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Author details: Professor Matthew Bell  
Department of German  
King's College London  
Virginia Woolf Building  
22 Kingsway  
London WC2B 6LE  
Tel. 0207 848 2131  
E-mail: matthew.bell@kcl.ac.uk  
ORCID: 0000-0003-1458-7298

Abstract: The relative backwardness of eighteenth-century German literature and the presumed ambivalence of German writers towards political power have traditionally been explained by the lack of a copyright law in Germany, which meant that German writers, in contrast to their British contemporaries, were often financially dependent on the state. This paper argues that the differences between British and German writers in economic terms have been overstated. British copyright law did not in fact serve the interests of writers to the extent that has traditionally been supposed. In Germany and Britain the situation of writers was determined more by the underlying economics of the publishing trade, especially the high cost of book production, which enabled publishers to pursue monopolistic practices and tilted the tables in favour of publishers and against writers. This argument has further implications for our understanding of the politics of German literature in the late eighteenth century.

Keywords: Enlightenment, publishing, authorship, eighteenth century, copyright.

Word count: 6,375

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It is generally held that the eighteenth century saw the emergence of a new type of authorship — the professional or independent author, who needed no other income than from his writing.<sup>1</sup> This type emerged first in Britain, thanks to the first formally codified copyright law, the Statute of Anne of 1710, which gave authors full legal ownership of their work and therewith the ability to earn a secure income from the sales of their books.<sup>2</sup> During the course of the century, as the number of readers, publishers, authors and books steadily grew, British authors increasingly enjoyed the fruits of the marketplace, instead of depending on aristocratic patronage, which most authors were glad to be rid of. It was, in Samuel Johnson's

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<sup>1</sup> On the problematic term 'professional author', see Dustin Griffin, *Authorship in the Long Eighteenth Century* (Newark: University of Delaware Press, 2013), pp. 171–86, and Griffin, 'The Rise of the Professional Author?' in *The Cambridge History of the Book in Britain*, ed. by John Barnard, D. F. McKenzie, David McKitterick, and I. R. Willison (Cambridge: Cambridge University Press, 1999–) V: *1695–1830*, ed. by Michael F. Suarez and Michael L. Turner (2009), , 132–45. Eighteenth-century usage preferred the ambiguous term 'writer by profession' (Griffin, 'The Rise of the Professional Author?', pp. 137–43). In German literary historiography, the term 'independent' ('unabhängig') has been preferred to 'professional', while eighteenth-century usage seems to have preferred the term 'freier Schriftsteller', and sometimes the equivalent of the English 'writer by profession' was used, as for instance in Leopold Alois Hoffmann, *Höchst-wichtige Erinnerungen zur rechten Zeit, über einige der allerernsthaftesten Angelegenheiten diese Zeitalters*, 2 vols (Vienna: Rehm, 1795–96), I (1795), 124: 'Die Römer schrieen: Brod und Spiele! Unser Jahrhundert schreit: Komödien und Bücher! Und nur die Schriftsteller von Profession schreien: Brod!'

<sup>2</sup> On this 'standard model', see Griffin, *Authorship in the Long Eighteenth Century*, pp. 171–72.

phrase, ‘the Age of Authors’.<sup>3</sup> In Germany by contrast, the lack of a copyright law, or the unenforceability of whatever piecemeal legal arrangements existed in the politically and legally fragmented Empire, meant that an author’s path to financial independence was blocked by the pirate publishers who were able to reprint the author’s work with no payment. Unable to earn a living from their writing alone, German authors remained dependent on other sources of income, which in the first home of the German Enlightenment — Lutheran northern and central Germany — meant dependence on the state, whether in the form of a career in the state administration or in the state church or in state educational and cultural institutions.

This comparative assessment of the British and German book markets was first made by Walter Bruford in 1935.<sup>4</sup> It has been repeated frequently since, often by way of an

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<sup>3</sup> Samuel Johnson, *Adventurer*, no. 115, in *The Idler and The Adventurer*, ed. by W. J. Bate, J. M. Bullitt, L. F. Powell (New Haven: Yale University Press, 1963), p. 457.

<sup>4</sup> W. H. Bruford, *Germany in the Eighteenth Century: The Social Background of the Literary Revival* (Cambridge: Cambridge University Press, 1935), pp. 271–90 (pp. 271–73). See also Reinhard Wittmann, *Geschichte des deutschen Buchhandels* (Munich: C.H. Beck, 1991), p. 156, though Wittmann has also argued that piracy had a much less detrimental effect on the development of the independent author that has traditionally been argued: ‘Der gerechtfertigte Nachdrucker: Nachdruck und literarisches Leben im 18. Jahrhundert’, in *Buch und Buchhandel in Europa im 18. Jahrhundert*, ed. by Giles Barber and Bernhard Fabian (Hamburg: Hauswedell, 1981) pp. 292–320, (pp. 307–09).

explanation for German cultural impoverishment or belatedness.<sup>5</sup> More recently the dependence of German authors on the state has been used to support an argument about the politics of German literature in the latter part of the century. According to Nicholas Boyle, ‘to make an independent living as a man of letters [...] was still a hopeless undertaking for a man of intellectual integrity [...]’. On the other hand ‘the relatively extensive network of official and university posts offered more numerous possibilities of a secure yet intellectual existence [...] but the security [...] was bought at a price.’ That price was financial, social and psychological dependence on the state: ‘the German eighteenth-century intellectual was confined within a one-dimensional system — wherever he turned, he found the State.’<sup>6</sup> Consequently, German writing of the period displays an awkward relation to political power: morally averse to it, but financially and psychologically beholden to it.

