

Stealing a Corpus: Appropriating Aesop's Body in the Early Age of Print

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Abstract

The fate of the medieval Aesop during the early age of print reveals the tensions that arise between *corporeal* and *proprietary* understandings of artistic production. Building upon the highly accumulative, various, and expandable Aesopic tradition that thrived in the Middle Ages within scholastic manuscripts, the fifteenth-century fables of Robert Henryson and William Caxton confront movements to consolidate and transform Aesop's sprawling literary corpus into a singular printable property. At the same time that a single series of Aesop's fables, now known as the *elegiac Romulus*, became increasingly standardized within printed books, woodcut illustrations and textual descriptions increasingly beautified Aesop's body, transforming him from an inarticulate slave to an eloquent aristocrat. The simultaneous metamorphosis of Aesop's poetic and visual corpus reveals the premodern underpinnings for current efforts by publishing industries to immunize digital work from rogue acts of appropriation, mashup, and remix, practices which had previously defined Aesopic textuality. As a response to this textual vulnerability, the collapse of Aesopic work into a singular entity reimagines the allegorical relationship between the author or publisher and the work as proprietary, not corporeal. Rather than an extension of a generative, deeply somatic, and grotesque process of multiple fabular authors and commentators, the modernized Aesop obtains value as a "property," paving the way for the notion that creative corpuses can be "owned," effectively stealing away corporeal features from intellectual production.

Introduction

Perhaps the most overwhelming aspect of digital writing is its vulnerability to all kinds of intellectual theft, from illicit copying to database hacking. While the threats to artistic autonomy and intellectual property are significant, many forms of digital appropriation are undeniably innovative, creative, and valuable. Even if we set aside the privacy/security debates surrounding efforts to make information transparent, especially given the volatile responses to WikiLeaks and Edward Snowden, we can recognize the artistic potential of hacking, which often results in stunning music remixes and viral video mashups. The result, of course, has led to much handwringing, especially from self-interested corporations crying foul over violations of copyright [Lessig 2005] [Vaidhyanathan 2003]. Yet, such artistic acts of appropriation have become so "cool" that they have led scholars such as Alan Liu to suggest that "[s]trong art will be about the 'destruction of destruction' or, put another way, the recognition of the destructiveness of creation" [Liu 2004, 9]. Within the digital world, such a neo-avant garde aesthetics of destruction has fostered an environment of textual vulnerability, in which texts are, radically, at the will of their users.

At the same time, it is crucial to acknowledge that such an emphasis on "creative destruction" can lead to an uncritical acceptance of all forms of "innovation," one of the most powerful euphemisms for capitalistic enterprise. As Joseph A. Schumpeter pointed out in 1943, the desire for new markets leads to "industrial mutation," part of what he later calls a "perennial gale of creative destruction" that "incessantly revolutionizes the economic structure *from within*, incessantly destroying the old one, incessantly creating a new one" [Schumpeter 1994, 83]. This phoenix-like logic, in which a new power rises from the ashes of the old, also undergirds medieval theories of sovereignty – what is often referred to as *translatio imperii*, or the translation of power from one civilization to the next [A. Mueller 2013, 3–4] [Robinson 1997]. Histories of imperialism teach us that such an optimistic view of destruction often serves the interests of the elite who benefit from such "innovation" while disenfranchising others, especially those cultures or industries that have been

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“mutated” or “superseded.” Liu turns to the writings of the Critical Art Ensemble (CAE), as an example of neo-avant-garde collective that will use their technical skills of “disturbance” and “hacktivism” as a means to disrupt these forces of exclusion, but even the CAE adopts the elitist logic of creative destruction by claiming that “the only groups that will successfully confront power are those that locate the arena of contestation in cyberspace, and hence an elite force seems to be the best possibility” [Liu 2004, 367] [Critical Art Ensemble 1996]. As Patricia Ingham warns in her recent book, *The Medieval New*, such an embrace of complete destruction and confrontation means that “we have bought entirely the notion that innovation lays waste to what has come before,” as opposed to the practices of “ambivalent *homage*” that define many medieval perspectives on innovation [Ingham 2015, 14].

In this essay, I argue for the importance of understanding the politics and ethics of medieval forms of appropriation, which are rarely acts of destruction and more often premodern forms of sampling, remix, and mashup, which rely on degrees of “homage” to ancient authorities. As Kathleen Kennedy has demonstrated in her book, *Medieval Hackers*, we encounter early evidence of “hacker culture” during the later Middle Ages when governmental, educational, and ecclesiastical institutions attempted to control information [Kennedy 2015, 4]. Reactions to these forms of control varied, but graduates of medieval schools had already been trained to appropriate texts critically, a practice many of them learned in their writing exercises, which emphasized citation and reuse of existing authorities. While the salience of this point could be made with the commentary traditions of a number of theological texts, such as the *Glossa Ordinaria* [Saloman 2012], or legal books, such as the *Decretum* [Winroth 2004], I have selected one canon of pedagogical texts, Aesop’s fables, as a representative example for analysis. These animal tales are known for their moral lessons, but they were primarily utilized in medieval classrooms for reading and writing instruction. Students and teachers would insert interlineal glosses, usually Latin synonyms, to challenge their expanding vocabulary and then rewrite these fables, both in abbreviated and elaborated forms. Most crucially, though, students and teachers appended extensive commentaries to fables in their manuscripts, which regularly occupied more space on the page than the fables themselves. These rhetorical amplifications often became acts of appropriation, revisions of fables that bear the names of Aesopic authors that range from Avianus to Walter of England to Robert Henryson.

Within the context of 21st century copyright law, this combination of critical commentary and literary “theft” challenges current understandings of “fair use.” As Robin Wharton has demonstrated about the Court of Appeals for the Eleventh Circuit’s decision in *Suntrust Bank v. Houghton Mifflin*, 286 F.3d 1257 [Suntrust Bank v. Houghton Mifflin 2001], interpretations of copyright have begun to separate literary “critique” from “creative” work [Wharton 2013, 32–8]. In an attempt to distinguish parody from satire as a literary genre that falls within fair use, the court in *Suntrust* determined that “[a] parody is a work that seeks to comment upon or criticize another work by appropriating elements of the original. ‘Parody needs to mimic an original to make its point, and so has some claim to use the creation of its *victim’s* (or *collective victims*)’ imagination” [Suntrust Bank v. Houghton Mifflin 2001]. Revisions of medieval fables also incorporated commentaries within their elaborations on the Aesopic imagination, but the result was hardly parodic and the previous fables were rarely victims of critique. Rather, new fables became new members attached to the Aesopic corpus, a ceaselessly expandable body of fabular work composed by innumerable Aesopic authors and commentators. As the fable traditions begin to appear in print, we see acts of “hacking” emerge in the form of mashups and remixes of fables – an especially poignant phenomenon in the printed life of Henryson’s *Morall Fabillis*. Within these early printed contexts, we see striking evidence of critical appropriation, in which printers and readers remix fables for new audiences, all the while paying “ambivalent *homage*” to their origins. In this essay, I ultimately want to suggest that a premodern orientation toward intellectual bodies, instead of properties, may produce more responsible uses, critiques, and reuses of artistic work and ultimately offer formidable challenges to self-interested uses of copyright law, as well as idealistic fantasies of a “creative commons.”

