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Edited by  
Milda Kvizikevičiūtė  
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VILNIUS, 2022

## Martyno Mažvydo skaitymai

Considered and recommended for publishing as a collection of research articles by the Working Group on Scholarly Activities of the National Library of Lithuania on 16 September, 2022 (Protocol No. 4)

All submitted manuscripts are subject to peer review by two independent, anonymous expert referees

The Publishing was funded by Ministry of Culture of the Republic of Lithuania



MINISTRY OF CULTURE OF  
THE REPUBLIC OF LITHUANIA

### Image used for book covers:

Lubieniecki, Stanisław, *Theatri Cometicæ*,  
Amsterdam, 1668

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### Cover by

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### Layout by

Tomas Rastenis

The bibliographical information about this publication is available in the Lithuanian Integrated Library Information System (LIBIS) *ibiblioteka.lt*

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DOI: 10.51740/DPT.1

ISBN 978-609-405-227-9 (PRINT)

ISBN 978-609-405-228-6 (ONLINE)

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# Edmund Burke and the Booksellers' Bill: an Exercise in the History of Copyright

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**Abstract.** In 1774, the House of Lords overturned a 1769 ruling regarding the copyright of books. Up until then under the Copyright Act of 1709 authors received statutory protection for a total period of twenty-eight years. Most authors sold their copyrights to booksellers that is modern day publishers. As a result, a small group of London booksellers kept copyrights to themselves and formed a virtual monopoly. After the 1774 decision, booksellers petitioned for parliamentary relief and a committee was appointed to consider their case. When a bill was introduced to mitigate the Lords' decision a pamphlet war about copyright erupted. Edmund Burke took an active role in this controversy. In this paper, his position in favour of the booksellers is examined. Moreover, how Burke used the theory of property rights to defend the booksellers' monopoly will be illustrated. The purpose of this examination is twofold: first to determine the conditions under which Burke favoured monopoly and how his stance on this issue can be reconciled with his overall economic thought. And second to use his arguments in favour of the Booksellers' bill as a case-study and window to eighteenth-century book economics in Britain.

**Keywords:** Edmund Burke, history of copyright, booksellers' bill, eighteenth-century, monopoly.

## Introduction

Edmund Burke (1729-1797), the eighteenth-century Anglo-Irish statesman and political thinker had a lifelong interest in financial and economic affairs, something that was manifested at several instances during his long parliamentarian career.<sup>1</sup> Burke's interests were not only theoretical as he was twice appointed under the Marquess of Rockingham's and Duke of Portland's Ministries as Paymaster of the Forces (April-August 1782 and April 1783-January 1784), an eighteenth-century government office relating to the handling of the finances of the armed forces. Burke's rigorous knowledge of a wide range of economic subjects, like trade and the mechanisms that determine the rate of wages, has been asserted by historians of economic thought and Burkean scholars, like Francis P. Canavan and Gregory M. Collins.<sup>2</sup> In an early reading of this subject, Canavan insightfully maintained that the notion of prescription and property rights underpinned the whole of Burke's economic thought. This was largely the traditional Whig stance on those issues. More recently, Collins wrote provided a comprehensive study of Burke's economic opinions in an attempt to identify Burke's place in the wider historiography of economic thought. Collins's monograph served to prove that Burke's positions were very much influenced

<sup>1</sup> Burke was a prominent Member of Parliament representing the constituencies of Wendover, Bristol, and Malton from 1765 to 1794.

<sup>2</sup> Canavan, Francis P., *The Political Economy of Edmund Burke: The Role of Property in His Thought*, New York: Fordham University Press, 1994; Collins, Gregory M., *Commerce and Manners in Edmund Burke's Political Economy*, Cambridge: Cambridge University Press, 2020.

Received: 30/03/2022. Accepted: 30/05/2022.

