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Canonicity, Reprint Series, and Copyright

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The Culture of the Publisher's Series, Volume One

**Authors, Publishers and the Shaping
of Taste**

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3

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The history of reprint series begins with the octavo editions of Latin and Italian classics that Aldus Manutius printed and published in Venice beginning in 1501, less than fifty years after the invention of printing. The first volume was a compact edition of Virgil. The series lacked a formal name, but the volumes were distinguished by their uniform format and typography. The books were about an inch shorter and narrower than modern-day Penguins, and the texts were printed, except for capital letters, in italic type that was specially designed for the series. Like many reprint series that followed, the volumes were designed for personal use and easy portability.

Later series included the Aldine British Poets published by William Pickering between 1830 and 1853 and the cluster of British reprint series established between 1900 and 1906 – Nelson's Classics, the World's Classics, Collins's Pocket Library, and Everyman's Library. These are discussed by Kate Macdonald and Terry Seymour in the two present volumes. The most important American reprint series of the twentieth century was the Modern Library of the World's Best Books, which began in New York in 1917. The paperback revolution in the English-speaking world brought many new series, including Penguin Classics. Pre-eminent among series created with the formal intention of publishing the literary canon are the Bibliothèque de la Pléiade, which began in Paris in 1931 and includes literature and philosophy by French and foreign authors, and the Library of America, which was founded in 1979 and published its first titles in 1982. The background and culture of French series is examined by Wallace Kirsop and Isabelle Olivero in the present volume. Many of these series have been published over long periods of time, and their lists can provide a sense of evolving perceptions of the literary canon. This is especially true if

titles are discontinued as well as added on a regular basis, as has been the case with the Modern Library.

Canonicity

The concept of canonicity derives from the ecclesiastical realm. *The Oxford English Dictionary* defines 'canon' as 'the collection or list of books of the Bible accepted by the Christian Church as genuine and inspired'.¹ Catholic and Protestant branches of Christianity disagree about the canonical status of certain books that are either omitted from Protestant Bibles or printed separately as the Apocrypha. Apart from these differences, the Christian canon of sacred texts has been fixed for a very long time.

The use of the word 'canon' in connection with secular works is fairly recent. I am not sure when the word began to be applied to secular literary works. There are isolated examples as early as the 1920s, but its use in this context appears to have become widespread only within the past twenty-five years. 'Canon' does not appear in Raymond Williams's *Keywords: A Vocabulary of Culture and Society*, which was published in 1976 and revised in 1983.² A cluster of influential articles focusing on the literary canon appeared in the journal *Critical Inquiry* in 1983 and 1984 and were reprinted with additional papers as a book, *Canons*, edited by Robert van Hallberg.³ Since then the use of the word in this context has become ubiquitous, but it was only in June 2002 that 'canon' appeared as a draft addition in the electronic version of *The Oxford English Dictionary*, where it is defined in the context of literary criticism as 'a body of literary works traditionally regarded as the most important, significant, and worthy of study'.⁴

The words 'traditionally regarded' are key to the concept of canonicity. Canonicity is a social construct. There is no such thing as 'the canon' in the secular realm; we can only speak of multiple canons. Secular canons reflect the values of a given time and place and therefore tend to be unstable. Writers, artists and composers who are regarded as canonical at one period may be regarded differently at another. There are different levels or degrees of canonicity. A few figures such as Chaucer and Shakespeare, Leonardo da Vinci and Michelangelo, Mozart and Beethoven – once their stature was recognised – have maintained a position as central figures in the western canon. Other figures, even entire genres, rise and fall in status. Works cease to be canonical when the communities that recognise their status no longer exist.

At any given period there are multiple canons that exist side by side. We can speak of the 'western canon' and of the canon of any given

national literature.⁵ There are regional canons, such as Scottish literature or the literature of the American South. Regional canons include figures like Robert Burns or William Faulkner who occupy a place in national canons, as well as lesser figures whose canonical claims at the national level are less compelling. Other canons are formed around the writings of particular groups such as women, African Americans or African American women. There are endless permutations.

It is useful to think about canons in terms of centre and periphery, with some works securely established at the centre and others occupying more tenuous positions at the periphery. The phrase 'centre and periphery' comes from the sociologist Edward Shils, who was writing about society as a whole. Shils wrote that the centre or central zone of society 'is a phenomenon of the realm of values and beliefs. It is the center of the order of symbols, of values and beliefs, which govern the society'.⁶ In terms of the canon, works at the periphery are subject to the greatest volatility, but there are also works that occupy a fairly stable position at the periphery. Canons are continually evolving, with new works entering the canon and some (but not all) older works fading from view.

