

## The Women in Caxton's Life and Works

Ed Quattrocchi

In 1958 Caxtonian James Wells read a paper at a Caxton Club meeting on William Caxton's life and times that was published in 1960 by the club as a monograph. In his introduction Jim writes, "I fear that I have no discoveries nor even any novel theories to unveil about Caxton." Despite the disclaimer his short piece admirably pulls together most of the significant happenings in the times that bore on Caxton's staggering publishing accomplishments.

As far as I know, since that monograph 46 years ago, neither the Club's imprint nor the *Caxtonian* has published any comparable piece on the works and influence of England's first printer and our club's namesake. But next month the club will once again focus on the legacy of William Caxton. Junie Sinson recognized that Caxton, as well as the Caxton Club, should be more widely known in Chicago and nationwide. Consequently he organized a committee in August 2004 to explore the feasibility of conducting a symposium in conjunction with the Newberry Library on the subject of William Caxton's legacy in the 21st century. The committee has been meeting monthly since that time to shape the form and content of the symposium. Several ideas were considered in reaching a consensus for what promises to be a stimulating daylong exploration of the "The Past and Future of Intellectual Property" at the Newberry Library on April 1.

In my role as a member of the committee, I became interested in a facet of Caxton's life and works that the committee considered as a topic for the symposium. I



*This cut of Margaret of Burgundy, presumably with Caxton, appeared in his Recuyell of the Historyes of Troy, the only copy of which is at the Huntington Library.*

was fascinated by the seeming neglect of the dynamic and accomplished women who motivated and supported Caxton's scholarly and publishing enterprises. Like Jim Wells, I cannot claim to have made any new discoveries about Caxton and women, but I hope to shed some light on an aspect of Caxton's life and publishing that seems to have been put in the shadows by most of his biographers and commentators.

By all accounts Caxton was a modest, devout businessman who revealed little about himself in the many prologues and

epilogues in his numerous published books. Because the documented evidence is so slim, few biographers mention the women in his personal life. Ironically the women least evident in the voluminous writings about Caxton are his wife and daughter. Scholars and biographers conjecture that he had a wife and a daughter, but when and where he was married and the names of his putative wife and daughter have never been definitely identified.

Caxton lived and worked in a tumultuous time during the Wars of the Roses when the crown of England moved among the Lancaster, York, and Tudor dynasties several times. Despite the political disruptions caused by the war and England's continual frictions with continental Europe, Caxton succeeded in printing classic English texts as well as numerous translations, becoming the progenitor of the English Renaissance.

Before starting to print books in the Low Countries, Caxton was a distinguished member of the Mercers Company. He must have

been one of the most successful merchants in Belgium, for his fellow merchant adventurers elected him Governor of the English Nation in Bruges, sometime around 1462. The post of Governor at that time had considerable authority in the regulation of trade between England and the Low Countries. In this position Caxton carried on important diplomatic activities as a loyal subject of the Yorkish King Edward IV.

In 1468, in order to strengthen ties with the Duchy of Burgundy, Edward arranged

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## CAXTONIAN

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for his sister, Margaret, to marry the Duke of Burgundy, Charles the Bold. The wedding was extravagant even by the standards of the Burgundian court, the most opulent and cultured court of the day. Margaret was Charles' third wife; they had no children together, but she became the devoted stepmother to his children and the richest, most powerful and cultured Duchess in Europe. Caxton's probable participation in the preparation for the wedding, his staunch Yorkish loyalties, and his position as Governor of the English Nation, gave him an entrée to establish a relationship with Margaret.

It is noteworthy that Margaret, an English-woman, not yet thirty years old, could move seamlessly into the Burgundian court and command the respect of sophisticated courtiers communicating in French. She became a noted scholar and an arbiter of taste. Caxton was intimidated by her scholarship, but he was also impressed by it. He started to translate the *Recuyell of the Histories of Troy* of Raoul LeFreve in 1469, and he printed it as his first book in Bruges in 1474. Why he choose this book is not recorded, but it is reasonable to conjecture that Margaret pushed him in that direction. The process of translation was interrupted, but after a two-year delay, he showed the unfinished translation to Margaret; she ordered him to complete it and paid him a fee.<sup>1</sup> Not a haughty self-serving patron, Margaret worked with him as a scholarly mentor. She found fault with his translation when he showed her the first few quires, but she urged him to correct them and finish the work. When Margaret authorized him to translate the histories of Troy, the first two volumes were very popular. She repeatedly asked for copies, and Caxton had to copy each one by hand. The demand for multiple copies probably was the impetus he needed to start his printing business.

That Margaret was an English speaking Duchess in a French culture seems to be considered unexceptional by many modern scholars, as is the fact that Caxton's first three printed books were translated into English from the French originals. For reasons not entirely clear, Caxton left his job of Governor of the English Nation in Bruges in 1470. From there, he moved to Cologne, where he learned to print. He returned to Bruges sometime in 1473 and published *The History of Troy*—the first book printed in the English language, which he had translated with

the assistance of Margaret. Not surprisingly he dedicated the book to her. With Margaret's approbation, he also translated *The History of Jason*, a sequel to *The History of Troy*. No doubt through Margaret's intercession he received permission from King Edward and Queen Elizabeth to dedicate *The History of Jason* to their four-year-old son, Edward, Prince of Wales, in a folio edition of 150 leaves without date, pagination, head lines or colophon.<sup>2</sup> His next book, printed in Bruges, *Game and Play of Chess*, he dedicated to Margaret's brother, George, Duke of Clarence. In 1476 he came back to England, after nearly thirty years on the continent.

Christine de Pisan had neither the personal nor the immediate impact on Caxton that Duchess Margaret did, but her influence on the intellectual, philosophical, moral, and cultural choices of the books he printed was perhaps more significant than that of any other woman. Christine was born in Venice in 1364, 110 years before Caxton, but her influence on Caxton and the entire Burgundian court was considerable. Her father was appointed as the court physician to King Charles V of France. Christine was five years old when her family moved to Paris. In Paris, she received an excellent education and lived in a court renowned for its support of intellectual pursuits and its possession of the finest library in Western Europe. She spoke French and Italian and was familiar with Latin. In 1380 Christine married a young scholar and court secretary, Etienne du Castel. But he died of the plague in 1390, leaving her to support their three children and her mother. Her unique intellectual abilities and her access to the royal court allowed her to sustain herself by writing.

Christine's works were immensely popular at the Court of Burgundy at the time Caxton and Margaret were cooperating on the translation and publication of *The History of Troy*. Because Christine's gender and the unconventional subject matter of her works, e. g. *The Book of Deeds of Arms* and *The Book of the City of the Ladies*, scholars until the latter half of 20th century did not pay much attention to her. But now modern medieval scholars have shown considerable interest in her life and her many literary works.<sup>3</sup>

The influence of Christine on Caxton's work, however, did not manifest itself until he returned to England. After he left the Burgundy Court, Caxton could no longer count on the patronage of



Margaret, but he could rely on Margaret's brother-in-law, Anthony Woodville, Earl Rivers, the brother of Elizabeth Woodville, King Edward's queen. Woodville translated and financed the printing of *The Dictes and Sayings of the Philosophers* and commissioned Caxton to correct and amend his translation before printing it. But neither Woodville nor Caxton identified the author of the French original. Woodville wrote a prologue to his translation in which he mentions that he had read and enjoyed the book in its French version in 1473 on a pilgrimage to Compostella, but he does not mention the French author of the book.<sup>4</sup>

Few modern commentators discuss the book's author, either. In contrast, Caxton and most commentators on his first English book, the *History of Troy*, invariably identify the author of the original French text as Raoul LeFreve. That many, if not most, commentators on *The Dictes and Sayings of the Philosophers* neglect to mention the French author might stem from scholarly confusion about who actually wrote the original French version. Typical of 20th century biographers, H.R. Plomer identifies the translator as Anthony Woodville but not the author of the French source.<sup>5</sup> A few months after the publication of *Les Dits Moraux des Philosophes* Woodville sent Caxton "the manuscript of a translation which he had made of *Les Prouerbes Moraulx*, composed by Cristyne de Pisan; Caxton printed this brief work of only four leaves under the title, *The Moral Proverbs of Cristyne*, on the 22nd February, 1478.

In his Epilogue to the *Proverbs* Caxton pays tribute to Anthony Woodville and adds a colophon that makes explicit his praise of Christine in a doggeral apostrophe to his own printed book.

Moral Proverbs [1478]  
[EPILOGUE]  
Of these sayings Christine was  
  authoress  
Which in making had such intelligence  
That thereof she was mirror and  
  mistress  
Her works tells the experience  
In French language was written this  
  sentence  
And thus Englished doeth rehearse  
Anthony Woodville, the Earl Rivers  
Go thou little quire and recommend me



This painting detail is thought to depict Margaret of Burgundy while she was still Margaret of York.

Unto the good grace of my special lord  
The Earl Rivers, for I have emprinted  
  thee  
At his commandment, following every  
  word  
His copy, as his secretary can record,  
At Westminster of Feverer the xx day  
And of King Edward the xvii year vraye.  
Emprinted by Caxton In Feverer the  
  cold season.<sup>6</sup>

Plomer's ambiguity about the French title of Woodville's translation of the *Dicts* has been perpetuated by subsequent biographers. Richard Deacon, for example, has high praise for Christine de Pisan and her influence on Caxton, but he mistakenly identifies Christine's *Les Dits Moraux des Philosophes* as the French source of Anthony Woodville's translation and Caxton's publication of *The Dicts and Saying of the Philosophers*.<sup>7</sup> In describing Caxton's *Feats of Arms and Chivalry*, Deacon writes: "This time (1489) he translated 'to the end that every gentleman born to arms and all manner of men of war, captains, soldiers, victuallers and all other, should have knowledge how they ought to behave them in the faits of wars and of battles.' This was a translation of the work of a remarkable woman, Christine de Pisan, who had originally dedicated this treatise on feats of arms and conduct in the lists and in battle to Minerva, goddess of wisdom and war. It was Christine who also

wrote *Les Dits Moraux des Philosophes* which was later translated by Earl Rivers and printed by Caxton under the title of *The Dictes and Sayings of the Philosophers*."