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by the transitional nature of this period in the history of economic thinking. In addition, he has provided valuable information on how Burke understood trade and commercial relations, economic reform and the management of the Empire. Indeed, several experts on Burke and economic historians have tried to classify Burke either as a mercantilist thinker or an early advocate of classical political economy (or, even capitalism).<sup>3</sup> There is, undoubtedly, a merit of truth in all these diverging readings of Burke's thought on trade, wages, and state intervention in the economy. Nevertheless, as Collins maintained convincingly, if one delves deeper into Burke's understanding of contemporary economic affairs, they will discover a subtle and more nuanced thinker, whom strict categories cannot quite capture in his entirety. Finally, there is an interesting recent interpretative tradition that seeks to link Burke's economic opinions to his overall religious and political thought. Paul Oslington and John Grove have recently published two interesting essays on the subject.<sup>4</sup> In brief, Oslington maintained that Anglican theology informed certain economic propositions of Burke whilst Grove illustrated how Burke's religious ideas influenced his understanding of the British state, its function and its role for maintaining order.

What it is argued in the present analysis and related to the aforementioned discussion, is first that Burke's economic thinking can be properly realized only if it is examined under the scope of transition from mercantilism to free-market economics. And second that the history of the copyright in early modern Britain serves as an illustrative case-study of this and a useful exercise in the history of economic thought. Overall, identifying Burke's reasons and motives in defending perpetual copyright in Britain will on a more general level provide new information on eighteenth-century economic discourse and on a more specific level shed new light into the trade of books and the copyright controversy in the 1770s. Burke's participation to the debate is of additional value and importance because of the prominent position he occupies in the historiography of ideas.

Regarding the structure of the present essay, in the first section, a brief overview of the 1774 copyright crisis is presented so as to the historical context to be complete. On the second section, Burke's stance and reasoning on defending the booksellers is reconstructed. Finally, on the third section, it is argued that Burke's position on the debate was quite consistent with his earlier stance on economic affairs, a stance stemming from deeper methodological and political premises. All in all, using Burke's arguments as a window to this period, in this essay an attempt is made to showcase that the trade of books in eighteenth-century Britain shared many characteristics with other aspects of economic life in the Empire and was equally influenced by the same political discourse and arguments as other fields of commercial activity.

### Historical context: the copyright crisis of 1774

To provide a detailed timeline of the contest for literary property in Hanoverian Britain would, quite naturally, exceed the intended scale of this chapter.<sup>5</sup> In addition to this, such survey would, eventually, exceed the purpose and scope of the present examination relating not so much to the historical details of the controversy but to the intertwined intellectual and economic arguments behind it. Instead, a brief overview of well-established facts is provided for the historical context of Burke's participation to the debate to be offered.<sup>6</sup>

<sup>3</sup> Representative examples of these differing interpretations are Canavan, Collins and MacPherson, *C.B. Burke*, Oxford: Oxford University Press, Reprint Edition 2013.

<sup>4</sup> Oslington, Paul, 'Anglican Social Thought and the Shaping of Political Economy in Britain: Joseph Butler, Josiah Tucker, William Paley and Edmund Burke', *History of Economics Review*, 2017, Vol. 67, pp. 26-45; Grove, John, 'The Consecrated State', *Studies in Burke and His Time*, 2021, Vol. 30, pp. 7-42.

<sup>5</sup> There are many interesting monographs on the subject, some classic ones and certain fairly more recent publications. For example, Birrel, Augustine, *Seven Lectures on the Law and History of Copyright in Books*, London, Paris, New York & Melbourne: Cassell & C., 1899; Walters, Gwyn, 'The Booksellers in 1759 and 1774: the Battle for Literary Property', *The Library*, 1974, Vol. 29, pp. 287-311, and Rose, Mark, *Authors and Owners: The Invention of Copyright*, Cambridge MA: Harvard University Press, 1993.

<sup>6</sup> Historical information is drawn mainly from Walters, Gwyn, 'The Booksellers...'