Today it is common to define the canon in terms of works that are studied at schools and universities. This is just one of many canons, but it has become increasingly influential since the Second World War as university enrolments have expanded dramatically and large numbers of creative writers, composers and artists have been absorbed into the academy as teachers. The academic canon of a given period can be analysed in terms of works appearing on syllabi, the contents of successive editions of standard textbook anthologies and clusters of academic articles devoted to particular authors and works. The academic canon evolves partly in response to prevailing approaches to criticism. Certain works lent themselves better than others to the analytical techniques of the New Criticism of the 1950s; others lend themselves better to the contemporary critical emphasis on gender, race and class.

It is safe to say that canons can't be cut in stone. As proof of this assertion we have only to look at the libraries, concert halls and museums of a certain age where canonical names are literally chiselled in stone. Despite a tendency to play it safe – it is common to find buildings where the names cut into the facade derive entirely from classical antiquity – it is their datedness and the omissions, including the absence of women, that are most likely to strike contemporary observers.

This architectural tradition appears to have originated with the Bibliothèque Sainte-Geneviève in Paris, which was designed by Henri Labrousse in 1838–9 and built between 1843 and 1850. As Neil Levine has

shown, Labrouste was strongly influenced by Victor Hugo's *Notre-Dame de Paris* and especially the chapter 'Ceci teura cela' ('This Will Kill That'), which Hugo added to the novel when it was reprinted in December 1832, more than a year and a half after its initial publication.⁷ Hugo believed that the printing press had supplanted architecture as the primary medium for the public expression of human thought. Before printing, Hugo argued, 'architecture was the great script of the human race. And so true is this, that not only every religious symbol but also every human thought has its own page and its own monument in this immense book.'⁸ The message of 'Ceci teura cela', Levine writes, was that 'the proliferation of printed matter would alter the form of buildings as radically as their significance. ... If buildings were to express anything, they would have to cease being 'architectural' and become 'literary' in character.'⁹ This is what Labrouste was determined to do when he received the commission to design the Bibliothèque Sainte-Geneviève. He inscribed the names of 810 authors on the façade of the building, and equipped the vestibule with busts of prominent French writers, scientists, philosophers and artists. 'The meaning of Labrouste's library', Levine notes, 'unfolds progressively. One sign or image crops up after another as in turning over the pages of a book.'¹⁰

This architectural tradition of inscribing canons in stone appears to have faded around the time of the Second World War.¹¹ Butler Library at Columbia University, which opened in 1934, may be a late example. The practice remained sufficiently alive in the late 1930s for George R. Stewart to begin his academic novel *Doctor's Oral* with a comic account of the problems that ensued when the president of a fictional state university in the American heartland asked professors from each department to select the name of a major figure in their field to be carved into the pediment of a new university library. Nominations such as Michelangelo had to be overruled as too long for the space available, but it was the biology department's nomination of Darwin, a name that was anathema to the state legislature, that caused the greatest turmoil.¹²

Evidence of outmoded canons can be found everywhere. One example is the old card game 'Authors', which was created during the latter part of the nineteenth century by the American game company Milton Bradley. I played it as a boy in the 1950s. The cards depicted famous authors, mostly from the nineteenth century. The object of the game was to accumulate sets of cards for a given author, each of which listed one of the author's better known works. The game gave young people a nodding acquaintance with the names of canonical authors like Hawthorne, Dickens and Carlyle. In my recollection all of the authors

were men; as a boy I was particularly struck by the number of authors who boasted impressive beards. At home I have a set of 'Authors' that appears to date from the late nineteenth century. I have a reasonably good general knowledge of literature, but there is one author in the set, George William Curtis, whose name was new to me. When I looked him up in *The Oxford Companion to American Literature* I learned that he was an editor of *Harper's Weekly*, published books of essays and travel writings, and lectured on behalf of the anti-slavery movement and in support of women's rights, civil service reform and industrial harmony – possibly someone worth looking into. It is safe to say, however, that his position in the canon is no longer what it was over a hundred years ago, when he was included alongside Dickens and Thackeray in a popular card game.

My final example of a dated canon is the Library of Congress classification for American literature (the PS's), which was drawn up after the turn of the twentieth century and published in 1915. This is the classification system used for shelving books in most American academic libraries. Nineteenth-century American authors perceived as first rank are each assigned a range of forty-nine numbers that are used to organise books by and about the author. Authors with ranges of forty-nine numbers include Emerson and Hawthorne, along with authors like Whittier whose lustre is not as bright today as it was one hundred years ago. Melville is allotted a mere nine numbers, which reflects his diminished reputation at the time the classification was created. His first two books, the South Sea romances *Typee* and *Omoo*, were his most successful. *Moby-Dick* puzzled and disappointed many readers when it appeared in 1851, and it was out of print by 1887.¹³ The critical re-evaluation of Melville that began in the 1920s with a biography by Raymond Weaver, followed by the first publication of *Billy Budd*, which had remained unknown during Melville's lifetime, came too late to influence the compilers of the Library of Congress classification. As a practical matter it makes little difference to the organisation of an author's works whether the author is allotted nine numbers or forty-nine; but the range of numbers, based on so-called 'literary warrant', survives as a reflection of the author's standing at the time the classification was created.

