirations. In fact, the latter hopes were based on a glowing discovery of new worlds of the mind: they had no hope of fulfillment without changing conditions in work and living conditions, without more informed social attitudes, and without a real understanding of the roots of art and knowledge” (Fiction for
This failure is certainly important to the emergent working-class reading culture of the 1830s, but also significant are material conditions that James tends to downplay. The production of newspapers and periodicals had been transformed by mechanization in the 1810s and 20s, but they finally took hold of the book trade in the 1830s and the costs of paper and book production in general dropped off (Eliot 19). Nonetheless, the types of reading material available to the lower classes remained limited by the Copyright Act of 1842, which kept many modern English books from coming into public domain. William St. Clair sums up how the legal situation of cheap literature influenced its content: “Victorian moralists often complained that their less well-off countrymen read mostly rubbish, and they were right. The intellectual property regime they established in 1842 was among the main causes” (RN 356). The development of workingman's fiction was thus the result of a confluence of political and economic factors. Together, they encouraged the dissemination of inexpensive entertainment to a class that largely found more appeal in melodramatic tales told in simple language than educational material that seemed to bear little connection to their own needs and experiences.

Many such texts were outright, if frequently inept, imitations of what the middle and upper classes were reading, as in the case of the numerous plagiarisms of and unauthorized sequels to Dickens' successfully serialized *The Pickwick Papers* that appeared in the late 1830s and early 40s. Gradually, however, the form of inexpensive serials became established in its own right and other influences took hold. George W.M. Reynolds' *Mysteries of London* is an inherently derivative novel, inspired by Eugene
Sue's *Mysteries of Paris*, and frequently turning to Gothic conventions. But Reynolds'
Chartist political agenda is readily apparent in his portrayal of the full range of London's
class structure, from nobility to prisoners, and, more explicitly, in his digressions. As he
sets a scene on New Years Day 1839, he decries, “The country that contains the greatest
wealth of all the territories of the universe, is that which also knows the greatest amount
of hideous, revolting, heart-rending misery” (179). He goes on to provide a chart of the
social scale and statistics for the average annual incomes of the king, aristocrats, the
clergy, the middle class, and workers, demanding, “Is this reasonable? Is this just? Is this
even consistent with common sense?” (180). The strategy at work in such a moment,
populist rhetoric in conjunction with lower-class circulation and literary appropriation, is
one popularized by the radical publishers of earlier in the century. Reynolds successfully
took advantage of the penny format, embedding his political messages in a novel that also
included sensational portrayals of crime and grave-robbing, and allegedly claiming a
circulation of 40,000 copies a week in the process (James 165). Nor was the reading of
working-class readers was not entirely restricted to either serialized, penny fare or the
educational materials specifically targeted to them. Though the intellectual property
regime often made it difficult, lower-class people who managed to find the necessary
leisure time and were so inclined found their way to literature and more esoteric studies,
whether through purchasing cheap reprints or borrowing at circulating libraries or

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2 For Ian Haywood, “Reynolds's aim was to inscribe the people's perspective and agency into his narratives
by making his serial permeable to politics. He placed fictional representation on a continuum with social
life” (176).

3 As Jonathan Rose argues “We must ... break the habit of treating high culture and popular culture as two
distinct categories with mutually exclusive audiences. In fact, a promiscuous mix of high and low was a
common pattern among working-class readers of all regions, generations, and economic strata” (371).
coffeehouses. The reading of the lower classes through the latter part of the century owed much to the practices established by Romantic-period piracy and, in turn, contributed to later perceptions of Romantic authors.

The significance of piracy at the beginning of the nineteenth century, then, goes well beyond affecting our reading of the most frequently or thoroughly usurped texts. The market in illegitimate reading material was a major cultural force with major implications the histories of literature, print, law, and politics. Moreover, the vying rhetorics displayed in the period’s pirated literature demonstrates the shaky and ideologically contested ground upon which all claims to intellectual property stand. Romantic theories of authorship have lent force to the idea that the creator of a work deserves to reap the consequent financial benefits and cultural prestige. But in the period that birthed the lionization of the creative genius we also see the highly contested nature of claims to own creative work or control how it is disseminated or recontextualized. Romanticism’s pirates suggested a very different idea of how texts could become part of a common store of ideas. The history of British Romantic-Period literature can provide insight and perhaps a corrective following the cultural embrace of new media, when piracy has grown has grown ubiquitous and yet remains a harshly sanctioned crime.
REFERENCE LIST


Haywood, Ian. *The Revolution in Popular Literature : Print, Politics, and the People,


Woodmansee, Martha. “The Genius and The Copyright: Economic and Legal Conditions


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