



Monica Cohen, *Pirating Fictions: Ownership and Creativity in Nineteenth-Century Popular Culture*.

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Pirating Fictions is an immersive and comprehensive analysis of the parallels between fictional pirates and the pirating of fiction in the nineteenth century. Cohen draws a plethora of entertaining and informative examples from a wide variety of cultural pursuits, richly combining these to provide a thoughtful argument. Broadly speaking, Cohen's thesis is that concerns over personalised authorship underpinned nineteenth-century literary depictions of pirates, but, since authors used these very characters to criticise literary piracy, they drastically undercut such sentiments through their evoking of oral traditions, pre-patent theatre practices, and collaborative authorship.

Each chapter is helpfully anchored to one key author. Chapter 1, for example, focuses on Defoe, and his pivotal *Captain Singleton* (1720) is read in relation to the various collectively owned pirate source materials (broadside, trial pamphlets, and gallows confessions). Defoe's treatment of this material is compared to the form of individuality set out in the Statute of Anne (1710). Here, the "person of the copyright holder" (35) is shown to share intriguing parallels with both the (maritime) pirate characters and the (literary) pirate authors, especially Defoe. This is profitably contrasted with the continental legal model, whereby "an author's rights derive from an act of creation independent of who holds the copyright" (35).

In this way, Cohen deftly demonstrates that the figure of the pirate is intimately bound up with pressing concerns of “the individual”. Chapter 2 advances this by exploring Byron’s partnership with the publisher John Murray. This discussion furthers our understanding of the piratical character as an embodiment of attitudes and anxieties towards authorial ownership through the creation of “a celebrity authorship modelled on the visibility of the stage pirate” (14). This is presented as sitting in tension with the explicit aims of the 1814 copyright act: a “personalised model of authorship” (46). As an indication of these changing ideas, the popular blending of Byron with his persona is analysed in comparison with the context of unpatented theatres. These theatres were strongly against personalized understandings of authorship, whilst “in traditional publishing, copyright terms were putatively synchronized with the author’s biological person” (52).

Chapter 3 turns to Scott, focusing on tensions between the models of copyright law in England and those of post-union Scotland, the latter of which is characterised as featuring an oral tradition of collectively owned and reused songs and folktales. This is tied to the previous chapter, with Byron’s attitudes towards authorial ownership shown as resembling such a model. As Byron’s *The Corsair* (1814) drew from the publicly available caricatures, tropes and types apparent in the materials examined in Chapter 1, so too Scott absorbed and adopted local customs and lore “as story material whose collective spirit inscribes into the novel the sign of a powerful public domain and a call to serve the public interest” (84-5). The ‘Wrecking Culture’ of Scottish coastal communities is shown to be an embodiment of this, similarly “haunted by the ghost of an original author” (89).

Chapter 4 shifts to examine tensions between the American and English copyright models: the former understanding copyright to be limited to country of origin, whilst the latter understood copyright as holding international rights. As a result, American courts refused to offer any protections to books printed in England, meaning that English works were freely imitated, adapted, and plagiarised, leaving the authors with no legal recourse. Perhaps counter-intuitively, these tensions are shown to benefit James Cooper’s career: Cohen argues that Cooper’s success was “an effect of the unregulated stage” (15) rather than a consequence of either the British 1814 Copyright Act or the first American Copyright Act of 1790. Again, Cohen ties the argument to earlier sections, showing the pirates of Cooper to be “wrought from the literary nationalism that Scott bequeathed” (104).

Chapter 5 focuses on the 1833 Dramatic Literary Copyright Act which “established a performance right for playwrights and helped to establish [...] a central regulatory body that had authority to identify copyright violations” (25). Dickens is crucial here: *Nicholas Nickleby* and *Oliver Twist* are read in light of Dickens’s use of “theatre culture to make allowances for stealing” (126) and his failed attempt to establish international copyright protection. Balancing this, Cohen convincingly sees in Dickens’s novels of the 1830s an affection for the theatre that “expresses a moral equivocation that informs the British quarrel with America” (16), embodying the clash between the two systems of copyright.

Building on this failed international copyright effort, Chapter 6 discusses Gilbert and Sullivan’s *The Pirates of Penzance* as “explicitly designed as a tool for protesting the unauthorized performances of dramatic works, particularly in the United States” (156). As with all authorial actions examined here by Cohen, however, this act of resistance is complicated. *The Pirates of Penzance* contained “antiproperty energies” (173) which are shown explicitly to celebrate and romanticise literary piracy.

The penultimate chapter turns to R. L. Stevenson and the 1878 Royal Commission into copyright law. Engaging with the general context of “the high point of free-trade policy in Great Britain”, it is argued that the English understanding of copyright shifted dramatically “towards questions of free trade and a cosmopolitan worldview that encouraged thinking about fluid global markets rather than about protecting individual property” (181). Cohen argues that Stevenson embodies this worldview, presenting *Treasure Island* as a text which “playfully defends a model of authorship that is piratical in its reuse of creative works ‘intended for all’” (190-1), and evoking Scott’s use of Scottish oral culture.

The final chapter bookends this analysis of maritime and literary piracy, exploring J. M. Barrie’s *Peter Pan* in light of the 1891 American International Copyright Act. Establishing greater copyright protection for authors from American markets, the 1891 Act enabled Barrie “to profit from the American Market in ways that Gilbert and Sullivan had striven to do laboriously and with limited success” (215). There is an important coda, however, as the Act did not provide the protection for authors many had hoped for. The chapter then offers an interesting analysis of Barrie’s “collaborative creativity” (226): it interrogates his multiple and complex system of endless revisions and ironic depiction of multiple authors, convincingly mapped onto Du Maurier’s performance of Hook, an interpretation that incorporated a vast number of overlapping roles, impersonations, and identities.

Pleasingly, Cohen’s text consistently and carefully walks the reader through copyright developments: each chapter summarises key pieces of legislature and makes the connections to the relevant literary works explicit. Furthermore, this work uses a wonderful breadth and variety of sources. From the metre of operetta patter-songs to the poses and gestures of actors engraved in theatre ephemera, the monograph sustains a rich, multimedial analysis. Overall, *Pirating Fictions* is an excellent academic study, and should be consulted by any readers wishing to engage with representations of copyright history.