In early modern or early eighteenth-century Britain, publishing affairs were first regulated with the passing of the Copyright Act of 1710, also known as the 'Queen Anne's Law' or 'Statute of Anne' on copyright.<sup>7</sup> Indeed, this was the first English legislation providing copyright with statutory protection for a period of fourteen years. A further provision in the said law enabled copyright to be extended for another fourteen years if the author were still alive when the first term elapsed, reaching a total of twenty-eight years. Finally, this Act granted twenty-one years of protection for any book already available in print at the time of its passage. Such an amount of time of statutory protection was enough for book traders to accumulate profits on popular books. Quickly after receiving its Royal Assent, Queen Anne's Law came to constitute a vital element for the booksellers' trade. Respecting the term 'booksellers', it *latu sensu* represented modern day publishers. Those traders, who were at the same time publishers and retail booksellers, mainly operated in London.<sup>8</sup> In the early eighteenth-century as a result of the statutory protection English publishing trade was dominated by a London group of few such booksellers. Furthermore, in order to secure their trade those booksellers utilized a series of 'intimidation' tactics, such as the injunctions awarded in the High Court of Chancery against those who distributed pirate copies of books. This commercial and legal context led to the creation of a situation in which authors, even the most prominent ones, usually had to sell their copyrights to a bookseller; this was not limited to the circle of English writers, as Scottish authors, like David Hume, also chose to sell their copyright to these booksellers. Burke, too, followed this practice by associating with Robert and James Dodsley, two well-known London booksellers. Overall, by mid-eighteenth century those traders had, essentially, managed to establish a virtual monopoly through retaining copyrights within their circle.

Up until the 1770s there were few instances during which copyright protection was threatened by legal rulings. The calm waters of the book market were shaken on 23 February of 1774 and another copyright crisis erupted.<sup>9</sup> The crisis was provoked by a House of Lords ruling in the case of *Donaldson v. Becket*, which overruled a previous decision in favour of perpetual copyright in the *Millar v. Taylor* case. More specifically, the Lords in its judicial capacity decided on that instance that perpetual copyright had to be abolished, thus throwing books into the public domain. Indicative is the remark offered by Augustine Birrel who said that with this decision 'forever perished perpetual copyright within this realm'.<sup>10</sup> The ratio elaborated at the Lords can be summarized as follows: it was verified that many pamphlets as well as books first published at Great Britain were effectively already in the public domain, either since the copyright period awarded by statute had elapsed or because they were published before the enactment of Queen Anne's law and the protection had equally expired. Consequently, the decision of the Lords created a market for economical reprints of works by famous authors such as William Shakespeare, John Milton, and Geoffrey Chaucer. All in all, this curbed the dominance of the London booksellers and enabled more people to be involved with the trade of books; revealing of the fact is that the total number of booksellers and publishers in the kingdom surged from 111 in 1772 to 308 in 1802.<sup>11</sup>

The booksellers' pressure groups were too influential to refrain from challenging this judicial ruling in Parliament. They quickly organized their response and tabled a series of petitions requesting parliamentary relief.<sup>12</sup> Responding to their request the House of Commons decided to appoint a committee to investigate the case. Unfortunately, due to the absence of a system of preserving documents related

<sup>7</sup> The full title was 'An Act for the Encouragement of Learning, by vesting the Copies of Printed Books in the Authors or purchasers of such Copies, during the Times therein mentioned.'

<sup>8</sup> Truly, there were during this period very few publishing houses in Wales, Scotland, and Ireland.

<sup>9</sup> This was the second important copyright crisis; the other had erupted in 1759. For more on the first crisis, see Walters, Gwyn, 'The Booksellers...'

<sup>10</sup> Birrel, Augustine, *Seven Lecture...*, p. 130.

<sup>11</sup> Melton, James Van Horn, *The Rise of the Public in Enlightenment Europe*, Cambridge: Cambridge University Press, 2001, pp. 40-141.

