

The Encouragement of Learning

Dr Sarah Thomas, Bodley's Librarian and Director of Oxford University Library Services

In 1709 the Statute of Anne, “An Act for the Encouragement of Learning by vesting the Copies of Printed Books in the Authors or purchasers of such Copies, during the Times therein mentioned”, recognised intellectual and creative achievements as a form of property. The Statute is credited as the inception of the law of copyright. In the centuries preceding the enactment, which took effect 300 years ago, in 1710, the invention of the printing press and its uptake had resulted in a radical rescaling of the ability to generate copies of written works. By 1600, as many as 200 million volumes had been printed, and the dissemination of ideas was of massive importance.

The resulting proliferation of books, pamphlets, and other documents was of political, religious, economic, and educational significance. In England, the Stationers' Company, founded in 1403 and chartered in 1557, has played a prominent role in the production of books. The Worshipful Company of Stationers and Newspaper Makers controlled the publication of books and inhibited the illegal copying of books by registering the owners of texts in their Register. Sir Thomas Bodley built a strong foundation for Oxford's Bodleian Library by establishing an agreement in 1610 for the right to receive one copy of every title entered in the Stationer's Register. A century later this provision was incorporated in the Act for the Encouragement of Learning.

Over the centuries the rights of authors, printers, publishers, libraries, and readers have been the subject of much debate and regulation. At times, laws and regulations came into being to control the flow of ideas and were a form of censorship. As the economic value of intellectual property became better understood, the importance of copyright to protect the investment of authors and the printers and publishers who contributed value to the finished product became a more integral part of the framework on which our society rests. In the 21st century, as knowledge creation has become a dominant form of wealth generation and has superseded manufacturing as the leading industry, asserting ownership of intellectual property has become even more important than in the past.

In earlier times, the duration of the period in which a work remained under copyright was more limited. In the Statute of Anne, owners of copyright enjoyed an exclusive right to publish their work for 14 years with the possibility of extending copyright for a further 14

years, after which the work entered the public domain. This period of exclusivity has been lengthened in various amendments to copyright legislation, most recently in the UK in 1995 to 70 years after the death of the author for literary, dramatic, musical, or artistic works.

The ability to assert ownership, however, is tested by new modes of dissemination which elude easy control. In the digital age, the difference between a copy and original is often moot. The internet offers seemingly limitless possibilities to share content without copyright owners receiving compensation for the use of their property. The lengthening of time before which a work enters the public domain, the ease with which digital copies can be created and shared, and the intense struggle of commercial publishers of printed publications to remain viable in the internet era have resulted in copyright being one of the defining issues of contemporary times.

The stakes are high. Authors are intent on the goals of being fairly compensated for their creative work, having their works read and having their ideas and thoughts influence the future direction of knowledge and society. Publishers see not only their traditional livelihood challenged, but also the very core of their profession, in which they contribute to the success of the author and work through editing, other quality control measures, marketing, and distribution. Librarians find that their traditional role is squeezed on multiple fronts as the cost of acquiring publications rises at a rate far higher than their parent organisations are prepared to subsidize and as their readers migrate in droves to the digital world in which seamless and instantaneous access to all information is an expectation of growing proportions of users.

Google's strategy to digitise whole libraries and to organise and make available the world's information has drawn battlelines in the copyright wars. Other social networking and peer-to-peer sites for sharing music, video, and other creative works have been in the news and the courts as rights owners, new media companies, and users square off over access to information in society. A centuries-long debate over what should be freely available to encourage learning and the creation of new knowledge and what should be controlled to protect the rights of those who have generated, enhanced, and distributed the products of knowledge, in whatever physical manifestation, continues today in a lively and spirited manner. The essays contained in this publication reflect the various facets of these debates. Contributed by publishers, librarians, academics, guardians of copyright law, and others with an interest in the outcome of the debate, they represent a diverse spectrum of views. They will advance the interpretation of these important issues.

Dr. Sarah Thomas

Sarah Thomas was appointed Bodley's Librarian and Director of Oxford University Library Services in February 2007. She is the first woman and non-British citizen to hold the position in 400 years. From 1996–2007 she was Cornell's University Librarian. Previously she was the Acting Director of Public Services and Collection Management and Director for Cataloging at the Library of Congress (1992–1996), Chief of the Technical Services Division at the National Agricultural Library (1984– 1992, and Manager of Library Coordination at the Research Libraries Group (1979–1983). She began her career at Harvard's Widener Library cataloguing German books and introducing Harvard to OCLC via the Computer-Based Cataloguing Section (1973–1975).

Thomas led in the establishment of the Program for Cooperative Cataloging at the Library of Congress, and has been active in scholarly communication initiatives. Under her direction the Cornell University Library was honoured with the ACRL Excellence in Academic Libraries award in 2002. Thomas received the Melvil Dewey Award from the American Library Association in 2007. She has also served as the President of the Association of Research Libraries. In 2009 she was selected to the Simmons College Alumni Achievement Award. In 2010 Smith College awarded her the Smith Medal for exemplifying in her life and work the true purpose of a liberal arts education. Also in 2010, under her leadership, the Bodleian Libraries were awarded the Queen's Anniversary Prize for the excellence of their collections and their efforts, along with six other cultural heritage entities of the University of Oxford, in widening access to their historic collections.

Thomas graduated from Smith College in 1970, received a Master of Science in library science from Simmons College in 1973, and a Ph.D. in German literature in 1983.