Prologue

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DOI:10.1093/acprof:oso/9780198184683.003.0001

Abstract and Keywords

This chapter explains the coverage of this book, which is about the economic and cultural status of playwriting in England during the period from 1660 to 1710. During this period, the identity of the author was generally unknown to his audience, had little or no control over the publication or performance of his work, and had only limited reward. The changes in the modern times came from the emergence of copyright legislation and the rise of the idiom of originality.

Keywords: playwriting, England, authors, copyright, idiom of originality

The large Province of *Imitation* is very barren and produces nothing, its inhabitants are very poor, and go a gleaning in their neighbours fields, yet hardly ever acknowledge the kindness, tho’ some of them grow rich by that Trade.

*The Gentleman’s Journal* (January 1692)

having read most of our English Plays, as well ancient as those of latter date, I found that our modern Writers had made Incursions into the deceas’d Authors Labours, and robb’d them of their Fame.... I know that I cannot do a better service to their memory, than by taking notice of the Plagiaries, who have been so free to borrow, and to endeavour to vindicate the Fame of these ancient Authors from whom they took their Spoiles.
IN the modern world, authorship carries rights and status. Playwriting is accepted as a profession and drama is accepted as literature. An author's art entitles him or her to financial reward and to the protection of the work from plagiarism. Authors own, or at least partly own, what they write. It was not always so. In Shakespeare's time, the identity of the author was generally unknown to his audience and often to his readership, and he had little or no control over, and only a limited reward from, the performance or publication of his work.

When and how did the change from that world to our own come about? Scholarly discussion of the genesis of the notion of literary property has emphasized two developments of the eighteenth century: the emergence of copyright legislation and the rise of the idiom of originality. I believe that that emphasis has obscured equally important developments of an earlier date. My contention is that the idea of proprietary authorship has its genesis not in the eighteenth century but in the later seventeenth. In his stimulating book, Professional Imaginative Writing in England, 1670–1740: 'Hackney for Bread', which appeared after my own study had substantially been completed, Brean S. Hammond has shown that that earlier period witnessed the growth of literary professionalism among writers working in various genres and the concomitant redefinition of ideals of imitation and 'originality'. My approach complements Hammond's. I argue that the concept of the author as 'owner' of his or her text was constructed in the critical literature and in the commercial practice of the half-century between the Restoration of Charles II in 1660 and the Copyright Statute of 1710.

The drama was at the centre of that process. The period produced a mounting interest in questions about the attribution of plays to authors. How should one attribute a play which borrows from or adapts another's work, or which is the product of more than one hand? As these problems became more sharply defined, there was a growing tendency to condemn both appropriation and collaboration, practices which in the Renaissance had been habitual and mostly unremarked, as evidence of artistic insufficiency. Imitation was now denounced as plagiarism. Independence from source materials, or else the creative transformation of them, became an essential qualification of literary respectability; so did solo authorship. At the same time, changes in the theatrical marketplace made the publication of plays easier and more attractive, and the reading and scrutiny of them came to be more widespread.
The cause of those changes was institutional. In 1660 Charles II licensed Thomas Killigrew to establish the King's Company and Killigrew's fellow courtier, Sir William Davenant, to establish the Duke's Company. The performance of plays in the capital was restricted to these two companies, which were required by the Lord Chamberlain to respect each others rights in old and new scripts. The establishment of the theatrical duopoly had consequences not only for the performance of plays but also for their publication. Before the Civil War, acting companies had been reluctant to allow the scripts they owned to appear in print. After 1660, by contrast, companies were ready to take advantage of the publicity of print. Within years of the Restoration, it became normal for newly performed and revived plays to be published. The extensive availability of old and new scripts in print stimulated critical enquiry. It also enhanced the status of plays as literature. The systematic institution of a third-night benefit for authors and the sale of copy to a bookseller ensured that playwriting became the most lucrative literary vocation; the financial rewards of the dramatist vastly exceeded those of writers working in other genres. The playwright's expectation of a substantial financial return was repeatedly emphasized in prologues and epilogues spoken in the theatre; the claim to authorship underlying that expectation was made manifest by the appearance of the author's name on the title-page of the published play. This mounting social and economic visibility of professional playwrights was important in drawing attention to and shaping views of dramatic authorship.