<sup>12</sup> By the 1770s it was now quite common for petitions to be submitted to Parliament.

to parliamentary committees in this period, it is almost impossible to know what exactly was transpired and said in the committee hearings. In lieu of that, the core argument of the booksellers can be observed in one of their petitions, namely the 'A Petition of the Booksellers of London and Westminster on behalf of themselves and others, Holders of Copyright', a short petition signed by eighty-seven individuals and presented just five days after the Lords' ruling in 1774. According to this document, the petitioners 'had constantly apprehended, that the said Act of Parliament, did not interfere with any copyright that might be invested in your petitioners by the common law'. Their argument that they 'had constantly apprehended' legal protection was based on the deep-rooted notion of prescription, which protected their property rights. In arguing their case the group of the petitioning booksellers posed as the injured party and ascertained that their monopoly, the status quo ante had to be restored. After a debate the Commons finally passed an Act 'for the relief of booksellers and others, by vesting the copies of printed books in the purchasers of such copies from authors or therein assigns, for a time therein to be limited'. Unfortunately, no copy of the bill has survived and there are serious doubts as to many of its clauses. Notwithstanding that, according to Walters' research the Act not only granted copyright protection to books not covered by the 1710 Act but also sought to extend the period of statutory protection too. Nevertheless, the Act eventually fell in the Lords, which re-affirmed its earlier abolition of perpetual copyright.

As it was often the case in this period, the controversy spurred a typical eighteenth-century pamphlet-war.<sup>13</sup> Leading intellectuals and various other authors took part in the debate. Dr Samuel Johnson, the renowned author and lexicographer came out against perpetual copyright whilst the philosopher Hume, albeit writing 'an ostensible Letter' in support of the booksellers, privately admitted the weakness of their case. Both Dr Johnson and Hume agreed that the booksellers were practically arguing that perpetual copyright was in the interest of both authors and the public, an assumption both authors disagreed with.<sup>14</sup> The influential Attorney-General Lord Thurlow referring to one of the main protagonists of the controversy, William Johnston who had played a pivotal role in the committee's procedures in favour of the booksellers, described him as an 'imprudent, monopolizing man'.<sup>15</sup> Overall, it was a widely held opinion that the booksellers insisted on the retainment of their monopoly and copyright privileges just to increase their profits. Nevertheless, they found an unlikely ally in the face of Burke.

### Burke's arguments in favour of booksellers

Before taking part in the copyright controversy, Burke was well-known among his contemporaries as an adversary of monopolies.<sup>16</sup> As a result, it was surprising enough for many of his peers that he supported the booksellers' demands. Burke advocated the booksellers' case in the Commons, rising to speak in their favour on the debate of a bill that sought to extend a further fourteen years statutory protection to books. The main question is why did Burke choose to defend a vested interest such as that of the booksellers and what does his advocacy signify for the position of copyright in eighteenth-century Britain economic discourse? Providing an answer to these questions may offer new information in a twofold way: on the one hand and more specific level, it shed further light to Burke's economic thought and his

<sup>13</sup> According to F.P. Lock, around thirty related pamphlets can be found at the British Library, Lock, F.P., MacPherson, C.B., *Burke ...*, p. 362.

<sup>14</sup> 'Dr Johnson to William Strahan, 7 March, 1774', in: *The Letters of Samuel Johnson*, edited by Bruce Redford, Princeton NJ: Princeton University Press, 1994, Vol. 2, pp. 129-131 and 'Hume to William Strahan, March 1774', in: *Letters of David Hume*, edited by J.Y.T. Greig, Oxford: Oxford University Press, 1932, Vol. 2, p. 288.

<sup>15</sup> Walters, Gwyn, 'The Booksellers...', p. 304.