From Corpus to Locus

As staples of medieval grammar and composition instruction, readers paraphrased and elaborated upon Aesop’s fables in extensive commentaries that subsequent readers could associate with other classroom texts and extend through marginal and interlineal glosses. After the twelfth century, the fable series known as the *elegiac Romulus* became the canonical “Aesop,” which students and their teachers paraphrased and expanded through extensive glosses that

accumulated in manuscripts and early printed books. The *elegiac Romulus* was composed of sixty verse fables that survive in at least 170 manuscripts and fifty printed editions published in five countries by the end of the fifteenth century [Hervieux 1960, 1:472] [Dicke and Grubmüller 1987, lxvi–lxviii]. Because of the popularity of this Aesopic corpus, the textual spaces that housed this fable series became read-write platforms in which individual fables were compiled, rearranged, and mashed up, stretching the limits of what we now call “intellectual property.”

Within an Anglo-American legal context, proprietary language for creative production did not emerge until 1624, when the English Parliament approved an act to prevent commercial monopolies and enhance the Crown’s power over the issuing of patents [Johns 2010, 28]. And it was not until 1666 that booksellers embraced the language of authorial “property” in their defense against royalist claims that the Stationer encouraged piracy against the Crown. The booksellers and printers collectively argued that “the Author of every manuscript or copy hath (in all reason) as good right thereunto, as any Man hath to the Estate wherein he has the most absolute property” [The case of the booksellers and printers 1666]. Rather than allow the Crown to destroy the Stationer and its control over the registry of printings, this statement empowered authors to sell the rights of their works over to booksellers. As Adrian Johns contends, “This may be the earliest explicit articulation of the idea of literary property – of an absolute right generated by authorship, which could serve as the cornerstone of an entire moral and economic system of print. Certainly the idea had no clear precedent behind it” [Johns 2010, 38]. For contemporaries unfamiliar with the Crown’s attempted publication land-grab, such a statement must have been stunning in its hyperbolic claims to written work as property. This statement is also striking in its advocacy for authors, not printers or booksellers. As Rebecca Curtin has pointed out, early printers were occasionally willing to engage in “alternative transactions,” granting privileges to authors in order to encourage them to enter the book market, a situation that she claims has been replicated within open source software sharing movements in recent decades [Curtin 2014, 136].

Johns is likely correct that no explicit precedent exists for the printers and booksellers’ statement of 1666, but the transformation of the understanding of the book as a *corpus* to the book as a *locus*, particularly for the medieval Aesop, in the preceding centuries suggests that the groundwork was already being prepared for such a claim. Quite literally, of course, the medieval book was a body with leaves of sheepskin, bound around a spine with animal glue, and enclosed with calfskin leather [Walker 2013, 8]. Figuratively, the body played a central role in the medieval imagination, a role that Guillemette Bolens divides into two types: contained bodies and articulated bodies. Within the articulation model, bodies are designed for motion with limbs connected by joints – suggesting the potentiality of movement that can only be severed through destruction or mutilation, such as Beowulf’s wresting of Grendel’s arm from its socket [Bolens 2000, 145–81]. This dynamic view of corporeality was an alternative to the containment model, in which the body’s outer layer would both define the body and prevent penetration from outside forces, such as weapons, poisons, or corruptions. This corporeal envelope was often understood to include protective or concealing clothing, such as skin, armor, or sacred garb [Young 1993] [Rubin 1994] [Cohen 2003]. The culture of books, in turn, provides its own rigorous structure of containment, words alphabetized and contained within the limited space of leaves of paper or parchment, selected folios bound together in discrete codices, held within bookcases within libraries. This containment model is continuous from the Middle Ages into the Renaissance and beyond, but as Paul Zumthor and Jan-Dirk Müller have argued, books began to shed their corporeal natures shortly after the arrival of the printing press [Zumthor 1987] [Müller 1994]. As Johns points out, the threat of piracy compelled early printers to protect their industry by enclosing it within the moral comfort of domestic spaces: “A printing house was to be a printing *house*. At one point the law actually stipulated expressly that presswork could only be done at home. The idea was that activities carried out in a patriarchal household partook of the moral order implicit in that place” [Johns 2010, 27]. Once books became associated more often with a *locus* than a *corpus*, they became ripe for the proprietary appropriations that would crescendo after the seventeenth century.

When we refer to the medieval Aesop, we are referring both to the ramifying sets of beast fables inscribed into books used in classroom instruction and the various conceptions of the author himself. In both cases, Aesop is not a *locus*. The medieval Aesop is undoubtedly a *corpus* and (to use Bolens’ term) a radically articulated *corpus*, at that. In addition to the proliferating sets of fables and their commentaries, Aesop himself was a sprawling and monstrous figure, whom William Caxton in his 1484 *Life of Aesop* described as having “a grete hede / large visage / longe lowes / sharp eyen / a

short necke / corbe backed / grete bely / grete legges / and large feet” [Lenaghan 1967, 27]. Moreover, this grotesquely articulated body is obsessed with linguistic modes of articulation, so much so that he serves cooked animal tongues to dinner guests [Lenaghan 1967, 43–44]. By giving his animal protagonists human tongues, he essentially reverses their fate, engaging in an allegorical fantasy of monstrous speech. And, according to one young medieval reader, even this uncontained *corpus* – and by proxy his schoolmaster – was subject to the figural violence of its students. An annotation to the explicit in Lambeth Palace MS 431 (fol. 136v) ends with a call to arms: “Finito libro, frangamus ossa magistro” [Having finished this book, let us break the bones of the master] [Lambeth MS 431] [Wheatley 2000, 94]. Again and again, the medieval Aesop is described in corporeal terms, but as Aesop begins to appear in print, his body and fabular tradition are increasingly de-articulated and contained, inspiring “piratical” acts of resistance designed to appropriate, mashup, and remix Aesopic work for new audiences.

Allegorical Body Snatching

To understand the inextricable bond between Aesop’s poetic corpus and his authorial body, it is helpful to consider the following fable, whose unorthodox message and textual afterlife epitomize the corporeal nature of Aesopica. Here is a summary of the tale: Late one evening, while guarding the bodies of criminals hanging from crosses, a soldier overhears the pitiful cries of a woman distraught by the death of her husband. Despite the king’s warning that the theft of the crucified corpses would result in the death of the guard on watch, the soldier, unable to resist his attraction to the beautiful widow, relinquishes his post to comfort and feed her. Seduced by this compassionate gesture, she embraces the soldier and they copulate over her husband’s tomb. When he resumes his watch, he discovers to his dismay that one of the bodies has been stolen. The widow is so moved by his earlier kindness to her that she tells him, “Malo mortuum impendere quam vivum occidere” [I would prefer to hang a dead man than kill a living one], offering to substitute the body of her dead husband for the missing criminal [K. Mueller 1995, 112.7–8]. At her urging, they remove the husband’s corpse from his tomb and hang it on the cross in the criminal’s place (fig. 1).

