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Chapter Ten Early Modern Oxford and Cambridge

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Chapter 10

Early Modern Oxford and Cambridge

The founding of Christ Church in 1525 was a revealing moment in the gradual, if not glacial, move of the University of Oxford from a medieval to an Early Modern institution. As colleges go, Christ Church is something of a Reformation bastard-child. It was born of the dissolution of a religious house that stood for centuries above the meadow where the River Cherwell meets the Thames in Oxford. The story begins in the seventh century, when Didan, King of Oxford, endowed a convent on the spot for his daughter Frideswide (or Frithuswith) and a dozen other devout daughters of the local nobility. The convent was also given “the estates and villages of St. Mary and a third part of the city of Oxford to provide the nun’s food,” as a twelfth-century hagiography of Frideswide records, and she did serve as its prioress until her death in 727.¹

In 1002, during the St. Brice’s Day Massacre, a group of Danes took refuge in the priory church in which Frideswide was buried, only to have the English burn it to the ground. The church was gradually restored, and in the twelfth century the Priory of St. Frideswide was made a religious house for Augustinian canons regular, which is to say

¹ Cited by John Blair, “St. Frideswide Reconsidered,” *Oxoniensia* 52 (1987), 75. Blair suggests that Frideswide may well have been abbess of a double house of nuns and monks; *ibid.*, 92. In 2002, St. Frideswide’s shrine, among those destroyed during the Reformation, was restored from discovered fragments and placed in Christ Church Cathedral; the shrine includes an Edward Burne-Jones’ stained glass window from 1858 depicting the saint’s life, pane by pane, including her escape from King Algar’s matrimonial designs. His apparent proposal: “King Algar desires you as partner for his bed and kingdom... but if you refuse the king his honourable offer you will be dragged to a brothel and suffer great dishonor”; the king was struck blind on entering Oxford, in a forceful message about separation of state and monastery that deterred Henry II in 1180 and Edward I in 1275 from entering the city, which may have been reason enough for university officials to adopt her as patron saint; *ibid.*, 76.

male clerics who shared all in common.² As well, during this time, St. Frideswide was adopted by both town and university as patron saint, with an annual scholarly procession on October 19th in her honor, while the fair in her name attracted manuscript merchants from London.³ This chapter picks up the story of learning's intellectual properties with the Reformation origins of Christ Church and follows it through Henry VIII's dissolution of the monasteries; Thomas Bodley's restoration of the Reformation-ravaged university library in Oxford; and print's introduction at Oxford, which largely falters until one of Christ Church's most accomplished fellows and deans, John Fell, created a viable trade out of the university's printing privileges (with the story continuing in the next chapter with John Locke, who was Christ Church's most distinguished student and expellee).

A Cardinal Almost Founds a College

In 1525, Cardinal Thomas Wolsey, Lord Chancellor of England under Henry VIII, decided that the Priory of St. Frideswide was an ideal location for the sort of college that might commemorate his contributions to the country.⁴ Such was his power that he was able to suppress (or dissolve) St. Frideswide Priory, with the king's support and a bull from Pope Clement VII. The lands and possessions of St. Frideswide were insufficient, however, to fulfill the cardinal's vision. To remedy that and then some, he saw to the suppression of a further twenty monasteries, declaring that "neither God was served, nor

² George Henry Cook, *Letters to Cromwell and Others on the Suppression of the Monasteries* (London: John Barker, 1965), 14.

³ John Blair, "Frithuswith [St. Frithuswith, Frideswide] (d. 727), Abbess of Oxford" in *Oxford Dictionary of National Biography*, online ed. (Oxford: Oxford University Press, 2004). James Raven, *The Business of Books: Booksellers and the English Book Trade 1450-1850* (New Haven: Yale University Press, 2007), 60.

⁴ On college founding at the time, R. W. Hoyle reports: "In the fifteenth and early sixteenth centuries, no one had the money with which to establish a monastery on the classic high medieval lines. For those who wished a permanent memorial to themselves and their ancestors, there were cheaper options, including colleges and almshouses"; "The Origins of the Dissolution of the Monasteries," *Historical Journal* 38, no. 2 (1995), 276-277.

religion kept” by these religious houses.⁵⁶ Wolsey’s architectural plans for his Cardinal College, as he intended to name it, at Oxford included a sizeable cloistered quadrangle, as if to remind masters and students of their monastic indebtedness. The Cardinal employed, according to a nineteenth-century cathedral handbook, “many hundred workmen, including artists of all kinds” on this project.⁷ The Cardinal made it clear in the statutes for the new college that its scholars would go out into the world well equipped to reach the simpler souls of their parishes with their sermons.⁸

However, Wolsey did not get very far with his building plans before it was his turn to face the heavy hand of royal suppression. In 1529, the immoderate Henry VIII grew impatient with the Cardinal’s lack of influence with Rome, and placed him under arrest. The charges included his having overrun the papal bulls that he had been granted in his closing of the monasteries.⁹ By the medieval right of *escheat*, Henry then assumed ownership of Wolsey’s college lands and unfinished buildings.¹⁰ In 1532, Henry refounded Wolsey’s college as “King Henry the VIII’s College in Oxford,” dedicating it to St. Frideswide.¹¹

⁵ Cited by David Knowles, *Bare Ruined Choirs: The Dissolution of the English Monasteries* (Cambridge: Cambridge University Press, 1976), 59. Not everyone agreed with such a sweeping condemnation of the monasteries. The closing of the Tonbridge monastery had the townspeople petitioning, unsuccessfully, for its continuance. They were reassured that the monastic closures would result in, among other things, scholarships to the new Oxford college, intended for students from communities such as theirs; *ibid.*

⁶ *Ibid.*

⁷ Richard John King, *Handbook to the Cathedrals of England, Eastern Division* (London: John Murray, 1881), 63.

⁸ Astrik L. Gabriel, “Motivation of the Founders at Medieval Colleges,” *Miscellanea Mediaevalia* 3 (1964), 71.

⁹ Knowles, *Bare Ruined Choirs*, 59; Hoyle, “Origins of the Dissolution,” 299.

¹⁰ Joseph Wells, *Wadham College* (London: Routledge/Thoemmes Press, 1898), 11. *Escheat* is a common-land doctrine, in which land to which the owner has lost legal right to – as Wolsey was arrested for delaying Henry’s divorce – reverts to the superior feudal lord, rather than standing ownerless.

¹¹ Richard Rex and C. D. C. Armstrong, “Henry VIII’s Ecclesiastical and Collegiate Foundations,” *Historical Research* 75, no. 190 (2002), 394.

In 1535, Henry asserted the crown's supremacy over ecclesiastical institutions by conducting royal visitations to the universities in Oxford and Cambridge.¹² On the first Reformation visit to Oxford, Richard Layton arrived on the king's behalf and proceeded to scour the university for books reflecting papal allegiance. Layton reported back to his majesty, with some color, that he had banished works of the "Dunce" (the thirteenth-century theologian Duns Scotus) from "Oxforde for ever."¹³ "We found all the gret quadrant [of New College] court full of the leiffes of Dunce," he wrote, "the wynde blowying them into evere corner."¹⁴ Such visits purged the university libraries of seeming popery. They put an end to the teaching of Peter Lombard's *Sentences* and other scholastic mainstays, which were perhaps due for retirement, and introduced free public lectures on the new theology.¹⁵ What Oxford and Cambridge lost in autonomy they gained in endowment, privileges, and increased presence in English life, as those who governed the land expressed a belief in learning's virtues.¹⁶

In 1536, Parliament passed the Act for the Dissolution of the Lesser Monasteries. The ostensible aim was monastic reformation, beginning with the elimination of failed religious houses whose worth had slipped below £200: "That the possessions of such religious houses, now being spent, spoiled, and wasted for increase and maintenance of

¹² F. Donald Logan judges the visit an "intrusion of the power of the state into the affairs of the English universities"; "The First Royal Visitation of the English Universities, 1535," *English Historical Review* 106, no. 421 (1991), 861.

¹³ Cited by Ronald Harold Fritze, "'Truth Hath Lacked Witnesse, Tyme Wanted Light': The Dispersal of the English Monastic Libraries and Protestant Efforts at Preservation, ca. 1535-1625," *Journal of Library History* 18, no. 3 (1983), 278.

¹⁴ Cited by *ibid.*

¹⁵ Logan, "The First Royal Visitation," 866, 873.

¹⁶ Mark H. Curtis: "Just as the Church in England became the Church of England, so the universities in England became the universities of England"; *Oxford and Cambridge in Transition 1558-1642* (Oxford: Oxford University Press, 1959), 6-7, 50.

sin, should be used and converted to better uses,” as the Act put it.¹⁷ The displaced monastics were to join larger, seemingly better managed houses. Henry did proclaim continuing support for the monastic *ideal* in this initial act of suppression. Still, the second act came three years later in 1539. It was directed against the “Greater Monasteries,” which included some 552 religious houses across England. The two acts were accompanied by a series of legal and political maneuvers, seeking voluntary, if often coerced, surrender of monastic properties, with, at best, a pension provision for the homeless monastics. It also closed the doors on the colleges operated by monastic houses, including Durham College, Gloucester College, and Canterbury College in Oxford, which possessed a notable manuscript collection.¹⁸

By 1541, Henry had effectively put an end to monasticism in England, with much credit going to his ruthlessly efficient chief minister, Thomas Cromwell.¹⁹ Many of the manuscripts in monastic collections were lost in the shuffle, left to perish, sold off for the king’s benefit or saved for his royal library, with few enough smuggled out for protection. In less than a decade, Henry put an end to the form of life that gave rise to these works in England, while inadvertently creating a commercial market for surviving manuscripts.

¹⁷ “Act for the Dissolution of the Lesser Monasteries” (1536), *Life in Tudor Times* (available online). Knowles notes that there were indeed “decayed and disorderly houses”; *Bare Ruined Choirs*, 83.