Modern scholarly consensus, while not denying that late seventeenth-century plays possess a certain charm and interest, holds most of them to be imitative and derivative. This judgement is (p.4) accompanied by the assumption, often made explicit, that neither contemporary writers, nor their critics and audiences, in any way objected to the appropriation of sources. We are repeatedly told that there was nothing more natural for a Restoration playwright than to recycle earlier texts, of whatever provenance, without acknowledgement and with no fear of condemnation. Thus Alfred Harbage deplores 'the easy going standards of the day' and castigates the ruthlessness of Restoration playwrights.5 ‘They imitated each other’, writes Robert D. Hume, ‘plagiarized, adapted, and burlesqued each other's works.’6 ‘It must be remembered, of course’, states Maureen Sullivan, ‘that in that era no great store was set upon creation ex nihilo’.7 The evidence argues otherwise. We have a substantial body of printed and manuscript ephemera—hitherto neglected or misunderstood prefaces, dedications, prologues, epilogues, critical essays, pamphlets, play catalogues, and poems—which prove that the dramatist's licence to draw upon the works of others was hotly contested in this period.
Play catalogues are a particularly fruitful source. They start to appear in the 1650s and culminate in the learned volumes prepared by Gerard Langbaine (1688 and 1691), Charles Gildon ([1699]), and Giles Jacob (1719). These works have long been extensively used by bibliographers, but not by literary historians. Yet embedded in the judgements and layout of such catalogues there lie important (and changing) critical principles. Langbaine, the most innovative of the cataloguers, has never received his due. He has been censured for his harsh attacks on Dryderi as plagiarist, but if we look beyond his personal animus we shall find a sophisticated theory of literary value. Implicit in his and other late seventeenth-century dramatic catalogues is a notion of canonical hierarchy that reflects not the mere whims of the compiler but rather a set of evolving cultural norms.

To what extent, then, did cataloguers and other commentators see authorship as compromised by borrowing? How was legitimate appropriation distinguished from plagiarism? There are no simple and straightforward answers to these questions. Contemporary writings reveal a set of changing and complex attitudes which are difficult (p.5) to generalize about. What is clear is that after 1660 the pressure on playwrights to acknowledge and justify their use of sources escalated sharply. At first the charge of theft was merely one of many accusations tossed to and fro by writers eager to discredit one another. In time, the legitimacy of the practice of appropriation came to be questioned. This in turn led to the proliferation of prefatory apologias in which authors not only rationalized their apprprbiative practice in particular plays but also addressed the issue of literary borrowing in more abstract, speculative terms.
Everyone condemned plagiarism, but different people meant different things by it. Some insisted that stylistic revision was in itself a satisfactory claim to authorship. Others maintained that the words must all be new, although the plot or theme could be borrowed. Still others were adamant that even a minimal reliance, whether verbal or thematic, on an earlier work invalidated the appropriator's claim to authorship; and they called on writers to trust solely to their own imagination. The scope and nature of a play's indebtedness to its parent text or texts was a matter of contention. There were other problems too. The objections raised by contemporary commentators and the arguments marshalled by playwrights in self-defence varied according to the genre of the source. The critical criteria of assessment and the authorial strategies of justification depended on whether the play was founded on an earlier play, or on a romance, novel, travel account, historical chronicle, or other source. The reuse of dramatic materials appears to have been especially offensive to contemporary sensibilities; by contrast, the change of medium involved in turning narrative into drama was deemed of sufficient consequence to justify the borrower's claim to the resulting play. To draw plots and characters from the native or the foreign past was a standard and widely accepted procedure, although the handling of historical incidents might come under fire if understood to promote a subversive political message. Conversely, too strict an adherence to historical fact was regarded as detrimental to poetic truth, and hence to the moral and artistic autonomy of a play. Dramatizations of episodes from popular romances attracted adverse comment on the ground that romances are too unworthy a form to provide sources for worthy plays.