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Figure 1. The woodcut that accompanies “De Viro et Uxore” in Heinrich Steinhöwel’s *Aesop* (Basel: Jacob von Pfortzheim, 1501).^[1]

This tale of grave robbing also serves as an allegory for the way this fable itself was exhumed, reshaped, and incorporated into other literary traditions. We may recognize this story as the “Matron of Ephesus” from the *Satyricon*,

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Petronius' first century C.E. satire of Roman excess, but the tale was more frequently known throughout the Middle Ages as a standard fable in the *elegiac Romulus* [Wheatley 2000, 82–4] [Wheatley 1999]. This is surprising because we can identify next to nothing Aesopic in this one, which contains nary a talking non-human animal and includes lascivious content that cannot be easily moralized. While the *elegiac Romulus* emerged as the predominant pedagogical series of fables and the basis for one popular printed version, known as the *Esopus moralizatus*, the number of variations of each fable and their commentaries suggest that the medieval fable corpus had been extensively revised and re-allegorized [Wright 2001, xxiii] [Wright 1998] [Cramer 1995]. One reader of this fable, for example, was dissatisfied with the notion that the widow's husband would not have been discovered to be a different corpse from that of the stolen criminal. To correct this *non sequitur*, this commentator revised the tale, adding a new scene in which the guard recalls that the criminal did not have any teeth, motivating the compliant widow to grab a stone nearby and smash out the teeth from her dead husband's mouth [Hervieux 1960, 2:341n1]. This revision is simply one example, which suggests that these fables were considered to be flexible works in progress, ripe for correction and appropriation, rather than finished products to be consumed "as is."

Mouvance and Premodern Remix

Following the pioneering work of Paul Zumthor, medievalists have tended to characterize such textual malleability as *mouvance* or variance in an effort to distinguish the dynamic volatility of manuscript culture from the alleged fixity of print culture [Zumthor 1972]. Even scholars working outside of medieval studies in the 1980s, such as Gerald Bruns, began to make stark distinctions between "the closed text of a print culture and the open text of a manuscript culture" [Bruns 1982, 44]. Bernard Cerquiglini famously used the strongest terms, claiming that "l'écriture médiévale ne produit pas de variants, elle est variance" [medieval writing does not produce variants; it is variance.] [Cerquiglini 1989, 111]. Such an emphasis on the radical elusiveness and multiplicity of texts within manuscript culture encouraged medievalists to revise their editorial procedures, sometimes eschewing emendation altogether, in an effort to better represent the often untidy experience of reading a medieval text. This movement was marked in 1990 by a special issue in *Speculum* devoted to "The New Philology," in which contributors, led by Stephen Nichols, critiqued their predecessors' "preoccupation with scholarly exactitude based on edited and printed texts" and embraced "the representation of the past which went along with medieval manuscript culture: adaptation or *translatio*, the continual rewriting of past works in a variety of versions, a practice which made even the copying of medieval works an adventure in supplementation rather than faithful imitation" [Nichols 1990, 2–3]. This was a welcome paradigm shift for many medievalists, but it unfortunately led to simplifications and exaggerations about the supposed "static" or "exact" nature of print culture. As Leah Price has pointed out, it even led to some convenient McLuhanism, which allowed scholars, *pace* Bruns, to make essentialist claims about the nature of print, rather than historicize particular developments within the multiple print eras, from movable type to mass production [Price 2006, 14]. In particular, it is clear that early printers continued to consider carefully variance and the difficulty of representing multiple textual traditions, leaving space for reader involvement by allowing marginal space for commentary and appending errata lists for correction. And as Daniel Wakelin has recently shown, scribes and readers of the later Middle Ages were often quite invested in emending manuscripts, making sure that variance did not undermine the authority of their projects [Wakelin 2014].

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While the medieval Aesopic tradition may offer a convincing case study for students of *mouvance*, this *corpus* is not defined by its *locus* – the exigencies of its material environment. Nor do I think it is useful to distinguish the types of Aesopic authorship according to the stark Bonaventuran categories of scribe, compiler, commentator, and author [Minnis 2009, 94–5]. As Matthew Fisher has suggested, Bonaventure offers this fourfold schema within a sacred tradition of theological commentary, not as a taxonomy for understanding medieval textuality more broadly, which is how it has been too often applied [Fisher 2012, 71–2]. Within literary and historical manuscripts, the identities of scribe, compiler, commentary, and author often become irretrievably blurred and incapable of being reduced to these categories.

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I want to suggest, instead, that Aesopic practices of fable revision and exegetical allegorization are premodern examples of the now pervasive digital practice of remixing. While remixing practices typically refer to music sampling and compilations of previously recorded material, the aesthetics of remixing draws on the allegorical logic of medieval school texts, of which Aesopica serves as an exemplar, or the musical "master" recording so to speak. While there are

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various kinds of sampling, such as the extended remix (i.e. an elaborated version of an original track), Aesopic textuality is most aptly characterized by what Eduardo Navas calls “reflexive” remixing, which “allegorizes and extends the aesthetic of sampling, where the remixed version challenges the ‘spectacular aura’ of the original and claims autonomy even when it carries the name of the original” [Navas 2012, 60]. To establish a distinction between what he calls the “original” and its remix, Navas invokes Walter Benjamin’s conception of the “aura” or cult authority of an art object, which is increasingly eliminated through new forms of mechanical reproduction [Benjamin 1968, 221]. Unlike Benjamin, who views the liquidation of the aura (or the destruction of art’s “ritual” value) as the creation of art’s political potentiality [Benjamin 1968, 224], however, Navas suggests that the reflexive remix recognizes AND challenges the authority of the aura through allegory [Navas 2012, 67].

Such acts of appropriation and sampling have been characterized by Alan Liu as “destructive creativity,” a kind of neo-avant-garde aesthetics that responds to the neoliberal push for constant innovation through acts of “creative destruction” [Liu 2004, 317–71]. This is an attractive way of understanding the subversive value of remixing, but such a destructive artistic disposition reflects an antipathy to the past that effaces the history of art objects and undermines the force and function of a remix. After all, acts of sampling and remixing gain power through their ability to preserve the material they are reconstructing, their facility to expose their sources at the same time that they are appropriating and revising them. If a source is destroyed, it becomes unrecognizable, thereby evacuating its potency as an “act of ambivalent *homage*.” This is the creative and constructive process that describes the medieval development of the beast fable corpus, which clings to the aura of Aesop, all the while expanding the collection through elaborations, additions, and variations under other names such as Phaedrus, Avianus, and Walter of England [Gibbs 2008].

