

John Willinsky

The Intellectual Properties of Learning: A Prehistory from Saint Jerome to John Locke

Chicago: University of Chicago Press, 2017. 368 pp.

Discussion of “intellectual property” tends to focus on contemporary concerns: legal rulings that redefine the term, emerging technologies that blur its boundaries, activist initiatives that expand access for wider publics. In *The Intellectual Properties of Learning*, John Willinsky suggests the presentism that colours such conversations elides a longer history of intellectual property—one that might be of use in contextualizing the values latent in claims about ownership and usage of scholarship. An open-access advocate and director of the Public Knowledge Project, Willinsky articulates a timeline for intellectual property that stretches back not decades or centuries, but over a millennium. Indeed, his narrative culminates in the Copyright Act of 1710—where most histories of intellectual property begin. The task of the book, then, is to map the prehistory that led to such a statute, the evolving principles and practices that not only congealed into legal enshrinements of the eighteenth century but also whose qualities and contradictions continue to animate policy disputes and current events today.

Willinsky argues the legal construct of intellectual property is rooted in a historical regard for “works of learning” as a category distinct from other types of property. “Learning” is used throughout the book in a broad sense, encompassing “the liberal arts, scholasticism, theology, humanism, and natural philosophy” (9). Such works, Willinsky suggests, are defined not just by ownership, but by use. It is not only a text’s author who has a claim to the work, but also the communities whose engagements refine and extend the text to produce new knowledge. This sense of communality and use mark two of six properties—along with access, accreditation, autonomy, and sponsorship—that Willinsky delineates as foundational to works of learning. His history traces the emergence of these traits in the fourth century and follows their various reconfigurations through the development of medieval universities, public libraries, learned societies, mass printing, and copyright law.

Willinsky’s history is episodic, moving briskly between figures whose works illuminate shifts in these intellectual properties of learning. St. Jerome’s attention to editing and translation, for example, illustrates how notions of authorial intent from antiquity were introduced into monastic study. This provided pathways for subsequent scholars—Bede, Anselm, Hildegard—to gradually open religious inquiry to more general forms of learning and, in turn, created conditions for secular institutions to supplant the monastery as the primary locus of scholarly knowledge production. Of course, such shifts were not frictionless, and Willinsky details how properties of learning were often molded by volatile and contradictory forces: power struggles between the church and medieval universities, for example, or the profit motives of printers and booksellers which pitted scholarly values of autonomy and communality against those of commerce. Willinsky’s attention to the economy of learning and

sponsorship helps keep his history grounded in the material conditions of scholarship. The changing role of monastic learning, for instance, was deeply dependent on gifts of land that could underwrite the books and resources needed to extend the pedagogical role of the church. Likewise, Thomas Bodley's labors to establish a public library at Oxford highlight the capital and institutional commitments required to cultivate and sustain public access to research.

Most actors in Willinsky's account will be familiar to readers, but his interpretation of their work through a lens of "intellectual property" yields unique insights. Erasmus is shown to establish "new standards of proprietary and fair use in the printing of books" (207). And John Locke is revealed as an early defender of intellectual property rights against "such unfair trade practices as perpetual monopolies and book blockages" (303). It would be easy for such depictions to fall into anachronism, painting key characters in Western history as proto-open-access activists, but Willinsky is careful not to overstate his claims. He focuses on the changes in scholarly practice these figures illuminate rather than elevating them as exemplars of scholarly independence or public domain advocacy. A highlight of the book are the detours into contributions of those instrumental in shaping such practices yet who are often erased from the historical record. Willinsky emphasizes the overlooked labors of women that made possible the developments he details, and acknowledges their systematic exclusion from institutions of learning. He also devotes a chapter to the role of Islamic translation and its networks of patronage on which the evolution of European cathedral schools and, later, medieval universities, were deeply dependent. In addressing figures and traditions papered over in Whiggish histories of Western scholasticism, Willinsky cautions, "Who has access to learning affects its nature and contributions" (113) — a warning that cuts through the book's timeline to raise questions about what exclusions persist in present formations of intellectual property.

Willinsky's interest in how history might inform present practice is never far removed from the narrative. The account is bookended by an introduction and conclusion that situate modern-day debates about intellectual property and chart possible policy directions. In attending to past and present, across so expansive a timescale, using primary and secondary literatures that span religion, law, science, and book history, *The Intellectual Properties of Learning* is an impressive work of synthesis. Of course, drawing from so many disciplines opens the book to criticisms from the varied historiographies of each. Historians of science, for instance, may question Willinsky's separation of craft traditions from other forms of learning, curation, and collection—a focus of Lorraine Daston and Katherine Park's *Wonders and the Order of Nature, 1150–1750* and Lissa Roberts, Simon Schaffer, and Peter Dear's *The Mindful Hand*. Nevertheless, the scope and focus of Willinsky's history affords some leeway in his categorizations, and his claims are well documented and convincing. Even more, they carry a sense of urgency—no small feat for a work whose narrative ends in 1710. Willinsky shows there was little inevitability in intellectual property's past, which means we are not necessarily beholden to the configurations of it that we have inherited. In this way, *The Intellectual Properties of Learning* offers a history that

situates the present while offering cautions and possibilities for the futures of intellectual property that might yet be.

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Benjamin Bryce

To Belong in Buenos Aires: Germans, Argentines, and the Rise of a Pluralist Society

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Benjamin Bryce has written an excellent book that contributes to our understanding of immigrant life in Argentina while at the same time bringing up important questions that have not been fully addressed in previous scholarship. Bryce's interest is in social welfare, education, and religion—all intimately tied to the future of the German community in Argentina. By focusing on these three areas, Bryce details the ways that the primarily male community leaders attempted to provide for those in need, educate their children, and continue both Lutheran and Catholic religious practices. Much of the book looks at the ways the members of the German community looked to, imagined, and prepared for their future in Argentina as part of the German diaspora, a preoccupation of many who had immigrated.

By exploring education in such detail, and using his previous research on immigrant education in Canada, Bryce demonstrates the atypical nature of the Argentine model—a public school system entirely in Spanish—with private schools throughout the country teaching in both Spanish and immigrant languages. Bryce gives readers an excellent sense of the particularity of the Argentine system, in which “the overarching liberal regime . . . pushed linguistic pluralism out of the public school system and into a parallel system controlled by the immigrants themselves” (89). Yet as Bryce points out, the proliferation of private bilingual schools run by immigrants is little studied in the historiography of education.

The research and writing really shine in the sections on education, teasing out the roles that ideas about German and Argentine identity played in the curricula and goals of the private German schools. Keeping the language alive was a central goal. However, two of the schools also preserved academic credentials from the old country, handing out German *Realschule* diplomas to their students who completed two years of schooling beyond their Argentine national sixth grade examination. Bryce's work on German schools will be of great use to those expanding upon the study of immigrant-run schools in Argentina, national policy toward them, and immigrant education more broadly.

Bryce illuminates the contradiction at the heart of the schools and the response of the native-born Argentine elite intellectuals to their existence. “Paradoxically, these Argentine intellectuals and politicians envisioned foreign-language education a both