In this passage Deacon unequivocally asserts that Christine de Pisan was the original source of Caxton's first book printed at Westminster Abbey on English soil. This is an incredible, though not preposterous, attribution. Since neither Woodville nor Caxton reveals the author of the French source of Woodville's translation, Deacon might have concluded that because Christine had written *Les Prouerbes Moraulx*, published by Caxton, could also have written *Les Dits Moraux des Philosophes*. But if Caxton's first book printed in England was a French text written by a medieval French woman poet, it should have evoked scholarly discussion about the influence of women in the history of English printing. It is remarkable that a recognized Caxton scholar in a respected biography could mistakenly misattribute the authorship of the source of the first book printed in England to a French medieval woman poet without arousing scholarly interest and/or rebuttal.

In making this claim, I assert more than the historical record directly substantiates. The breadth of the claim challenges a remarkable disregard by biographers of Caxton and other printing historians of the fact that a medieval French woman exerted enough influence on Caxton (and thus on early English printing) to lead him to publish two of her works, recognizing her as one of the most widely read poets at the Burgundian court. His poetic tribute to her cannot easily be understood as insincere flattery but, rather, reflects a uniquely great influence upon his publishing choices. As far as I know, Caxton printed no other work of a woman poet, whether English, French or classical. He published mainly items that would sell. That is to say popular works of English writers, i.e. stories from recognized poets and translations from French poets. It is no great inference to conclude that his publication of two of Christine de Pisan's works demonstrates the superiority of her influence upon him beyond that of any other woman, and the

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range and depth of influence I suggest. Although neither Caxton nor Rivers identifies the original French author of the *Les Dits Moraux des Philosophes*, the answer can be found in William Caxton, *A Biography* by George D. Painter, published in 1976, the same year as Richard Deacon's *Biography*. "The translator, Anthony Woodville, Earl Rivers, while on a voyage to the shrine of St. James of Compostella, in 1473, was lent by the famous knight Lewis de Bretaylles a manuscript of *Les ditz moraulx des philosophes* by Guillaume de Tigonville."<sup>8</sup>

The identification of Guillaume de Tigonville as the original author of Rivers' translation raises the question of why this authorship is mentioned neither by Caxton nor Rivers, nor most biographers. Caxton used Rivers' translation because Rivers patronized and paid for the publication. But it is interesting to note that Sir Stephen Scrope published an earlier translation of Tigonville's *Les Dits Moraux des Philosophes* in 1450, twenty-six years before Rivers' translation.<sup>9</sup>

Whereas the origin of the French source of Caxton's *Dictes and Sayings of the Philosophers* is murky, the lineage of Tigonville's *Les Dits Moraux des Philosophes* is even more obscure. Tigonville had used a Latin source for his translation, but the original source goes back far beyond the Latin to an Arabic compilation, the *Muhtar al hikam wamahasin al kalim*, written toward the middle of the eleventh century by Abul Wafa Mubasschir ibn Fatik, an Egyptian emir of the eleventh century.

Six extant manuscripts of Tigonville's work indicate that it was extremely popular in the fifteenth century, which makes it even more curious why neither Woodville nor Caxton mentions him as the source of Woodville's translation. It is believed that Woodville's translation is better than Scrope's, but Woodville omitted some of Tigonville's text, specifically the Sayings of Socrates about women. In his Epilogue, Caxton supplants what Woodville left out of his translation. Caxton does not translate Tigonville's text, but he paraphrases and summarizes Socrates' opinions. Before the paraphrase he writes a prologue to the epi-



Elizabeth Woodville, King Edward's queen

logue, which conjectures why Woodville omitted Socrates' sayings about women:

I have put me in devoir [expression of courtesy] and respect to oversee this his said book, and behold as nigh as I could how it accordeth with the original, being in French. And I find nothing discordant therein, save only in the dictes and sayings of Socrates, wherein I find that my said Lord hath left out certain and divers conclusions touching women. Whereof I marvel that my Lord hath not written them, ne what hath moved him so to do, ne what cause he had at that time; but I suppose that some fair lady hath desired him to leave it out of his book; or else he was amorous on some noble lady, for whose love he would not set it in his book; or else for the very affection, love, and good will that he hath unto all ladies and gentlewomen, he thought that Socrates spared the sooth and wrote of women more than truth; which I cannot think that so true a man and so noble a philosopher as Socrates was should write otherwise than truth.

Caxton's playful conjectures about Woodville's reasons for deleting Socrates' sayings reveal a whimsical side of Caxton's personality and his close relationship with

Woodville not ordinarily attributed to him. In the remainder of the Epilogue Caxton paraphrases what Socrates says and Woodville omits, but his explication of Socrates' attitude toward women is at best arcane. He explains that he feels obliged to supplant Woodville's omission because his patron commanded him to oversee the translation and amend any mistakes or omissions. And he further explains that Woodville's copy of the original French text might be different from Caxton's copy. This conjecture attests to the circulation of several copies of Tigonville's manuscript.

Caxton does not want to admit that Socrates would stretch the truth, but his summary of Socrates' sayings casts him in an unflattering light. According to Caxton's reading of the text, "Socrates said that women be the apparels to catch men, ... and he said that there is none so great empechement unto a man as ignorance and women, ... and he said that the ignorance of a man is known in three things, that is to wit, when he hath no thought to use reason; when he cannot refrain his covetise; and when he is governed by the counsel of women, in that he knoweth that they know not." Since the French source is so murky, it is impossible, at least for me, to know from which of Plato's works Socrates supposedly uttered these sayings. It certainly does not accord with any of Plato's *Dialogues*, with which I am familiar. In Socrates' ideal republic women are the equal of men in all respects except biologically.

And Caxton seems apologetic about Socrates' harsh opinions about women. He excuses the philosopher because Socrates knew only Greek women and not the fair sex in England: "For I [know not well], of whatsoever condition women be in Greece, [but] the women of this country be right good, wise, pleasant, humble, discreet, sober, chaste, obedient to their husbands, true, secret, steadfast, ever busy, and never idle, attemperate in speaking, and virtuous in all their works—or at least should be so." Caxton's tag, "or least should be so," is another hint at his wry sense of humor. Unless Caxton is being ironic in this encomium to women, he certainly seems to express the idealized view of women consistent with his medieval concept of chivalry



as exemplified in many of his publications, such as his adaptation of Malory's *Le Morte D'Arthur*.

Caxton's high regard for women in his *Epilogue* is reflected in what we know of his personal and professional relationship with women. He had the good fortune that the sister and brother-in-law of King Edward IV, Margaret, Duchess of Burgundy and Anthony Woodville, Earl Rivers, the brother of Edward's Queen Elizabeth, were his first two patrons. Without their support, both scholarly and financially, it is unlikely that he could have published the first book printed in the English language and the first book printed in England. But Caxton also had the bad fortune that Margaret's other brother, Richard, had little interest in Caxton's printing endeavors. An indication of the dangerous environment in which Caxton worked and lived on his return to England is the fact that Richard, who usurped the throne from Edward's son after Edward's death in 1483, murdered the boy, King Edward V, and his younger brother. For good measure Richard murdered his own brother, George, Duke of Clarence, the patron of Caxton's *Game and Play of Chess*.

During Richard's short reign (1483-1485) Caxton had to scramble for patrons. Richard beheaded his most supportive patron, Anthony Woodville, the brother of Queen Elizabeth, the widow of King Edward IV. Queen Elizabeth had also been a patron of Caxton, but when Richard murdered her children and usurped the throne, the deposed Queen could not openly patronize Caxton, who was associated with the Woodville side of the family. In 1484 Elizabeth sought sanctuary in Westminster Abbey, the same year Caxton printed *The Knight of the Tower*, a book of feminine manners and customs that he had translated from a 1371 French work by Geoffrey of Latour-Landry.<sup>10</sup> This book is laced with ribald, bawdy, and cruel tales, supposedly included to teach a moral. In his preface to the translation Caxton makes it clear that he thinks a Frenchman's view of feminine manners applies equally to the women of England. He states that the translating and



Christine de Pisan stands at the left in this miniature from the *Bibliothèque Nationale*, Paris.

printing of this book was at the request of "a noble lady which hath brought forth many noble and fair daughters, which be virtuously nourished." His biographer, Deacon and others, are almost certain that this "noble lady" was Elizabeth.<sup>11</sup> At that time she was in no position to pay for this work, and Caxton probably made a chivalrous gesture and published it at his own expense. The dowager Queen Elizabeth, however, kept up her sanctuary in the Westminster Abbey with close proximity to Caxton and his press. In 1489 she commissioned Caxton to publish a third edition the *Dicts of the Philosophers* with its epilogue praising her brother, Anthony Earl Rivers.