The reflexive remixes that are familiar to most of us, such as alternative versions of popular books, songs, or movies, have been produced for decades behind the closed doors of publishing houses, music studios, and film editing rooms, but the emergence of read-write platforms such as blogs and wikis render such textual and visual mashups much more visible. As Martin Irvine has astutely observed, remix “has become a convenient metaphor for a mode of production assumed (incorrectly) to be specific to our post-postmodern era and media technologies (though with some earlier ‘precursors’), and usually limited to describing features of cultural artifacts as ‘outputs’ of software processes (especially in music, video, and photography)” [Irvine 2014, 15]. Rather than limit remixing to materials and genres, Irvine proposes a semiotic model, drawing on the work of C.S. Peirce, to demonstrate the generative, dialogic, and recursive nature of all meaning making. If we accept remixing as inherent to all types of expression, “then the *material form* of an expression appears as a *moment of orchestrated combinatoriality* in the ongoing interpretive, collective, meaning-making processes that necessarily precede and follow it” (Irvine 2014, 33 [italics are mine]). Aesopic fables and commentary, as they appear within particular manuscripts and printed books, operate as orchestrated compilations, which both recognize and challenge its predecessors, inviting future readers to do the same. Irvine suggests that his semiotic model for remix “can counter misrecognitions about original authorship and proprietary artifacts that sustain copyright law and confuse the popular understanding of Remix as something outside the normative and necessary structures of meaning-making in ordinary, daily expression” [Irvine 2014, 33]. For Irvine, our obsessions with copyright and ownership are based on erroneous conceptions about artistic originality and intellectual property, which undermine remixing as a creative act.

Mixing Flowers and Fruit in Fables

The medieval expansion and canonization of Aesopic fables, for example, would have been impossible without the capacity to remix previous textual corpora. And in at least one sense, “mixing” and “appropriation” have always been central values of fable writing and reading. Take for instance the opening lines of the standard prologue to the *elegiac Romulus*, which employs horticultural language to express the ways in which fables are composed and then used by their readers: “This present work ventures to be pleasurable and useful; serious things are more alluring when they are embellished with sport [Dulcius ardent seria picta iocis]. This garden brings forth fruit with flowers. The flower and the fruit win favor, the one by its flavor and the other by its beauty. If the fruit pleases you more than the flower, select [lege] the fruit; if the flower more than the fruit, select the flower; if both, take [carpe] both” [Busdraghi 2005, 1–6].^[2] This textual enterprise mixes the serious with the playful, and more precisely the serious “embellished” by the playful. The

Latin used here is “picta,” which would normally refer to something “painted,” implying that the sport inherent in fable telling serves as a veneer for what lies underneath. Yet, the fruit (the serious message) is not privileged over the flower (the aesthetic attributes of the fables). Instead, the fabulist uses the verbs “lege” [select] and “carpe” [take] to explain what readers might do to the fable text, taking either the fruit or the flower, or both. While we might expect that readers would select particular aspects of a text to take away, the writer perceives the material as an open source, in which “both” or “all” may be taken. This acknowledgement of the entirety and variety of produce that might be harvested from the text suggests that appropriation is a textual act expected of the fable reader.

One reader who embraced this fable thievery was Robert Henryson. In his own version of the Romulan prologue, Henryson offers the following line, translated almost directly from his source: “And clerkis sayis, it is richt profitabill / Amangis ernst to ming ane merie sport” [And clerks say that it is very profitable to mix merry sport amongst serious things] [Fox 1981, 20–21]. By claiming that he learned this mantra from “clerkis,” he characterizes the *elegiac Romulus* as a collection collaboratively compiled by a number of unnamed authorities. Perhaps more interestingly, he alters the relationship between “sport” and “ernist” [serious things] slightly, moving away from the Latin “seria picta iocis,” or “sport painted upon serious matter,” towards a more balanced “mix,” the result of Henryson’s “to ming.” He appears to endorse appropriation and remixing as characteristics of fable writing, but his next use of “ming” a few lines later is accompanied by a direct citation of a singular authority.

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With sad materis sum merines to ming
Accordis weill; thus Esope said, I wis,
Dulcius arident seria picta iocis.
[Fox 1981, 26–28]

[It is fitting to mix some merriments with solemn matters; indeed Aesop said so. Serious things are more alluring when embellished with sport.]

By naming Aesop, Henryson recognizes the aura of his fabular object and reflexively remixes his source material, distilling the vast number of compilers and commentators who contributed to the *elegiac Romulus* into the authority of a single author.

On the one hand, it was conventional to cite Aesop as the origin for fables, but on the other, Henryson had just attributed the sentiment of mixing “merry sport amongst serious things” to anonymous “clerkis.” Aesop was a particularly elusive author to pin down since he was considered to be the singular progenitor of beast fables, all the while performing the “author-function” for a host of fabular authors and commentators. Even though the phenomenon of hanging a corpus on the name of an *auctor*, such as Cato, was fairly common among medieval school authors, even Cato’s *Distichs* was not attributable to other identifiable authors in the ways that beast fables were associated with multiple Aesopic authors such as Phaedrus and Avianus [Huygens 1970] [Minnis and Scott 1988].^[3] In an act of excessive homage, Henryson recites three different versions of the same Romulan phrase within the space of ten lines. In the first instance, he offers a fairly faithful rendering of the aphorism, making just one significant substitution: rather than translate “dulcius” as “sweeter” or “more alluring,” he selects “richt profitabill” [very profitable], which privileges the moral profit of the fables over their aesthetic delights. The second version, however, offers a more qualified perspective than the first: rather than suggest that any kind of frivolity may be mixed with serious things, he tweaks it slightly, saying “With sad materis sum merines to ming” [to mix some merriments with solemn matters]. As if he is dissatisfied with either translation, his third version is the original Latin line itself: “Dulcius arident seria picta iocis.” While this kind of translation and citation might seem egregiously repetitive, this redundancy reflects the redundant nature of many fable collections, which offered multiple versions of the same fable in the same manuscript [Codex Vindobonensis Palatinus 303].^[4] Henryson may have been influenced by his immersion in this pedagogical tradition, but it is also important to note that his three renderings of the line cleverly mimic the three levels of appropriation encouraged by the Romulan prologue: selecting one, or selecting another, or taking the whole thing. Understood this way, Henryson first takes the fruit, next takes the flower, and then, having decided he wants them both, he takes both, offering his own remix of the Aesopic mantra.

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Aesopic Mashups in the Early Age of Print

In addition to serving as a source for Henryson to sample and remix, the medieval fable offered practice in literary amplification and collaborative constructions of knowledge that set the stage for the fifteenth- and sixteenth-century printers of Aesop, who attempted to codify their editions through compilation, or what could be likened to the digital mashup. Within remix culture, the mashup is an aesthetic mode that combines two or more discrete and recognizable artistic products (e.g. images, sounds, words) to extend or elaborate upon their meaning or significance. One of the best examples in the world of music is Danger Mouse's *Grey Album*, which is a mashup of Jay-Z's *Black Album* and the Beatles' *White Album*. In the case of early printers, they combined previously disparate series of fables, commentaries, and images into single editions, expecting readers to play an active role in their reception and interpretation.