¹⁸ Kristen Jensen, “Universities and Colleges,” in *Cambridge History of Libraries*, 346. At the time, monasticism had been developing links with both scholasticism and humanism, and monk-scholars were involved not only in theological studies but engaged in questions concerning mathematics and astronomy; James G. Clark, “University Monks in Late Medieval England,” in *Medieval Monastic Education*, eds. George Ferzoco and Carolyn Muessig (London: Leicester University Press, 2000), 62. At the abbeys of St. Albans and Bury, they were also making inroads in historical studies in the best tradition of Bede. To support this learning, printing presses were installed in the Benedictine abbeys of Abingdon in 1525 and Tavistock in 1528, with Franciscan and Dominican friars playing a prominent role in this early publishing; David N. Bell, “The Libraries of Religious Houses in the Late Middle Ages,” in *The Cambridge History of Libraries in Britain and Ireland: To 1640*, vol. 1, eds. Elisabeth Leedham-Green and Teresa Webber (Cambridge: Cambridge University Press, 2006), 135, 127, 136.

¹⁹ On Cromwell’s part, Knowles writes: “It is possible that the Dissolution would have taken place less violently and less rapidly had another than Cromwell been in power”; *Bare Ruined Choirs*, 89.

In 1546, Henry turned his attention back to the Oxford college-on-the-nunnery that he had roughly seized from Wolsey. He founded the college yet again, this time to do double duty. It was to be the Cathedral Church of the Oxford diocese, within the newly independent Church of England, and a college of the university, which he named Christ Church (*Aedes Christi*).²⁰ He endowed a number of studentships, and appointed himself *visitor* to what was now one of the university's best-endowed of colleges.²¹ In a letter from the time, Henry linked the property transfer, from monastery to college, to his "regard onlie to pull down sin by defacing the monasteries... [whereas] I judge no land in England better bestowed than that which is given to our Universities."²² The universities and learning ensure the future, he further asserts in the letter: "For by their maintenance our realme shall be well governed when we be dead and rotten. I love not learning so ill that I will impair the revenewes of anie one House by a penie, whereby it may be upholden."²³ The same year, he founded Trinity College at Cambridge, to be fair to the two universities, through a similar pattern of dissolution. He added Regius professorships in Hebrew and Medicine at Oxford, having already endowed eight such positions at Cambridge and Oxford.

Henry died in 1547 and was succeeded by his son, Edward VI, who was nine years old at the time. The power was in the hands of Edward's advisors, who were caught up in the righteous fervor of the Reformation and the ridding of England of any trace of popery. On Christmas day in 1549, the privy council issued an order for the destruction of Catholic service books, "which were but a preferring of Ignorance to knowledge and

²⁰ The college's full and proper title recognizes to this day its benefactor: "The Dean, Chapter and Students of the Cathedral Church of Christ in Oxford of the Foundation of King Henry the Eighth."

²¹ David Horan, *Oxford: A Cultural and Literary Companion* (New York: Interlink, 2000), 19.

²² Cited by G. C. Brodrick, *A History of the University of Oxford* (London: Longmans, Green, 1886), 79.

²³ Cited *ibid*.

darkness to light.”²⁴ As small as that may seem, it gave terrible license to the king’s representatives. On their next royal visitation to Oxford, they decimated the so-called “Catholic” holdings of the university’s libraries. Writing of this visit, Anthony Wood, antiquarian, historian of the university, and Locke’s contemporary, described how the “public Library” of the university and “those belonging to the Colleges” were ravaged by “certain ignorant and zealous coxcombs.”²⁵ He notes that, “a cartload of MSS [manuscripts] and above were taken away.”²⁶ These coxcombs recalled enough of their own Catholic education to identify, mock, and burn the medieval philosophers they now so despised. The royal visitors cast out from Oxford libraries, Wood writes, included “the works of the Schoolmen, namely of P. Lombard, Th. Aquinas, Scotus and his followrs, with Criticks also,” parading them about Oxford: “Certain rude young men should carry this great spoil of books about the city on biers; which being so done, to set them down in the common market place and in there burn them, to the sorrow of many, as well of the Protestants as of the other party. This was by them stiled ‘the funeral of Scotus and Scotists.’”²⁷ Although reporting more than a century after the fact, Wood gives a vivid sense of the assault on learning:

²⁴ R. M. Thompson, *A Descriptive Catalogue of the Medieval Manuscripts of Merton College* (Cambridge: D. S. Brewer, 2009), xl. The order in council is cited in Fritze, “Dispersal of the English Monastic Libraries,” 278.

²⁵ Anthony Wood, *The History and Antiquities of the University of Oxford*, trans. John Gutch, Vol. II (Oxford: Oxford University Press, 1746), 107.

²⁶ *Ibid.*

²⁷ *Ibid.*, 107-108. As a result, Wood continues, “in all this King’s reign, was seldom seen any thing in the University but books of Poetry, Grammar, idle songs and frivolous stuff,” Wood continues his lament, and “learning also which now was low, and by considerable persons despised, became a scorn to the vulgar, and especially for this reason, because books were dog cheap, and whole Libraries could be bought for an inconsiderable nothing”; *ibid.*, 108.

Many MSS, guilty of no other superstition than red letters in their fronts or titles, were either condemned to the fire or jakes [a privy]. Others also that treated of controversial or scholastical Divinity were let loose from their chains, and given away or sold to Mechanicks for servile uses... such books wherein appeared Angles, or Mathematical Diagrams, were thought sufficient to be destroyed, because accounted Popish, or diabolical, or both.²⁸

What good were the chains when the books most needed protection, especially with the chains valued above the books by the looters? Yet more than the destruction of manuscripts was at stake in the religious and political fervor of the times. No fewer than five of those who served as Chancellors of Cambridge University were executed for treason during the Tudor period (if not directly as a result of their university position).²⁹ Although its libraries suffered, the heads of the University of Oxford were largely spared. Still, a century later, Oxford's Chancellor William Laud, Archbishop of Canterbury and champion of university printing, fell under the executioner's axe, with more on this below.

During the remainder of the sixteenth century, the pillaged university library above the divinity school in Oxford fell into further disrepair and neglect. Christ Church acquired its benches and desks, while the rooms themselves – space being at a premium then as it is now in universities – were claimed by the Faculty of Medicine. The

²⁸ Ibid., 106-07. J. C. T. Oates points out that Cambridge was spared the “official purges” of the Edwardian delegation in 1559, and earlier in 1535, with Henry VIII's injunctions against works of Catholic theology. Yet the library lost some books to acts of individual zealous vandalism; *Cambridge University Library: A History, From the Beginnings to the Copyright Act of Queen Anne* (Cambridge: Cambridge University Press, 1986), 79-81.

²⁹ Cardinal Fisher, for example, went to his death on Tower Hill for refusing to recognize the spiritual supremacy of Henry VIII in 1535. Craig R. Thompson, *Universities in Tudor England* (Washington: Folger Shakespeare Library, 1959), 4.

university's library now stood as "the void at the heart of the University," as James Fenton put it, in his 1999 Creweian Oration as Professor of Poetry, speaking in praise of those Oxonian benefactors who did so much to fill that void.³⁰ Fortunately, the "inconstancy of mankind," noted by Wood, works both ways.³¹ What Oxford's library suffered in the name of the Reformation during the fifteen century was put back together again, to some degree, in the next century by the unsurpassable library-revivalist Thomas Bodley, scholar, statesman, and benefactor.

Bodley Builds a University Library

On February 23, 1597/8, Thomas Bodley wrote in his broad sprawling hand what must still stand as among the boldest letters ever sent to a Vice-Chancellor of the University of Oxford. It is just the sort of thing that we would quickly delete in our email today without a second thought, thinking it spam. The letter opens humbly enough: "Sir, although you know mee not, as I suppose, yet for the farthering of an offer, of evident utilitie, to your whole university, I will not be so scrupulous, in craving your assistance."³² Bodley was a man determined that, "for the benefit of posteritie, I would shew some token of affection that I have evermore boarne, to the studies of good learning."³³ Such talk of posterity's benefit has long been part of learning's terms of patronage, but for Bodley this beneficence took a very specific institutional form. He was moved to action by what "hath bin heretofore a publike library in Oxford."³⁴ The "hath bin" is noteworthy, for by

³⁰ James Fenton, "Creweian Oration," *Oxford Gazette, Supplement*, 4517 (25 June 1999).

³¹ *Ibid.*, 107.

³² Thomas Bodley, "Letter 1 to the Vice Chancellor," in *Letters of Sir Thomas Bodley to the University of Oxford, 1598-1611*, ed. G. W. Wheeler (Oxford: Oxford University Press, 1927), 4.

³³ *Ibid.*

³⁴ *Ibid.* The idea of a "pub-like" library is an anachronistic reading that catches one eye.

the close of the sixteenth century, there no longer existed a library that served the entire university (as opposed to the individual colleges' libraries). Bodley planned to step in and right the matter. He sought to "take charge and cost upon me, to reduce it again to his former use: and to make it fitte, and handsome with seates, and shelfes, and Deskes, and all that may be needful, to stirre up other mens benevolence, to helpe to furnish it with bookes."³⁵

In 1559, nearly forty years earlier, Thomas Bodley had been admitted to Magdalen College as a commoner. On graduating in 1563, he took up a fellowship at Merton. His great facility in languages (aided by growing up on the continent) earned him an appointment as Merton's first lecturer in Greek. He was also able to contribute to the emerging area of Hebrew studies and serve as bursar and garden-master. But he was also drawn to the larger world and left Oxford in 1576 to pursue a diplomatic career. What made his fortune, one might crudely say, was marrying Ann Ball in 1586, the widow of a prosperous fish merchant, specializing in pilchards or sardines, and inheritor of her father's considerable fortune.³⁶

The forcefulness of Bodley's tone in that initial letter is matched by the breathtaking alacrity of his plans, for "this I purpose to beginne, assoone as timber can be gotten."³⁷ He also proposes assigning the rent secured from his Manor of Hindons and houses in London for the support of the library, with "annual rent, to be disbursed every yere in buing of bookes, in officers stipends, and other pertinent occasions," even as he

³⁵ Ibid.