After Henry VII defeated Richard III, killing him at the battle of Bosworth field in 1485, Caxton once again had to rearrange his alliances and seek patronage at the new King's court. Fortunately he found another patron named Margaret in the person of the King's mother, Margaret Beaufort, Countess of Richmond and Derby, a devout and learned woman. Her books were her great treasures and she had a fine collection, both in English and French. She was fond of French books of devotion and meditation and herself translated several of them into English. Caxton's press in the Almonry at Westminster came under her special protection, and he and Wynkyn de Worde printed books at her request and expense; de Worde in 1509 styled himself "Prynter unto the moost excellent pryncesse my lady the kynge's moder."

Her choice in books was not always serious, for she lent Caxton a French romance, entitled *The Hystorie of Kyng*

*Blanchardyne and Queen Eglantyne his Wyfe*, which she had bought from him some time before. She gave it back to him with a commandment to reduce and translate it into English. In his preface Caxton dedicates this "lytyl boke," to the Lady Margaret. He thought it was just as desirable for "gentyl yonge ladies and damoysselles" to read of "noble fayttes and valyaunt actes of armes and warre which have been achevyd in olde tyme of many noble prynces lordes and knyghtes" and to 'see and know their walyauntnes

(valiantness) for to stand in the specyal grace and love of their ladies, and to 'lerne to be stedfaste and constaunte in their parte to theym.'"<sup>12</sup>

Even though Caxton began to prosper under the new Tudor regime of Henry VII, his path was by no means smooth. Margaret Woodville lost the influence she had had on the English crown after her brother, King Edward, died and her other brother, King Richard, was killed at the battle of Bosworth, but, as the Dowager Duchess of Burgundy, she exerted considerable political influence as a staunch supporter of anyone who challenged Henry VII's hold on the throne of England. This put Caxton in a precarious position for his fledgling publishing business, but he was a skilled diplomat, an astute business man, and the most accomplished printer in England.

It seems poetically fitting that he would find three royal patrons in Margaret Woodville, The Duchess of Burgundy, at the beginning of his printing endeavors, Queen Elizabeth, the wife and widow of King Edward IV and Margaret, the Duchess of Richmond, mother of King Henry VII to support him until his death. After his death Margaret continued to support his successor, Wynkyn De Worde, and together they left a rich legacy of published books that would spark the English Renaissance.

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# Discovering the Real Cyrano de Bergerac

This subject of many famous plays was a soldier, novelist, and playwright

Pierre Ferrand

I had been intrigued as a teenager by Edmond Rostand's *Cyrano de Bergerac*, which I saw at the Comedie Francaise in 1939. It was still in its first run there, more than four decades after the premiere elsewhere. Rostand's hero, I knew, was loosely based on a real person, a writer who died in 1655 at the age of thirty-six. While still in France, I had read an engaging though inaccurate 1844 essay by Theophile Gautier about him.

After coming to the U.S. in 1941, I picked up in a second-hand bookstore a reprint of Paul Lacroix's 1858 edition of Cyrano's own works in two volumes. Despite its flaws, it was an edition that has not been wholly superseded since because, unlike more recent re-issues, it reproduces the original introductions and texts of the first editions, including Henri Lebre's important preface. I became familiar with some of the aspects of Cyrano's many-faceted writings, including his some sixty "letters" (chiefly sketches, essays and satires), two of his political pamphlets, his extant occasional poetry, his amusing farce, *Le Pedant Joue* (The Pedant Made Game Of), his powerful Roman tragedy, *La Mort d'Agrippine* (The Death of Agrippina), and the novel about voyages to the moon and the sun, published after Cyrano's death.

Paul Lacroix (1806-1884), who often used the pseudonym "Bibliophile Jacob," was a historian, biographer, and novelist who had done some ghostwriting for Alexander Dumas Pere. He edited and republished many little-known French books, chiefly of the 16th, 17th, and 18th centuries. His activities as a scholar are not always exempt from flights of fancy worthy of an associate of the author of *The Three Musketeers*. Still, the texts Lacroix presented provided a good idea of Cyrano's varied talents.



This 1719 engraving crowned Cyrano with laurel

Cyrano's "letters" are of uneven quality; he was addicted to outrageous puns. But even in them he displays a wealth of ideas, many of them daring for his time, a flamboyant imagination, an irreverent sense of humor, and a gift of gab that on a number of occasions reaches the level of poetic charm or true eloquence.

Several of Cyrano's "letters" are poems in prose that describe landscapes. They contain passages admired by connoisseurs such as the poet Paul Verlaine. Others are tirades against cowards, plagiarists, physicians, and pedants. They are often effective and amusing, though most of them should not be taken too seriously. More than personal animosity, they reflect his pleasure in aggressive speech. Probably the best-known of his "satirical letters" is his attack on the actor Montfleury, paraphrased in part by Rostand in his play. He also wrote a preface to an early feminist treatise.

His "letter" entitled "Pour les Sorciers"

(For Wizards) has value as a brief anthology of witchcraft. It is a brilliant epitome of 17th century popular superstitions on the subject. More serious is his "Contre les Sorciers," (Against Wizards), a vigorous indictment of witchcraft trials, including contemporary ones, in the name of reason and common sense.

This required courage because a few years earlier, Cardinal Richelieu had sponsored a famous witchcraft trial. Alleged witches continued to be burned all over Europe. Their judicial murder was to continue in the New World till the end of the century.

His farce, *Le Pedant Joue* (The Pedant Made Game Of), is still fun to read and mocks Jean Garnier, the principal of the College de Beauvais that Cyrano attended as a boy. Garnier, in a number of ways a ridiculous figure, had died by the time the play was written, in 1645-6. The play includes effective scenes that Moliere used in his *Fourberies de Scapin*. Cyrano also presents in this play a realistic peasant speaking in dialect. This was a first for the French theatre, and Moliere repeatedly followed his lead in this, too.

Cyrano's Roman play features the first explicitly atheistic figure on the French stage. He is Sejanus, the favorite of Emperor Tiberius, who, when about to be executed, eloquently proclaims his unbelief in whatever gods there may be and goes steadfastly to his death. It would appear that this scene, though ostensibly referring to pagan gods, was considered very shocking to Cyrano's contemporaries; the play was withdrawn after the shortest of runs.

In his novel Cyrano effectively attacks many forms of anthropocentrism. This included his defense of the Copernican world view in his novel, which also took courage. Galileo's condemnation by the Catholic Church for embracing this heresy was recent history, and the great French philosopher Rene Descartes, though safe in Holland, had not dared to publish his treatise advocating a similar theory. Giordano



Bruno, the eloquent advocate of an infinite universe and a plurality of worlds, had been burned on the stake in Rome early in the century. No wonder that the hero of Cyrano's novel is persecuted on earth for proclaiming that there are worlds other than ours. He is tried both on the moon and on the sun because he is a human being. Cyrano emphasizes that humans have no basis for believing themselves superior to all other forms of life that may exist throughout the universe.

Part I of Cyrano's novel, *The Estates and Empires of the Moon*, was published after his death by his childhood friend Henri Le Bret, who wrote a valuable introduction for it. Le Bret censored the novel's text, omitting phrases and even whole sections he thought particularly offensive to the pious, and presented it as a "Comical History" to make it appear more harmless than it still was even after the omissions. Part II, *The Estates and Empires of the Sun* was left unfinished and appears to have been similarly censored before publication, possibly by Cyrano's brother.

Lacroix had been unable to obtain a more complete manuscript from a fellow scholar who wanted to publish it himself, but never got around to it. Like subsequent biographers of Cyrano, he repeatedly used his intuition and vivid imagination to flesh out his writer's life history, sometimes in accordance with his own prejudices. He used Le Bret's claims that some of Cyrano's manuscripts had been stolen from him to imagine that these alleged thefts were part of a conspiracy by religious bigots to suppress the works of a dangerous writer.

Lacroix had no way of knowing just how dangerous Cyrano was because he had no access to the manuscripts. Also, he had not discovered archival records about Cyrano and his family that have been found since, and erroneously believed that Cyrano was a nobleman from Gascony. Still, he portrayed an author who was both intriguing and unorthodox.

A year or so after picking up the Lacroix edition, I purchased (also second-hand) several volumes of the 15-volume collection on the *Le Libertinage au 17eme Siecle* edited by Frederic Lachevre, a right-wing French scholar who published this series about 17th century freethinkers in limited edi-

tions for distribution to research libraries and fellow scholars. He hated all free-thinkers, believing them debauchees. He was very hostile to the 18th century Enlightenment and to the achievements of the French Revolution. He single-mindedly focused on Cyrano's alleged atheism and other unorthodox views and published, in 1921, some uncensored manuscripts of Cyrano's writings as well as Cyrano family records and other relevant texts. He accompanied this material with hostile and sometimes quite preposterous comments about Cyrano.

Some of the records had been published before Lachevre got around to it, and, indeed, a German scholar issued an edition of Part I of Cyrano's novel in 1910 based on a rather faulty manuscript (the so-called "Munich manuscript") whose manifest errors had not convinced scholars of its authenticity. The manuscript Lachevre used (known as the "Sydney manuscript" because it is now in Australia), and a third manuscript which is at the Bibliotheque Nationale in Paris, are now the bases for the many reprints of Part I of Cyrano's novel (no manuscript of Part II has been found to date and may no longer exist). The novel is no longer a mere "Histoire Comique" and is entitled more provocatively, *L'Autre Monde* (The Other World) as in the existing manuscripts that are clearly handwritten copies of one of Cyrano's own subversive versions.