I will conclude my discussion of canonicity by introducing another sociological concept that is relevant to our understanding of the subject. This is Max Weber's concept of charisma. Charisma is the quality that attaches to persons, roles, institutions, symbols and cultural objects because of their presumed connection with the most fundamental and important areas of human existence.¹⁴ One influential recent work that uses the concept is William Clark's *Academic Charisma and the Origins*

of the Research University.¹⁵ Canonical works can be distinguished from semi-canonical or non-canonical works by the charisma that attaches to them; it is perhaps the quality that makes them canonical.

The aura of charisma exerts a powerful attraction. People want to get as close as possible to whatever it is they recognise as charismatic. In the realm of literature intellectual possession – understanding a work as fully as possible – may not be enough. There are people who seek a more tangible association with the charismatic. Possessing a work as a physical object may be preferred to borrowing it from a library. A first printing retains its charismatic appeal, bringing us closer to the source than a later printing or a reprint edition. Even if errors and misprints in the first printing are corrected in later printings, the first printing may be preferred. Better yet is a first printing signed by the author, or proof sheets corrected in the author's hand, or – the ultimate prize – the original manuscript itself. Of course, not everyone can aspire to owning the original manuscript of a canonical work. But the artefact remains charismatic. Countless Joyceans make pilgrimages each year to view the autograph manuscript of *Ulysses* at the Rosenbach Museum and Library in Philadelphia.¹⁶

The charisma that surrounds canonical works can also provoke attacks against classical works by those who identify with the avant-garde and others who may be in rebellion against an inherited tradition. I will illustrate this with two examples of bad behaviour on the part of youthful modernists in the 1920s. The first involves Donald Friede, a wealthy young man who went into publishing after a three-year university career during which he earned the rare distinction of being expelled by Harvard, Yale and Princeton. He subsequently purchased a vice-presidency at Boni and Liveright, which was perhaps the most important American publishing house of the 1920s, and later established a new but short-lived publishing firm in partnership with Pascal Covici. Friede's autobiography shows him to have been a clever but shallow young man. He writes:

before we went to a concert, we would always call Carnegie Hall to find out at what time the Stravinsky *Sacre du Printemps* would go on. We would stand out in the lobby smoking until the orchestra had finished playing that old fuddy-duddy Haydn. Then we would troop in, swoon orgiastically over the atonal music we had come to hear, and troop out again, careful to be safely in the lobby before our ears were assaulted by the horribly melodic music of Johannes Brahms.¹⁷

My other example comes from Samuel Putnam, who is best remembered today for his translation of *Don Quixote*. His splendid memoir, *Paris Was*

Our Mistress, offers one of the best accounts of Paris in the 1920s. Here Putnam is relating a story told to him by the Surrealist Louis Aragon:

'One night ... we were all at a house somewhere down in the country. [Malcolm] Cowley ... [Matthew] Josephson and [E. E.] Cummings, I remember, were there. Our host had an elaborately bound set of the works of Racine, and by way of showing our contempt for this kind of 'literature,' we took the volumes and tossed them into the fireplace. Then, as they went up in smoke, we all stood around and urinated upon the embers.'¹⁸

Reprint series and copyright

Reprint series like the World's Classics, Everyman's Library, the Modern Library, Bibliothèque de la Pléide, Penguin Classics and the Library of America offer tangible expressions of the canon. But no series that includes works that are protected by copyright can fully represent the canon. Copyrighted works can only be included by arrangement with the original publisher or copyright holder, and inevitably there are works that are withheld.

The Library of America offers a dramatic example. Inspired by the example of the Bibliothèque de la Pléide, founded with seed money from the National Endowment for the Humanities and the Ford Foundation, published by a non-profit corporation, guided by a board of distinguished academics and literary figures, and with a publishing programme that includes authoritative texts of major works of American fiction, drama, poetry and essays together with other genres including history, nature writing, journalism, literary criticism, sermons and crime novels, the Library of America comes closer than any other publishing venture to establishing an official canon of American literature. Living authors like Philip Roth and John Ashbery are included, as were Saul Bellow and Eudora Welty when they were still alive. Its imprimatur has been bestowed on outstanding but lesser-known writers such as Dawn Powell and William Maxwell. Two volumes devoted to the science fiction novels of Philip K. Dick are indicative of its openness to all genres of American literature.