<sup>16</sup> For example, Burke had resisted reform of East India Trading Company on the grounds of property rights. Later, during the short-lived Fox-North coalition, Burke accepted some reform of the company's charter. As a result, Burke had resisted reform of the East India Trading Company on exactly the same reasons of protecting private property, as he did with books copyright.

notion of the 'free market' operation. And on the other hand and more general level, take his stance as a window to eighteenth-century book trade and the paraphernalia of copyright.

Few biographers have previously addressed this minor episode of Burke's parliamentary career.<sup>17</sup> F.P. Lock maintained that Burke had been, perhaps, influenced in his decision in support of the booksellers by the friendly relations he maintained with the Dodsley brothers.<sup>18</sup> Both brothers were important London booksellers; Robert Dodsley had died in 1764 leaving his business to his brother, James. From the few available information on James Dodsley it cannot be properly established whether he took part in the controversy, although it is known that he was a member of a booksellers club.<sup>19</sup> Lock's idea that 'Burke's support for the bill [...] shows that on occasion he valued the protection of existing property rights above the creation of a free market' may be closer to the truth.<sup>20</sup> Finally, Lock has offered a third plausible explanation that Burke's arguments stemmed from a 'dislike of aristocratic influence' in the House of Commons.<sup>21</sup> As biographical information respecting this subject is scarce it may be more fruitful for the explanation to be searched elsewhere.

What it is argued here is that Burke's motives can be properly explained by reverting to certain well-known eighteenth-century political ideas. It is a locus classicus that property rights and prescription remained a cornerstone of Whig thought throughout the long-eighteenth century, as J.G.A. Pocock and H.T. Dickinson have shown in their authoritative studies.<sup>22</sup> Canavan and Collins on their part, as already mentioned, have proven how important and critical these notions were to Burke's thought. Using these ideas as interpretative framework and through the limited primary sources available, Burke's arguments in favour of the bookseller's case can be reconstructed as follows:

Burke argued that (1) in principio, monopolies are against the public interest. Notwithstanding that, (2) certain monopolistic practices may serve as incentives to enterprise. Examples of that are copyright protection for authors, patent protection for inventors, and the closed market of speculation and/or risky business. Crucially, though, (3) books are different from inventions. As Burke noted '[a] Book was an invention which taken in the whole it is not probably that any other man in the world but the individual author could have supplied'. And furthermore, 'a machine is not improbably that many men may hit on a contrivance in all respects the same without communication – & it has so happened'.<sup>23</sup> This is the reason why for Burke the first deserved perpetual monopoly, but the latter did not.<sup>24</sup> It should be noted that Burke here also draws on another eighteenth-century influential concept, that of creative 'originality'.<sup>25</sup> Burke proposed that providing perpetual copyright for an author's book was a more tenable exercise of government authority than granting monopoly to a trading company. And that is why 'where not the invention, but the risqué gives a sort of Title to Monopoly', but this monopoly must be proportional to the extent of the risk. In addition, (4) authors were either supported through patronage (dependence,

<sup>17</sup> Both Cone, Carl B., *Edmund Burke and the Nature of Politics: The Age of the American Revolution*, Lexington KY: Kentucky University Press, 1957 and Bourke, Richard, *Empire and Revolution: The Political Life of Edmund Burke*, Princeton NJ: Princeton University Press, 2015 do not refer to this instance of Burke's career.

<sup>18</sup> Lock, F.P., *Edmund Burke: Volume I, 1730-1784*, Oxford: Clarendon Press, 1998.

<sup>19</sup> Tedder, Henry Richard, 'James Dodsley', in: *The Dictionary of National Biography*, New York: Macmillan and Co, London: Smith, Elder and Co, 1888, Vol. 15, pp. 169-170. Nevertheless, James Dodsley's publication of A Petition and Complaint touching a Piracy of the 'Letters of the late Earl of Chesterfield' in 1775 may be indicative of his stance on piracy and copyright.

<sup>20</sup> Lock, F.P., *Edmund Burke...*, p. 363.