Some aspects of this traditional picture of eighteenth-century literature deserve to be retained. It seems clear that many German writers were directly or indirectly dependent on income from the state. The conditions for authorship in Germany were certainly difficult, and conditions in Britain appeared better. British copyright law was a model, indeed an ideal for the rest of Europe. However, the comparison made by Bruford and the conclusions drawn by Boyle and others are in need of revision. In reality, the impact of the Statute of Anne on the economics of authorship in Britain was much more limited than people realized. Far more

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<sup>5</sup> On the lack of *grands projets* in German publishing, see Albert Ward, *Book Production, Fiction and the German Reading Public 1740-1800* (Oxford: Clarendon Press, 1974), p. 98.

<sup>6</sup> Nicholas Boyle, *Goethe: The Poet and the Age* (Oxford: Oxford University Press, 1991–), I: *The Poetry of Desire* (1991), 19. See also T. C. W. Blanning, *Reform and Revolution in Mainz* (Cambridge: Cambridge University Press, 1974), p. 14.

important than any changes in the copyright regime were the underlying economics of the book trade. These economics were weighted strongly in favour of publishers and against authors, and they were broadly the same in Germany and Britain, so that the circumstances of authors in Germany and Britain were much more similar than Bruford supposed. Thus, if we are looking for an explanation for the stance of German writers towards political power, the nature of the book trade may be the wrong place to look for it. Indeed, the conclusion of this argument will be that the achievement of German writers in the second half of the eighteenth century, and in particular their treatment of political subject matter, is easier to understand if we abandon Bruford's theory and its later applications.

Some eighteenth-century authors believed that the Statute of Anne had opened the way to a promised land where financial independence was at last possible. Authors welcomed what they saw as the end of the age of patronage and its replacement by a new arrangement in which the reading public were the new patrons of literature, and not royalty or wealthy aristocrats. As Oliver Goldsmith put it: 'At present the few poets of England no longer depend on the Great for subsistence, they have now no other patrons but the public, and the public, collectively considered, is a good and a generous master.'<sup>7</sup> In 1784, announcing his new literary journal, the *Rheinische Thalia*, Schiller made a similar claim, with an added dash of pathos:

Ich schreibe als Weltbürger, der keinem Fürsten dient. [...] Nunmehr sind alle meine Verbindungen aufgelöst. Das Publikum ist mir jetzt alles, mein Studium, mein Souverain, mein Vertrauter. Ihm allein gehör ich jetzt an. Vor diesem und keinem andern Tribunal werde ich mich stellen. Dieses nur fürchte ich und verehr ich. Etwas Großes wandelt mich an bei der

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<sup>7</sup> Oliver Goldsmith, *The Citizen of the World; Or Letters from a Chinese Philosopher*,

*Residing in London, to his Friends in the East*, 2 vols (London: no publ., 1762), II, 84.

Vorstellung, keine andere Fessel zu tragen als den Ausspruch der Welt – an keinen andern Thron mehr zu appellieren als an die menschliche Seele. (NA, 22, p. 93)

If Goldsmith's and Schiller's expressions of faith in the reading public were, as I hope to show, exaggerated, they were not empty: there were good reasons, at least in theory, for believing that the new age of the professional author had arrived. The Statute of Anne did provide a firm legal basis for authors to own their writings. It established a term of copyright of fourteen years, or twenty one years for any works already in print before the Statute's enactment. This copyright belonged in the first instance to the author of the work, who might then dispose of his copyright, by sale or by grant, to any other person or corporate body. After the elapsing of the term, ownership of copy would revert to the original author, provided he was still alive. Thus the act put the ownership rights of authors on a firm footing, and with the provision for the reversion of copyright to the author it ended at a stroke the prior practice whereby publishers claimed for themselves copyright in perpetuity. The Statute promised to rebalance the book trade in favour of authors.

The effects of the Statute's legal innovation were soon felt. In March 1714 Alexander Pope signed a contract with the London publisher Bernard Lintot for a new translation of the *Iliad*. The contract provided for payments of £1,290 in copy money, with a further value of nearly £5,000 in the form of 750 luxury copies for Pope's list of subscribers.<sup>8</sup> In the event Pope made somewhat less than that, around £5,000 in total — still a very handsome sum, approximating to £450,000 in today's value,<sup>9</sup> that funded the lease on a villa in Twickenham

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<sup>8</sup> James McLaverty, 'The Contract for Pope's Translation of Homer's *Iliad*: An Introduction and Transcription', *Library*, 15 (1993), 206–25 (p. 206).