³⁶ James Fenton: "We were rescued by pilchards" and "Perhaps we should be more ashamed of those times when we have looked at our plates and said: Not pilchard hards again!"; "Creweian Oration." W. H. Clennell dryly sums up how the marriage "laid the foundation of Bodley's subsequent career. They had no children"; "Bodley, Sir Thomas (1545–1613)," in *Oxford Dictionary of National Biography*, eds. H. C. G. Matthew and Brian Harrison (Oxford: Oxford University Press, 2004), online edition.

³⁷ Bodley, "Letter 1," 4.

hopes, in passing, that there is nothing illegal about such a property assignment.³⁸ But then, in his take-charge manner, he asks to “see a transcript of” the “auncient donations to their former library,” as well as the relevant statutes, before declaring that this was “as much as I can thinke on,” and requesting “your frendly answee.”³⁹ He was promising, as he rightly saw it, to “an excellent benefit for the use and ease of studentes: and a singular ornament in the University.”⁴⁰ He signed the letter “your affectionat frend, Tho: Bodley.”⁴¹

By Bodley’s fourth letter to the University, on June 25, 1600, he addresses the Vice-Chancellor by name, “the right worthy Mr Dr Thornton.”⁴² He reports that he “began now to busy my selfe and my frendes, about gathering in Bookes of such as will bee benefactours.”⁴³ And to prove the point, he provides a list of said benefactors as a postscript, beginning big with the Earl of Essex’s gift of 300 volumes, along with fourteen lesser benefactors, including “Mr Tho Cornwallis the groome porter” who committed “fower powndes in money.”⁴⁴ Bodley was unrelenting in soliciting support for the library. He wrote to acquaintances abroad to obtain works in Chinese, Persian, and Arabic, and hired a book-buying agent to travel the continent, making purchases in his name on behalf of the library. He found that Catholic collectors were eager to see their religious heritage recognized and preserved through their contribution of literary and liturgical manuscripts.⁴⁵ He had a vellum-paged Register of Benefactors put in place to

³⁸ Ibid.

³⁹ Ibid., 5.

⁴⁰ Ibid., 4.

⁴¹ Ibid., 5.

⁴² Bodley, “Letter 4: To the right worthy Mr Dr Thornton,” in *Letters of Sir Thomas Bodley*, 7.

⁴³ Ibid.

⁴⁴ Ibid., 8.

⁴⁵ Jennifer Summit, *Memory’s Library: Medieval Books in Early Modern England* (Chicago: University of Chicago Press, 2008), 217. Summit also notes how the Bodleian librarian Thomas James used the *Index* of

replace the older practice of the university chaplain reciting their names during mass in the monastic tradition.⁴⁶

In a sixth letter to the university, in March 27, 1602, Bodley felt compelled to address the somewhat delicate question of why there is not yet “free accesse unto the Librarie.”⁴⁷ His goal was a collection that will “minister more contentment to students and strangers,” while continuing to attract benefactors with its unparalleled opportunity “to manifest their loue unto the Uniuersitie, as to bring suche a place of publike studie.”⁴⁸ He goes on to discuss the reform of university statutes governing admittance to the library, which he had clearly studied: “Touching the qualitie of those persons, to whome it shall be lawful, to enioie the freedom their [sic] of studie,” he notes, there is an allowance for admitting to the library “Graduates, and to the sonnes of Lordes of the Parliament house” (to put a fine class and gender distinction to it).⁴⁹ Bodley, in turn, sought to have “any gentleman stranger” (read: potential benefactor) able to enter this new library, if properly accompanied by a graduate; how else could you call on such people, he asked, “in helping to furnishe their stoarehouse with bookes, there should be no prouiso made, for their accesse unto the place?”⁵⁰

Having opened the door for benefactors, Bodley takes a further step by insisting that “when any gentleman of sort, shall at any time request, for his furtherance in some studie, to come in of himself... to become a freeman of the Librarie,” he should be able

prohibited books, which, as James put it: “That we may know what Books, and what Editions to buy, their prohibition being a good direction to guide us therein”; cited *ibid.*, 222. Bodley, a contemporary of Shakespeare, deliberately kept plays out of the library’s collection; Wright, “Some Early ‘Friends’ of Libraries,” 356.

⁴⁶ Wright, “Some Early ‘Friends’ of Libraries,” *Huntington, Library Quarterly* 2, no. 3 (1939), 356.

⁴⁷ Bodley, “Letter 6: [Endorsed] To the Right Worshipfull My Very Special Good Frind Mr. Doctour Riues Vicechancellor of the Universitie of Oxford” in *Letters of Sir Thomas Bodley*, 11.

⁴⁸ *Ibid.*, 11.

⁴⁹ Bodley, “Letter 6,” 12.

⁵⁰ *Ibid.*

to take the oath and enter.⁵¹ It was to be a public library after all, at least for gentlemen. The first “Extraneus” reader was John Basire, “a Frenchman,” who was admitted to the library in 1603.⁵² This public right of access was perhaps more often a lofty principle than a welcoming practice, as Thomas Hardy observes in *Jude the Obscure* and Virginia Woolf states in *A Room of One’s Own*.⁵³

In this sixth letter, Bodley also introduced another of his bold and daring steps in reconstructing the university library. He put forward Thomas James, as a “humble suitor,” for election to the post of the Library Keeper. James was a Fellow of New College, and Bodley had, “upon special presumption,” as he admits in the letter, begun employing him in 1600 to assist him in putting together the library.⁵⁴ James had given proof of his commitment to the new library by donating to it sixty books and some manuscripts. When the university willingly approved James as keeper of the books, Bodley granted him an exemption on the statutory stipulation that librarians remain celibate, in yet

⁵¹ Ibid., 12-13. The modern oath that “readers” to this day are asked to recite aloud to a library official: “*I hereby undertake not to remove from the Library, nor to mark, deface, or injure in any way, any volume, document or other object belonging to it or in its custody; not to bring into the Library, or kindle therein, any fire or flame, and not to smoke in the Library; and I promise to obey all rules of the Library.*” The libraries were originally unheated, as a safety measure, and to this day retain, come winter in my experience, traces of the original chill. The current *Guide* to the library states that, if this library is “firstly” open to members of the university, it is open “also, to ‘the whole community of the learned’” interested in “serious study”; *Reader’s Guide to the Bodleian Library* (Oxford: Oxford University Library Services, 2009), 3. The *Annual Report, 2007-2008* states that there were 31,000 external registered readers and 37,000 from the university for that period; (Oxford: Oxford University Library Services, 2008), 30.

⁵² Thomas Bodley, *Letters of Sir Thomas Bodley to Thomas James, First Keeper of the Bodleian Library*, ed. G. W. Wheeler (Oxford: Oxford University Press, 1926), 76. The *Oxford English Dictionary* credits Bodley with the first published use of “public library” in that initial 1597 letter; yet the *OED* also refers to, “in the older British universities, a library open to all members of the university,” labeling this use “obscure.” In this tradition, it is common today for university libraries to offer *walk-in user services*.

⁵³ “Jude’s eyes swept all the views in succession,” including the “roof of the great library,” Thomas Hardy writes, while noting of “Christminster” that its “buildings and their associations and privileges were not for him”; *Jude the Obscure*, ed. Cedric Watts (Peterborough: Broadview, 1999) 151-152. “That a famous library has been cursed by a woman,” Virginia Woolf writes of her exclusion from an unnamed Oxbridge library in *A Room of One’s Own*, “is of complete indifference to a famous library. Venerable and calm, with all its treasures safe locked within its breast, it sleeps complacently and will, so far as I am concerned, so sleep for ever”; *A Room of One’s Own and Three Guineas* (London: Hogarth, [1928] 1948), 7.

⁵⁴ Bodley, “Letter 6,” 13.

another monastic touch at Oxford, which stood until 1856.⁵⁵

On December 12, 1610, in a further and lasting step in Bodley's strategy, he reported to James how he was able to secure "a gifte of good moment," based on James' idea of approaching the Stationers' Company to obtain privileges for the renewed library.⁵⁶ The Stationer's Company was the trade guild or livery company for stationers, printers, booksellers, and others involved in London's book trade, and had been granted a royal charter by Queen Mary in 1557.⁵⁷ Bodley was able to secure from the Company a commitment to provide the library with "a perfect copy of every book printed by one of its members."⁵⁸ The Stationers' Company of London, "out of zeale to the advancement of good learning... granted to the University of Oxford, for ever, one copy of every new book in quires that they might borrow or copy any book deposited, for reprinting."⁵⁹

This precedent of printers depositing copies in the public library of the university signaled a recognition that the library was both a national archive and a commons for all, operating at a remove from the book trade economy. The deposit policy was to be enshrined in English law before the century was out, and has spread around the world with time. Of course, within six months of securing this agreement with the Company, Bodley can be found complaining that "those of the companie haue taken hitherto no

⁵⁵ Wright, "Some Early 'Friends' of Libraries," 359.

⁵⁶ Bodley, *Bodley to Thomas James*, 206.

⁵⁷ The name "stationers" may have arisen during the thirteenth century from the fixed position of the stalls assigned to them in university towns. The Stationers' Company was formed in 1403 among the crafts and trades involved in manuscript culture; Peter W. M. Blayney, *The Stationers' Company and the Printers of London, 1501-1557*, vol. 1 (Cambridge: Cambridge University Press, 2013), 4-8.

⁵⁸ Wheeler appears to be quoting the Stationers' Company grant in his note to this letter; *ibid.*, 205.