The evidence printed by Lachevre shows that Savinien Cyrano was born in Paris, the son of an attorney who had inherited two estates near Dampierre, south of Paris. His grandfather, an Italian immigrant, made a fortune as a merchant and had bought a charge of "Secretary to the King" which would have ennobled him and his descendants if he had lived long enough, but he didn't. His father, Abel, was 51 when Savinien was born. Seventeen years later, Abel sold or had to sell the two estates where Savinien was raised during part of his childhood. He was getting old, becoming less active, and poorly managing his own affairs. Two of Savinien's siblings entered the Church, including an older brother who studied to become a priest and died in his early twenties, and a younger

sister who became a nun. Savinien, on the other hand, was a born rebel and appears to have rejected parental authority when still quite young, and struck out on his own. Le Bret suggests that his father showed little interest in his offspring anyway.

Savinien had undoubtedly adopted the Gascon name "de Bergerac," a designation of one of the estates Abel sold, by the time he joined, together with his childhood friend Henri Le Bret, the Gascon regiment of Carbon de Castel-Jaloux at age 20. It was protective coloring among proud, clannish, and irascible Gascon noblemen, especially for a young man who was not really an aristocrat. So was his skill in duels which, according to Le Bret, was an important means to gain distinction and made him known as a "demon de bravure" (a demon in courage).

He also saw front-line service in the siege of Mouzon, in 1639, and the following year, at the siege of Arras, but as a member of the non-Gascon regiment of the Prince of Conti. He was wounded in both campaigns and attracted by his courage the notice of a respected French general of the time, the Marechal de Gassion. He decided to forego the patronage of this senior officer because, says Le Bret, he wished to remain independent.

Few details are on record about his life from 1640 to the early 1650s. We know that he no longer was in the army, read and wrote a lot, and consorted with young men who enjoyed, as he did, untrammelled discussions in taverns and elsewhere about everything under the sun. One of them was Chapelle, whose father's honored guest in Paris, for several years, was Pierre Gassendi. This respected philosopher and astronomer, an opponent of the doctrines of Aristotle that still dominated orthodox thought, was reviving the physical theories of Epicurus and Lucretius. It is certain that Cyrano absorbed much of the authentic epicurean world view of which Gassendi was a distinguished advocate and found it useful in challenging many of the prejudices of his contemporaries. Another young associate was the son of the well-known skeptical philosopher, La Mothe le Vayer. Others were fellow writers, and Cyrano contributed prefatory prose and verse to some

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of their books. His own works, still unpublished, circulated in manuscript. Their daring appealed but also frightened some of his friends, one of whom wrote in the conclusion of a poem about his novel, "I fear the people of the *Other World*."

Cyrano was obviously respected by his associates because of his imagination and wit. He also kept his reputation of a pugnacious and fearsome fighter. This does not mean that the stories that he was abnormally sensitive to any comments about his nose and fought duels about it have any basis in fact. They may have been derived from an account written more than a decade after Cyrano's death by the comic writer d'Assoucy, a former friend of Cyrano with whom he had quarreled. Cyrano had attacked him in deliberately extravagant terms in one of his "Letters," and d'Assoucy returned the compliment in pages which are an elaborate joke not to be taken seriously. Judging by reasonably reliable Cyrano portraits of the period, his nose was substantial, but not exceptionally so, and not deformed.

The fiction about Cyrano's nose soon became a popular anecdote and part of the Cyrano legend, whose most elaborate (and sentimental) form is Rostand's play. Cyrano's faithful friend Lebreton does not refer to it. On the other hand, he names half a dozen officers, some of them famous in their day, and their testimonials to Cyrano's outstanding valor. He also claims that Cyrano performed a feat of arms which he calls "superhuman," witnessed, he says, by a senior officer of Conti Regiment, Monsieur de Bourgogne, and others. According to Lebreton, Cyrano battled single-handedly against a lynch mob of some hundred men to rescue an (unnamed) friend and put them to flight after wounding nine men and killing two.

We cannot cross-examine M. de Bourgogne at this time. We do not know whether such a street brawl did or did not happen. The fact that there is no other contemporary record of it means little. Riots, street brawls and assaults happened often but were only sporadically reported in memoirs, books of gossip, or official records. It was, after all, an era before daily



*Cyrano on his way to the moon, from a posthumous 1662 edition.*

newspapers, radio and television, and, for that matter, before regular police and effective law enforcement in most circumstances. While eager to present Cyrano in the best possible light, his admiring friend Lebreton was basically honest and sincere, and I do not think was really lying or fantasizing about the matter, though the mob and the victim figures may have been inflated.

Lebreton also states that Cyrano practiced temperance in food and drink as well as continence and respect toward women. While he certainly was not sentimental or moralistic about these matters, this was generally true. Cyrano usually lacked resources for debauchery and was definitely more interested in subversive books and ideas than in more active sins, but he was no saint. One fact, documented by a contract with a physician, is that he was very ill during the mid-1640s and required special care. His disease may have been contracted during a casual one-night stand. Cyrano, characteristically, wrote a good poem about it, describing his ills with self-mocking humor. He was a skillful poet in various modes, though only a handful of his poems have been preserved. Also, during the French civil wars that began in 1648, he wrote an effective though scurrilous satire in verse and several political pamphlets in

vigorous prose.

The first part of his novel *The Other World* was completed by 1649, and it was a true philosophical novel, reflecting, among other things, the irreverent kind of wide-ranging conversations he had conducted for years with his friends. Many of the dialogues and episodes in the book include forceful dissent from accepted ideology and beliefs. They questioned the validity of any authority apart from reason. They criticized the fairness of the power of parents over their grown-up children, a key feature of the society of the period, and the way justice was administered. They showed the absurdity of wars, duels, the concept of honor, and many sexual taboos. They questioned funeral practices, whether the human soul was immortal, and whether there would be resurrection of the flesh. They argued against miracles and discussed, with irreverent humor and fantasy, other dangerous subjects such as whether or not the world was infinite and eternal, was created by God, or indeed, whether God existed at all.

The plot of Cyrano's book does attempt to demonstrate the Copernican system, and he was clearly quite familiar with some of the best science of his time. He outlines, with imagination and humor, and at some length, ideas about the constitution of matter, the physiology of man, and many other subjects. His fancies include suggestions of jet propulsion and interplanetary rockets, not to mention balloons, parachutes, and audio mechanisms instead of books. He highly praises imagination, and he had a gift and the knowledge of a good popularizer. Admittedly, some of his theories, then at the cutting edge of progress, are obsolete today and are of interest chiefly to historians of science. Cyrano himself did not have an unconditional belief in them. Also, some of the details of his alleged devices to reach the moon were clearly intended as jokes, and he specifies, himself, that his sallies and pronouncements were not always to be taken seriously. It is often difficult to affirm with assurance what his real convictions were.

I have long felt that Cyrano was a skeptic, as his life-long friend Lebreton affirmed. This applies to his scientific and to his social and

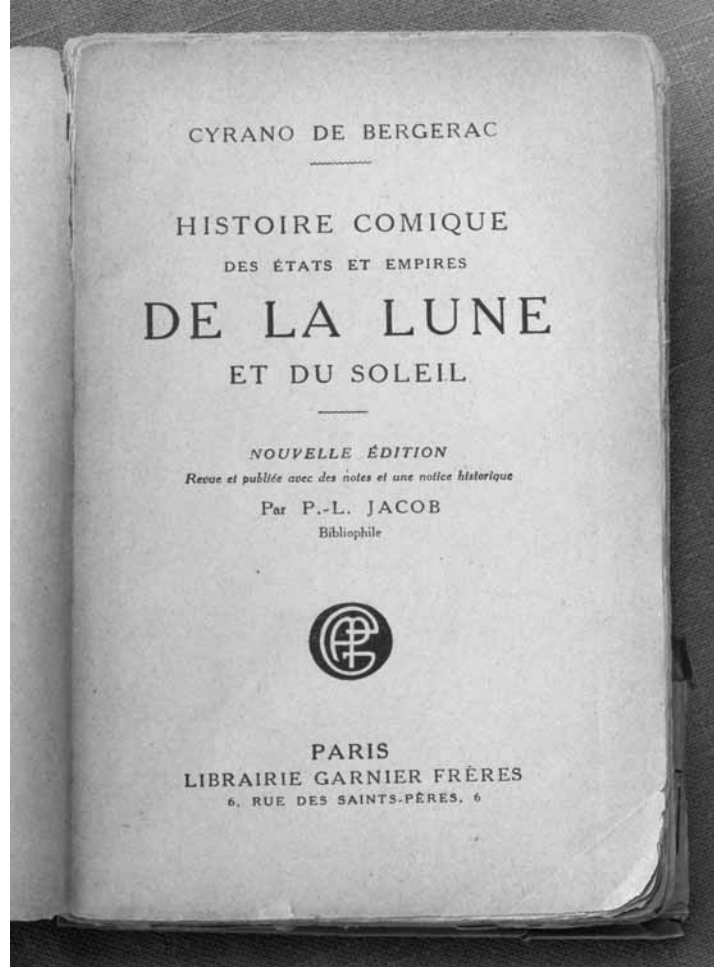


religious convictions. While he was certainly interested in the theories of his contemporaries, Gassendi and Descartes, and was amused by those of Campanella and others, he was no one's blind follower. Neither was he a dogmatic atheist. He liked to joke, to play with ideas, and to shock people. He was ready to consider many possibilities and clearly held that an unexamined life was not worth living. An agnostic, he valued reason but was aware of its limitations, and, indeed, the limitations of the human condition,

The editor of the best current critical edition of Cyrano's novel, Jacques Prevot (Editions de la Pleiade, 1998), suggests that he should be read in counterpoint to the *Thoughts* of Blaise Pascal, his contemporary.