Several authors are conspicuously absent from the Library of America, mostly because copyright holders have refused to grant reprint rights. The complete novels of William Faulkner are collected in the Library of America in five uniform volumes, but no volumes are devoted to Ernest Hemingway. F. Scott Fitzgerald is represented by a volume that reprints

his first two novels and first two volumes of short stories, but his most important works, including *The Great Gatsby* and *Tender Is the Night*, are missing. Fitzgerald's early works, published between 1920 and 1922, are in the public domain. The later works are still protected by copyright.

Charles Scribner's Sons, the publisher of both authors, decided in the early 1950s to retain exclusive rights in all American markets to its most valuable literary properties. It withdrew *The Sun Also Rises*, *A Farewell to Arms* and *The Short Stories of Ernest Hemingway* from the Modern Library in 1953 and 1954. *The Great Gatsby* would have been withdrawn at the same time if it had still been in the series.¹⁹ It is understandable that Scribner's has chosen to retain exclusive rights to authors like Fitzgerald and Hemingway. Charles Scribner, Jr, has reported that *The Great Gatsby* 'year after year ... has had the biggest sales of any Scribner's book; in fact it is the best-selling book in the history of our company'.²⁰ Thomas Wolfe is another Scribner author who has been withheld from the Library of America.

Hemingway's works and the later works of Fitzgerald are likely to be included in the Library of America after they enter the public domain, but that won't be soon. The term of copyright protection in the United States has increased dramatically over the past thirty-five years or so. Under the 1909 Copyright Act the term of copyright was twenty-eight years from the date of publication with the option of a renewal term of another twenty-eight years. The Copyright Act of 1976 extended the term to the life of the author plus fifty years. Under the Copyright Extension Act of 1998 the term is the life of the author plus seventy years. As the law stands now the major works of Hemingway published during his lifetime will enter the public domain between 2020 and 2047.²¹ It is not inconceivable that there could be further extensions of copyright protection before Hemingway's works are available to the Library of America. If US copyright law had not been revised after their deaths, all of the major works of Fitzgerald and Hemingway would be in the public domain today.

Copyright is not the only reason for the absence of canonical works from the Library of America. The series tries to publish authoritative texts, and textual scholarship is an ongoing process. The poetry of Emily Dickinson is the most obvious gap in the Library of America's coverage of nineteenth-century literature. The series hopes to use the definitive versions of the poems edited by R. W. Franklin and published about ten years ago by Harvard University Press.²² Harvard University Press has agreed in principle but wants to wait a little longer before making its edition available to the Library of America. Another nineteenth-century omission is

the poetry of Herman Melville. Melville's prose works in the Library of America use the texts originally edited by a team of Melville specialists for joint publication by Northwestern University Press and the Newberry Library. Editorial work on the poems has not been completed.²³

The major British reprint series that came into existence between 1900 and 1906 confined themselves in large part to works in the public domain and thus avoided problems related to copyright. S. H. Steinberg has written that the Copyright Act of 1842 'stipulated that copyright should cease seven years after an author's death or forty-two years from the publication of a book. The result was that, round about the year 1900, all or most of the writings of Dickens, Thackeray, Disraeli, Lytton, George Eliot, the Brontës, Carlyle, Ruskin – in brief, all the great Victorians – would become available. It is therefore no accident that all the famous series of cheap reprints which have survived to this day originated within a few years.'²⁴

The Modern Library series, which I have been studying for many years, was also profoundly affected by copyright. Established in 1917 in conjunction with the modernist assault against Victorian culture, it was published initially by Boni and Liveright. Albert Boni, who conceived the series, was a twenty-five-year-old Greenwich Village bookseller and occasional publisher. To raise capital he entered into partnership with Horace Liveright, a former bond salesman who was searching for a new career with financial backing from his father-in-law. The first title in the new series was Oscar Wilde's *Picture of Dorian Gray*. Most of the titles that followed were by post-Victorian British and Continental writers. Five additional titles by Wilde found their way into the series by 1925, along with four by Anatole France and three each by Gabriele D'Annunzio, Henrik Ibsen, Guy de Maupassant and Friedrich Nietzsche. Authors with two titles each in the new series were Lord Dunsany, Gustave Flaubert, Walter Pater, Arthur Schnitzler, August Strindberg, Leo Tolstoy, Ivan Turgenev and H. G. Wells. There were few Americans in the early years. The only pre-nineteenth-century works were by authors like François Villon and Voltaire, whom modernists claimed as spiritual forebears.