<sup>21</sup> It is well beyond the scope of the present analysis to argue against or in favour of such assertion.

<sup>22</sup> Pocock, J.G.A., *Virtue, Commerce, and History: Essays on Political Thought and History, chiefly in the Eighteenth-Century*, Cambridge: Cambridge University Press, 1985 and Dickinson, H.T., *Liberty and Property: Political Ideology in Eighteenth-Century Britain*, New York, NY: Holmes and Meier, 1978.

<sup>23</sup> Burke, Edmund, *Correspondence between the Year 1744, and the Period of his Decease*, in 1797, London: Francis & John Rivington, 1844, Vol. 4, pp. 459-462.

<sup>24</sup> Adam Smith notably disagreed with this distinction of Burke's, see, Smith, Adam, *Lectures on Jurisprudence*, edited by R.L. Meek, D.D. Raphael, P.G. Stein, Oxford: Clarendon Press, 1978, Vol. 2, pp. 31-33.

<sup>25</sup> Cf. Young, Edward, *Conjectures on Original Composition*, London: printed for A. Millar and R. and J. Dodsley, 1759.



meanness, flattery) or by the commercialization of literature, a more ‘democratick (sic) principle’, as Burke remarked. Indeed, few authors could self-publish in the eighteenth-century – contrary to inventors. Finally, (5) all these insights were encapsulated to Burke’s adoration of the ‘sacred’ property rights of eighteenth-century Whig thought.

It can be induced from the above that Burke adopted a traditional Whig stance in the copyright debate. Critically enough he argued that authors were also assisted by perpetual copyright because it led to the commercialization of industry. In turn, this ‘democratick principle’ enabled books to be more accessible, without hurting booksellers, unlike book piracy. Of course, there were certain evident problems in Burke’s reasoning. Above all, Burke failed to demonstrate how authors benefited from copyright when booksellers were the ones who accumulated all the profits. Now, based on Burke’s insight certain conclusions may be provided respecting the wider book trade in early modern Britain.

### Conclusion: a transitional phase for copyright

Burke’s stance on copyright illustrates the subtle and complex relationship between support for the free market on the one hand and an insistence on monopolistic practices on the other hand. If one is to properly understand and resolve Burke’s prima facie contradictory stance between his advocating of free market and his defence of copyright, they must inescapably revert to prevalent eighteenth-century opinion about the function and essence of the free market per se; of course, this, also, applies to the trade of books. They should, also, pay attention to the interplay between classical political economy and mercantilist conceptions that were still very much in place in Burke’s time.

More concretely, in the eighteenth-century a clear definition of the free market had not yet been formulated. Different meanings were ascribed to the term allowing for very diverging interpretations by a variety of audiences. This was true for the book market, too. In other words, free trade had not yet taken the defined sense that would take in the nineteenth-century. This is inter alios the reason why classical political economists, such as Adam Smith, were able to advocate free trade and at the same time support the mercantilist legislative framework of the Navigation Acts.<sup>26</sup> Overall, in this period, support for free trade did not inevitably carry the implication that all state entanglements in commerce and the economy in general should be removed or struck down all at one instance – this would be an oversimplification.

Instead of transcribing nineteenth-century notions to the eighteenth-century economic debate, what appears to be closer to the truth is that Burke’s opinion on free market and commerce cannot be limited neither to the mercantilist nor the classical approach. In turn, this points to the ongoing discussions and particularities of the second half of the eighteenth-century, a rather transitional period respecting the history of economic thought, as mentioned in the introduction. Burke was a thinker who distrusted abstract reasoning and metaphysical speculation as well as general principles and so was very reluctant to allow for ‘watertight’ rules on the economy too. This means that while he acknowledged restrictions on trade were not always based on commercial reasons, he was not ready to dogmatically accept a completely free trade a priori. When it came to the book market the abolition of copyright was for him translated into an attack against the established property rights of certain individuals, that is booksellers who had bought the intellectual property of authors through a free commercial transaction. It is well-established that Burke adopted a careful stance on practical political issues and followed prudential judgement in