<sup>9</sup> Based on the currency conversion rates at

<http://www.nationalarchives.gov.uk/currency/default0.asp> [accessed 8 July 2017].

and several years of full-time writing. If other authors had seen the detail of the contract, they would have been even more envious of Pope's success. The contract specified not only the generous financial settlement, but also the physical appearance of the luxurious edition, which would add still more lustre to Pope's reputation. His *Iliad* would be printed on 'royal' paper in a new typeface to be chosen by the author. Elaborate headpieces, tailpieces and initials would be engraved on copper by an artist chosen again by Pope himself.<sup>10</sup> The quarto edition of Pope's *Iliad* is one of the treasures of early eighteenth-century British book design. The generosity of the financial arrangement and the amount of control Pope gained over the appearance of the book together represented a degree of authorial autonomy that was unprecedented.

However, both of these signs of hope, the Statute itself and Pope's contract for his *Iliad*, were deceptive. For one thing, as lucrative as it was for the author, Pope's *Iliad* turned into a financial headache for the publisher Lintot. Producing the luxurious quarto volumes for Pope's subscribers caused Lintot severe cash-flow problems, though this was eventually mitigated by sales of Lintot's trade edition of the *Iliad*.<sup>11</sup> However, as Pat Rogers put it: 'publishers in the future would be more cagey. Subscription ventures went on unabated, but few — if any — authors could demand Pope's terms. The whole episode was less typical than historians of literature and the book trade have chosen to believe'.<sup>12</sup> The level of

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<sup>10</sup> McLaverty, 'Contract', pp. 208–09.

<sup>11</sup> On Lintot's financial troubles, see David F. Foxon, *Pope and the Early Eighteenth-Century Book Trade* (Oxford: Clarendon Press, 1991), pp. 51–63.

<sup>12</sup> Pat Rogers, 'Pope and his Subscribers', *Publishing History*, 3 (1978), 7–36 (p. 30).



remuneration enjoyed by Pope was simply unsustainable, and it was not repeated. No English poet would enjoy this degree of financial success until Byron.

Moreover, the idea that the Statute of Anne was a victory for writers of the Enlightenment requires qualification. The intention of the act was clear: it was promulgated ‘for the Encouragement of Learned Men to Compose and Write useful Books’.<sup>13</sup> It would achieve this by ensuring that authors were properly remunerated for their work and that their income was not stolen by the pirate publishers. Indeed this usage of the term *piracy* first appeared during the campaign that led to the Statute. Daniel Defoe was particularly vocal in support of a copyright law:

One Man Studies Seven Year, to bring a finish'd Peice into the World, and a Pyrate Printer, Reprints his Copy immediately, and Sells it for a quarter of the Price. [...] These things call for an Act of Parliament, and that so loud as I hope will not be deny'd, that so Property of Copies may be secur'd to Laborious Students, to the Encouragement of Letters and all useful Studies.<sup>14</sup>

The success of Defoe's arguments is attested not only by the fact of the Statute, but also by the similarity of its wording. Defoe writes of ‘the Encouragement of Letters and all useful Studies’, and the Statute follows suit with ‘the Encouragement of Learned Men to Compose and Write useful Books’. The principle enunciated by Defoe had great force, but his advocacy had an unanticipated effect: it provided the London publishers with a language in which they could petition the courts for the restitution of their prior property rights.<sup>15</sup> With

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<sup>13</sup> Ronan Deazley, *On the Origin of the Right to Copy: Charting the Movement of Copyright Law in Eighteenth-Century Britain (1695–1775)* (Oxford: Hart, 2004), p. 233.

<sup>14</sup> Daniel Defoe, *A Review of the Affairs of France*, 8 November 1705, vol. II, no. 106, p. 424.

<sup>15</sup> Mark Rose, *Authors and Owners: The Invention of Copyright* (Cambridge: Harvard University Press, 1993), p. 35.

the Statute the publishers achieved what they had sought: a definition of authorship that would be defensible in court but be loose enough for them to exploit for their own financial purposes. From the 1730s, after repeated petitions from the London publishers, the English courts interpreted the Statute in a manner that favoured publishers instead of authors.<sup>16</sup> The publishers were able to persuade the courts that their natural property rights took precedence over the fixed-term copyright provided for by the Statute. They were therefore able to renew their copyrights indefinitely. In effect, the courts continued the pre-Statute practice of treating publishers as if they were immortal authors.