Nearly all of these authors were in the US public domain. The United States did not extend copyright protection to the works of foreign authors until 1891. Works by foreign authors published in the United States before 1 July 1891 fell automatically and irretrievably into the US public domain on the day they were published, although they continued to be protected by copyright in other countries. But 1 July 1891 cannot be established as a clear line of demarcation after which works by foreign authors received US copyright protection. The manufacturing

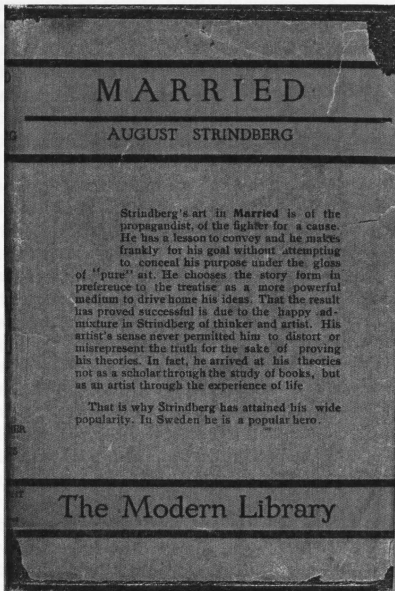


Figure 3.1 August Strindberg, *Married*. One of the first twelve Modern Library titles published in May 1917

clause of the 1891 law specified that in order to be eligible for copyright books had to be printed from type set in the United States or from plates made from such type. Books that were published in the United States using imported sheets of a British edition were ineligible for US copyright protection. It was common practice to publish books by foreign authors using imported sheets, especially for authors without an established American audience. A significant number of books by foreign authors fell into the public domain after 1891 because of the manufacturing clause. Examples include W. H. Hudson's *Green Mansions*, published in 1904 by G. P. Putnam's Sons using imported sheets of the Duckworth edition, and Norman Douglas's *South Wind*, published in 1918 by Dodd,

Mead & Co. using sheets of the third Martin Secker printing.²⁵ The manufacturing clause compounded confusion over the copyright status of works by foreign authors since US copyright was determined by neither the author's nationality nor the date of publication but by the place where the type had been set. It was common for some of an author's works to be protected by copyright while others were not. A book could be in the public domain in Detroit and protected by copyright a mile away in Windsor, Ontario.

The 1909 Copyright Act softened the manufacturing clause to some extent by creating a new category known as *ad interim* copyright. This was a sort of copyright purgatory. A publisher who issued a book using imported sheets could register it for an *ad interim* copyright that provided temporary protection. Full copyright could be secured by the speedy registration of a domestically manufactured edition. The window allowed by the 1909 act was two months (one month to register the imported edition, another to register the domestically manufactured edition). This was extended to a more realistic six months in 1919.

US copyright law allowed Boni to put together the Modern Library's early lists of post-Victorian works almost as freely as the editors of World's Classics and Everyman's Library had put together their lists of Victorian and pre-Victorian classics. Most of the British and Continental European titles that Boni considered for the Modern Library were in the US public domain. Only one of the first twelve titles published in May 1917 was copyrighted in the United States. The United States had entered the First World War in April, and Boni wanted to include a war book. He selected *The War in the Air* by H. G. Wells, negotiated a reprint contract with the American publisher and paid an advance that he recalled many years later as probably having been \$1,000. The Modern Library advertised the book in New York with posters depicting battling airplanes.²⁶

The second batch of Modern Library titles included George Bernard Shaw's early novel, *An Unsocial Socialist*, originally published in 1887. Shaw was a natural addition to a series devoted to the emerging modernist canon, but his plays, which began to appear in the 1890s, were copyrighted in the United States. Shaw retained tight control over his copyrights and refused to allow inexpensive reprints of his plays. It was not until the mid-1950s, following Shaw's death, that the Modern Library was able to publish two volumes of his plays. *An Unsocial Socialist* was not an ideal Shaw title for the Modern Library, but it was what the Modern Library could get.²⁷

Copyright was not the only factor that affected the selection of books for the series. The first shift in editorial direction took place after Boni

left the firm in the summer of 1918. Liveright was more interested in publishing new American writers than in the relatively unglamorous business of reprint publishing, and he never shared Boni's commitment to the cause of European modernism. He became one of the most significant literary publishers of the 1920s, with a list that included Sherwood Anderson, Hart Crane, Theodore Dreiser, William Faulkner, Ernest Hemingway, Robinson Jeffers and Eugene O'Neill, but he tended to neglect the Modern Library.

Only eight titles were added to the Modern Library in 1919 and nine in 1920. Most of these appear to be ones that Boni had slated for inclusion. The years 1917–20, when eighty-one titles were published, can be regarded as the Modern Library's Boni period. The years 1921–5, when thirty-four titles were added, can be regarded unambiguously as the Liveright period. There are striking differences between the titles published during the two periods. Half the titles published before 1921 were translations; only 27 per cent of the titles published during 1921–5 were translations. There was also a shift in the kinds of translations included. Boni showed a special interest in central and eastern European authors. Fourteen volumes by Russian and Scandinavian authors were published between 1917 and 1920; no Russian or Scandinavian authors were added in the Liveright period. French authors accounted for 35 per cent of the translations published in the Boni period and 70 per cent of the translations in the Liveright period. Only 9 per cent of the titles published before 1921 were by American authors; 30 per cent of the titles added in the Liveright period were by Americans. Many of these were by Boni and Liveright authors such as Theodore Dreiser and Eugene O'Neill or authors like Sherwood Anderson whom Liveright was courting.