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Henryson's adoption of remixing as a central fabular practice also encouraged his early readers and illustrators to appropriate his text in kind. One manuscript in particular, British Library MS Harley 3865, is an intriguing case in point because it is a handwritten copy/adaptation of the 1571 Bassandyne print, published approximately a century after Henryson likely composed it [ca. 1485] [Harley MS 3865] [Henryson 1571].^[5] The handcrafted illumination that accompanies the fable, "The Preaching of the Swallow," presents a scene that serves as a mashup of previous elements from a variety of previously published woodcut images (fig. 2).

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Figure 2. The illustration that accompanies Robert Henryson's "The Preaching of the Swallow" © British Library Board, Harley MS 3865, 43v.

To begin to comprehend the peculiar nature of this copied/adapted illustration, a brief summary of the fable is in order: The narrator, happening upon a flock of birds gathering around a swallow perched in a hawthorn tree, hides behind a hedge to listen to their conversation. Warning fellow birds to dig up the hempen seed that a fowler has just sown, the swallow predicts that these seeds will eventually become the rope that the fowler will use to fashion a net, which he will then use to catch and kill the birds that feed on the crops. Mocking the swallow's prudence, the birds ignore her advice and allow the seeds to germinate in the soil. A year passes and the narrator returns to the scene to find the seeds have now sprouted short stalks, which the swallow again implores the birds to pull up. Spurning her counsel once again, the birds allow the stalks to grow to full bloom, until the fowler harvests them to construct a net. He places the net on the ground and casts fresh seed for the birds to eat. For the third time the swallow warns the birds, but they greedily devour the new seed as the fowler catches them up in his net and kills them. Henryson offers an allegory for this fable, in which the swallow represents a preacher, who warns his flock (the birds) against the entrapments of the devil (the fowler).

Given the presence of the human preacher at the pulpit and the gaggle of birds in the tree, it is clear that the Harley illustrator tried to accommodate both literal and allegorical elements of the fable. This conflation might seem appropriate for a genre heavily inflected by allegory, but this combination of two interpretive modes is actually a radical departure from the standard image that would accompany this fable, which depicts the fowler casting seed in view of the swallow and the birds (fig. 3).



Figure 3. The woodcut that accompanies “De hyrundine et ceteris auibus” in Steinhöwel's *Aesop* (Basel: Jacob von Pfortzheim, 1501).

The unique nature of the Harley illustration might motivate us to call it an “original” creation, but upon further inspection, it would be more appropriately called a “reflexive mashup” of other previously published Aesopic figures. Navas defines the reflexive mashup as a “form [that] uses samples from two or more elements to access specific information more efficiently, thereby taking them beyond their initial possibilities” [Navas 2012, 93]. To understand how this illustration operates as a reflexive mashup, the printing history of these Aesopic images must be carefully considered.

I want to suggest that three of the elements of the Harley illustration, the bird in the hand, the preacher at a pulpit (that looks more like a pedestal), and the disembodied head on the hill (lower left corner), were redrawn as imitations of symbols that originate in the standard frontispiece to the earliest printed book of fables, first compiled by Heinrich Steinhöwel in 1476, which contained not only the standard Latin fables of the medieval curriculum, but also their German translations [Carnes 1986, 4] (fig. 4).



Figure 5. Frontispiece to Bassandyne's edition of Henryson's *Morall Fabillis* (Edinburgh, 1571).^[6]

In the lower right hand corner is a clear depiction of the bird in the hand and in the lower left hand corner a preacher in pulpit-pedestal can be spotted adjacent to the lower left edge of Aesop's toga. A head on a hill is not readily apparent in this frontispiece, but a man falling down an embankment can be seen to the left of the pulpit-pedestal.

Let us consider first the preacher in the pulpit-pedestal, which is the most striking and complicated image in the Harley illustration. While the preaching figure matches exactly the preacher in Bassandyne's frontispiece, Bassandyne's preacher differs significantly from Steinhöwel's statuesque man atop the pedestal that occupies the same position on the page. We know this figure to be Aesop because many of the images represented in Steinhöwel's frontispiece refer directly to scenes in the *Vita Aesopi* that commonly prefaced fable collections after the thirteenth century and served as the source for Caxton's *Aesop*. The episode in question, in which the Babylonian King constructs a statue in Aesop's honor, is also illustrated in one of Steinhöwel's other woodcuts (fig. 6), as is the case for most of the images that appear in the frontispiece.



Figure 6. Illustration of the Babylonian King's creation of a statue of Aesop in Steinhöwel's *Aesop* (Basel: Jacob von Pfortzheim, 1501).

In this sense, this titular collage of Aesopic images serves as a visual index for the illustrations to come. We can easily imagine, for example, a hypertext version of the frontispiece, in which the viewer would click the images to gain access to episodes in the life of Aesop. Henryson's fables, however, do not include the *Vita Aesopi*, making the Bassandyne frontispiece a partial homage (or an orphaned link, if you will) to Steinhöwel's woodcuts. The preacher in the pulpit-pedestal, which appears to originate in the Bassandyne edition, complicates this reflexive relationship to the Steinhöwel frontispiece and recasts Aesop on the pedestal as a preacher, who will appear in a remediated form in the "Preaching of the Swallow" fable that appears in Henryson's collection. The Harley illustrator, by contrast, viewed the titular collage less as a set of premodern hyperlinks to prior or subsequent Aesopic texts than as raw material to be "photo-shopped" for a new use. In the case of Henryson's fable, the actual appearance of Aesop at a pulpit-pedestal would have seemed entirely appropriate, particularly because of his direct invocation at the outset of the *moralitas*, in which he is described as a "nobill clerk . . . [a]ne poet worthie to be lawreate" [noble clerk . . . a poet worthy to be a laureate] who composed this fable for "gude morall edificatioun" [good moral edification] [Fox 1981, 1893]. The tension identified earlier in Henryson's prologue – between fables produced by many anonymous clerks and a singular Aesop – emerges again, this time in a vexed attempt to cast laurels on the fable. This shift in textual authority from the multiple clerical collaborators to classroom *auctor* is dramatized in the Harley illustration, which includes an accretive figure that is a swallow, a preacher, and finally Aesop himself.

The third remixed element of the Harley illustration, the disembodied head, is perhaps the most peculiar contributor to this increasing tension between multiple and singular models of authorship. Given the fact that the head is bereft of any discernible body and lacking the color of other figures in the illustration, it is easy to overlook. It is quite possible, in fact, that the illustrator remained undecided about what to do with this head, leaving it unfinished. After all, the only reasonable explanation for its existence is its juxtaposition with what appears to be the "hedge" [Fox 1981, 1729] that the narrator hides behind in order to eavesdrop on this parliament of fowls. The insertion of a witness into a fable is a departure from the conventions of the genre and a complication of point of view that Henryson champions throughout his collection. Despite his deferral to Aesop's authority throughout his fables, Henryson consistently asserts himself as an interpretive interloper in one way or another. The Harley illustrator seemed to sense the authorial conflict represented

by a narrative figure who could threaten the credibility and coherence of Aesop, the well-established author of the fable. As a possible compromise, the illustrator returns to the frontispiece, but this time to a low point in Aesop's life, his violent demise – or what we might view as an allegorical or Barthean moment of authorial death. This image of a man falling down a hill is actually an illustration of Aesop being tossed over a cliff, an episode from the *Vita Aesopi* absent from Henryson's fables and the Bassandyne print (fig. 7).