For most authors the prospect of literary independence, encouraged by the Statute of Anne and the example of Pope's *Iliad*, was a glamorous illusion. Tempting though it was to believe that it would be possible for any author of quality to sell his works for a price sufficient to fund a life of literary work, in fact the relationship between author and readership was not as Goldsmith and Schiller imagined it. Authors did not enjoy the direct patronage of the reading public. Between the author and the reading public stood the publisher, a figure with far more financial power than the author. Authors may have gladly left behind the age of royal or aristocratic patronage, as Johnson repeatedly claimed, but instead they had become the clients of their publishers, as Johnson well knew.<sup>17</sup> Referring to the publisher of his poem 'London', Robert Dodsley, Johnson remarked: 'Doddy, you know, is my patron'.<sup>18</sup> Johnson chose to celebrate the fact that the prosperity of the author was assured by his publisher. A more

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<sup>16</sup> William St Clair, *The Reading Nation in the Romantic Period* (Cambridge: Cambridge University Press, 2004), pp. 92–94.

<sup>17</sup> Dustin Griffin, *Literary Patronage in England, 1650-1800* (Cambridge: Cambridge University Press, 1996), pp. 220–45.

<sup>18</sup> Cited in Griffin, *Literary Patronage*, p. 221.

realistic view would have been that publishers might choose to share the financial rewards of book sales with authors, but that they had little reason to do so and there was little authors could do to influence their publishers' behaviour. Consequently Johnson's practice was more nuanced and complex than his pronouncements on the subject. He was not averse to making compromises with political power and was one of many British authors who lived off 'pensions, ecclesiastical offices, regius chairs and other academic professorships, civil service positions, and various kinds of sinecures from the government'.<sup>19</sup> In 1763 Johnson began to receive a £300-a-year pension from the Bute administration, and when in 1771 he signalled his willingness to write a pamphlet in defence of the government, the Edinburgh publisher William Strahan wrote that: 'The Truth is, Dr Johnson's Heart and Soul is with the Government.'<sup>20</sup>

Two connected factors skewed the economics of publishing firmly in favour of the publishers: the monopolistic or cartel-like practices of the publishing houses and the high cost of book manufacturing. The structure of the publishing industry in the eighteenth century was still in large part determined by systems of royal oversight imposed for reasons of political control during the seventeenth century. In England this took the form of the Licensing Act, which gave a near-monopoly over the publishing business to the Company of Stationers, the guild organization of the London publishers.<sup>21</sup> On the continent publishing tended to be

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<sup>19</sup> Richard B. Sher, *The Enlightenment and the Book* (Chicago: University of Chicago Press, 2006), p. 207.

<sup>20</sup> Sher, *The Enlightenment and the Book*, p. 208.

<sup>21</sup> On the continuing impact of the Licensing Act, see St Clair, *Reading Nation*, pp. 61–62.

controlled by royal privilege.<sup>22</sup> The effect was broadly the same: access to the publishing trade was restricted to what was in effect a cartel of publishing houses. These publishers were able to maintain high profits by collaborating with one another in keeping the price of books high and in defending their legal rights over their ‘literary property’, as they termed it.<sup>23</sup> The latter meant the retention of copyright in perpetuity, which as we have seen was unaffected by the Statute of Anne in England. Copyright in perpetuity was also the norm in the German law courts.<sup>24</sup>

By means of these tactics the London publishing business enjoyed what William St Clair has called ‘as perfect a private monopoly as economic history can show’, which lasted until the English courts finally saw fit to interpret the Statute of Anne literally in 1774.<sup>25</sup> The German publishing industry was less monopolistic, but there is evidence that during the same period the publishing houses that dominated the Saxon market and the Leipzig book fair pursued an aggressive policy of cartelization. In the early 1760s Philipp Erasmus Reich of the great

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<sup>22</sup> On France, see Thierry Rigogne, *Between State and Market: Printing and Bookselling in Eighteenth-Century France* (Oxford: Voltaire Foundation, 2007), pp. 36–64.

<sup>23</sup> St Clair, *Reading Nation*, p. 93.

<sup>24</sup> Johann Adolf Goldfriedrich and Friedrich Kapp, *Geschichte des deutschen Buchhandels*, 5 vols (Leipzig: Börsenverein der deutschen Buchhändler, 1886–1913), III: *Vom Beginn der klassischen Litteraturperiode bis zum Beginn der Fremdherrschaft (1740-1804)* (1909), 452–3.

<sup>25</sup> St Clair, *Reading Nation*, p. 101. On the 1774 Donaldson vs Becket case, see Mark Rose, ‘Copyright, authors and censorship’, in *The Cambridge History of the Book in Britain*, V, 118–131 (pp. 120–24).