In the summer of 1925 Liveright sold the Modern Library to Bennett Cerf, a young man who had joined Boni and Liveright as a vice-president two years before. Cerf established a new firm, the Modern Library, Inc., in partnership with Donald S. Klopfer. Cerf and Klopfer added more American authors to the series, and they gradually broadened the scope of the series to include canonical and semi-canonical works from all periods. They also published occasional trade books and limited editions under the imprint Random House. Following the 1932 bankruptcy of Liveright, Inc., they signed Eugene O'Neill and Robinson Jeffers and began publishing trade books more systematically. Early the following year they published the first American edition of James Joyce's *Ulysses*, and in 1936 they acquired the firm Harrison Smith and Robert Haas, whose list included Isak Dinesen, William Faulkner, Robert Graves, André Malraux, and Jean de Brunhoff's *Babar* books. At this point they

reorganised the business. Random House became the name of the firm as a whole, and the Modern Library became a subsidiary of its offspring.

On several occasions Cerf and Klopfer added works to the Modern Library shortly before their copyrights expired. Examples include Mark Twain's *Adventures of Huckleberry Finn* and the poetry of Emily Dickinson. By committing to long-term royalty payments the Modern Library was able to get a jump on the competition and establish its editions in the market place ahead of its rivals.

In 1940 the Modern Library published a one-volume edition of *The Adventures of Tom Sawyer* and *The Adventures of Huckleberry Finn* in its Giants series. *Tom Sawyer* had been in the public domain since 1932, and *Huckleberry Finn* would enter the public domain within a few months. A large number of inexpensive editions of *Tom Sawyer* had appeared after its copyright expired, and Cerf expected the same thing to happen with *Huckleberry Finn*. He offered Harper & Brothers an advance of \$1,000 against royalties of five cents a copy for the right to reprint *Huckleberry Finn* before the copyright expired. Income from reprint editions of copyrighted works was normally divided between the original publisher and the author or the author's estate; after sales of the Modern Library edition reached 20,000 copies, Harper's and the Twain estate would each receive an additional two-and-a-half cents for each copy sold. Cerf told the president of Harper's that the Modern Library edition would bring additional income to the Twain estate for years to come.²⁸

Selected Poems of Emily Dickinson, published in the Modern Library in 1948, included a number of poems that were in the final years of their copyright. Its contents were drawn from three volumes of Dickinson's poetry that had been published by Roberts Brothers in Boston following the poet's death in 1886: *Poems* (1890), *Poems: Second Series* (1891), and *Poems: Third Series* (1896). Little, Brown & Co. became Dickinson's publisher when it acquired Roberts Brothers in 1898, and it was with Little, Brown that the Modern Library negotiated reprint rights.

The first two volumes of Dickinson's poems entered the public domain in 1946 and 1947, fifty-six years after their original publication. The Modern Library collection included all the poems from these two volumes. Rights to the other poems in the collection had to be negotiated with Little, Brown & Co. The Modern Library naturally wanted the best collection it could get, but part of its motivation was to give its volume a competitive edge over a collection of Dickinson's poems that World Publishing Co. in Cleveland was bringing out in its Living Library series. That volume, also published in 1948, was limited to the poems that had recently entered the public domain.²⁹

The fact that the third volume of Dickinson's poems would enter the public domain in 1952 gave the Modern Library some bargaining power. With only a few years to go before the copyright expired, it was to Little, Brown's advantage to lock in royalty payments while it could. Yet the Modern Library was unable to get everything it wanted. The Modern Library had hoped to base its selection on the *Centenary Edition* of Dickinson's poems published by Little, Brown in 1930, the one-hundredth anniversary of Dickinson's birth. The *Centenary Edition* included the first three volumes of Dickinson's poetry as well as poems from two subsequently published volumes. Little, Brown flatly refused to allow the Modern Library to base its selection on the *Centenary Edition*.³⁰

Little, Brown finally gave the Modern Library permission to include poems from the first three volumes of Dickinson's poems on the condition that not more than a third of the total came from *Poems: Third Series*.³¹ Only twenty poems from the *Third Series* had to be omitted, but that was enough to safeguard Little, Brown's interest in the volume for the remaining years of its copyright. The Modern Library paid Little, Brown royalties of six cents a copy. Sales up to and including spring 1958 totalled 36,631 copies, which meant that Little, Brown earned royalties for that period of nearly \$2,200.³²