⁵⁹ The deed is cited by Ian Philip, *The Bodleian Library in the Seventeenth and Eighteenth Centuries* (Oxford: Oxford University Press, 1983), 27. Philip calculates that this deposit system brought in about twenty percent of what was being published in 1615-1616; *ibid.*, 28. James may have been inspired by François I's Montpellier Ordinance of 1537 requiring (if seldom honored) the placing of books in the French king's library before they were sold; R. C. Barrington Partridge, *The History of the Legal Deposit of Books* (London: Library Association, 1938), 18.

constant speedy order.”⁶⁰ And then the books that did arrive, often arrived unbound, with “many idle bookes, and riffe raffes among them,” as Bodley put it, identifying the decided downside of additional cataloguing, shelving, and preservation issues that were to come of legal deposit.⁶¹

Just weeks before his death in 1613, Bodley sent a final, brief letter to James, proving himself to be learning’s great champion to the very end, if a bit of a curmudgeon. He chastises his librarian for what he saw as a wasteful two-week Christmas closing of the library: “There should be that accesse, for students to that place, as was formerly allowed in the ancient statutes: which never permitted so large vacations.” Bodley was the “louing and very assured frind” of the library, as he signed off his letter.⁶² And *very assured* indeed, he had been, from when he “firste tooke in hand to builde vpon the ruines of youre publique Librarie,” as he put it in a 1609 letter to the Vice Chancellor of the University.⁶³ After Bodley’s death on January 28, 1613, he was interred in the Merton College chapel, in a further monastic touch (reflecting a privilege reserved for the monastery’s great benefactors).

When Francis Bacon sent a copy of the *Advancement of Learning* for placement in the library in 1605, he credited Bodley with “having built an ark to save learning from deluge.”⁶⁴ In addition to books, Bacon thought Bodley and his library did “deserve in propriety, any new instrument or engine, whereby learning should be improved or advanced,” as if he had been inspired by Bodley’s building of the university’s public

⁶⁰ Bodley, *Bodley to Thomas James*, 217.

⁶¹ *Ibid.*, 219.

⁶² Bodley, *Bodley to Thomas James*, 231.

⁶³ Bodley, “Letter 15: To the right worshipfull my deerest frendes Mr. Doctor Kinge vicechancellor the Doctors Proctors and the rest of the Convocation house in Oxon” in *Letters of Sir Thomas Bodley*, 19.

⁶⁴ Francis Bacon, “To Sir Thomas Bodley, Upon Sending his Book of Advancement of Learning,” in *The Works of Francis Bacon*, Vol. 5 (London: J. Johnson et al., 1803), 288.

library to imagine adding a great public laboratory to it.⁶⁵ Anthony Woods noted that during the Reformation, “lovers of Antiquity, interposing themselves, recovered divers of them [manuscripts] from ruin,” and then, many years later, these works “were at length brought by private persons and by them given to the public Library when restored by Sr. Thom. Bodley.”⁶⁶ Bodley’s efforts resulted in donations of close to 800 medieval manuscripts, demonstrating the ability of such a collection, and such woodwork, to attract other contributions to the library as a center of learning, enabling the Bodleian to grow into the largest university collection of medieval manuscripts.

The Bodleian was “the first expression of the Elizabethan university’s recovered self-confidence,” judges James McConica at the Pontifical Institute of Medieval Studies in Toronto, “a learned quarry of a cosmopolitan, Protestant and humanist culture – scriptural, patristic, oriental, classical and medieval.”⁶⁷ Bodley happened upon a pyramid benefactor scheme of donors recruiting donors, giving manuscript and book collectors greater license to pursue the objects of their desire, knowing that their treasures would eventually serve a greater public good through the Bodleian. Much as Grosseteste had done centuries earlier at Oxford, Bodley founds ways to improve the institutional organization of learning’s sponsorship, in an ongoing expression of public support. His library emblematically restored a small part of monastic communality to the university as a key intellectual property of learning. Bodley had taken steps to ensure that this

⁶⁵ Ibid. Vaisey notes that Bacon’s presentation copy of the *Advancement* was sold in the 1650s as a duplicate; “Thomas Hyde and Manuscript Collecting at the Bodleian,” in *The Foundations of Scholarship: Libraries and Collecting, 1650-1750: Papers Presented At a Clark Library Seminar, 9 March 1985*, eds. David Vaisey and David McKitterick (Los Angeles: William Andrews Clark Memorial Library, University of California, Los Angeles, 1992), 16.

⁶⁶ Wood, *University of Oxford*, 107.

⁶⁷ James McConica, “Humanism and Aristotle in Tudor Oxford,” *English Historical Review* 94, no. 371 (1979), 316. McConica continues on the Bodleian: “With its refined gothicism and spacious, well-lit galleries, its architecture is the visible expression of the rhetorical culture it was meant to nourish; and its *scopus* was the infidelity of Rome”; *ibid.*

upgraded commons afforded public access, attracted benefactors, and acted as a trusted archive. While past and present works were being reassembled in the Bodleian Library, the future of learned publishing was also taking shape at Oxford and Cambridge.

The King Grants Printing Privileges to the Universities

On July 20, 1534, King Henry issued Letters Patent granting the University of Cambridge the right to name three stationers responsible for operating a printing press to serve the university. The king's grant was in response to the university's earlier petition, submitted to Cardinal Wolsey in 1529, requesting such powers "for the suppression of error," asking that "there should be three booksellers allowed in Cambridge by the King."⁶⁸ The *suppression of error* played to both the crown's religious concerns with heresy and the scholar's interests in chasing down other sorts of transgressions.

The university officials' appeal may have taken on a new urgency in 1534, four years after the initial request, as Henry formally declared the English Church free of Rome and pope. The king's patent held that the university "shall have lawful and incontestable power to print there all manner of books (*omnimodos libros*)" approved by the "Chancellor or his deputy and three doctors"; it could elect three "Stationers or Bookprinters."⁶⁹ They could sell other approved books as well, including foreign books, reflecting the international Latin scope of the academic community, at a time when the London book trade sought to restrict competition from abroad.⁷⁰ In what would become a pattern, the patent established what were, in effect, a distinct set of intellectual property

⁶⁸ Charles Henry Cooper, Entry for "1529," in *Annals of Cambridge*, vol. 1 (Cambridge: Warwick, 1842), 329.

⁶⁹ Cited by David McKitterick, *Four Hundred Years of University Printing and Publishing in Cambridge* (Cambridge: Cambridge University Press, 1984), 36.

⁷⁰ *Ibid.*, 35.

rights for Cambridge by enabling it to govern the printing and importing of books for the needs of learning.

Still, printing presses were not established at Cambridge for nearly half a century, as the community was well served by books arriving from the continent through its local stationers. By the time that the English universities did become heavily involved in printing during the seventeenth century, they had to contend with the Company control of the book market by virtue of its royal charter. In addition, sweeping privileges had been granted to some individual printers, beginning with Richard Tottell's Chancery patent entitling him to "to printe all manner of the common laws of they realme" for seven years, granted in 1553 by Edward VI.⁷¹ The Stationers' Company, on the other hand, granted a limited number of houses in London licenses to print, and the Company managed a Register for the titles of the books to which these houses had an exclusive right in perpetuity, which they could sell or trade.⁷²

To understand the Company's monopoly powers, one needs to appreciate that in 1557, its members had approached Queen Mary with a willingness to police, as the *Stationers' Charter* that they were granted put it, "certain seditious and heretical books rhymes and treatises [which] are daily published and printed," and for which they were granted a right "to make search whenever it shall please them in any place... for any books... which are or shall be printed contrary to the form of any statute."⁷³ In return for this service to crown and church, the Charter restricted the right to print to those who

⁷¹ Cited by Blayney, vol. 2, 644.

⁷² Raven, *Business of Books*, 47. Raven on patents more generally: "Some patent grants served to pay off problematic courtiers, to dispense patronage to political advantage, and to create occasional and well-publicized charity, but patent allocation was never systematized"; *ibid.*, 75.

⁷³ Stationers' Charter, London (1557), *Primary Sources on Copyright* (1450-1900), eds. L. Bently and M. Kretschmer, online, xxxi. Raven, *Business of Books*, 64.

“shall be one of the Stationery of the aforesaid city, or has therefore license of us.”⁷⁴ In a classic trade off, the crown granted commercial privilege to consolidate political power.

Under Elizabeth, legislation was passed requiring that each book contain a notice of its license to be printed, as issued by the Queen, Privy Council members, or the university chancellors. Two years later, the Star Chamber limited printing to London, Oxford, and Cambridge.⁷⁵ While this measure seemed to set up a neat divide between commerce and learning, between the commercial press in the country’s center and the learned presses on the periphery, this was not the same as the founding of the monastery on the hill removed from the village. There was too much capital involved in running a press. A learned press had to be no less of a business proposition. Printers who sought to serve the universities had to find ways to sell books in the broader market dominated by London’s Stationers’ Company.⁷⁶

The University of Cambridge, which had been showing little interest in exercising its original 1534 printing rights, finally appointed its first university printer in 1583. The appointment of Thomas Thomas stipulated that “his paper Incke and Letters shalbe as good” as any printer’s, while his books were to be “solde at a reasonable Price... by the judgment of the vice-chancellor.”⁷⁷ Thomas was not to print anything “seditious” or anything not “allowed” by the chancellor or vice-chancellor, while “one perfecte copie or

⁷⁴ Stationers’ Charter, xxxi.

⁷⁵ Raven, *Business of Books*, 66-67.

⁷⁶ Nor did London printers ignore learning, as they undertook such magnificent instances as John Day’s 1570 edition of *The Elements of Geometrie of the Most Auncient Philosopher Euclide of Megara*, featuring 1,300 diagrams, 38 fold-out flaps, and six bifolia to be pasted on the illustrations for a three-dimensional effect, which was financed by its translator, Henry Billingsley, a successful haberdasher and later Lord Mayor of London; Elizabeth Evenden, *Patents, Pictures and Patronage: John Day and the Tudor Book Trade* (Aldershot: Ashgate, 2008), 116.