Figure 7. Illustration of Aesop's death in Steinhöwel's *Aesop* (Basel: Jacob von Pfortzheim, 1501).

The correspondence between the two images in their entirety, a floating head and a prostrate body, are not convincing replicas of each other, but if we examine the position of Aesop's body in relationship to his statue, we can see that his head is placed in a similar position as the disembodied head, both situated below the pulpit-pedestal. If we are expected to associate these two images, a crisis of textual authority arises because the head behind the hedge would presumably be the narrator or Henryson, himself. Furthermore, his disembodiment, and arguably his botched erasure from the scene, reflects an attempt by the illustrator to privilege the figure of the preacher Aesop, a figure who would increasingly become the exclusive author of all beast fables.

Aesop's Grotesque Body in an Early Age of Print Reproduction

During the latter part of the fifteenth century when Henryson was composing his fables, the Aesopic corpus experienced a transformation that coincided with the arrival of the printing press. This newly mechanized system of textual production witnessed a division and dismemberment of fable collections into discrete textual traditions, now available in a variety of vernaculars, including English, French, German, and Italian. Printers were then faced with the daunting prospect of distilling a highly dynamic and encyclopedic genre, which contained multiple sets and variations of fables and their commentaries, into a reproducible form that could be easily absorbed by a new reading public. Despite Aesop's new public façade, readers were increasingly faced with what Benjamin called "graduated and hierarchized mediation," still a far cry from his description of the state of the press in the late-nineteenth century, in which "an increasing number of readers became writers" [Benjamin 1968, 235, 232]. Rather, I would suggest, this unstable moment of transition in the fifteenth century between script and print led to increasing efforts to contain the authorial aura of Aesop, which can be witnessed in the changing nature of descriptions and illustrations of his physical body. And even more fascinatingly, this corporeal transformation is accompanied by attempts to consolidate the widely varied and dynamic fable corpora into a singular and reproducible Aesopic corpus.

One text mentioned at the outset of this essay that was often retained from earlier manuscripts, but absent in the Bassandyne Henryson, was the biographical *Vita Aesopi*, the standard preface to the curricular fables, which provides a surprisingly monstrous illustration of Aesop's physical body, as recounted by Caxton (see above, paragraph 8). It is no accident, of course, that Caxton's striking description matches the figure of Aesop in Steinhöwel's frontispiece to the fables, crafted only eight years earlier. Perhaps more than any other depiction of Aesop, this humpbacked barefoot giant could be described as grotesque, incompatible with the traditional image of the classical author represented in Romanesque sculpture. Furthermore, his status as a venerated medieval classroom authority is belied by what is described in the text as his initial stuttering of a language comprehensible only to himself, an impediment that highlights the corporeality of poetic production and threatens the very possibility of an Aesopic literary corpus.

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As printed Aesops were reproduced over time, the grotesque corporeal features of Aesop became increasingly difficult to detect. For example, if we turn to the 1571 frontispiece of the Bassandyne print of Robert Henryson's fables, we find a more normalized authorial figure (see fig. 5). This more shapely Aesop is still, however, an odd match for Henryson's own physical description of the fabulist that appears in his "The Lion and the Mouse" fable. The narrator even goes so far as to present Aesop as the most beautiful man he had ever seen [Fox 1981, 1348]:

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His gowne wes off ane claith als quhyte as milk,
His chymmeris wes off chambelate purpour broun,
His hude off scarlet, bordowrit weill with silk
On hekillit wyis untill his girdill doun,
His bonat round, and off the auld fassoun,
His beird wes quhyte, his ene wes grit and gray,
With lokker hair quhilk over his schulderis lay.
[Fox 1981, 1349–55]

[His gown was of a cloth as white as milk, his shirt was of a deep purple fabric, his hood was scarlet, bordered skillfully with silk, fringed unto his girdle below, his bonnet was round like the old fashion, his beard was white, his eyes were large and grey, with curly hair which lay over his shoulders.]

While we can easily identify the "spectacular aura" of the corporeal metamorphosis between the Aesops that appear in the frontispieces of the Steinhöwel (1476) and the Bassandyne (1571) printed editions, Henryson's bearded and grey-eyed Aesop bears no likeness to the bumbling "disruptive anti-hero" of Caxton's *Aesop* [Travis 2011, 46].

Like the insertion of disparate graphical features of Aesop into the remixed Harley illustration of "The Preaching of the Swallow," Henryson's introduction of a curly-haired fabulist is a symptom of a growing conflict between competing notions of textual authority in the fifteenth and sixteenth centuries. On the one hand, textual and visual fabular corpora had largely been open sources, ripe for conversion for new uses and audiences. On the other, the encyclopedic accumulation and expansion of fable collections required printers to develop editorial apparatus to create an appearance of textual control. In Henryson, this tension is palpable, simultaneously acknowledging appropriation as a core value of fabular production while offering a singular model of authorship through a beautified Aesop. Moreover, it is hardly a coincidence that the physical body of Aesop experiences a dramatic makeover at the same time that the Aesopic corpus becomes increasingly codified and closed.

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Corporate Textuality and the Aesopic Commons

As the Harley illustrator demonstrates through a remixing of manuscript and print technologies, it would be enormously reductive and technologically deterministic to conclude that the printing press ushered in this move towards singular authorship and literary property. After all, the Aesopic corpus experienced a number of educational and political transformations throughout the late-sixteenth and seventeenth centuries, as can be witnessed in the printed editions of John Brinsely (1617 and 1624), John Ogilby (1651 and 1668), Sir Roger L'Estrange (1692), and Jean de la Fontaine (1668-94) [Patterson 1991] [Blake and Santos 2017, 13–28]. Within late-seventeenth-century pedagogical discourse, however, we begin to see less of an emphasis on fable interpretation and more of a focus on the fable itself, particularly

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as it would relate to childhood development [Lerer 2008, 104–28]. And throughout the subsequent centuries, Aesopica would play a central role within the development of the speaking animal tale of children’s literature, a progenitor for Lewis Carroll’s *Alice in Wonderland* (1865) and Kenneth Grahame’s *The Wind in the Willows* (1908). By the mid-twentieth century, the effacement of the fabular interpretative tradition had become so acute that the classicist Lloyd W. Daly could publish a collection entitled *Aesop Without Morals*, an English translation of the fables with their morals relegated to an appendix, much in the manner of answers in the back of a schoolbook [Daly 1961, 267–307]. Condemning the simple one-line morals as an “encumbrance” and “little more than an insult to our intelligence” [Daly 1961, 12], Daly offers the fables in isolation as “mirror[s] of self-reflection” [Daly 1961, 11]. While he acknowledges the variability of the Aesopic tradition, he refers to the fables as both a “literary product” [Daly 1961, 12] and a “floating, common property” [Daly 1961, 15], suggesting that the fables are designed to promote individual intellectual development. By unmooring the fables from their morals, Daly’s fables “float” as unified objects of reflection, affording them a romantic completeness that suggests that their artistic evolution had come to an end. Aesop’s fables could now become common products designed for select, private, and individual consumption.