If genre was one criterion of the acceptability of a source, a second, which could complicate and conflict with the first, was the artistic esteem enjoyed by the source and its author. The reworking of an (p.6) obscure script yielded small credit to the appropriator; the adaptation of a classic, whether native, foreign, or ancient, was a cause for pride and, if properly executed and advertised, could enhance the reputation and professional stature of the adapter.
The distinction between legitimate appropriation and theft is blurred by the competition among the aesthetic, ethical, and commercial perspectives which late seventeenth-century writers and critics brought to bear upon the subject. It is further affected by the gender of the appropriator and by his or her social status, though male writers and genteel amateurs were not always treated with less stringency than women writers and lower-class professionals. The resulting inconsistencies of tone and argument can be disconcerting to a modern reader, but to appreciate the complexity and implications of those perspectives is essential for the reconstruction of an outlook remote from our own. When a Restoration playwright justifies borrowing by claiming to have improved the original, or when a critic animadverts on the quality of an adaptation, an aesthetic judgement is being passed. To accuse a dramatist of usurping the reputation of the original author through a suppression of debt or a deliberate misrepresentation of its scope is to denounce the conduct as unethical. A related charge is that adapters do not deserve the profits they reap. In order to anticipate or contradict such aspersions on their moral integrity, writers strenuously emphasize, in many a preface and dedication, the toil and effort expended in revising an earlier script. Finally, implicit in the acting companies’ sporadic refusal to bestow a full authorial benefit on a reviser is the realization that a script which has been only minimally adjusted cannot be marketed as a brand-new commodity. Though aesthetic judgements of appropriation predominate, we should be alert to passages in criticism where praise for the artistic merit of a substantially derivative play coexists uneasily with severe reservations about the ethics of profiting from the labour of another.

The notion of appropriative licence current in the period differs from both the earlier doctrine of imitation and the later cult of originality. In the Renaissance, the ideals of imitation had chiefly pertained to poetry and had not, other than in the work of Ben Jonson, exerted a large influence on plays written for the public stage. After all, what would have been the point of applying aesthetic precepts and dogmas to what was essentially popular and ephemeral entertainment? By the late seventeenth century, the drama was a far more dignified form of literary production, and writers and critics could have resorted, on a grand scale, to the poetics of imitation in framing textual links between plays and their sources. Why did they not do so?
Imitation was held to entail the choice of superior (normally classical) models which are difficult, if not impossible, to outdo. Few late seventeenth-century playwrights could make such a claim for the materials they used. Cheap novellas, scandalous pamphlets, or anonymous scripts pulled for refurbishment from company stock were not respectable sources. Imported models, though more respectable, were still awkward to justify. To imitate a foreign model and fervently to extol its merit might have been construed as an admission of the supremacy of the alien culture over one's own. That those who adapted foreign plays were anxious to forestall such an impression is borne out by the ambivalent and unstable rhetoric of their prefatory statements, which routinely qualify the praise of the foreign original by enumerating its shortcomings. Only writers who proposed the plays of Jonson, of Shakespeare, or of classical antiquity as models deployed the rhetoric of imitation. Yet even for them the possibility, and indeed the need, of bettering and updating the time-honoured work was real. The refinement in taste in which the later seventeenth century took pride dictated the reformation and adaptation of the dramatic legacy of the past. By then not only ancient scripts, but also pre-Civil War English plays—the works of 'the Gyant Race...before the Flood'—seemed obsolete, deficient, and eminently susceptible of improvement.
To improve upon the past was both necessary and practicable. But could the past be displaced altogether? More particularly, could the best of old drama be eclipsed by works that were entirely new and different? Late seventeenth-century writers were optimistic. Their revampings of Sophocles or Shakespeare may appear preposterous to us, and their independent productions may strike us as inferior to the bulk of Elizabethan and Jacobean drama. But our own tastes and preferences should not make us insensitive to the intellectual climate in which these plays were written. Restoration playwrights did not—were not expected to—engage in what the modern world would recognize as original composition. Nor did they simply plagiarize with impunity. The model of appropriation within which these writers worked is distinct from, but also displays affinities with, the Romantic ideal of originality. Although the two frameworks provide different definitions of how literary works should be conceived and authored, they assign comparable attributes to the final product. The ideal of composition as an act of inspired creation contrasts sharply with the notion of composition as a process in which to use the works of others and is, in certain circumstances, legitimate. The former produces a transcendent work of art, exalted, sublime, unique; the latter ought, ideally, to generate an artefact of manifest novelty, freshness, and singularity. Originality of composition is held to guarantee perfection; inherent in the appropriative model is the potential for failure: the source may simply be ‘altered for the worse’. In both instances the resulting piece is envisioned as original in the sense of being unlike any other. Romantic originality, however, is something achieved spontaneously; for an appropriative piece to be ‘original’—singular, unique, new—the author will have had to labour hard, and the outcome might, in any case, prove aesthetically inferior to a less ‘original’ piece.