Indeed, it has repeatedly been pointed out that Pascal's famous "argument of the bet" (in his *Pensees*), was refuted in advance by Cyrano, who denied the logical validity of betting on the existence of God. There are a number of other startling contrasts and parallels. Pascal, from a very Christian perspective, comes to conclusions similar to those of Cyrano, whose approach was very secular, about the absurdities and injustices of this world. Also, Cyrano, in one of his "satirical letters," attacks the morals of Jesuit casuists in a way reminiscent of Pascal's subsequent writings on the subject.

Lebret says that, at the time he left the Duke's patronage, Cyrano was wounded by a blow on the head. He was given shelter and care by a nobleman and high government official, Tanneguy des Boisclairs, to which the posthumous edition of the first part of his novel is dedicated. He needed care because he was sick for some fourteen months before he died. Lebret reports that he was in contact with the founder of the Paris Convent of the Daughters of the Cross, his sister Catherine, who was a nun there, and another lady, Madeleine Robineau, a cousin and a widow of Baron Christophe de Neuville who had died at the siege of Arras fifteen years earlier. She



*The author treasures this edition, because it reprints the hard-to-find Henri Lebret interpretive material.*

had become very devout. It appears that they were trying their best to convert him, and Lebret seems to have believed that they had succeeded. Lacroix states that he may just have been polite to them and to his friend Lebret, a good Catholic. However that may be, it is interesting to note that a few days before his death, Cyrano was transported to the home of another cousin, to the north of Paris. Lacroix speculates that this was done to place him out of the reach of the ministrations of the pious ladies. He died there, as Lebret admits, and we have an official record, a death certificate which confirms this fact. Both Lacroix and Rostand say that the head wound was murder. Lacroix believed that it was the act of religious fanatics. Rostand votes for an ambush by Cyrano's enemies who hated him because he championed causes which shocked the powers that be. These are unlikely speculations. Also, it is by no means certain that the blow on the head was the cause of his death fourteen months later. We have no autopsy records.

At any rate, we can confirm that Baron Christophe had no real resemblance to the Christian of Rostand's play, Madeleine was

no Roxane, and Cyrano was no romantic lover, but an author who is now considered one of the most remarkable writers of the French 17th century. His novel, especially Part I, originally published in 1657, is considered a classic and is widely read in France. Part II, the voyage to the sun, first published in 1662, has attracted somewhat less attention because the fragmentary version we have is less provocative. But it too is quite readable and has its own fascination. It describes the nightmare of its hero's persecution on earth and on the sun—not without Cyrano's typical feeling for the absurd and comic touches. It has some lovely fairy-land passages, deals with Campanella's utopia, *The City of the Sun*, with elegant irony, rewrites in an original way a lot of classical mythology dealing with the theme of friendship, and chal-

lenges, among other things, the concept of authoritarian rule.

It is regrettable that we do not have the final versions of Cyrano's novel. Still, his work has inspired Moliere, Jonathan Swift's *Gulliver's Travels*, and Voltaire's cosmic voyage, *Micromegas*, among others. Despite (and perhaps because) his style and ideas were considered extravagant by neo-classical standards, he was reprinted throughout the 17th and 18th centuries. He continues to be considered stimulating, as witness at least a dozen French re-éditions of his novel and other works during the past sixty years.

For those who do not read French, there are several 17th and 18th century translations of his works, and a fine 1923 version, including a good introduction, of the *Voyages to the Moon and the Sun* by the noted imagist poet, novelist and biographer Richard Aldington.

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*All illustrations of books from the author's collection, photographed by Robert McCamant.*

# Blockheads and Bloggers

Martha Woodmansee, Joseph Loewenstein, and Some Observations on Copyright Yesterday and Today

By Steve Tomashefsky

*Professors Woodmansee and Loewenstein will be among the participants in the Caxton Club's April 1, 2006 Symposium, "The Past and Future of Intellectual Property," to be held at the Newberry Library. This essay reviews some of their published work in the field.*

Samuel Johnson, who was both a provocative wit and a man of great common sense, observed that "[n]o man but a blockhead ever wrote, except for money."<sup>1</sup> Those ten words capture a primary motivation for protecting authors' rights in what they have written. Writing (or composing music or painting pictures) is work. Rational authors would not undertake that work without some expectation of gain. But if authors could not prevent others from appropriating their work, their expectation of gain would be diminished, perhaps even eliminated. Would a publisher pay an author for the rights to a book if other publishers could copy and sell it without paying the author? Perhaps under certain circumstances.<sup>2</sup> But generally not.

On the other hand, we are seeing an enormous expansion of the Blogosphere, where thousands of writers post often extensive and sometimes well-reasoned essays for free on the Web, with no apparent motive other than the desire to spread information and share opinions. Many bloggers oppose the notion that authorship, creativity, and the spread of knowledge should be within anyone's power to control, and they support various versions of an intellectual-property commons.

In the United States, protection of intellectual property is written into the Constitution. The Framers provided that:

Congress shall have Power . . . To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.<sup>3</sup>

Interestingly, that is one of the few powers granted to Congress for which the

Constitution provides an express rationale. Most other congressional powers are simply stated. But the power to grant authors and inventors the exclusive right to their writings and inventions apparently required some justification: "promot[ing] the Progress of Science and useful Arts."

One might wonder whether granting authors and inventors the exclusive right to their writings and inventions is the best way to promote progress in science and the useful arts. Their exclusive rights can allow them to *block* progress by preventing others from building on their work—or, as is more common, they can make progress more expensive by requiring others to pay royalties for the use of their work.

The Constitution operates from the premise that the stimulus provided by the profit motive outweighs the drag created by monopoly. Even in Johnson's day, however, the idea that authors would never take up the pen without the expectation of financial reward came into question. Boswell himself, while reporting Johnson's epigram, calls it a "strange opinion, which his indolent disposition made him utter." Boswell goes on to say, "Numerous instances to refute [Johnson's statement] will occur to all who are versed in the history of literature."<sup>4</sup> Boswell provides no examples, and—the occasional Henry Darger notwithstanding—I suspect the image of artists driven to create with no hope for, or interest in, financial reward is more a fiction encouraged by art consumers than a reality experienced by artists themselves.

Martha Woodmansee, professor of English and Law at Case Western Reserve, offers an important analysis of the interplay between our conceptions of an author's property rights and our conceptions of authors. Her essay, "Genius and the Copyright,"<sup>5</sup> begins by observing that "[t]he 'author' in the modern sense is a relatively recent invention, a product of . . . the emergence in the eighteenth century of writers who sought to earn their livelihood from the sale of their writings to the new and rapidly expanding reading public." (p. 36.)

But Woodmansee's core claim is not

simply that the modern "author" is someone who expects to earn a living from his or her writing. Rather, Woodmansee traces the transformation from a Renaissance conception of authors as mirrors of nature to a Romantic conception of authors as creators of a personal reality. To exemplify the former concept, Woodmansee cites Pope's lines, in his 1711 *Essay on Criticism*, that

True wit is Nature to advantage dressed;

What oft' was thought but ne'er so well expressed.

Woodmansee's example of the Romantic concept is Wordsworth's statement, in his 1815 "Essay, Supplementary to the Preface," that "Genius is the introduction of a new element into the intellectual universe; or, if that be not allowed, it is the application of powers to objects on which they had not before been exercised, or the employment of them in such manner as to produce effects hitherto unknown." (pp. 37-39.)

In Woodmansee's historical analysis, the conceptual transformation from mirror to creator is the linchpin of an author's claim to ownership of his or her works. Under the old order, knowledge and inspiration were said to be God-given and therefore must be shared as communal property. Writers received payment in the form of "honoraria," not as a bargained exchange for the commercial value of their work, but as a sort of patronage. Indeed, Woodmansee cites the case of Christian Fürchtengott Gellert (1715-1769), a popular German poet, who was "reluctant, even ashamed to take money for his poetry because he did not conceive of writing as an occupation." (p. 44.)<sup>6</sup> One can almost hear Johnson muttering, "Blockhead!"

Woodmansee does not rest her entire analysis on the growing recognition of an author's intellectual uniqueness. She observes, as many others have done, that early attempts to protect an author's copyright, such as the English Statute of 8 Anne (1710), were primarily intended to benefit the book trade by protecting its investment in producing and marketing the physical book. But she also observes that pirate edi-



tions created harm more far-reaching than simply depriving authors, printers, and booksellers of income. "Conscientious" publishers often cross-collateralized losses on scholarly books with their profits on potboilers, enabling authors of niche-market works to be published when their own sales would not justify the publisher's investment.<sup>7</sup> But when pirates creamed off the best-sellers, the niche authors suffered the consequences along with the publishers.

Book piracy had its supporters, however, from intellectual as well as commercial quarters. In a now widely circulated passage written by Christian Sigmund Krause in 1783, Woodmansee finds a spirited defense of authorship as common property. Krause appears to acknowledge that an author's ideas can be a form of property, but he sees in the act of publication a surrender of the author's ownership claim: "A published book is a secret divulged.... My property must be exclusively mine; I must be able to dispose of it and retrieve it unconditionally. Let someone explain to me how that is possible in the present case." Krause concludes: "No, no, it is too obvious that the concept of intellectual property is useless." (pp. 50-51.)

Of the several possible responses to Krause's argument, Woodmansee focuses on the contemporaneous debate on the nature of authorship. She cites Johann Gottlieb Fichte (1762-1814), who observed—in terms that would be familiar to modern copyright lawyers—that an author's ideas have an original or unique *form*, which remain his exclusive property even if the ideas themselves become a sort of common property.