⁷⁷ Cited by Morris, “Restrictive Practices in the Elizabethan Book Trade: The Stationers’ Company v. Thomas Thomas, 1583-8,” *Transactions of the Cambridge Bibliographical Society* 4, no. 4 (1967), 285.

booke well and sufficientlie bounde” was to be deposited in the university library.⁷⁸

Shortly after Thomas set up his printing press in Cambridge, the Stationers’ Company sent a few of its members to Cambridge to pay him a less-than-friendly visit. They promptly carted off his press and related cabinetry.⁷⁹ The Company allowed that the university could license the printing of any book, but insisted that the printers of such books were still subject to the Company’s control of the book trade. The chancellor of the university wrote to the Lord Treasurer of England in defense of its rights, referring to its “ancient privilege... for the mysterie of printing.”⁸⁰ For the chancellor and his co-signatories, who were successful in obtaining a return of the press and furniture, printing was “to the greate benefit of the vuniuersitie and aduancement of Learning.”⁸¹

In 1584 or so, a group at the University of Oxford submitted to the Chancellor, Robert Dudley, Earl of Leicester, a *Supplicatio* requesting that the university set up a press. It began by pointing out that there is “no university, however small, in Germany and France that does not have a printing press”; it sought a grant from the queen “to favor and secure a printing house in the University of Oxford.”⁸² It was not for want of books, but a matter of both pride and contribution, including the rescuing of “many excellent manuscripts... from perpetual obscurity” that they might be “distributed in other parts of Europe to the great credit of the whole nation.”⁸³ The *Supplicatio* refers, as well, to scholarly authors who cannot afford “to live in London at their own expense while putting their works into print,” noting that such scholarly books were needed “to shake

⁷⁸ Cited *ibid.*, 285-56.

⁷⁹ *Ibid.*, 277, 281.

⁸⁰ Cited *ibid.*, 288.

⁸¹ Cited *ibid.*

⁸² *Supplicatio*, trans. Simon Neal and Andrew Hegarty, in *Beginnings to 1780*, 651.

⁸³ *Ibid.*

off the imputation of idleness which foreigners daily lay against them.”⁸⁴ It refers to how “a settlement of learned men” leads to books being “printed more correctly and texts more diligently collated.”⁸⁵ The local Oxford stationer Joseph Barnes was allowed to step into the role of university printer with the benefit of a £100 loan from the university and approval of the crown. On the title pages of the books he printed, he identified himself as “printer to the University,” or “printer to the ‘famous’ University” for at least a portion of the 260 works he printed. He was able to find outlets among booksellers at St. Paul’s in London for his works, eventually placing a son in the business there. Still, after thirty-five years in the business, Barnes died deeply in debt in 1618.⁸⁶

In 1591, the Company allowed Cambridge printers to record titles in the Stationers’ Register, “for quietness to be established.”⁸⁷ A few university printers were admitted to the Company, and books published in association with the universities were listed in the Company’s catalogue. Starting in 1637, Oxford and Cambridge entered into the first of a series of arrangements to avoid conflict with Company monopolies, but cooperation was not the prevailing ethos between university and Company.⁸⁸ As it became clear that printing was increasingly integral to the advancement of learning in the universities, leaders at these institutions began to seek and rigorously defend their printing rights and privileges, which led to decades, nay centuries, of commercial and legal contest over whose privileges would triumph.

⁸⁴ Ibid., 652.

⁸⁵ Ibid.

⁸⁶ Jason Peacey, “‘Printers to the University’ 1584-1658,” in *Beginnings to 1780*, 53-54.

⁸⁷ Ian Gadd notes that the Printing Act of 1662 “acknowledged that the universities themselves might maintain their own ‘Register Booke’ of such rights,” for which Cambridge’s survived for the period 1656 to 1692, with no indication if Oxford kept one; “The Press and the London Book Trade,” in *Beginnings to 1780*, ed. Ian Gadd, vol. 1 of *The History of Oxford University Press*, ed. Simon Eliot (Oxford: Oxford University Press, 2013), 578.

⁸⁸ Ibid., 580ff.

By the seventeenth century, England was awash in printing patents, privileges, and restrictions. These measures had everything to do with commercial advantage and censorship by church and state; they had little to do with the rights of authors or what I am framing as the intellectual properties of the work published.⁸⁹ These rights survived Parliament's best efforts to put an end to such royal fiats and favorites, with its Statute of Monopolies in 1623. The statute declared monopolies as "altogether contrary to the Lawes of this Realme," especially as they seldom involved "the true and first inventor."⁹⁰ The decades, if not centuries, that separated the royal grants awarded to different bodies led to endless contention over whose rights trumped whose. The question was constantly being put before the king and other bodies for resolution.⁹¹

The first of a series of turning points for Oxford printing came in 1630, with the election of William Laud to the position of Chancellor of the University of Oxford. Archbishop of Canterbury and former President of St. John's College, Laud worked tirelessly to bring greater order to learning at every level at Oxford.⁹² He began by sorting out the university's statutes, which, he dryly observed, "had lain in a confused heap for

⁸⁹ Ian Maclean: "By 1580, most European countries had settled into a given regime in respect of both censorship (whether pre-censorship or censorship after the fact) and of privileges or commercial protection": *Scholarship, Commerce, Religion: The Learned Book in the Age of Confessions, 1560-1630* (Cambridge: Harvard University Press, 2012), 135.

⁹⁰ Statute of Monopolies, 1623 Chapter 2 21 Ja 1 in *Henry III. To James II. A.D. 1235-6-1685*, in vol. 1 of *The Statutes: Revised Edition* (London: Eyre and Spottiswoode, 1870), 693.

⁹¹ In 1588, the Stationers' Company exercised its rights to search and seize the Psalms, Geneva Bible, and New Testament printed by John Legate, Printer to the University of Cambridge, only to have to promptly return them and make amends as its printing rights were trumped by those of the university; B. J. McMullin, "The Bible Trade," in *History of the Book*, 461. Johns: "The problem of credit that piracy generated was thus substantial. From the mathematical sciences it spread throughout natural philosophy and beyond. . . . It may well be that no renowned author escaped unscathed"; "Science and the Book," in *History of the Book*, 291.

⁹² Laud reformed Oxford's statutes to bring about, as neatly summarized by Anthony Milton, "the revival and strengthening of the university's traditional requirements on discipline, residence, and teaching"; "Laud, William (1573-1645), *Archbishop of Canterbury*," *Oxford Dictionary of National Biography*, online ed. (Oxford: Oxford University Press, 2004).

some ages, and extremely imperfect in all kinds.”⁹³ No matter was too small for Laud’s attention, be it dress code – from footwear (no spurs) to hair length (not long) – or the print quality of the work published by local printers. In 1631, he was called upon to pass judgment on the King’s Printers, Robert Barker and Martin Lucas, for their printing of the “Wicked Bible,” in which they inadvertently (perhaps) omitted the word “not” from the seventh commandment: “Thou shall not commit adultery.” In condemning this work before the Court of High Commission, Laud added to the printers’ sins, by citing the Wicked Bible’s excessive price and poor quality of paper. He craftily offered, as Archbishop, to commute their fines, if they were able to secure a fine and proper Greek typeface to help advance his goal, which was “to set up a Greek press in London and Oxford for the printing of the library manuscripts.”⁹⁴ The two printers went for it, but the scheme resulted in only a few learned editions – including one with Greek commentaries on the Book of Job – before the Long Parliament, which began sitting in 1640, declared the Court of High Commission unconstitutional, rendering Laud’s judgment against Barker and Lucas invalid.

In the second year of his chancellorship, Laud succeeded in obtaining a Letters Patent from Charles I enabling Oxford to appoint three *typographi* with the “power and capacity to print... all manner of books... approved by the judgment of the Chancellor.”⁹⁵ Laud had made it clear in a letter earlier that year to the university’s vice-chancellor that there were two advantages he sought through this patent: “The one that you [the University of Oxford] might enjoy this privilege for Learning equally with Cambridge;

⁹³ William Laud, *History of the Chancellorship*, vol. 5, *The Works of the Most Revered Father in God* (Oxford: John Henry Parker, 1853), 13.

⁹⁴ Hugh Trevor-Roper, *Archbishop Laud, 1573-1645*, 3rd ed. (London: Macmillan, 1988), 274.

⁹⁵ “Patents to the University of Oxford (12 November 1632), trans. Simon Neal and Andrew Hegarty, in *Beginnings to 1780*, 654.

and the other, that having many excellent Manuscripts in your Library, you might in time hereby be encouraged to publish some of them in Print, to the great honor of that Place, this Church and kingdom.”⁹⁶ Laud’s advice – recalling Erasmus’ adage “make haste slowly” – was to proceed cautiously with printing: “Let your Privilege settle a while, and gather strength quietly,” he soundly counselled.⁹⁷ That said, Laud was not about to stand idly by; rather, he found ways to strengthen the university’s printing privileges by securing a revised patent in 1633. This patent specified “that the same University may be encouraged to publish original scripts of books in divers languages, both vernacular and foreign, that have hitherto lain hidden in libraries in the same University, and to compose afresh and issue books... to the increase of the Christian religion, good letters, and arts.”⁹⁸ The revised patent granted the university exclusive rights, if only for twenty-one years, to print works in its manuscript collection. And for works “composed afresh” by the masters and scholars, the sole right to print and reprint was limited to ten years.⁹⁹ Note how bringing to light historic works from the university’s libraries is seen to require a larger incentive, perhaps in light of low sales of these national treasures.

In 1634, Laud introduced statutes “Concerning the Printers of the University,” in which he graciously thanked King Charles for having “wonderfully enlarged the University’s privileges in regard of printing,” before turning with a vengeance to “the mechanical artificers (concerned for the most part with their own profit to the detriment of quality in their work) [who] pay the least possible attention to fine lettering or beauty

⁹⁶ Laud, *History of the Chancellorship*, 79.

⁹⁷ *Ibid.*, 80.

⁹⁸ “Revised Patent to the University of Oxford (13 March 1633),” trans. Simon Neal and Andrew Hegarty, in *Beginnings to 1780*, 657.

⁹⁹ *Ibid.*, 658.

or elegance, but thrust into publication any old work, however rough and uncorrected.”¹⁰⁰ Laud’s defense of typesetting elegance, as a desired property of learned texts, is matched by his constant concern for correction. He was repositioning the English art of fine printing, seeing opportunities for the university’s books, as the Thirty Years War, which only ended in 1648, was disrupting the book trade of Holland and northern Europe generally.