The growing pressure on late seventeenth-century dramatists to acknowledge and thoroughly to rework their sources was a moral as much as an aesthetic injunction. Claims to authorship were increasingly put forward and evaluated in possessive terms. Writers asserted, and their detractors questioned, the ownership of characters, language, themes, humours, and plots. In the process, plays came to be accepted as the literary products of individuals, and were recognized as immaterial though potentially profitable property.
The incipient conception of the playwright as the owner of a script, and as the person responsible for it, is implicit in the judgements that were passed on another mode of playwriting with which I shall be concerned. This is the practice of collaboration. After the Restoration, collaboration between (or among) professionals, which had been widespread in early seventeenth-century theatres, virtually disappeared, though collaborations involving amateurs and professionals, and sometimes amateurs alone, did occur. The critical writings of the later period yield a sizeable commentary on both the quality of collaborative plays and the ethical implications of this mode of composition. This commentary concerns itself with both old plays and new ones. The rules by which collaborations of earlier generations were measured were different from, and less exacting than, those applied to collaborations of the present age. That contrast illustrates the rise of solo authorship as the artistic and critical norm.

The dates which mark the beginning and end of my period are separated by half a century. I start my investigation in 1660 when the monarchy was restored and the theatres reopened. My *terminus ad quern* is 1710, when the world’s first Copyright Statute, Queen Anne’s Act for the Encouragement of Learning, was passed. However, no historical period can be understood in isolation from those which precede and follow it. I shall be referring to the dramatic practice and critical attitudes prevalent in the earlier part of the seventeenth century, and reflecting on the effects of the parliamentary ban on play-acting in 1642 which closed the London theatres for eighteen years. Though some continuities across the dividing-line of 1660 will be observed, our main impression will be of a contrast between the pre- and post-Restoration worlds. In respect of 1710 the picture is more complex. The Copyright Statute of that year was the earliest piece of legislation formally to recognize authors as potential holders of the right in copy. By defining authors as ‘proprietors’, it was bound to affect aesthetic and ethical conceptions of authorship. Yet the legislation of 1710 was only a point in the developments to which this book draws attention, and a somewhat accidental point at that. The critical ideas which I shall describe had no direct influence on the passage of the Copyright Statute, a measure which was designed primarily to serve the interests not of authors but of booksellers.¹⁰ The establishment of authorial stature was assisted by the legislation: it was not, as is sometimes supposed, caused by it.
The development of copyright law after 1710 has been amply documented. The change I am concerned with is equally momentous, (p.10) if more elusive. To explain late seventeenth- and early eighteenth-century views of dramatic authorship and to recreate the context in which they evolved requires a range of approaches. Close readings of critical texts will be accompanied by discussions of the changing politics and economics of playwriting, of theatre production and play publication, and of the typography and layout of printed plays and dramatic catalogues. Having illustrated the nascent conception of the playwright as owner and the concomitant preoccupation with the integrity of an individual author's \textit{œuvre}, I shall reconstruct and assess the ‘literary’ canon of English drama as it evolved and changed in that period.