Joseph Loewenstein, Professor of English at Washington University, approaches the development of copyright protection from a more political viewpoint. In his essay, "Milton's Talent: The Emergence of Authorial Copyright,"<sup>8</sup> Loewenstein observes that, in 17th Century England, the main battleground was among printers, booksellers,

and Parliament and mainly concerned the right to regulate (i.e., censor) what was published and sold. Authors were mostly on the sidelines in that battle (except as defendants in criminal seditious cases).

Speaking for the printers, the royalist Richard Atkyns asserted that the right to print derived directly from the crown because, he argued (apparently ignoring Caxton), printing had been introduced into England by King Henry VI (1421-71) himself. All printers thus were permitted to print on the king's sufferance, and the king retained the right to impose any limits or regulations he saw fit. By giving the printers a royal lineage, however, Atkyns also gave them a primacy over the booksellers in the ownership of literary property.

It remained for the booksellers to distinguish between the book as a physical object and the book as a means of expression, recognizing the division of ownership between the physical book and its intellectual content. The vehicle for drawing that distinction was authors' rights. An anonymous broadside of 1666, titled "The Case of the Booksellers," argued against Atkyns by

assigning the original property right to the author, who then is free to sell that right to anyone—including a bookseller.

Yet the author's own interests were not entirely lost in the commercial struggle between bookseller and printer. In a revealing vignette, Loewenstein describes the battle waged by Roger L'Estrange (1616-1704) against both booksellers and printers. L'Estrange was Britain's chief official Licensor until his party fell out of favor. Something of a scholar, he wrote a history of the so-called "Popish plot" but found himself stymied by booksellers who claimed his work infringed accounts they had previously published. L'Estrange's response, *The Free Born Subject* (1679) presented what Loewenstein describes as a "spluttering" but pioneering argument for fair use and the public domain:

*At this rate, we shall have all Sermons forfeited to the Kings Printers, for the Descanting upon Their Bibles, and all Books whatsoever, to the Company of Stationers, because they are made out of the Four and Twenty Letters; and the A B C is Their Copy. . . .*

*What a Scandal is this to the Commonwealth of Letters? What a Cramp to Learning, and Industry? That if I have a mind to Compile a History, I must go to Forty little Fellows for leave, forsooth, to Write the Narrative of the Proceedings upon our Blessed King and Martyr, the Brave Earl of Strafford, . . . because some or other of them has lurch'd, perhaps, a Copy of Their Trials. (p. 208.)*

Though he comes from a different starting point, L'Estrange's argument draws the distinction Fichte had advanced between ownership of an idea and ownership of the form in which an idea is expressed. L'Estrange recognized that granting property rights in a subject matter would effectively block the development of new ideas and make it difficult for authors to earn a living.<sup>9</sup> If copyright went that far, it must be socially undesirable.

L'Estrange wrote during an era when there was no statutory protection of copyright. Commercial protection for published works in England stemmed from the guild system through the Stationers' Company.

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Under its royal charter, the Company kept a Register in which printers or publishers were required to enter their publications to obtain a license to print them. By a process of self-regulation, members of the Company agreed not to publish a book if another member had entered it first. But that licensing regime ended in 1695, when Parliament decided that it no longer served the purpose of controlling seditious publications and had become purely a vehicle supporting a monopoly of trade. A free-for-all resulted.

That changed in 1710, when Parliament enacted the Statute of 8 Anne, the first law explicitly granting a copyright to authors. But, as Loewenstein points out, the Statute of 8 Anne represented a victory for the book trade, establishing the author as the original source of a property right but granting protection to the author's "proprieters" or assignees.

Loewenstein ultimately seeks a deeper understanding of authorial property. He rejects Johnson's view as too limited because it only "insist[s] on the commercial measure of authorial talent." (p. 244.) While that judgment may be unfair—Johnson is, after all, the man who wrote, in his *Life of Milton*, that "[t]he highest praise of genius is original invention"—Loewenstein does emphasize the subjective nature of how we have come to "value" intellectual property since the Romantic era. Books that sell too well are suspect, and some of the greatest books sold hardly at all during the author's lifetime. Woodmansee has observed that there is a significant social difference between recognizing a property

right and recognizing talent; doggerel is no less its author's property than great poetry.<sup>10</sup> But the question of "originality" itself, as Loewenstein suggests, has come to dominate the current debate over intellectual property as the Romantic notion of pure original genius has morphed into a more nuanced (yet perhaps more 18th Century) view that all intellectual work is derivative to some extent.

Writing in *Wheaton v. Peters*, 33 U.S. 591, 654-55 (1834), U.S. Supreme Court Justice John M'Lean observed:

Perhaps no topic in England has excited more discussion, among literary and talented men, than that of the literary property of authors. So engrossing was the subject, for a long time, as to leave few neutrals, among those who were distinguished for their learning and ability.

Much the same could be said today, though the discussion has expanded worldwide. The Internet has made both printers and booksellers unnecessary (though not undesirable). Blogging and other forms of Internet publication allow authors direct access to their readers and readers free access to both copyrighted and uncopyrighted material. We tend to perceive the current Napster and Google-inspired controversies as new, driven by remarkable technologic changes unimaginable to the MPs who enacted the Statute of 8 Anne and to the Framers of the Constitution. As Woodmansee and Loewenstein have shown, that perception would be dead wrong.

<sup>1</sup> James Boswell, *Life of Johnson* (Oxford: Oxford

World's Classics Paperback, 1998) 731 (entry for April 5, 1776).

<sup>2</sup> A publisher who deals with the author might be able to provide certain enhanced value unavailable to the copycats. For example, the author might autograph the authorized copies or, where relevant, undertake to answer questions posed by readers who can prove they purchased an authorized copy.

<sup>3</sup> United States Constitution, Art. I § 8. Note that the Constitution does not itself protect writings and discoveries. It merely authorizes—but does not require—Congress to enact protective legislation. In 1790, Congress did pass the first Copyright Act.

<sup>4</sup> Boswell, *Life of Johnson* 731 (entry for April 5, 1776).

<sup>5</sup> The essay appears as Chapter 2 of Martha Woodmansee, *The Author, Art, and the Market: Rereading the History of Aesthetics* (New York: Columbia University Press, 1994). Bare page citations are to that volume.

<sup>6</sup> To be sure, a reluctance to receive payment for a literary work does not necessarily amount to a willingness to have others publish unauthorized copies for their own financial benefit.

<sup>7</sup> Similar arguments are made today by publishers, record companies, and drug companies, among others, who say they need profits on "hits" to support their losses on many "flops."

<sup>8</sup> The essay appears as Chapter 7 of Joseph Loewenstein, *The Author's Due: Printing and the History of Copyright* (Chicago: University of Chicago Press, 2002).

<sup>9</sup> Similarly, the U.S. Supreme Court has held that "[t]he most fundamental axiom of copyright law is that no author may copyright his ideas or the facts he narrates." *Feist Publications, Inc. v. Rural Telephone Service Co., Inc.*, 499 U.S. 340, 344-45 (1991), quoting *Harper & Row, Publishers, Inc. v. Nation Enterprises*, 417 U.S. 539, 556 (1985).

<sup>10</sup> Woodmansee does not necessarily regard as a good thing the Romantic elevation of "creativity." In her paper "Response to David Nimmer," 38 *Houston Law Review* 231, 232 (2001), she expressly rejects—as "specious"—the supposed distinction between "truly creative" authorial work and mere "hackwork."

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<sup>1</sup> N. F. Blake, *Caxton: England's First Publisher*, (New York, N. Y., Barnes and Noble Books, 1975), p. 21.

<sup>2</sup> Henry R. Plomer, *William Caxton*, (New York, N. Y., Burt Franklin, 1925), p. 98.

<sup>3</sup> When I first attended a medieval conference as a young faculty member back in the 1960s, only a few of the scores of scholarly papers about medieval literature were by and about women. When I read a paper in the 1990s at the Inter-

national Medieval Congress at Western Michigan University, past the age when such events made any difference in my concerns about tenure and promotion, a good many, if not a majority of the papers, were by and about women.

<sup>4</sup> N. F. Blake, *Caxton and His World*, (London, Andre Deutsch Limited, 1969), p. 85.

<sup>5</sup> Plomer, p. 99.

<sup>6</sup> W. J. B. Crotch, *The Prologues and Epilogues of William Caxton*, (London, Early English Text Society, 1928), p. 32.

<sup>7</sup> Richard Deacon, *A Biography of William Caxton*, (London, Frederick Miller Limited, 1976), p. 62.

<sup>8</sup> George D. Painter, *William Caxton, A Biography*, (New York, G. P. Putnam's Sons, 1976) pp. 86-89. Although all Caxton's biographers referred to in this paper are valuable sources of information about Caxton, Painter seems to me to update the earlier biographers with more accurate and comprehensive data.

<sup>9</sup> Margaret E. Scholfield, *The Dicts and Sayings of the Philosophers*, (Early English Text Society, Oxford University Press, 1961), pp. 23-40.

<sup>10</sup> Painter, pp. 126-28.

<sup>11</sup> Deacon, p. 72.

<sup>12</sup> Crotch, pp. 104-05.



# Lust for Sale

Book Lust Exhibited at Holiday Revels!

Dan Crawford

Honest! One of the items for sale at the 2005 Revels auction was an action figure holding a volume called *Book Lust* (donated by Ed Bronson).

The evening was memorable, with music and magic and a meal people exclaimed about as they left. (The dessert may enter Club legend.) If the turnout was a little small, those who attended made up for the evening with fun, frolic, and friendly cut-throat competition for the books donated by members for their enjoyment.