He sought to have “a Head Printer (*Architypographus*) placed over the University’s public press”; the *architypographus* was to be, the statutes specified, “well instructed in Greek and Latin literature and expert in matters philological,” and prepared to supervise “the breadth of margins, as well as to perfect the errata of the correctors,” among so many other details of learned publishing.¹⁰¹ It took until 1658 to find a suitable *architypographus* worthy of Laud’s vision. This was Samuel Clarke, “who was a man of worldly parts as well as an Oriental scholar,” as described by John Johnson, Printer to the University of Oxford, and Strickland Gibson, Keeper of the Archives at Oxford, a position also created by Laud to be, as they describe it, “a prompt and well-equipped champion in protecting and maintaining the Privileges and Rights of the University.”¹⁰² The chancellor had made scholarly printing a statutory office of the university.

The Laudian Code, as his statutes became known, also specified in 1636 that the learned press should be subsidized by any surplus remaining in the buildings and

¹⁰⁰ “University Statutes (1634-6), Title 18, Section 5,” trans. Simon Neal and Andrew Hegarty, in *Beginnings to 1780*, 660.

¹⁰¹ Ibid. In this regard, David McKitterick notes that in comparison to the rest of Europe in the sixteenth and seventeenth centuries, “there was no suggestion of a university press in the sense gradually developed in England”; “University Printing at Oxford and Cambridge,” in *Cambridge History of the Book in Britain*, 190, 195.

¹⁰² John Johnson and Strickland Gibson, *Print and Privilege at Oxford to the Year 1700* (Oxford: Oxford University Press, 1946), 33, 24. McKitterick notes that Cambridge appointed a similar overseer of the press, while he judges Laud’s reform of the press as “characterized by a lack of flexibility, and by a lack of understanding of how the book trade functioned”; “University Printing,” 192, 197.

maintenance fund generated by fees levied on matriculation and degrees. Laud had made student fees a permanent feature of the university's finances in the Code, although the press was not able to take advantage of a surplus until the 1650s.¹⁰³ Only then could funds "be expended in fitting up and maintaining the public press of the University (an object alike honorable and beneficial to the University), and in bringing at last to the light a world of manuscript volumes, both in Greek and Latin, at present buried in the public library, and which surely but ill deserve to be for ever wrestling with the moths and worms."¹⁰⁴

A Great Charter was granted to the University of Oxford by Charles I in 1636, based on a wide range of Laudian reforms. The charter notes the conflicts that had arisen between university and Stationers' Company rights, and declares its intent "to increase the aforesaid University's privileges both old and new (as far as in our power), and utterly to remove and delete all such ambiguities."¹⁰⁵ To that end, the charter affirms the university's right to print "all books of whatever kind" approved by the Chancellor or his delegate, without regard for "the charters of the Stationers of our City of London."¹⁰⁶ Laud had managed to set learned publishing apart from the London market monopolies, much to the chagrin of the Stationers' Company. But it did not stop there. Laud used the university's privileges to shrewdly negotiate covenants of forbearance with the Stationers' Company and the King's Printers, in which the university agreed not to

¹⁰³ Nicolas Barker, *The Oxford University Press and the Spread of Learning: An Illustrated History, 1478-1978* (Oxford: Oxford University Press, 1978), 32-33; John Feather, "A Learned Press in a Commercial World," in *Beginnings to 1780*, ed. Ian Gadd (Oxford: Oxford University Press, 2013), 247.

¹⁰⁴ *Oxford University Statutes*, trans. G. R. M. Ward, vol. 1 (London: William Pickering, 1845), 214-15. Only in 1846 was this statute abrogated, in terms of funds being directed toward the press, in favor of remunerating preachers for the delivery of sermons "before the University"; *Oxford University Statutes*, trans. G. R. M. Ward, vol. 2 (London: William Pickering, 1851), 260-61.

¹⁰⁵ "The Great Charter of the University of Oxford (3 March 1636), Excerpt," trans. Simon Neal and Andrew Hegarty, in *Beginnings to 1780*, 665.

¹⁰⁶ *Ibid.*, 666.

exercise its right to print the Bible, grammars, and almanacs in exchange for £200 annually. As Laud informed the vice-chancellor in 1637, “for certainly it will be more beneficial to the university for the advance of a learned press to receive £200 a year than to print grammars, and almanacks, &c. And more honour, too... that this money which you yearly receive may be kept safe, as a stock apart, and put to no other use, than the settling of a learned press.”¹⁰⁷

Laud secured additional protection for the university within a greatly privileged print market. The sponsorship that had long made learning possible, by placing it outside the economic demands of the larger world, was proving that much more difficult to achieve in an age of commercial privileges. The forbearance fees were initially used to purchase type, matrices, and punches for Hebrew, Arabic, Greek, and Syriac. The type was then loaned to its printer as an in-kind subvention for books printed in these languages.¹⁰⁸ Among the works printed was Francis Bacon’s *Of the Advancement and Proficiency of Learning*, which presented a critique of the institution’s abiding scholasticism – “Then grew the Learning of the Schoolmen to be utterly despised as rude and barbarous” – in favor of the new science.¹⁰⁹ Here was the role of the learned press as an intellectual force in reforming the institution, as this book, along with Bacon’s unfinished *New Atlantis*, contributed to the formation of the Oxford experimental club in the 1650s, as well as the Royal Society of London in the 1660s.¹¹⁰

¹⁰⁷ Laud, *History of the Chancellorship*, 161-62.

¹⁰⁸ Laud was particularly interested in seeing the Fathers of the Church printed in their original language; Michael Hunter, *Science and the Shape of Orthodoxy: Intellectual Change in Late Seventeenth-Century Britain* (Woodbridge: Boydell, 1995), 206.

¹⁰⁹ Francis Bacon, *Of the Advancement of Learning and Proficiency; or, The Scores of Sciences* (Oxford: Robert Young, Edward Forrest, 1640), 255.

¹¹⁰ Barker, *Oxford University Press*, 13. The London engraver William Marshall rendered an icon-redolent title page for the *Advancement* (drawing on a simpler, more beautifully rendered title page for Bacon’s *Novum organum*). Two obelisks, identified as Oxford and Cambridge, dominate the page, between which

In his time, Laud had reason to think that the university was “now upon a very good way toward the setting up of a Learned *Press*,” as he put it in 1637, poignantly adding at the age of sixty-four, “I should be very glad to see it begun in my own Life-time, if it might be.”¹¹¹ Three years later, in the period leading up to the English Civil War, he was charged with high treason for favoring the Roman church and assuming extraordinary powers at Oxford and elsewhere (the press was not mentioned).¹¹² In 1645, after a final trial failed to convict Laud, Parliament passed a bill resulting in his execution.¹¹³

After the Restoration of 1660 placed Charles II on the throne, Laud’s vision of a learned press acquired a second life. In 1662, John Fell, then Dean of Christ Church and later Vice-Chancellor of the University, was appointed one of the six press Delegates who oversaw the day-to-day operations of the university’s contract printers and considered the role of printing within the university more generally. Fell was able to convince Gilbert Sheldon to create a place for the press in the new theatre, designed by Christopher Wren, that was to be Sheldon’s gift to Oxford. The theatre was intended as “a more convenient place for the Publique Acts, and other uses of the University,” as Sheldon’s letter of endowment put it, and, Sheldon added, the rents from the purchased lands were not only for the upkeep of the building but “may be employed for the best advantage and encouragement of the Learned Presse these designed, and allready at Worke, which I pray

hangs a sheet inscribed with the title, author, interpreter, printer, and sponsors, and beneath which an English ship is sailing out into the world beyond the obelisks, which rest on books composed by Bacon.

¹¹¹ Cited by Peacey, “Printers to the University,” 63.

¹¹² Andrew Hegarty, “The University and the Press, 1584-1780,” in *Beginnings to 1780*, 170.

¹¹³ “Few excellent men have ever had fewer friends to their persons,” Edward Hyde, Earl of Clarendon, “yet all reasonable men absolved him from any foul crime that the law could take notice of, and punish”; *The History of the Rebellion and Civil Wars in England*, vol. 5 (Oxford: Oxford University Press, 1839), 31.

God prosper.”¹¹⁴ Fell took control of printing at the Sheldonian in 1670, when he and Wren were made curators of the Theatre.¹¹⁵ He had placed the printing of learned books at the heart of the university. His goal was to “set up in this place a press freed from mercenary artifices, which will serve not so much to make profits for the booksellers as to further the interests and conveniences of scholars,” as he put it to a friend.¹¹⁶

Fell decided to create a new partnership to run the university’s printing interests. He brought together Thomas Yates, Principal of Brasenose College, as well as two Oxford men in London, Leoline Jenkins, a judge in the Court of the Admiralty and a defender of the university’s historical privileges, and Joseph Williamson, Secretary of State and *London Gazette* editor (which had begun its life in 1665 as the *Oxford Gazette*) and member of Parliament.¹¹⁷ Fell put an end to the forbearance arrangement with the Stationers’ Company as part of an ambitious program for a learned press.

Fell drew up a page’s worth of titles that, as he put it, “We propose to Print, if we may be encouraged.”¹¹⁸ The list began with “the greek Bible” drawing on various editions “neuer yet collated,” and included liturgical manuscripts “of venerable antiquity, never yet Extant [in print]” and “books in seuerall parts of learning; & treatises of learned men now liuing in Latine and English.” It also included, likely reflecting the Royal

¹¹⁴ Gilbert Sheldon, “For the Reverend Dr. Fell, Vice-Chancellor, of the University of Oxford, to be communicated to ye University in Convocation” (May 28, 1669), in *The Oxford University Calendar. 1824* (Oxford: J. Parker), 359. In 1668, five presses were installed in the basement of the Sheldonian Theatre, which was then in the final stages of construction, with the presses continuing to operate there for twenty-three years; Barker, *Oxford University Press*, 15. In 1672, the press moved into its own New Print House adjoining the theatre with a Little Print House attached to it; *ibid.*, 19. Mary Ould, “The Workplace: Places, Procedures, and Personnel 1668-1780,” in *Beginnings to 1780*, 195-96, 199.