Leipzig house Weidmanns Erben und Reich began to transform the Saxon publishing industry into a cartel.<sup>26</sup> On the model of the London and Paris corporations, Reich proposed the foundation of a society of publishers — an association of firms that would have exclusive power to regulate the publishing industry, which chiefly meant excluding outsiders and undesirables from it.<sup>27</sup> The secretary of the society would be based in Leipzig and would of course be Reich himself. The cartel was also to adopt an ambitious new pricing policy. Traditionally the German book trade had been based on the exchange of books between booksellers in a system of barter. Reich sought to replace the barter system with cash-based exchange. He demanded full cash payment for Weidmann's books from the other publishers and booksellers, with no right of return and very small trade discounts.<sup>28</sup> Reich knew that this would mean selling fewer books. He mitigated the impact on the company's income by raising prices, sometimes by as much as fifty percent, and the other major Leipzig publishers soon followed suit.<sup>29</sup> At the same time he sought to cement the position of Weidmann by attracting the very best authors with higher copy money, to the extent that by the 1780s the Leipzig cartel had achieved 'nahezu ein Monopol auf alle attraktiven, in ganz Deutschland

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<sup>26</sup> On Reich's reforms, see Hazel Rosenstrauch, 'Buchhandelsmanufaktur und Aufklärung. Die Reformen des Buchhändlers und Verlegers Ph. E. Reich (1717–1787): Sozialgeschichtliche Studie zur Entwicklung des literarischen Marktes', *Archiv für Geschichte des Buchwesens*, 26 (1985), 1–129 (pp. 49–65). Rosenstrauch uses the term 'monopoly' (p. 56).

<sup>27</sup> Goldfriedrich, *Geschichte des deutschen Buchhandels*, pp. 16–18; Rosenstrauch, 'Buchhandelsmanufaktur', pp. 59–62.

<sup>28</sup> 'Nettohandel mit Barzahlung ohne Rückgaberecht bei geringem Rabatt' (Wittmann, *Geschichte des deutschen Buchhandels*, p. 135).

<sup>29</sup> Rosenstrauch, 'Buchhandelsmanufaktur', p. 55.

begehrten Neuerscheinungen'.<sup>30</sup> The strategy of demanding cash payment and then raising prices had the intended effect of excluding the undesirable southern and northern German publishers from the choicest parts of the book market. At the same time Reich made moves to cement the position of the Leipzig book fair as Germany's principal clearing house, refusing to attend the Frankfurt book fair and trying to build an alliance of so-called 'honest' booksellers against it.<sup>31</sup> The Saxon publishers' dominance at the Leipzig fair would further enhance the trading power of Reich's cartel. Reich's 'reforms' were supported by the Saxon government, in accordance with mercantilist economic theory of the time.

As a result of the price increases, there was inevitably a fall in the size of print runs and a rise in unsatisfied demand for new books. The growth of the pirate publishers in the 1770s — Fleischhauer in Reutlingen, Franck and Schramm in Tübingen, Schmieder in Karlsruhe, Trattner in Vienna, Himburg in Berlin — is best understood as a response to this unsatisfied demand. Understandably the Leipzig houses reacted with horror to the new wave of piracy; there were complaints that piracy was forcing them to raise their prices in order to protect their profits. In fact this was putting the cart before the horse, for the price inflation was a consequence of Reich's policy of cartelization and actually preceded the growth of piracy.<sup>32</sup>

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<sup>30</sup> Wittmann, 'Der gerechtfertigte Nachdrucker', p. 301.

<sup>31</sup> Goldfriedrich, *Geschichte des deutschen Buchhandels*, p. 13. As Rosenstrauch notes, the Frankfurt book fair was already effectively dead before Reich's decision; Reich and his Saxon allies were not responsible for killing it off, they just dug its grave (Rosenstrauch, 'Buchhandelsmanufaktur', p. 36).

<sup>32</sup> Wittmann, *Geschichte des deutschen Buchhandels*, pp. 132–33.

Another response to the cartel-like practices of the publishers, and one that looms large in the history of late eighteenth-century German literature, was the phenomenon of *Selbstverlag*, self-publication.<sup>33</sup> Numerous writers experimented with *Selbstverlag* and in a variety of ways. The experiments were all short lived. Klopstock attempted to raise funds by subscription for his *Gelehrtenrepublik* project, which collapsed under the weight of its own grandiose literary ambitions. The advertisement for the *Gelehrtenrepublik* makes it plain that *Selbstverlag* was an attempt to strike back against the publishers' practice of claiming copyright in perpetuity:

Meine Absicht ist, zu versuchen, ob es möglich sei, daß die Gelehrten durch [...] Subskriptionen Eigentümer ihrer Schriften werden. Denn jetzt sind sie dies nur dem Scheine nach; die Buchhändler sind die eigentlichen Eigentümer, weil ihnen die Gelehrten ihre Schriften, sollen sie anders gedruckt werden, wohl überlassen müssen. Es wird sich bei diesem Anlasse zeigen, ob man darauf hoffen könne, daß das Publikum den Gelehrten und diese sich untereinander [...] dazu beförderlich sein werden, daß sie zu dem wirklichen Besitze ihres Eigentums gelangen.<sup>34</sup>

An attack on the publishers' practice of asserting copyright in perpetuity; a utopian vision of direct collaboration between writers and readers: it is a familiar tune.