While we might be tempted to view Daly’s “amoral” approach as idiosyncratic, even more recent editions, such as Olivia and Robert Temple’s *Aesop: The Complete Fables* (1998), reflect this modern tendency to reduce Aesop to a containable property. As a Penguin paperback designed for the mass market, the translators bypass the unruly medieval Latin tradition entirely and rely exclusively on Émile Chambry’s 1927 edition of the Greek prose fables. They justify their choice in a “Note on the Text” this way: “We have taken Chambry’s text to represent the ‘complete’ fables for the purposes of this volume, although every scholar would probably alter the text by taking away some and adding others according to his or her own personal choices . . . the ‘complete fables of Aesop’ is whatever the editor of its Greek text chooses to say it is” [Aesop 1998, xxiv]. By claiming that the “completeness” of the corpus – the qualifying scare-quotes of which are eliminated in the title and back cover description of the edition – is determined by the editor, Aesop becomes a commodified property with boundary lines that are defined by “personal choices” and particular “purposes,” euphemisms for market demands that ride on hyperbolic claims such as “the first translation *ever* to make available the complete corpus” [Aesop 1998, back cover]. This contention relies upon both the denigration of Aesopic authors such as Babrius and Phaedrus, whom Robert Temple calls “second- or third-rate adapters” [Aesop 1998, xviii], and the devaluation of the dynamic commentary tradition, represented by some “appalling, even idiotic” [Aesop 1998, xv] morals that the Temples separate from the fables. Such an attempt to purify the Aesopic corpus from its grotesque literary history and messy commentary tradition effectively makes Aesop a property defined by mass-market aims and idiosyncratic editorial limitations.

This transformation of Aesop from literary body to literary property, I want to suggest, represents the way open source material, particularly creative work produced before (or outside of the restrictions of) copyright, can become consolidated and redefined as intellectual “property,” often at the expense of its corporeal identity, as well as its free and “open” use. Consider the example of incunabules, the first texts printed during the latter half of the fifteenth century. While these printed volumes are often available to the public within rare book archives, most of us only know incunabules through their availability via the online database, *Early English Books Online* (EEBO 2003-2017). Produced centuries before the introduction of copyright, these books were regarded as open sources that scholars could easily reproduce and use without restriction . . . until 2011. The terms of service developed by ProQuest, the publishing company that owns *EEBO*, now state: “The electronic versions of any public domain works that may be included in *EEBO* are the copyright of ProQuest LLC. For all works in the collection, the printing or saving of texts is permitted only for private or educational use. Further reproduction is prohibited.” This attempt by ProQuest to control an entire digitized corpus of microfilmed early editions demonstrates how far we have moved away from the corporeal nature of textual production, in which hands and bodies produce, embody, and perform texts [Boyle and Foy 2012, 2]. And to some extent, even the early association of books with libraries perpetuated this shift. As Michael Camille suggests, “The whole history, development, and, to some extent, the institutional aims of the modern library have been to exclude the body from the site of reading, to make a silent desomatized optics of the *biblioteca* the simulacrum of purely mental experience, a process that will only accelerate in the future with the increasing incorporeality of the electronic word” [Camille 1997, 40]. Within the recent emergence of digital libraries, texts have migrated even further from the body to become consolidated into the *loci* of databases, hidden behind the most indulgent proprietary fantasy of all: the

“paywall.” To protect the online value of these intellectual properties, publishers have erected password-protected screens that require readers to pay a premium for full access to content. Blaming the decline of print subscription and advertisement, scholarly journals and the news media justify the blocking of free access as their only means of revenue generation. The paywall is also a proprietary metaphor that reveals the foundation of many institutions that produce knowledge, from the university to the newsroom: an artificial barrier that creates scarcity, enhances value, and accumulates capital. Moreover, the forms of access the paywall regulates are unevenly distributed across universities, and even across fields in ways that map onto the unequal structures of funding that have come to define the modern university. In this sense, the paywall not only offers a means toward understanding how the contemporary university has become an engine of inequality, but also contributes to it directly.^[7] Given the high institutional cost of subscribing to EEBO, ProQuest perverts the Romulan “take both” mantra in order to recast this incunabular body as a an intellectual property whose doors are closed to many users. It is locked, fixed, monetized, and controlled by a singular entity, a move presaged by Aesopic printers and modern editors, who increasingly consolidated Aesop’s expandable corpus into one classical figure.

Many have now joined the “open access revolution,” which seeks to resist the increasing author-facing charges and subscription fees imposed by academic publishers. Yet, even for digital initiatives such as the Text Creation Partnership (TCP), which creates freely available XML/SGML encoded editions of a number of early printed books, including those on EEBO, the access to the books is limited to their textual transcriptions. And while the EEBO-TCP is enormously valuable for cross-corpus searching, lexicographical study, and textual analysis, these printed codices are effectively reduced to data, alphabetic texts that have shed their codicological features. These “books” are now encoded text files of digital scans available on EEBO, which are, themselves, de-somaticized images of individual pages from early printed books. As Rebecca Welzenbach notes, for users “who want to quickly get at the content of the texts, not work with the data itself, XML files are not useful unless they are indexed by a search engine and presented in a web interface” [Welzenbach 2011, 5]. By reducing them to data, the physical features of the books that are represented visually on EEBO – namely, the marginalia, the illustrations, the textual layouts, the fonts, and even handwritten corrections – are eliminated, effectively stripped of the corporeal traces of author, printer, or reader. The texts are now available to be transmitted to new locations and uploaded to new interfaces: EEBO-TCP users are even encouraged “not to worry about where they discover the data, but where it comes from” [Welzenbach 2011, 12]. While the TCP clearly provides a valuable resource for many digital humanists and early book scholars, it also perpetuates the increasingly proprietary character of the digital book, which has become defined more by “where” we find it, than “who” created it or “what” it is. For example, Henryson is not even listed as the author of the *Morall Fabillis* on EEBO-TCP’s “Author” browse feature. Instead the credit is given to Aesop, yet another example of the consolidation of this corpus into one authorial figure [EEBO-TCP 2003]. More importantly, these text files are in danger of becoming metonyms for the books themselves, just one member of the corpus standing in for all.