<sup>26</sup> As defence, however, is of much more importance than opulence, the act of navigation is, perhaps, the wisest of all the commercial regulations of England’ Smith, Adam, *An Inquiry Into the Nature and Causes of the Wealth of Nations*, edited by Campbell, R.H., Indianapolis, IND: Liberty Fund, 1982, Vol. 2, pp. 29-30, 464-65. The Navigation Acts were a traditional mercantilist mechanism of the British Empire which often limited free trade. Yet, this did not prevent Smith inter alios to approach this complex issue without prejudice. For more on this, see Weingast, Barry R., ‘War, Trade, and Mercantilism: Reconciling Adam Smith’s Three Theories of the British Empire’ (September, 6, 2018), *SSRN Electronic Journal*, pp. 1-29. Access at: <<http://dx.doi.org/10.2139/ssrn.2915959>>.

each separate case.<sup>27</sup> As a result, his rejection of apriorism and his middle of the road stance between these two different categories (i.e. monopoly and free market) is additionally asserted by his adopted position regarding the copyright of books.

Burke's statements on economic affairs must be read in accordance with his overall thinking. It is generally agreed amongst scholars that Burke held the belief that history and tradition ought to determine the actions of the politicians, who are the 'philosophers in action'. As Gerald Chapman and Francis P. Canavan *inter alia* have proven in their studies this process is determined by prudence and practical political reason. The cardinal place of prudential judgement in Burke's thought encouraged him to reject metaphysical thinking, abstractions, and speculation in favour of empirical judgement.<sup>28</sup> He was shown to be very reluctant to resolve into abstract reasoning before practical political problems. If linked with his methodological premises and ontological presuppositions, Burke's aforementioned approach on copyright provides for a vindication of the position that he was not the disciple of any particular school of thought, be it mercantilist or classical. Subsequently, this carries the implication that Burke, rejecting general principles and abstract reasoning, could have never accepted free trade in all cases, that is a priori. It is important to discern this disposition from nihilism or outright scepticism. What differentiates Burke from advocates of a particular system is that in the case of copyright, he chose to examine each case within its particulars and then reach a practical judgement about what should be done. Overall, when it comes to Burke and his economic thought, a theory on copyright or the free market cannot be properly established, because of his very method.

The tendency to locate Burke within a specific school of thought is not limited to his economic thinking. There are different interpretative traditions of Burke's political thought, ranging from the utilitarian school of thought in the nineteenth century to his reception as a classical natural law thinker in the mid-1950s. Recent studies on the issue have proven that clean categories do not quite capture Burke.<sup>29</sup> What is argued here is that the same principle can be thoroughly applied to his economic thought, too. Burke's statements on trade and copyright render it impossible to classify him strictly as a mercantilist or classical economist. Rather, what his opinions taken as a case-study demonstrate is the transitional nature of this period in the history of economic thought and the swing of the balance from the mercantilist certainties of the previous century to the new realizations of free market economics.

It follows from the above that Burke's economic thinking cannot be understood without reference to his broader political and methodological convictions. Prudence and practical reason, as mentioned, dictated that the politician, the 'philosopher in action', should always judge each case separately.<sup>30</sup> Far from being a calculative or utilitarian approach, Burke's method allowed him to adopt different strategies on a series of issues. As a result, it is not a contradiction for him to be advocating free trade at one instance and supporting the monopoly of the booksellers at another. Lastly, as mentioned above, paramount to his thinking, as convincingly demonstrated by Canavan and others, were property rights. On a last note, it should be observed that Burke's and the booksellers' case was not so convincing because the book monopoly did not always serve traders, authors and the reading public alike. Books were rather expensive, and few could afford editions of important works, except if they bought them from the pirate market. Furthermore, not all authors received fair payment for selling their copyrights to booksellers. In the final analysis, perpetual copyright was abolished because it mainly served the interests of very few people, the London booksellers.