Other writers clubbed together into associations, notably the Dessauer Gelehrtenbuchhandlung, which was forced out of business after Reich organized a two-year boycott of its books at the Leipzig book fair and in Berlin.<sup>35</sup> Periodical publication was also popular among the *Selbstverleger*, most famously Lessing and Bode's publication of the former's *Hamburgische Dramaturgie*. Lessing was singled out for a concerted campaign of

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<sup>33</sup> On self-publication in Britain, see Sher, *The Enlightenment and the Book*, p. 217.

<sup>34</sup> Cited in Wittmann, *Geschichte des deutschen Buchhandels*, pp. 164–65.

<sup>35</sup> Stephanie Rahmede, *Die Buchhandlung der Gelehrten zu Dessau. Ein Beitrag zur Schriftstelleremanzipation um 1800* (Wiesbaden: Harrasowitz, 2008), pp. 132–34.

piracy — not by the usual suspects Schmieder, Scheithauer, Trattner or Himburg, but by a member of the established Leipzig book trade, E. B. Schwickert, albeit under a fake imprint.<sup>36</sup> Wieland initially self-published his *Teutscher Merkur*, but soon reverted to traditional publishers as the stresses of providing proper distribution became too great. Goethe and Merck's disastrous attempt to self-publish *Götz von Berlichingen* also came to grief because of the pair's failure to plan for actually selling the books. Thus the experiments in *Selbstverlag* failed either because of their authors' inability to sell the copies they had printed or because they represented a threat to the well-resourced traditional publishing houses and an easy target for their monopolistic practices. Except insofar as the traditional publishers might adopt pirate tactics to sink the *Selbstverleger*, piracy was not the issue here. The *Selbstverlag* projects were not reactions to piracy, but to the feeling that authors were enslaved to the traditional publishing houses with their practice of copyright in perpetuity. German authors were much more likely to complain about the rapaciousness of the traditional publishers than about piracy.<sup>37</sup> Piracy was neither the rationale for *Selbstverlag* nor the cause of its failure.

We have seen the emergence in the middle of the eighteenth century of a range of monopolistic or cartel-like practices in the English and German book trade, which aimed to cement the position of a local book industry — in London and Leipzig — by excluding outsiders from the trade and by keeping prices and profit margins high. The similarity of these practices was due in the first place to the underlying economics of the publishing business, which were the same in Germany and Britain. Throughout the eighteenth century

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<sup>36</sup> Wittmann, *Geschichte des deutschen Buchhandels*, pp. 162–63.

<sup>37</sup> Wittmann, 'Der gerechtfertigte Nachdrucker', p. 307.



the cost of manufacturing books remained high. Operating the traditional wooden hand presses was slow, cumbersome and labour intensive. Raw materials were expensive, especially paper. Friedrich Nicolai complained repeatedly of its high cost and scarcity; ensuring a constant supply of reasonably priced paper was the greatest practical difficulty he faced as a publisher.<sup>38</sup> It was only in the nineteenth century that new processes — chlorine bleaching, machine manufacture and eventually the introduction of wood pulp as a material — reduced the cost of paper by around 90 percent.<sup>39</sup>

The high cost of production meant that the unit cost of books remained high, and there was little potential for economies of scale. Whereas some fixed capital costs (the press itself, type) and the cost of composing could be amortised over longer print runs, the cost of paper and the labour of assembling the finished product (pressing, folding, stitching and binding) could not.<sup>40</sup> Therefore there was relatively little potential for publishers to increase sales by bringing a cheaper product to market. Accordingly, the normal practice of publishers was to ‘tranche down’ — in William St Clair’s term — slowly, that is to say, to move slowly from a high-cost format with low print runs and high profit margins, to a lower-cost format with longer print runs and lower profit margins.<sup>41</sup> The most sensible tactic was to exhaust the top

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<sup>38</sup> Pamela E. Selwyn, *Everyday Life in the German Booktrade: Friedrich Nicolai as Bookseller and Publisher in the Age of Enlightenment 1750-1810* (University Park: Pennsylvania State University Press, 2010), pp. 59–72.

<sup>39</sup> Philip Gaskell, *A New Introduction to Bibliography* (Oxford: Clarendon Press, 1972), p. 229.

<sup>40</sup> St Clair, *Reading Nation*, p. 23.

<sup>41</sup> St Clair, *Reading Nation*, p. 32.

end of the market first, and this in turn provided an incentive to keep prices artificially high and print runs relatively short. Books were for the most part luxury goods.<sup>42</sup> One way for publishers to justify high prices was to make books appear opulent, for instance with larger clearer type and decoration in the form of images.<sup>43</sup> This may be part of the reason why some publishers — Reich is a good example — made extensive use of costly copper plates by artists such as Daniel Chodowiecki, who could charge as much as 400 thaler for one plate — approximating to £5,500 in today's value.<sup>44</sup>

Another approach to increasing profits was, of course, to reduce costs, and this is where the relationship between authors and publishers could become fraught. We saw that publishers like Reich attracted the best authors by offering higher than usual copy money. Once the author was firmly in the publisher's stable, however, the publisher had an interest in minimizing the cost of retaining him. Johann Friedrich Weygand of the Weygandsche Buchhandlung was famous for attracting young, talented authors with his avuncular manner

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<sup>42</sup> See the letter from the Zurich bookseller Heidegger to Philipp Erasmus Reich: 'Da alles theuer und das Geld rar ist, so fängt man an, Bücher unter den Luxus zu zählen [...]' (Wittmann, *Geschichte des deutschen Buchhandels* p. 134).