¹¹⁵ Vivienne Larmine, “The Fell Era, 1658-1686,” in *Beginnings to 1780*, 88.

¹¹⁶ Cited by *ibid.*

¹¹⁷ Johnson and Gibson see Fell’s takeover of the press – which they term more than once a *coup d’état* – as evidence of how “Fell was avowedly autocratic, his autocracy in dealing with others being only equaled by his austerity in dealing with himself”; *Print and Privilege*, 48. They cite Jenkins on Fell’s dedication: “Were it not that you ken Mr. Dean extraordinarily well, Sir, it were impossible to imagine how assiduous and Drudgeing he allows himself to be about his Presse”; *ibid.*, 49.

¹¹⁸ John Fell in Barker, *Oxford University Press*, Plate 74.

Society's influence, "a history of insects, more perfect than any yet extant." The prospectus invokes the names of the printers Aldus and Froben (discussed in Chapter 9) in calling for "publick assistance" for "a designe of this nature" having not just "the Advancement of learning" in mind but "the emprovement of trade, & repute of the Nation." Fell set out the methods of financing from benefactors, promising public acknowledgement as well as the option of having loans repaid double in the value of books, while offering to print any work that could attract three hundred subscribers.

Although some objected to the deal – the Delegates' minutes later referred to Fell and his partners as "ye farmers of the Universitys privilege for printing" – the university agreed to lease to Fell and partners its printing rights, press room, and equipment for £200 annually in 1671.¹¹⁹ The next year "*Oxonii, e Theatro Sheldoniano*," as the press was identified on the title page, issued its first scholarly work, William Beveridge's massive two-volume collection of Eastern Church canons in parallel Greek and Latin, known as the *Synodicon*. Fell involved the London bookseller Robert Scott in the project, given his strong European connections, and had the university cover the corrector's costs and provide materials.¹²⁰ The book proved a financial liability for both Fell and Scott, causing Fell to rethink the subsidization of learned printing.¹²¹ He decided to negotiate a new forbearance covenant with the Stationers' Company, only this time for an annual fee of £100 with their retention of the right to print Bibles. Fell was in the midst of preparing

¹¹⁹ Gibson and Johnson, *The First Minute Book of the Delegates of the Oxford University Press, 1668-1756* (Oxford: Oxford University Press, 1943), 8-9.

¹²⁰ Strickland Gibson and John Johnson, eds., "Die Lunae viz 7 Sept: 1668," and "Martij 13: 1668 [1669]," in *First Minute Book*, 3, 5.

¹²¹ Barker, *Oxford University Press*, 20.

a new edition of the Bible, distinguished, as he described it, by “practical annotations fitted for the use of every Christian reader.”¹²²

Fell’s press went on to find commercial success, which he used to cross-subsidize scholarly books, by going places that Laud would not have ventured. These included Richard Allestree’s *Ladies Calling*, in bridal-gift binding, and his *Art of Contentment*, both released anonymously. More surprising was the success of the two-volume catalog of the Bodleian’s print books, published in 1674.¹²³ The university’s Delegates of the Press gave the catalogue a great boost by decreeing that “no person haue leaue to propose a Dispensation to study in the Library; but shall bring a Certificat from the Janitor that he has bought and payd for one Copie of ye Catalogue.”¹²⁴ Other libraries used the 700-page catalogue for tracking their own holdings, inserting interleaves to record additional works. Locke owned a copy, as did Newton, using it not only for identifying books in his own collection but also for recording reviews, prices, and other information.¹²⁵ Fell and Yates were paid £725 by the university to print a thousand copies of the catalogue with the run only sold out in 1696.¹²⁶ Fell was learning the book market and was quick to

¹²² Cited by Larminie, “The Fell Era,” 96

¹²³ Librarian Thomas Hyde prepared it over a nine-year period and complained of working on it in the unheated library (given the risks of fire); Barker, *Oxford University Press*, 21. Hyde was given an initial £140 for his work composing it, later supplemented with an additional £60 once the work had proven itself profitable; *ibid.* It is not clear if Hyde shared the bonus with his under-librarian, Emmanuel Pritchard, who did much of the work. Hyde indexed the collection by author, against those who thought it should have been by subject; Leedham-Green and McKitterick, “Private and Public Libraries,” 335. Bodley’s librarian Thomas James prepared the first such catalogue for a public library in Europe, which was printed in 1605 with Bodley underwriting the printing, as well as helping with the classification scheme and serving as corrector; Richard Ovenden, “The Learned Press: Printing for the University,” in *Beginnings to 1780*, 280ff.

¹²⁴ Gibson and Johnson, “December 8, 1674,” in *First Minute Book*, 11.

¹²⁵ John Harrison and Peter Laslett, *The Library of John Locke* (Oxford: Oxford University Press, 1965), 30-31.

¹²⁶ Barker, *Oxford University Press*, 21.

respond to proposed books that, “it will not sell,” as Humphrey Prideaux, Fell’s editorial assistant, reports of his own unsuccessful proposals.¹²⁷

In a further enterprising effort, Fell and Yates decided to print an almanac, noting that Cambridge had had great success with this genre going back to the 1620s.¹²⁸ The Oxford almanac was issued in both a forty-eight-page and a single-sheet edition in 1673. It was distinguished by having its moon phases and eclipses calculated by no less than the Savilian Professor of Astronomy at Oxford (although that did not prevent the ghastly omission of Good Friday in the first almanac’s calendar).¹²⁹

Then there was the Fell and Yates Bible. It appeared in 1675, printed in Oxford “at the Theater.” It, too, got off to a rocky start. Its production took a personal investment from Yates of over £4,000.¹³⁰ Fell’s pursuit of greater spelling consistency – by substituting an *i* wherever possible for *y* – met with derision. The King’s Printers undercut it by selling a comparable edition of the Bible at a loss.¹³¹ This discouraging development, along with the failure of their carefully calculated venture into schoolbook printing, was a blow to the pride and personal investments of Fell and Yates. They decided to try a more radical arrangement of their printing privileges. They would bring

¹²⁷ Cited by Richard Sharpe, “Selling Books from the Sheldonian,” *Library* 11, no. 3 (2010), 278.

¹²⁸ David McKitterick: “The Cambridge press became identified, far beyond university and other educational or scholarly circles, with almanacs... as principal supplier of by far the widest selling printed matter in the late seventeenth century”; *Printing and the Book Trade in Cambridge: 1534-1698*, vol. 1 in *A History of Cambridge University Press* (Cambridge: Cambridge University Press, 1992), 387.

¹²⁹ Paul Luna and Martyn Ould, “The Printed Page,” in *Beginnings to 1780*, 520-521. Harry Carter, *History of the Oxford University Press* (Oxford: Oxford University Press, 1975), 78-79. The first in 1674 was over a yard wide while the more modest *Oxford Almanack* proved a great success, with a continuous run from 1676 to this day; Luna and Ould, “The Printed Page,” 520-21. The Almanack of 1674, engraved by Robert White, a student of David Loggan, engraver to the university, features a wildly allegorical, almost hallucinogenic, vision of the university and is worth viewing online (with subsequent Almanacks offering naturalistic architectural depictions).

¹³⁰ Scott Mandelbrote, “The Bible Press,” in *Beginnings to 1780*, 486.

¹³¹ John Wallis, “A Copy of the Account, which Dr. Wallis gave to Dr. Bernard, one of the Delegates for Printing, Jan 23 1691,” in *Philosophical Experiments and Observations of the Late Eminent Dr. Robert Hooke* (London: W. and J. Innys, 1726), 219; McMullin, “Bible Trade,” 463.

in experienced London Stationers to whom they would sublet the most lucrative privileges. In 1678, Fell and Yates approached four members of the Stationers' Company: William Leake, Thomas Guy, Peter Parker, and Moses Pitt. It was an unlikely crew. Three of them were known Bible smugglers, given to selling cheap Dutch copies, and one had been sued by Fell.¹³² It had all the makings of a movie Western. The town's failed business-scholars out of desperation bring in guns-for-hire to take on the ruthless city stationers. Fell and Yates agreed to sublet to the four stationers the rights they leased from the university, namely, to print Bibles, psalters, almanacs, and schoolbooks, along with the presses in the Sheldonian Theatre.¹³³

For a dozen years, the four booksellers printed Bibles in various formats on as many as eleven presses, putting out tens of thousands of copies. They offered readers different options for illustrations, bindings, qualities of paper, indices, and kindred tables; they advertised type and paper sizes, as well as modifications to meet the accession of James II.¹³⁴ The King's Printers did not sit idly by, but launched appeals against Oxford's gang-of-four with the King in Council, the Court of Chancery, the Court of the King's Bench, and in *quo warranto* proceedings, none of which succeeded.¹³⁵ John Wallis, Oxford's first Keeper of the Archives and Savilian Chair of Geometry, notes that in 1691 "the Price of Bibles for the Advantage of the Publick, was brought down to less than Half of what they were before sold at."¹³⁶ Among Oxford's London stationers, Pitt went to

¹³² Mandelbrote, "Bible Press," 488.

¹³³ Larminie, "Fell Era," 100ff.

¹³⁴ Mandelbrote, "Bible Press," 488-89; McKitterick, "University Printing," 200-01, 205.

¹³⁵ Mandelbrote, "Bible Press," 490-93.