From the perspective of Aesopic poets and early humanists like Henryson, this privileging of one member of a corpus (i.e. one author, one text) at the expense of the others (i.e. illustrators, commentators, etc.) would have seemed inimical to the common good, especially to many in the fifteenth century who had been thoroughly schooled in Ciceronian notions of the body politic. In his *De Officiis*, Cicero uses a corporeal metaphor to describe the danger of self-interested proprietary claims: “Suppose, by way of comparison, that each one of our bodily members should conceive this idea and imagine that it could be strong and well if it should draw off to itself the health and strength of its neighboring member, the whole body would necessarily be enfeebled and die; so if each one of us should seize upon the property of his neighbors and take from each whatever he could appropriate to his own use, the bonds of human society must inevitably be annihilated” [Cicero 1947, 3.5.22].^[8] For Cicero, if the act of appropriation itself can be appropriated and limited to one member, the communal body cannot thrive. His insistence on the body as a symbol of a republic is, in turn, replicated in the fable “The Belly and the Members” that became a central feature in many Aesopic collections, including the *elegiac Romulus* and Caxton’s *Aesop*, as well as a contentious political metaphor in England for the relationship between a monarch and her subjects throughout the seventeenth century [Patterson 1991, 111–37]. Henry Turner calls this hierarchical conflict “the problem of the ‘more-than-one,’” or the tension between the part and the whole, as well as “the laws and power necessary to regulate relationships among people and the values that justify this regulation” [Turner 2006, 416–417]. Just as this conflict arises for artists caught between the protections of copyright

law and the free culture of the creative commons, this struggle is palpable for Henryson and his contemporaries, who were caught in the cradle of their incunabular moment, vying with printers for their share of the marketplace. According to Turner, this contention gave rise to the sixteenth century “corporation,” which attempted to actualize the corporeal identity of political and knowledge communities: “At once an ‘artificial person’ and a fictive community, the corporation is both ‘one’ and ‘many,’ enjoying rights and freedoms that are simultaneously rights of persons and rights of collectivities” [Turner 2006, 427n46]. As both a singular figure and a textual community of authors and commentators, the medieval Aesop serves as a prototype of the early modern corporation and a representative an intellectual gift economy, in which scholarly or artistic work is transparently shared and used. But just as medieval practices of appropriation have become exploited for privatized and monetized within digital databases, the corporation has become too often an entity that immunizes stakeholders against risks at the exclusion of others.

Even if we were to agree to reclaim the corporeal nature of intellectual work, how might we move beyond the proprietary language that grips our conception of a “creative commons”? On the one hand, if we perceive of a creative commons as shared property, appropriation cannot exist. We cannot appropriate what is already “proper” to us. If, on the other hand, we agree with Roberto Esposito that our understanding of the commons is “the totality of persons united not by a ‘property’ but precisely by an obligation or a debt,” then any assertion of subjectivity or interpretation cannot exist either [Esposito 2010, 6]. Any contribution to the community is defined by a duty to be performed, not the participation of a desiring subject. The opposite of community, for Esposito, is immunity, which negates any participation or indebted fulfillment of office [Esposito 2010, 6]. This cynical impulse drives restrictive claims to intellectual “ownership” championed by copyright attorneys and publishing corporations like ProQuest. Immunity opens the space for subjectivity, but it is exclusively hostile to any notion of a creative community.

And while some communities, especially those that oppress others, should be subject to critique and sanction, creative communities cannot survive on cycles of destruction and immunization. If we want such artistic communities to thrive, we must reject, following Esposito, any understanding of community based in common property, since such a proprietary conception of knowledge production only leads to restrictive claims to intellectual property and copyright, which are often at odds with creative and interpretive practices, particularly within the contexts of Aesopic textuality and digital remix. We might go so far as to challenge the very use of the term “appropriation,” or taking for one’s own what is proper to another, since this fundamentally suggests the use of someone else’s property. Yet, as postcolonial analyses have shown, even cultural appropriation may not be simply reduced to “theft” and often becomes, as Kathleen M. Ashley and Véronique Plesch suggest, a “two-way process, one in which exchange and creative response may take place” [Ashley and Plesch 2002, 6]. Such dialogic artistic practices may indeed operate as acts of “ambivalent *homage*,” obscuring the language of property within the act of appropriation.

Aesop’s fables and EEBO’s incunables are now available in more libraries and databases than ever before, but the cost of their massive distribution has been the gradual diminution of their corporeal character. Whereas Aesopica had been produced by multiple fabulists and commentators and early printed books had been mashed up by their readers and illustrators, these corpuses have increasingly become a “floating, common property” and a textual landscape to be “mined.” Within the *longue durée* of remixing and the increased assertion of intellectual property rights, it is difficult to imagine a neo-Aesopic corporation through which appropriation and interpretation are no longer immunized, or without office. There may be, however, a *munificent* way to conceive of creative communities that synthesizes Esposito’s biopolitics with Turner’s theorization of the early modern “group person” [Turner 2016]. As Esposito notes, the Latin root *munus* of community can mean both an obligation and a gift. And while he goes to great lengths to reject the “voluntary” connotation of *munus* by demonstrating the gift’s requirement of gratitude [Esposito 2010, 4–5], we only need to turn to the Aesopic invitation to “take both” to find a communal body based in generosity, goodwill, and the production of new fabulists, such as Avianus, Marie de France, and Robert Henryson. This addition of *auctores* to Aesopica is a model of what we might call an articulated corporation, a singular artistic corpus that invites and accumulates new members. Within such a grotesque vision of artistic production, intellectual work is no longer a property to be owned, but a multi-membered body to be fed, nurtured, and continually reshaped and redressed for new occasions and new creators.

Notes

- [1] Images of the woodcut illustrations from this edition have been retrieved from the University of Mannheim, <http://www.uni-mannheim.de/mateo/desbillons/esop.html>.
- [2] “Ut iuuet et prosit conatur pagina presens: / dulcius arrident seria picta iocis. / Ortulus iste parit fructum cum flore, favorem / flos et fructus emunt: hic sapit, ille nitet. / Si fructus plus flore placet, fructum lege, si flos / plus fructu, florem, si duo, carpe duo.”
- [3] Compare, for example, the discussion of Cato as author of the *Distichs* to the discussion of Avianus as an Aesopic author in the *Accessus ad auctores* [Huygens 1970]. For an English translation, see *Medieval Literary Theory and Criticism c. 1100-c. 1375* [Minnis and Scott 1988].
- [4] For example, one fourteenth-century Austrian manuscript, Codex Vindobonensis Palatinus 303 is a veritable cornucopia of Aesopica, containing six different versions, and even one set, known as the *prose Romulus*, appears twice.
- [5] For more on the dating of the manuscript and its relationship to printed editions, see Fox’s discussion in *The Poems of Robert Henryson*, lii-lxiv, especially lix-lxiv.
- [6] This frontispiece image has been retrieved from the National Library of Scotland, <http://digital.nls.uk/morall-fabillis-of-esope-the-phyrgian/pageturner.cfm?id=74507412>.
- [7] I am indebted to my colleague Emilio Sauri for these observations about the social function of the paywall and its effects on access within higher education.
- [8] “Ut, si unum quodque membrum sensum hunc haberet, ut posse putaret se valere, si proximi membri valetudinem ad se traduxisset, debilitari et interire totum corpus necesse esset, sic, si unus quisque nostrum ad se rapiat commoda aliorum detrahatque quod cuique possit, emolumenti sui gratia, societas hominum et communitas evertatur necesse est.”

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