<sup>43</sup> Wittmann, *Geschichte des deutschen Buchhandels*, p. 147.

<sup>44</sup> On Reich's use of plates, see Rosenstrauch, 'Buchhandelsmanufaktur' pp. 2–3. On Chodowiecki's prices, see Pamela E. Selwyn, 'Daniel Chodowiecki: Der Künstler als Kaufmann', in *Daniel Chodowiecki (1726–1801), Kupferstecher, Illustrator, Kaufmann*, ed. by Ernst Hinrichs and Klaus Zernack (Tübingen: Max Niemeyer, 1997), pp.11–22 (p. 15). For currency rates, see: <http://www.pierre-marteau.com/currency/converter.html> and <https://www.nationalarchives.gov.uk/currency/default0.asp> [both accessed 8 July 2017].

and generosity, only to drive down their copy money later. He was considered one of the most rapacious publishers around, though this did not seem to harm his business.<sup>45</sup> Motivated as much by prestige as by money, authors wanted to be published by Weygand despite his bad reputation. The law gave authors little protection in their dealings with publishers. An unscrupulous publisher might print a longer print run than was stipulated in the contract. Or he might produce an unauthorized second edition, such as Weygand's unauthorized 1775 reprinting of *Werther*, which he was careful to ensure was physically identical to the 1774 first edition, including backdating the year of publication.<sup>46</sup> For the most part, authors had no way of knowing what happened in the publishing house, least of all in the black box that was the publisher's accounts, which could be almost as fictional as the novels they published. For instance, John Murray seems to have 'heavily overcharged' Jane Austen for the paper on which *Emma* was printed.<sup>47</sup>

The single most important feature of the publishing business was that in all financial arrangements the publisher held the whip hand. The publisher was, in Johann Goldfriedrich's phrase, 'der Ausbeuter im Habit des Biedermannes'.<sup>48</sup> This is not moral disapprobation; it is an economic fact. And it is why differences between the copyright regimes, though not altogether insignificant, were of far less importance than the underlying economics of the business. Even in Scotland, where the courts interpreted the Statute of Anne literally and the copyright regime was therefore more favourable for authors than anywhere else in Europe,

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<sup>45</sup> Wittmann, *Geschichte des deutschen Buchhandels*, pp. 148–49.

<sup>46</sup> Wittmann, *Geschichte des deutschen Buchhandels*, p. 177.

<sup>47</sup> St Clair, *Reading Nation*, pp. 164–65.

<sup>48</sup> Goldfriedrich, *Geschichte des deutschen Buchhandels*, p. 450.

authors remained at least as dependent on official careers in education, government and the church as their contemporaries in Germany, where copyright barely existed.<sup>49</sup> Richard B. Sher has analysed the careers of one hundred and fifteen writers of the Scottish Enlightenment: 37% were at one time lecturers or principals at one of the five Scottish institutions of higher education, and over two thirds trained for careers in the church, law or medicine.<sup>50</sup> The dependence of authors on other sources of income only began to diminish towards the end of the century with a marked acceleration in the growth of the book market, in Germany as in Britain.<sup>51</sup> And the change was only completed, to a fully commercial model where a significant number of writers became genuinely independent economic agents, with the mechanization and industrialization of book production in the second quarter of the nineteenth century, thanks to technical innovations such as the development of the mechanical printing press and the introduction of stereotyping.<sup>52</sup> It was in the nineteenth century that mechanization caused the cost of manufacture to fall, the print runs of literary works to lengthen, and a properly commercial market for books to develop.<sup>53</sup>

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<sup>49</sup> On the interpretation of copyright law in Scotland, see Rose, 'Copyright, authors and censorship', pp. 121–23.

<sup>50</sup> Sher, *The Enlightenment and the Book*, p. 104.

<sup>51</sup> The reasons for this are not well understood (Wittmann, 'Der gerechtfertigte Nachdrucker', p. 309).

<sup>52</sup> Although printing by stereotype was invented in the eighteenth century, its use only became economical in the nineteenth: see Gaskell, *New Introduction*, pp. 210–15.

<sup>53</sup> St Clair, *Reading Nation*, pp. 21–22.

Because of the underlying economics of the book trade, the prospect of living comfortably from one's earnings, as Pope had done, was a remote one for most eighteenth-century authors, whether in Britain or Germany. As Sher puts it: 'In Scotland, as in France and elsewhere in Europe, for every author who made a decent living solely from publications, there were many who regarded whatever they earned from their writing as supplementary income'.<sup>54</sup> It is certainly the case that economic conditions were harder for German than for British authors, but that was mainly because of the rapid pace of British economic development. Britain enjoyed the fruits of the agricultural revolution sooner than Germany, and it was showered with millions of pounds in income from slave plantations, which helped to create a modern, capital-rich economy. But Germany was certainly not unique, either in the structure of its publishing industry or in the socio-economic condition of its authors.