Selected Poems of Emily Dickinson has remained one of the most readily available editions of Dickinson's poetry for most of the period since its publication. It survived the 1970s, when Random House slashed hundreds of titles from the Modern Library, and remained in print into the 1980s. The contents, based on the copyright status of Dickinson's poetry in 1948, remained unchanged throughout this period. It was only in 1996, after Random House revived the Modern Library, that the twenty poems omitted from the original edition were added. By this time they had been in the public domain for forty-four years. The only other differences between the content of the original Modern Library edition and the reset 1996 version are the replacement of Conrad Aiken's introduction with a biographical note by Billy Collins and the welcome addition of an index of first lines. *Selected Poems of Emily Dickinson* remains in print today as a Modern Library paperback.

Copyright considerations affect the contents of anthologies in two ways: first in terms of works that can be included, and second in terms of how extensively anthologies can be revised. My example here is an anthology of modern American poetry edited by Conrad Aiken that originally appeared in the Modern Library in 1927 and was revised in 1945 and 1963. The volume was successively titled *Modern American*

Poets, Modern American Poetry and *Twentieth-Century American Poetry*. The 1927 Modern Library edition was itself a revised version of an anthology that Aiken had published in London in 1922.³³ Changes in the contents of successive editions document new poets entering the canon and the evolving reputations of poets included in earlier editions. The number of works by a given poet may increase or decrease, new poets may be added and poets included in earlier editions may be dropped. The 1927 Modern Library edition presents the poets chronologically by date of birth instead of alphabetically as in the London edition. Other changes include an increase in the number of poems by Amy Lowell and T. S. Eliot by one each, and a reduction in the number of poems by William Carlos Williams from seven to one. Cerf had told Aiken he wouldn't care if Williams was omitted altogether.³⁴

The 1945 edition adds thirty-nine poets, including Ezra Pound, Marianne Moore, Robinson Jeffers, John Crowe Ransom, Archibald Macleish, E. E. Cummings, Horace Gregory, R. P. Blackmur, Hart Crane, Robert Penn Warren and Delmore Schwartz. It is possible that Pound had been omitted from earlier editions because copyright permissions could not be secured. Only one poet included in the first Modern Library edition – the Greenwich Village poet Maxwell Bodenheim – is omitted. The 1963 revision adds thirty-six poets and omits twelve poets who were in the 1945 edition. Among those dropped were George Santayana, Witter Bynner, Elinor Wylie, Edmund Wilson and Kenneth Patchen.

But it is the copyright implications of the 1963 edition that are especially relevant to the present discussion. When Random House authorised the revised edition, Aiken was told that the permissions budget for new poems would be at least \$4,000 and that he had to make certain that the length of the revised anthology did not exceed that of the previous edition by more than a third. If it exceeded that limit the revision would have been regarded as a new anthology, and it would have required new permission fees for *all* the poems.³⁵ Copyright guidelines together with economic constraints affected the changes that could be made in revising the anthology.

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wish to express my gratitude to the staff of the Rare Book and Manuscript Library, Columbia University, for their helpful and informed assistance over the course of three decades, especially in connection with my use of the Random House Papers.

Notes

1. *OED Online* (electronic version of *Oxford English Dictionary*, 2nd edn, New York: Oxford University Press, 1989), def. 4.
2. Raymond Williams, *Keywords: A Vocabulary of Culture and Society*, rev. edn (New York: Oxford University Press, 1983).
3. *Canons*, ed. Robert van Hallberg (Chicago: University of Chicago Press, 1984).
4. *OED Online*, draft additions, June 2002.
5. See Harold Bloom, *The Western Canon: The Books and School of the Ages* (New York: Harcourt, Brace & Co., 1994).
6. Edward Shils, 'Center and Periphery', in *Center and Periphery: Essays in Macrosociology* (Chicago: University of Chicago Press, 1975), p. 3. Also in Shils, *The Constitution of Society* (Chicago: University of Chicago Press, 1982), pp. 93–109; originally published as 'Centre and Periphery', in *The Logic of Personal Knowledge: Essays Presented to Michael Polanyi* (London: Routledge and Kegan Paul, 1961), pp. 117–30.
7. Neil Levine, 'The Book and the Building: Hugo's Theory of Architecture and Labrouste's Bibliothèque Ste-Geneviève', in Robin Middleton (ed.), *The Beaux-Arts and Nineteenth-century French Architecture* (London: Thames and Hudson, 1982), pp. 138–73; notes 262–8.
8. Victor Hugo, *Notre-Dame of Paris*, trans. and ed. John Sturrock (London: Penguin Books, 2004), p. 191.
9. Levine, 'The Book and the Building', p. 154.
10. *Ibid.*, p. 166.
11. I wish to express my deep appreciation to the numerous colleagues, including many unknown to me personally, who responded with generosity and erudition to my 'Canons Cut in Stone' query on the SHARP-L listserv in late January 2009. I especially wish to thank Edward Levin, who drew my attention to Neil Levine's chapter, 'The Book and the Building', cited above. The postings are archived and can be accessed through the SHARP website (<http://www.sharpweb.org/>).
12. George R. Stewart, *Doctor's Oral* (New York: Random House, 1939).
13. G. Thomas Tanselle, *A Checklist of Editions of Moby-Dick, 1851–1976* (Evanston and Chicago: Northwestern University Press and The Newberry Library, 1976), p. 2.
14. Edward Shils, 'Charisma', in *Center and Periphery: Essays in Macrosociology* (Chicago: University of Chicago Press, 1975), p. 127.
15. William Clark, *Academic Charisma and the Origins of the Research University* (Chicago: University of Chicago Press, 2006).
16. *Legacies of Genius: A Celebration of Philadelphia Libraries*, ed. Edwin Wolf 2nd (Philadelphia: Philadelphia Area Consortium of Special Collections Libraries, 1988), pp. 88–9.

