Steve Sheets Alternatives to the Creation of Copyright

Professor Phillips

2/20/12

The invention of the printing press marked a turning point in the world’s ability to duplicate and communicate. Written works could be copied in a matter of seconds rather than hand written hours. This new found ability to mass-produce written works stimulated writers as well as the English government. Having fear of the potential mayhem, the government decided to regulate copies with a guild called the “stationers.” There were two main reasons the government justified the need to regulate copies and one main reason that was kept secret from the general population. First, without copyright people could acquire an author’s works without paying the author. Secondly, Piracy resulted with: “poor quality, riddled with typographical errors, mistranslations, and crude summarizations.” (Howard 101) These mistakes resulted with the demoralization and loss of credibility to authors. The profit losses as well as authors’ potential tarnished reputation were the main justifications the government explained to the public. The last reason, which was kept from the public but important to the government, was to restrict the spread of propaganda. The Stationers were not only hired to protect the copying of author’s work but also to watch over the presses to make sure there was a lack of rebellious writing against the government. There are three different scenarios that could have taken place regarding the stationers, which could have resulted in more lenient copyright laws and a more obedient and morally justified society.

The problem with this system began around the end of the seventeenth century. The government had undergone political changes that resulted with the stationer’s exclusive rights to expire. The problem was that the government gave the stationer’s too much momentum. The stationers were now accustomed to having a monopoly over the printing industry; an exclusive right to enormous profits they were unwilling to give up. The stationer’s realized that the printing press was the only key to mass distribution and therefore came up with a strategy to remain exclusive. They went before parliament in attempt to convince them of the importance of author’s rights and exclusive ownership while their real intentions were to gain exclusive rights to printing once again. After convincing parliament, the first publically recognized copyright called the Statute of Anne was passed in 1709.

Regarding the Stationer’s influence in the implementation of the Statute of Anne, there are three ways in which copyright laws may have been created differently. First, if the stationers decided that they made enough money through their initial monopoly designated by the government they may not have had the motivation to even fight for the law. Secondly would be a scenario without the creation of the Stationers in the first place. The government claimed to have developed the idea of the stationers for the protection of the authors; nevertheless, they had underlying intentions by attempting to restrict negative propaganda about the government. Maybe if the English government was less corrupt and had more confidence in their system they may have not even created the stationers in the first place. Last and most importantly the stationer’s ideological manipulation was the key in the creation of the Statue of Anne. If they were unable to fool parliament into believing that they were simply fighting for the authors’ rights then the Statute of Anne may have never been created.

The stationers were able to persuade parliament because they used colonization of the mind. They used ideological manipulation to convince parliament and the English citizens that they were fighting for author’s property rather than their exclusive printing rights. They explained that an author should have the right to sell their property to whomever they choose; knowing that authors will most likely be selling their works to publishers who therefore receive the same exclusive rights. They convinced the masses by using “loaded terms "piracy" and "theft" for the more accurate "copying" — as if there were no difference between stealing your bicycle (now you have no bicycle) and copying your song (you and the artist have the song)”(Questioncopyright) They convinced parliament that stealing is equivalent to a copy even though a copy does not mean you have actually taken anything away from anyone. Furthermore, “industry propaganda has made it a commonplace belief that copyright is how most creators earn a living — that without copyright, the engines of intellectual production would grind to a halt, and artists would have neither means nor motivation to produce new works.” (Questioncopyright) The stationers gave an exaggerated argument trying to convince parliament that artists would be hopeless without exclusive rights. Despite the fact that the publishers weren’t actually concerned about artist’s wellbeing, authors did benefit from the Statute of Anne. Although the Stationers would take the majority of the profits, they would give the authors a percentage. Whether or not that percentage resulted in more profits than if there were no copyright laws remains unknown. But authors no longer had to worry about damage to their reputation through poorly configured copies.

Even if any of these scenarios took place, copyright was pretty much inevitable. People like to receive credit for individual accomplishment and the artificially created emphasis on the importance of money would have eventually resulted in some type of copyright law. These hypothetical situations probably would not have completely stopped the creation of copyright laws but they could have resulted with more lenient laws. More tolerant laws would have created a better society and even saved lives for three reasons. First many works are judged not by their “cover” but their publisher. For some readers, a good publisher assumes a good book. Without as much emphasis on the publisher, works would have the opportunity to be spread by their merit alone. Secondly, with such strict copyright laws, normal law abiding citizens have began to break copyright laws to keep up with society. We have created a society with such strict copyright laws that it has become a social norm to break them. For example society has made illegally downloading music a social norm. These instances positively reinforce law breaking into society, which can develop into more dangerous crimes. The third and most important reason more lenient laws would benefit society is that Aaron Swartz could still be alive today. Aaron Swartz believed in socialism and wanted to make copyright laws more lenient. He was sentenced to more than thirty years in prison for attempting to make literary articles from JSTOR in the public domain. He later decided to end his own life rather then spending almost half his life in prison for sharing literature.

The printing press marked a new age in the world of communication and art. It created controversy for authors and the government, while producing enormous profits for the lucky chosen to be in the guild called the Stationers. There are many scenarios that could have taken place to create a different form of copyright but the conception of exclusive rights to created material was probably inevitable. Society was justified for copyright at the time in which it was created, but the law has become too strict and resulted with a confusing regulation that created immoral social norms and ended lives.

Works Cited

Howard, Nicole. *The book: the life story of a technology*. Westport, Conn.: Greenwood Press, 2005. Print.

Mumford, Quincy. "The History of Copyright." *JSTOR*. N.p., n.d. Web. 25 Feb. 2013. <http://www.jstor.org/stable/25693654>.

Paley, Nina, and James Jacobs. "The Surprising History of Copyright and The Promise of a Post-Copyright World | QuestionCopyright.org." *QuestionCopyright.org | A Clearinghouse For New Ideas About Copyright*. N.p., n.d. Web. 25 Feb. 2013. <http://questioncopyright.org/promise>.

Winerip, Michael. "The Death of a Prodigy and the Limitations of Talent - NYTimes.com." *The New York Times - Breaking News, World News & Multimedia*. N.p., n.d. Web. 25 Feb. 2013. <http://www.nytimes.com/2013/02/11/booming/the-death-of-a-prodigy-and-the-limitations-of-talent.html?\_r=0>.