The Auction Statistician was on hand to gauge the results of this year's experiments: Asking members to donate books they were responsible for (this worked nicely) and featuring the list of books on the Website instead of emailing a catalog to members the weekend before (not so popular; the consensus was that both a Website list and an emailed list would make people happier). He was also there to pick out the highlights and those bits of the evening which were quantifiable. Here's what he reports:

Attendance: 95. ♦ Bidders: 63 (nearly 2/3 of the group!). ♦ Bidders Who Won Something: 49. ♦ Items For Sale: 140 items in 107 lots. ♦ People Who Bid On Five Or More Lots: 16. ♦ Bidder With The Most Bids And Nothing To Show For Them: one woman bid on 6 different lots and won nothing. ♦ Bidder With The Most To Carry Home: 1 bidder bid on 10 lots and won 9 of them. ♦ Husband/Wife Bidding Teams: 4. ♦ Unsold Items Included In The Surprise Package At The End Of The Live Auction: 9. ♦ Most Items To Carry Home From The Live Auction: 1 bidder won 3 items.

Donor (And Bidder) From Farthest Away: Lee J. Harrer sent books and bids from Florida. ♦ Youngest Donors: the new Caxton Scholarship recipients, Aimee Lee and Sara Otto, will build a drop-spine box to order for the winning bidder. ♦ Most Famous Bidder: one member in a red hat signed his bidsheets as "Santa". ♦ First Memorial Donation: a whoopee cushion

and book by Penn and Teller were donated "by a Spirit of Mischief in Memory of Jay Marshall." ♦ First Cash Donations: Caryl Seidenberg was the first to send in a check to cover the expenses of the auction. ♦ Most Intriguing Donor: *Crossroads of Antietam* was one of three anonymous donations; this was listed as having been donated by "The Anonymous Whitefish."

Books Written, Designed, Printed, Or Otherwise Featuring Past Or Present Members Of The Caxton Club: 42. ♦ Signed Books: 19. ♦ Books Signed By Nobel Laureates: *The Captive Mind* by Czeslaw Milosz (donated by James R. Donnelley). ♦ Oldest Item For Sale: *History of the Destruction of the Helvetic Union and Liberty*, 1799 (donated by Tom Swanstrom). ♦ Newest Item For Sale: *The Incident of the Dog in the Night-Time* was hot off the presses (donated, printed, sewn, bound, clasped and carried by Muriel Underwood).

Largest Items For Sale: Twelve wall panels from the "Inland Printers" exhibit, each measuring about two feet by three feet (donated by the Caxton Club). ♦ Smallest Item For Sale: *Adverse Advice*, a miniature book of conflicting proverbs (donated, designed, and printed by Jeanne Goessling). ♦ Lightest Item for Sale: a print of Sir Alastair Gordon's "Rose" (donated by The Caxton Club). ♦ Heaviest Item for Sale: Another tie this year, between the *Compact Edition of the Oxford English Dictionary* (donated by Susan J. Keig) and the two-volume *Wild Flowers of New York* (donated by Ed Ripp). A lot of books donated this year were probably pretty close, provoking the Club Book-Hauler to repeat his plea for an all-miniature sale next year.

Largest Sum Ever Paid For A Caxton Auction Item: the winning bidder paid \$1,100 for Ambrose Bierce's *One of the Missing* printed by the Yolla Bolly Press (donated by James R. Donnelley). ♦ Item With the Most Bids: Two items required a second bid sheet to handle all the business; *The Field Building* (donated by R.R. Donnelley & Sons) was the more excitable, with 23 bids. ♦ Most Yearned-After Caxton

Publication: a catalogue for a Caxton Club exhibition at the Art Institute in 1917 required 16 bids to meet its new owner.

Most Books About One Caxtonian: Three books about Bruce Rogers (Caxtonian from 1926 to 1957) were donated by Bruce and Margaret Beck. ♦ First Item to Involve Stewed Frogs: A menu for the Palmer House from June 21, 1885 (donated by R.R. Donnelley & Sons).

Most Misleading Title: *The Landscape Annual* for 1832 was a beautifully illustrated account of Thomas Roscoe's travels in Southern Italy (donated by Morrell Shoemaker). ♦ Second Most Misleading Title: Edward Bulwer-Lytton's 1854 novel *The Caxtons* didn't have a single scene set at the Club (donated by Paul T. Ruxin). ♦ Books That Got Bad Reviews in the Caxtonian: An uncorrected proof of Jean Auel's *Clan of the Cave Bear* (which was compared unfavorably by Pierre Ferrand to *The Flintstones*; donated by another Caxtonian regular, Kathryn Tutkus). ♦ Leaves For Sale: As a look back at the leaf book exhibition, two facsimiles of Kelmscott Chaucer leaves (donated by Michael Thompson).

Books Inscribed By Recent Dinner Speakers: *A Gentle Madness* by Nick Basbanes (donated by Karen Skubish) and *The Time Traveler's Wife* by Audrey Niffenegger (donated by Dorothy Sinson). ♦ Books Sniffed At By One Customer As Being Too Naughty For Public Display: 3 (These were donated by Ray Epstein, Hayward Blake, and Lee Harrer, but wild horses couldn't drag out the name of the sniffer. And it's no use asking the titles of the books; they're already sold).

Number Of Dollars Raised: Pending collection of a few small IOUs, the 2005 total is \$8,530. ♦ Number Of Auctions Where We Made More Money Than That: 0. ♦ Number Of Books I Wanted That Somebody Else Bought: 4. ♦ Number Of Books YOU Wanted That Somebody Else Bought: You can't know this unless you attend.

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## Book and manuscript-related exhibitions: a selective list

Compiled by John Blew

"A variety of original documents illustrating the history of copyright and intellectual property" at the Newberry Library, 60 West Walton Street, Chicago (312) 255-3691 (15 March 06 to 22 April 06) *In conjunction with the 2006 Symposium on the Book, The Past and Future of Intellectual Property, being sponsored by the Caxton Club at the Newberry Library on 1 April 06*

"The Legacy of Viridung: Rare Books on Music From the Collection of Frederick R. Selch," at the Special Collections Research Center, University of Chicago Library, 1100 E. 57th St., Chicago 773-702-8705 (6 March 06 to 15 June 06)

"Revolution and Invention—24 Floral Masterpieces, 1801," a recently acquired portfolio of plates by Gerard van Spaendonck, the greatest flower painter of his era, at Sterling Morton Library, Morton Arboretum, 4100 Illinois Route 53, Lisle, IL 630-968-0074 (7 March 06 to 15 July 06)



*Viridung at the University of Chicago.*

AURELIO MARINATI. SOMMA DI TUTTE LE SCIENZE, 1587. FULL PAGE WOODCUT OF A WOMAN HOLDING A VIOL (SIG. I 4v r.72) FROM THE SELCH COLLECTION.

"Dido and Aeneas: Purcell's Opera, Illustrated Editions of Vergil's Aeneid, and the Classical Canon Then and Now," at the James R. Getz Archives and Special Collections of the Donnelley and Lee Library, Lake Forest College, 555 North Sheridan Road, Lake Forest, IL 847-735-5064 (closes 31 March 06)

"Walter Netsch and the Northwestern University Library," Main Library, Northwestern University, Evanston 847-491-3636 (closes 30 March 06)

"Exploration 2006: The Chicago Calligraphy Collective's 20th Annual Juried Show" at the Newberry Library, 60 West Walton Street, Chicago 312-255-3691 (closes 1 April 06)

"The Other Promised Land: Vacationing, Identity and the Jewish American Dream," Spertus Museum, 618 South Michigan Avenue, Chicago 312-322-1700 (closes 4 June 06)

*Members who have information about current or forthcoming exhibitions that might be of interest to Caxtonians, please call or e-mail John Blew (phone: 312-807-4317, e-mail: jblew@bellboyd.com).*

## Club Notes

### Honorary Memberships

At the January 18 meeting, the Council approved the following resolution, formalizing the process for selecting Honorary Members:

Honorary Members are elected for life by the membership of the Club upon the discretion and recommendation of the Council. A Recognition Committee will be created which will receive and collect names from the general membership and submit names to the Council.

From time to time, the Club will recognize individuals who, for an extended period of time, have faithfully served The Caxton Club by acts and efforts which are consistent with the objectives of the Club. Contributions to the field of book arts and literary study are among the areas for consideration.

Factors toward recognition may include contributing to the book, its study, its content, editing, designing, printing, publishing, library science,

its collecting, the development and presentation of programs, education applicable to the above and the administration of the Club.

A committee has been appointed, chaired by Hayward Blake. Suggested names should be directed to Hayward.

### Symposium Reception

The brochure for the April 1 symposium inadvertently omitted mention of the reception, which is to immediately follow the afternoon session to be held at the Fortnightly Club. This will be an opportunity to talk individually with the speakers and with other attendees.

### Membership Report - January 2006

1) New member: We are pleased to announce the election to the Caxton Club of Sylvia Mendoza Hecimovich, Design & Production Director at The University of Chicago Press. Her membership was proposed by Robert Williams and seconded by Bill Drendel. Sylvia's interests are Spanish language literature, Spanish graphic novels, and university press books.

2) Fiscal year results to date. Sylvia's election brings to eleven the number of new members elected since the beginning of the fiscal year (July 1, 2005).