17. Donald Friede, *The Mechanical Angel: His Adventures and Enterprises in the Glittering 1920s* (New York: Alfred A. Knopf, 1948), p. 225.
18. Samuel Putnam, *Paris Was Our Mistress: Memoirs of a Lost & Found Generation* (New York: Viking Press, 1947), p. 184; quotation marks in original.
19. Fitzgerald's reputation was at a low point when the Modern Library published *The Great Gatsby* in 1934. The book turned out to be one of the worst-selling titles in the series and was discontinued after four and a half years. A sizeable portion of the Modern Library printing of 5,000 copies was remaindered. Fitzgerald's reputation revived in the 1950s.
20. Charles Scribner, Jr, *In the Company of Writers: A Life in Publishing* (New York: Charles Scribner's Sons, 1990), p. 161.
21. Lolly Gasaway, *When U.S. Works Pass into the Public Domain* (<http://www.unc.edu/~unclng/public-d.htm>), last updated 4 November 2003.
22. Harvard University Press published the three-volume variorum edition of *The Poems of Emily Dickinson* in 1998. The one-volume reading edition appeared in 1999.
23. My discussion of the Library of America has benefited from personal communications from Cheryl Hurley, president of the Library of America, and G. Thomas Tanselle, a member of the Library of America's board of directors.
24. S. H. Steinberg, *Five Hundred Years of Printing*, 2nd ed. (Harmondsworth: Penguin Books, 1961), pp. 356–8. The statement appears on p. 255 of the first edition (Penguin Books, 1955) and on p. 263 of the hardbound edition (London: Faber and Faber, 1959). Only the first two sentences appear in John Trevitt's revision of Steinberg's book (London: British Library; New Castle, DE: Oak Knoll Press, 1996), p. 169.
25. John R. Payne, *W. H. Hudson: A Bibliography* (London: Wm Dawson & Sons; Hamden, Conn.: Archon Books, 1977), p. 81–2; Cecil Woolf, *A Bibliography of Norman Douglas* (London: Rupert Hart-Davis, 1954), pp. 57–8.
26. Boni, interview with J. C. Furnas, 24 February 1971; notes of interview provided by Furnas.
27. In 1946, towards the end of his life, Shaw relaxed his opposition to cheap reprints and allowed Penguin Books to publish a million copies of his plays – ten volumes in printings of 100,000 copies each – on the occasion of his ninetieth birthday.
28. Bennett Cerf to Henry Hoyns, Harper & Brothers, 31 July 1939. Random House Papers, Columbia University.
29. Emily Dickinson, *Poems: First & Second Series* (Cleveland, OH: World Publishing Co., 1948).
30. Robert Linscott to Conrad Aiken, 5 April 1948. Random House Papers, Rare Book and Manuscript Library, Columbia University.
31. Robert Linscott to Conrad Aiken, 31 March 1948. Random House Papers, Rare Book and Manuscript Library, Columbia University.
32. The Modern Library would have paid an advance against royalties when the reprint contract was signed, but I don't know what the advance was. Income from the Modern Library edition was presumably divided between Little, Brown and the Dickinson estate, but I have no information about the details.
33. *Modern American Poets*, ed. Conrad Aiken (London: Martin Secker, 1922).
34. Bennett Cerf to Conrad Aiken, 12 March 1926. Random House Papers, Rare Book and Manuscript Library, Columbia University.

35. Jason Epstein to Conrad Aiken, 12 September 1960. Random House Papers, Rare Book and Manuscript Library, Columbia University.

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