¹³⁶ Wallis, "A Copy of the Account," 221.

debtor's prison and Leake died in 1681.¹³⁷ Guy and Parker persisted, creating what was, in effect, an Oxford Bible Press.¹³⁸

In the meantime, Fell and Yates concentrated on operating a learned press, which they installed next door to the Sheldonian Theatre in the New Print House. Fell was to see 150 books into print in his fifteen years with the press, including scholarly editions of the patristic Clement and Cyprian, which Laud had desired to see in print.¹³⁹ Fell also set up an annual challenge for student translations of classical texts, published as “new year books” for the students of Christ Church.¹⁴⁰ On his death in 1686, the press machinery, matrices, and typefaces (known as Fell Type and used into the twentieth century) that he had assembled reverted to the chancellor, masters, and scholars of the university.¹⁴¹

Some years later in 1718 his struggles with the university press were evocatively summed up by Arthur Charlett, a press Delegate: “The vending of books we never could compass; the want of vent [sales] broke Bishop Fell’s body, public spirit, courage, purse and presse.”¹⁴² In the early twentieth century, Oxford University Press paid its own homage: “Fell made the great collection of type-punches and matrices from which the

¹³⁷ Pitt ran up debts importing Latin works and fumbled a subscription offer with his multi-volume *English Atlas* despite endorsements from the king, the Royal Society, and the two universities; E. G. R. Taylor, “‘The English Atlas’ of Moses Pitt, 1680-83,” *Geographical Journal* 95, no. 4 (1940), 292-299.

¹³⁸ A century later, Oxford Bible Press had revenues amounting to nearly ten times that of the learned press that it was underwriting. Madan notes that from 1675 to 1700 the press produced about four editions (of unknown copies) a year, while between 1808 and 1815 the Oxford Bible Press produced 460,500 Bibles; 386,600 New Testaments; 400,000 Common Prayer Books; 200,000 Psalters etc., with a total value of £213,000, while the learned side of the press produced books worth £24,000. In 1883, the Bible press was folded into Oxford University Press; *Account of the University Press*, 16-17; Mandelbrote, “Bible Press,” 498.

¹³⁹ Jacqueline Rose, *Godly Kingship in Restoration England: The Politics of The Royal Supremacy, 1660-1688* (Cambridge: Cambridge University Press, 2001), 135. Larminie: “The exchange of books and the rediscovery of medieval and later manuscripts fed literary and antiquarian interests among many contemporary aristocracy, gentry and clergy. They supplied both raw materials and audience for the developing press”; “The Fell Era,” 97.

¹⁴⁰ Falconer Madan, *A Brief Account of the University Press at Oxford with Illustrations Together with a Chart of Oxford Printing* (Oxford: Oxford University Press, 1908), 28-29.

¹⁴¹ Barker, *Oxford University Press*, 16-17.

¹⁴² Cited by Matthew Kilburn, “The Fell Legacy 1686-1755,” in *Beginnings to 1780*, 120.

beautiful types known by his name are still cast at Oxford; he promoted the setting up of a paper mill at Wolvercote, where Oxford paper is still made; he conducted the long, and ultimately successful, struggle with the Stationers and the King's Printers, from which the history of Oxford Bibles and Prayer Books begins (1677)."¹⁴³ Fell had ultimately found a viable basis for a learned press. Subsidize learned editions by sub-leasing valuable privileges and printing popular works. Although I have only told Oxford's story here, David McKitterick, Librarian and Fellow of Trinity College Cambridge, concludes that "by the late 1690s, both universities could boast learned presses, under their own control, run by professional printers, and with provision for their continued existence in an institutional manner."¹⁴⁴

The seventeenth century saw a major transformation in print's service to learning. Archbishop Laud initiated the trade in privileges needed to find a place for learned books in print's early modern market economy of capital investment and privileged monopolies. John Fell, identified at the time as "that great Assertor of University's Rights," extended that model through business partnerships with London stationers that could float a learned press.¹⁴⁵ Such assertions enabled Laud's dream of "the public press of the University." The Commonwealth of Learning had to come to terms with the "Stationers Common-wealth," to use the poet George Wither's satirical coinage from 1624.¹⁴⁶

The university differed from the monastery by moving learning to the center of a devotion that was still in pursuit of God's blessings. This was especially true of such

¹⁴³ *Some Account of the Oxford University Press, 1468-1926* (Oxford: Oxford University Press, 1926), 15.

¹⁴⁴ McKitterick, "University Printing," 204. McKitterick observes that Cambridge authors preferred London printing "for not only were the printers there demonstrably better accustomed to scholarly printing, the London trade also offered easier access to an international readership"; *Printing and the Book Trade in Cambridge*, 386.

¹⁴⁵ Johnson and Gibson, *Print and Privilege*, 47.

¹⁴⁶ George Wither, *The Schollers Purgatory* (London: G. Wood, 1624), title page.

devout faculty as Archbishop Laud and Bishop Fell. The university's Bible press, which Fell established, not only subsidized the learned press, but furthered the spread of the Holy Word among at least the literate poor at home and through missionaries abroad.¹⁴⁷ A Bible press was the perfect complement to a learned press for taking advantage of the emerging market economy of early modern monopoly capitalism in what was still an Age of Faith. What Laud and Fell initiated, Oxford University Press went on to adeptly master within the market intricacies of the modern world. It is without peer among learned presses as a source of sponsorship for the university, while more than holding its own among global corporate publishers.¹⁴⁸

This chapter brought to the fore the influences of the Reformation and the age of print on the institutional properties of learning at Oxford. Henry VIII's dissolution of the monasteries put an end to the scholar-monks' revival of learning; colleges were dissolved, if only to endow new colleges; and manuscripts were dispersed and destroyed. Fortunately, many of the monasteries' manuscripts were swept up by those ready to be persuaded by the likes of Thomas Bodley to bequeath these works to the universities' public libraries. What the manuscripts lost in spiritual force, in moving from religious house to university library, they regained in value as intellectual property, as scholars catalogued, preserved, edited, and attended to their every detail, while seeing some of the manuscripts into print.

¹⁴⁷ Mandelbrote, "Bible Press," 490.

¹⁴⁸ In 2012, Oxford University Press (OUP) was ranked the twenty-first largest publisher in the world, with revenues of over a billion dollar, with Cambridge University Press ranked 43rd and second among university presses, with revenue of \$396 million; "The World's 60 Largest Book Publishers, 2012," *Publisher's Weekly* (July 19, 2013). OUP transferred \$50 million "to the rest of the university" in 2013; *Annual Report of the Delegates of the University Press, 2013-14* (Oxford: Oxford University Press, 2014), 35. The *Annual Report* gives dictionaries (25 mentions) and "educational" resources (21 mentions) a prominent place, while the Bible publishing, which continues, no longer merits mention.

Among the continuities running through this disruptive history of Reformation and Civil War are learning's archangels of patronage and privilege. The beneficence bestowed on learning is found in the royal scholarships at Christ Church, the manuscript collections of Bodley's library, and the university press privileges bestowed by the crown and exploited by Laud and Fell. What Bodley's public library of the university demonstrated, much as William Laud sought with his public press, was a new level of institutional commitment to learned curation and public access. Ideally, university library and press served each other well around the properties of access, communality, sponsorship, and use, even as the press was still struggling to sustain itself.

Part of the challenge speaks to what sets these three figures apart. Bodley is an old school, or rather, a monastic-type benefactor of learning. He gave and bequeathed, bringing outside wealth to bear on learning, even if he did become more involved in setting up the public library at Oxford than was expected. His endowment ensured and enabled learning over the long term, not only through his property gifts, but in establishing a library that would continue to attract gifts, publisher deposits, and public support.

Laud and Fell, on the other hand, were part of the new commercial economy of print. The press was certainly the adept "instrument or engine" that Bacon had advised Bodley to look out for, "whereby learning should be improved or advanced."¹⁴⁹ Yet Laud and Fell struggled, much as the Royal Society was struggling at the time, to find sufficient advantage in the privileges granted learning to sustain a press, when the print market was ridden with such privileges. It took a Bible press (in the hands of London

¹⁴⁹ Francis Bacon, "To Sir Thomas Bodley, Upon Sending his Book of Advancement of Learning," in *The Letters and the Life of Francis Bacon*, Vol. 3, ed. James Spedding (London: Longmans et al., 1868), 253.

booksellers) to sufficiently subsidize learned printing, much as it had taken monastic piety to stock the scriptorium. From Bodley's benefaction to Fell's privileges and subsidies, we can see how the university maintained the spectrum of medieval and Early Modern sponsorship among learning's properties. Add to this the academies' introduction of membership subscription to the subsidizing of book publishing and you have the cumulative history of intellectual property economics for learning.

Although the Reformation and Civil War played havoc with the university's autonomy, Bodley, Laud, and Fell managed over the course of the seventeenth century to secure learning's place within a political economy of patronage, privilege, and increasingly, market capitalism. The seventeenth century was marked by the all-too-cozy exchange of printer monopolies for book censorship in Britain. By century's end, this compromised intellectual property regime was running out of political steam. To give an early instance, in 1645, the "unjustly imprisoned" radical pamphleteer John Lilburne denounced "that insufferable, unjust and tyrannical Monopoly of Printing, whereby a great company... suppress every thing which hath any true Declaration of the just Rights and Liberties of the free-borne people of this Nation."¹⁵⁰

By the 1690s, Parliament was hard pressed to renew, once more, the Book Licensing Act that enforced censorship through print monopolies. The Act ran counter to the Whig banner, *Liberty and Property*, that won the day with the Glorious Revolution of 1688. If book licensing offended liberty, new ideas about property were also being floated, not least of all by Christ Church alumnus, John Locke, whose natural law theory (subject of the next chapter) was to later have great consequence for intellectual property law. It was a time for rethinking the liberties and properties of the printed word, given the

¹⁵⁰ John Lilburne, *England's Birth-Right Justified* (London: Larner's Press, 1645), 10.

political force of the press in the Civil War, Restoration and Revolution. During the 1690s, Locke was among those who successfully lobbied for the end of book licensing. He proposed reforms on behalf of readers and authors of learned books, and those reforms were to figure, after his death, in the Statute of Anne 1710, which was entitled, as you might recall, “An Act for the Encouragement of Learning.” The statute initiated the Age of Intellectual Property, sounding the end of this prehistory and, as such, forms the subject of this book’s final chapter.