The main focus of this argument has been book history. The aim has been to propose a revision of the traditional view of German book history in the second half of the eighteenth century. The chief conclusion is that the underlying economics of the publishing business were the most important factor determining the status of authors. Whereas William St Clair has rightly argued that the history of the book is marked by a dynamic interplay of economic, technological, socio-political, and legal factors,<sup>55</sup> it appears that within this interplay of forces

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<sup>54</sup> Sher, *The Enlightenment and the Book*, pp. 208–9.

<sup>55</sup> William St Clair, 'The Political Economy of Reading', John Coffin Memorial Lecture in the History of the Book 2005 (revised edition, 2012)

<[http://www.ies.sas.ac.uk/sites/default/files/files/Publications/StClair\\_PolEcReading\\_2012.pdf](http://www.ies.sas.ac.uk/sites/default/files/files/Publications/StClair_PolEcReading_2012.pdf)> [accessed 12 June 2017].

the regimes of intellectual property law had less impact on authorship in the late eighteenth century than did the underlying economics of the publishing business. Further conclusions may follow from this. For instance, we are still some way from understanding the causes of the European boom in publishing and reading in the last quarter of the eighteenth century.<sup>56</sup> St Clair's work implies that in Britain the boom was caused in large part by the effects of the 1774 *Donaldson vs Becket* case, which had three beneficial effects: requiring the English courts to interpret the Statute of Anne more literally; ending the practice of copyright in perpetuity; and reducing the price of books. However, St Clair's argument clearly does not apply to the German lands. There was no significant change in the copyright regimes in the German lands that might explain the contemporary German publishing boom. Nor do the book trade's underlying economics or its production technologies provide an explanation for the boom. The process of manufacturing books was not yet mechanized, and the materials from which books were produced remained expensive. In the absence of economic, technological, or legal explanations for the publishing boom, it may be necessary to consider socio-political factors, and here it may be useful to consider literary history, as well as book history.

Although this paper has primarily been concerned with book history, it may also have consequences for how we view literature. By comparing the underlying economics of book publishing in Britain and Germany we have seen that the two traditions were more similar than dissimilar, and that the publishing business in Germany was comparatively less backward than has often been supposed. Thus the argument that the lack of a copyright law in Germany contributed to the supposed backwardness or poor quality of German literature — an argument that is in any case hard to take seriously in view of the work of writers such as

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<sup>56</sup> Wittmann, 'Der gerechtfertigte Nachdrucker', p. 309

Lessing, Wieland and Klopstock — must be greeted with scepticism. The arguments of this paper remove a significant prop from beneath what was already a shaky argument.

The evidence presented here should also incline us to be sceptical about the traditional argument concerning the ambivalent politics of late eighteenth-century German literature. According to this argument the absence of a copyright law made German writers unusually dependent on the state for their income. Thus, the ambivalent politics of some late eighteenth-century German literature is to be interpreted in terms of the authors' dependence on direct or indirect state patronage, and not (or so it is implied) their actual responses to a difficult political reality. Generalizing further, we might want to ask whether the history of the book trade in the eighteenth century provides any evidence for the notion that economic independence has a transformative effect on the quality of literature. The arguments presented here imply that it does not. Nor it would seem does independence from power liberate writers to write more freely and insightfully about politics. As we know, periods of authoritarian rule during which authors have been tied directly or indirectly to the state have generated highly sophisticated literary reflections on politics. Germany in the late eighteenth century was one of these periods, as Goethe's *Egmont* and *Tasso*, and Schiller's *Don Carlos* and *Maria Stuart* eloquently demonstrate.

Returning to the question of the unexplained boom in publishing in the last quarter of the century, one explanation may be an increased demand for writing about politics. Bibliometric data from the English Short Title Catalogue shows an increase of 64% in the number of titles

on politics and law published in the decade from 1783 to 1793.<sup>57</sup> This was the age of revolutions and a time of energetic and innovative political debate. Further research is needed to analyse the correlation between the bibliometric data and the political events. Still, it does seem likely that the publishing boom of the last quarter of the century was in some measure connected with the quickening of political consciousness during the age of revolutions. Certainly German writers of the period engaged actively and intelligently with the politics of revolution — a fact that is not adequately explained by their dependence on political patronage.

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<sup>57</sup> Michael F. Suarez, ‘Towards a Bibliometric Analysis of the Surviving Record, 1701–1800’, in *The Cambridge History of the Book in Britain, Volume V: 1695-1830*, ed. by Michael F. Suarez and Michael L. Turner (Cambridge: Cambridge University Press, 2009), pp. 37–65 (p. 46).