
In 1710 the British Parliament enacted the Statute of Anne, the first copyright legislation that invested specified legal rights in owners of literary property. This gave protection to authors in the form of a privilege to control the printing of copies for fourteen years after the first edition, with the option of renewal for the same period. Its title included “the Encouragement of Learning” (pp. 7–8) as a desideratum, a provision that resonates with John Willinsky’s own advocacy of open access in the digital era. In contrast, the rationale of the previous Licensing Act of 1662 was control of heresy and sedition, although it did require a copy of every book to be sent to designated “public” libraries (p. 250) such as those of the two universities, an arrangement initiated by Thomas Bodley for Oxford from 1610.

This book offers a grand tour, a “prehistory of intellectual property” (p. 295) from late antiquity through “the Long Middle Ages” (p. 4) covering the role of monasteries, universities, Islamic learning, Renaissance humanism, and the emergence of learned academies (Chs. 2–10). Its principal aim is to show that before 1710 there was a long and rich tradition that concerned the “qualities or properties” of learning (p. 7). Willinsky identifies six such properties—access, accreditation, autonomy, communality, sponsorship, and use (p. 7)—and traces their presence in the history of learning well before the concepts of “copyright” and “intellectual property” entered the English language circa 1735 and circa 1769, respectively (according to the *Oxford English Dictionary*). These were, effectively, *conditions* for the full flourishing of learning, where this denotes “the liberal arts, scholasticism, theology, humanism, and natural philosophy” (p. 9).

The actors in this story are Christian monasteries, cathedral schools, universities, and learned academies and societies from the Accademia degli Intronati (academy of the astounded), formed in 1525 in Sienna, to the Royal Society of London, founded in 1660. The early modern societies were indebted to medieval institutions that sponsored learning and resisted the intrusions of both Church and Crown. The monastic culture sustained the scholarship of the three saints Jerome, Augustine, and Benedict, as well as the Venerable Bede, Hildegard of Bingen, Peter Abelard, and Bernard of Chartres. The universities fostered Latin translations of ancient texts recovered by Islamic scholars and absorbed the commentaries on Aristotle of Al-Kindi, Avicenna (Ibn Sina), and Averroés (Ibn Rushd). Much of this discussion will be familiar to medieval scholars; other readers will be informed, in the generous citations, about the relevant scholarship. Readers acquainted with medieval and Renaissance natural philosophy will recognize themes treated by Alistair Crombie, Edward Grant, Bruce Eastwood, and James Hankins. However, Willinsky provides a new perspective by contending that acknowledgment of the “properties of learning” was evident well before 1710.

One may wonder how questions about authors’ rights arose in a Christian culture that subscribed to the notion that all knowledge comes from God (p. 170). One answer is that the early Church Fathers presented themselves as custodians of sacred texts that needed to be translated, annotated, and interpreted and insisted that such labor be accredited to individual authors. There were, however, some obstacles: the “Rule of Benedict” (sixth century C.E.) emphasized the communal nature of property, and Averroés, one of the Islamic commentators on Aristotle, postulated an “external material intellect” (p. 134) containing thoughts shared by all individuals, thus implying the impossibility of personal intellectual property. In contrast, Avicenna envisaged an intellectual commons to which individuals contribute.
After the long “prehistory,” there is a temptation to expect all the “properties” of learning to line up in John Locke’s contribution (Chs. 11 and 12). It didn’t happen so neatly. In Two Treatises of Government (1690), Locke argued that although “God gave the World to Men in Common,” an individual could claim private property by interacting, via “his Labor,” with what “Nature hath provided”—for example, by improving land, farming, and so forth (p. 284). He did not mention intellectual property. However, in a memo of 1694 written for his friend, the parliamentarian Edward Clarke, he objected to sections of a draft bill for the renewal of the Licensing Act that enforced compulsory prepublication licensing of printed works: “I know not why a man should not have liberty to print whatever he would speake” (p. 301). He also opposed the continuation of the Stationers’ Company of London’s virtual monopoly over publishing; this, he said, allowed it to be a commercially driven enemy of learning, preventing the sale of “fairer and more correct” editions (pp. 297, 302). Here again Locke did not affirm all six “properties” of learning; however, his arguments in Two Treatises supported a distinction between entitlement and possession that soon translated to authors’ rights in their works and fair use by others (p. 279). The Intellectual Properties of Learning is a clearly written and extensively researched book that brings historical insight to contemporary debates about intellectual property.


This book brings together, with very interesting results, two fields that have traditionally been kept separate: the history of pathology and the history of visual culture. Domenico Bertoloni Meli provides “an analytic study of the emergence and significance of pathological illustrations” (p. xii) from the seventeenth to the first half of the nineteenth century, thus covering a long and crucial period in the history of medicine. He scrutinizes a great number of texts produced in several European countries by well-known authors, such as Frederik Ruysch and René-Théophile-Hyacinthe Laennec, but also by physicians and surgeons who are known only to specialists. He reconstructs the close relationships between the process of visualization and the material culture of anatomical and pathological specimens collected in museums and cabinets, as well as between the production of illustrations and the development of different ways to conceptualize the diseased body. This approach allows Bertoloni Meli to reconsider some traditional interpretations of crucial nodes in medical history, such as the birth of the clinic—to echo the title of a famous book by Michel Foucault—in early nineteenth-century Paris. The focus on localization and structural lesions, which has been considered a landmark in the clinical notion of disease, can already be seen in illustrated works of the eighteenth century, especially those stemming from the surgical tradition, with its emphasis not only on the site of lesions but also on their precise conformation. Moreover, the production of extensive illustrated treatises of morbid anatomy and pathology, which contributed to the emergence of such a localized notion of disease, appeared in Britain, Germany, and the Netherlands earlier than in France, thus confirming recent studies that have shown that the emergence of clinical medicine is a wider and longer process than was previously held.

A key question of the book is the relationship between pathological illustrations and anatomical illustrations, which have received far more attention from historians. The substantial delay in the development of the visualization of diseases compared to that of anatomy is explained by Bertoloni Meli as attributable to