Here my interpretation will sometimes differ from that advanced in Michael Dobson’s important study \textit{The Making of the National Poet: Shakespeare, Adaptation and Authorship, 1660–1769}.\textsuperscript{11} Dobson’s interest is in the transmission of the Shakespearian corpus in the Restoration and eighteenth century and the rise of bardolatry after 1700. While I concur with his account of the reception of Shakespeare in the eighteenth century, I believe that the cultural valorization of Shakespeare (as also of Jonson and of Fletcher)\textsuperscript{12} during the later seventeenth century has been overstated. The evaluation of both Renaissance and contemporary playwrights in play catalogues shows that though the ‘triumvirate of wit’ (the phrase customarily used to describe Shakespeare, Jonson, and Fletcher) was revered, and indeed was sometimes invoked to castigate modern writers, its members were by no means regarded as a standard beyond the reach of the present day. At the close of the seventeenth century, the triumvirate was far from dominating the literary canon of the drama or the repertory of the theatres. Though the literary canon and the theatrical repertory were often far apart from each other, in both of them plays written since the Restoration held sway.

Modern notions of author and work, so thoroughly informed by a concern with originality and circumscribed by copyright law, tend to colour our perception of the past. We are prone to interpret historically remote practices and attitudes within a conceptual framework which we have become accustomed to treat as the norm. This study is an attempt to explore an earlier set of beliefs and cultural practices (p.11) on its own terms rather than from a teleological or evaluative perspective. What happened in the half-century covered by this book was not an ineluctable transformation which led to the critical ascendancy of the concept of solitary genius or to the legal recognition of authorial rights. The fairly abrupt change in common views of authorship between 1660 and 1710 resulted from a particular configuration of economic, political, social, and cultural factors. The shifting and precarious nature of the cultural processes I document will, I hope, enhance our understanding of late seventeenth-century views of dramatic authorship, and make us more alive to the fluidity and historicity of our own.
Notes:

(1) The male pronoun is almost exclusively correct until about 1670.

(2) Building on the work of G. E. Bentley, especially his *The Profession of Dramatist in Shakespeare's Time, 1590-1642* (Princeton, NJ: Princeton University Press, 1971), Stephen Orgel has demonstrated that in the give and take of the early modern theatrical milieu the author by no means occupied the central and privileged position in which post-Romantic scholarship has enshrined him. The authority neither of the performed script nor of the printed text, he has shown, stemmed from the author. It rested instead with the theatrical company and the publisher respectively. See his ‘What is a Text?’, *Research Opportunities in Renaissance Drama*, 24 (1981), 3–6. In relation to early published texts of Shakespeare's plays, Peter Stallybrass has observed that ‘the notion of an “individual” author, and even at times of a specific title, are absent from the early quartos. What is emphasized instead is the apparatus of printing and selling and the performance of the text by a particular company’ (‘Shakespeare, the Individual, and the “Text”, in Lawrence Grossberg, Cary Nelson, and Paula Treichler (eds.), *Cultural Studies* (New York: Routledge, 1992), 593–610, at 597). The relative insignificance of the author is confirmed by the records of the Master of the Revels. The entries normally record the title of the play and the name of the company to which it was licensed, not the name of the author. See N. W. Bawcutt, *The Control and Censorship of Caroline Drama: The Records of Sir Henry Herbert, Master of the Revels 1623–1673* (Oxford: Clarendon Press, 1996).


(7) *Tliree Sentimental Comedies* (New Haven, Conn.: Yale University Press, 1973


(12) It should be remembered that many of the plays associated with Fletcher's name were collaborations.
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