3) Recruitment: Members are encouraged to invite friends and acquaintances to upcoming Caxton activities. Membership information for prospective members is available at Caxton luncheons and dinners or can be obtained by calling Skip Landt, 773-604-4115.—Skip Landt, Bill Mulliken

### Young Collectors Award

There has been discussion in the Council of establishing a Young Collectors Award. The purpose of this award (and stipend) would be to identify and encourage collectors now of college or graduate school age. This effort might also identify future candidates for the Caxton Club. Initiating such a project would require members interested in developing criteria, promoting the competition, and judging the entries. If you would be willing to participate in developing a recommendation for the Council, please contact Skip Landt (skiplandt@sbcglobal.net or 773-604-4115).



# Caxtonians Collect: John Roberts

Sixteenth in a series of interviews with members.

*Interviewed by Robert McCamant*

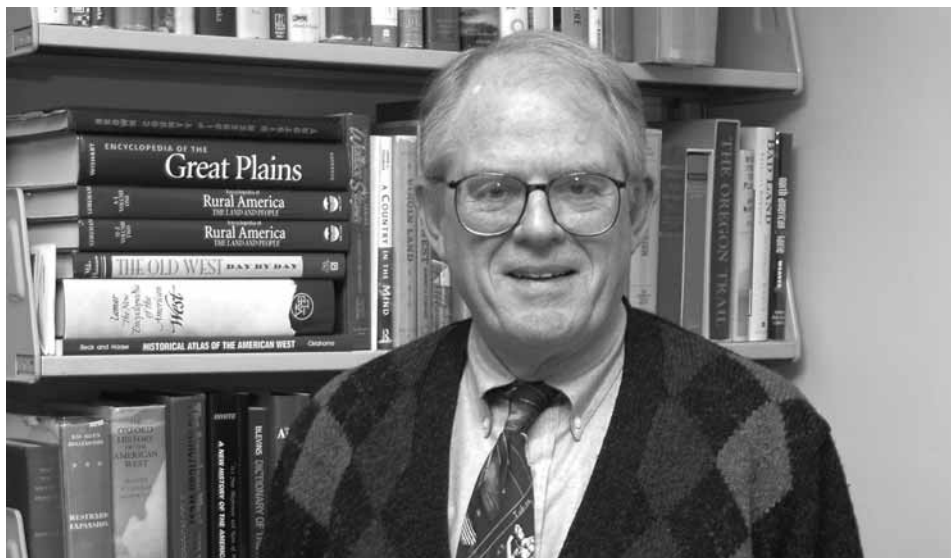
John Roberts was recruited to the Caxton Club by Abel Berland in 1991. Roberts was in the middle of his tenure as dean of the DePaul University College of Law (he served from 1986 to 1996), and he got to know Berland because he was on the board of the school. Berland recognized a collector when he saw one.

Roberts has put together not one, but three, book collections over the years. His first, on military history, is pretty much dormant these days. He started it back when he was general counsel to the Senate Armed Services Committee during the Carter Administration. The collection resides on one wall of his office at DePaul, where he now eschews school politics and teaches courses in administrative and legislative process, and telecommunications law and policy. Roberts' wife, Lynn Fleisher, is also a lawyer. They have a thirteen-year-old daughter at the University of Chicago Lab School. John's older daughter is a lawyer and his son is a law student at DePaul.

The opposite wall of his office contains his newest passion, the history of the Great Plains generally, and that of the final rush of homesteaders to North Dakota, specifically. His grandfather was one of the recruits turned up by the Milwaukee Road to settle its swath of the state not long after 1900. "In the ten years before he decided to try to homestead, that part of the country had experienced unusually high rainfall," Roberts explains. "It seemed plausible to try to grow crops. But as it turned out, the ten years starting when he moved there were ten years of unusually low rainfall. So my grandfather gave up his homestead after a couple of years and moved to town."

The nearby town was Marmarth, North Dakota, near the Little Missouri badlands, which is now nearly abandoned. After 15 years as a North Dakotan, he wanted to be in a town where higher education would be available for his children, and he picked Aberdeen, South Dakota. The family put down roots there; John was born in Aberdeen.

"Learning about the homesteading days



in North Dakota has turned out to be an interesting puzzle," says Roberts. "As a child, I had not known much about this part of family history, and when my mother made reference to it, it sparked my inquisitive nature. It turns out to be a fairly obscure area to try to study or collect materials on. You don't get a whole lot when you Google Marmarth, North Dakota." With a struggle, he managed to locate the centennial histories of three North Dakota counties, including the one that contains Marmarth. "Somebody would announce they were going to prepare a county history," Roberts explains. "People would bring in pictures, letters, accounts. Most of them made it into the book, sometimes without a great deal of editing. You never know what you'll turn up." But the histories are hard to locate because so few copies of each one were produced, and often the families that originally got them kept them. Roberts has located one dealer in Cody, Wyoming, who specializes in such material.

Rounding out the midwest history collection are a variety of reference books (he showed one beautiful one, from Princeton, on town planning in the west, illustrated with handsome drawings of main streets that disappeared long ago), biographies, and novels about life during the period. It was not a glamorous period and didn't produce many famous writers, so the novel pickings are slim. But John has managed to find a number of scarce books on federal land policy and the Homestead Act.

As a result of his research, he has been able to locate the plot of land his grandfather homesteaded. "It's all grassland now," says Roberts. "In the Depression, the Soil Conservation and Domestic Allotment Act pretty much ended attempts to farm in the area." But he was able to locate his grandfather's original homestead claim in a Federal archive in Colorado, giving the precise coordinates. He confirmed the location by holding up a photograph taken by his grandfather in 1910: "The hills in the distance matched perfectly."

Roberts' other active book collection is of modern firsts. In the beginning, he started looking for first editions of his favorite authors. Like the collection of many a Caxtonian it now verges on getting out of hand. "I haven't really counted, but I'm afraid it's 1500 firsts, with maybe three or four hundred of them signed." He continues, "You know, the Caxton Club should really have a seminar on what to do with books. I have a friend here at the law school who had to rent a second apartment for his books. There ought to be a better solution."

But he still enjoys browsing in a bookstore when he can find one. "When I travel, I take along directories of local book dealers." He tries to get to the annual book fairs held in Chicago and sometimes to those in surrounding states. "I always meant to visit Larry McMurtry's bookstores in Archer City, Texas. But I've heard he's giving up on them."

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# Bookmarks...

## Luncheon Program

March 10, 2006

Matthew Doherty

"How To Recognize Intelligent Book Design,  
from the Gutenberg Bible (1455) to  
Our Own *Disbound and Dispersed* (2005)"

Matthew Doherty, an award-winning book designer, is well known to fellow Caxtonians for having designed, among other items, our Directory. While addressing the title, Matt will suggest you may know more about book design than you realize and should use this knowledge to be more discerning in your book encounters. He will show how the intelligent design of a book reveals the designer's touch—sometimes light and transparent, and sometimes over-the-top. Do you have to be a book designer to design a book? With a 500-year history to draw on, Matt will just scratch the surface of historical design references, adding insights from his book design projects and processes that explain what slicing hams has to do with design tradition, what chairs and stairs mean to typography, and why books will continue to be the "eggs of civilization" even in the age of silicon chips and wireless addictions. This discussion will include book design practices that created the rules, books that break the rules, and books that make up their own rules, from early texts to textbooks and children's books. Discover the secret life of books by "seeing" the design.

Be assured, after this talk you will never look at printed material in quite the same way. Mark your calendars.

## Last chance to see our exhibit in Boston

*Disbound and Dispersed: The Leaf Book Considered* continues at the Houghton Library on Harvard Square through March 19.

## Beyond March...

### APRIL LUNCHEON

Former president and founding editor of the *Caxtonian* Robert Cotner happily returns to Caxton consciousness on April 14th with a rousing speech entitled "The Interpersonal Intelligence of Abraham Lincoln."

All luncheon and dinner meetings, unless otherwise noted, are held in the Mid-Day Club, 56th floor of Chase Tower, Madison and Clark, Chicago. Luncheon: buffet opens at 11:30; program 12:30-1:30. Dinner meetings: spirits at 5 pm, dinner at 6 pm, lecture at 7:30 pm. For reservations call

## Dinner Program

March 15, 2006

Welford Dunaway Taylor

"The Journey from Cass Street"

Drawing on his experience as teacher, writer and collector, Welford Dunaway Taylor, the retired James A. Bostwick Professor of English at The University of Richmond, will address the Caxton Club on March 15, 2006, on "The Journey from Cass Street." In the winter of 1915-16, in a solitary room on the third floor of 735 Cass (now Wabash) Street in Chicago, Sherwood Anderson wrote *Winesburg, Ohio*. The novel proved to be a transforming event in American fiction and catapulted Anderson, then an obscure advertising copy-writer, into the first ranks of contemporary letters. Taylor will discuss highlights from the pattern of connected events that resulted from Anderson's signal achievement—a network of consequences that eventually involved our speaker himself, whose career and collecting interests it helped to shape. Prof. Taylor is an author and leading collector of Anderson and of the work of illustrator J.J. Lankes.

## Plan a trip to Indiana in April

*Disbound and Dispersed: The Leaf Book Considered* opens on April 3 at the Lilly Library of the University of Indiana in Bloomington, and remains there until May 26.

### APRIL DINNER

Ronald Gordon, of the Oliphant Press, a design firm in New York City, will present an illustrated talk on the late Joseph Blumenthal. Gordon is well positioned to discuss this influential publisher and designer, having worked directly with him.

312-255-3710 or email [caxtonclub@newberry.org](mailto:caxtonclub@newberry.org). Members and guests: Lunch \$25, Dinner \$45. Discount parking available for evening meetings, with a stamped ticket, at Standard Self-Park, 172 W. Madison. Call Steve Masello at 847-905-2247 if you need a ride or can offer one.