<sup>27</sup> For more about Burke's method of reasoning about political affairs, see Canavan, Francis P., *The Political Reason of Edmund Burke*, Durham: Duke University Press, 1960, especially chapter 1.

<sup>28</sup> Chapman, Gerald W., *Edmund Burke. The Practical Imagination*, Cambridge MA: Harvard University Press, 1967, *passim*; Canavan, Francis P., *The Political Reason...*, especially c and 3.

<sup>29</sup> Bourke, Richard, *Empire and Revolution...*, *passim*.

<sup>30</sup> Burke, Edmund, "Thoughts on the Cause of the Present Discontents", in: *Writings and Speeches of Edmund Burke*, edited by Paul Langford, Oxford: Oxford University Press, 1981, p. 237.

In conclusion, it should be underlined that Burke had an interest in different economic issues, such as the function of the trade market, the methods of determining the level of rates of wages, and when it was proper for the state to intervene in the economy. He offered his thoughts on these subjects not in a systematic treatise, but on scattered remarks over his various pamphlets and speeches, thus creating additional problems of interpretation for the Burkean scholar. What has been attempted to be proven here is that if one considers Burke's stance on copyright, it appears inappropriate to endeavour to place him within a certain tradition, either the prevailing contemporary mercantilist one or the emergent classical political economy. What is Burke's most valuable role for the history of economic thought of his times, is his belief in practical judgement and prudence on economic affairs and his negation of apriorisms and closed systems. Taken as an exercise in the history of economic thought, Burke's opinions on economic affairs serve to demonstrate how labels such as 'mercantilism' or 'classical political economy' are inadequate to capture the economic thinking of this transitional age. And this can be seen as one of Burke's most critical contributions to the history of economic thought.

Burke's stance on the issue is, also, indicative of the wider tendencies identified in the book-market of eighteenth-century Britain. Of course, these frictions between various interests had already been on the show before the controversy of 1774. But the divergence of interests was aggravated during this crisis. Both sides employed a series of arguments to support their case. On the one hand there was the struggle for the end of perpetual copyright and the advancement of a truly free market of books. On the other hand, as mentioned above and as Burke maintained, such laissez-faire on books not only hindered the danger of curtailing the possibility of writers to publish their work but also constitute them dependent on other sources of funding for publishing. When it comes to their overall merit, although such an evaluation eschews the scope of the present examination, it should be accepted that under the circumstances of late eighteenth-century, the arguments for a quasi-free market of books were rather strong and appealing. In addition, these observations are connected to the transitional phase of the wider economics landscape in Britain during those centuries. Perhaps, it can be maintained that Burke's and others' support for the booksellers' cause was one of the last manifestations of the vested interest in the eighteenth-century British book market. The fact that the booksellers did not manage to ascertain their position and return to the status quo ante may also be indicative of the more 'liberal' trend in commerce related but not limited to books.

In the final analysis, it is evident that Burke's defence of the booksellers' cause is not only an interesting window to the history of the book in eighteenth-century Britain but also to the intermediate nature of this period in the history of economic thought, that is between the mercantilist certainties and the nascent political economy of the nineteenth century. What is more, the present analysis sought to serve as a case study not only on the intellectual and economic developments in Whig thought in general and of Burke's on a more specific level, but also to the history of the book and its market in eighteenth-century Britain. There is, of course, further room for research on the subject of Whig commercial and economic thought on the book trade and other subjects. Burke's ideas and the way his arguments were presented may serve as a case-study, or a template, for such future examinations. Overall, Burke, as often in his career, eventually, allied himself with the losing side. The booksellers, indeed, lost the battle for copyright and the history of intellectual property and of book publishing and distribution changed forever in Great Britain. Burke's eloquence and the powerful vested interest of the booksellers were not enough to change the dynamics of the new market.

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