



Plagiarism in the Indian Literary Context: Issues and Perspectives

* Smruti Swaroop

Abstract

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Ethics in literature can be examined from different angles: an author's writing process and how the work is received are two of them. This paper limits itself to highlighting cases of plagiarism in literary works that could be found in Indian newspapers in the past 15-20 years. Based on this, it caters to these research questions: what plagiarism in literature is, to what extent should a "new" work differ from the "old" and how influence varies from plagiarism. In the review of literature section, the paper investigates Sanskrit scholars' view of plagiarism, the perspectives of Indian comparative literature, Devy's point of view on originality, legal understanding of copying, and cryptomnesia. This investigation leads to the discussion and analysis section which responds to the research questions and reviews the cases stated in the introduction. The major finding is that no critic should label a work as plagiarized without meticulous study. In addition, baseless allegations could lead to defamation. The conclusion summarizes the ideas presented so far and looks forward to a comprehensive study of how the concept of "originality and plagiarism" has evolved in India. While the purpose of the paper is to invite scholars to consider different perspectives on the concept of plagiarism, this study remains relevant because critics/readers continue to charge authors of theft and this impacts the reception of a literary work.

Keywords: plagiarism; comparative literature; originality, critic's responsibility; defamation

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* **Smruti Swaroop**, Assistant Professor, General Education Department, University of the People, an online American University, Email: phdsmrutivnsgu@gmail.com

Introduction:

Ethics is a multi-faceted idea usually relative in nature. It is challenging to impose one's values on others, but basic social and moral expectations bid people to be honest and sincere in their work, something they have willingly undertaken. Ethics in literature could be studied at least three stages: the reception of a literary work, the content of a work, and the production of a work. The reception of a literary work concerns how critics judge the work and whether they are fair in their ratings and evaluation of a work. The content of the work could be limited to how the characters in the work follow ethical values or demonstrate moral attitudes, and consequently, evaluate whether the author of the work endorses them or not. The production of a work includes the process of writing, the means used for its publication, etc. Of these, the writing process implies focusing on the author's role in developing the themes, language, characters, and style of his/her work; aspects that might either be original, borrowed, inspired, or known ideas represented differently. Here, the question of plagiarism arises, especially when s/he does not acknowledge the borrowings. This is a significant ethical issue since it

creates an illusion of originality and insinuates that the author is deceitful.

At the same time, originality and plagiarism are not limited to the production stage of the work. It impacts the content and the reception, too. The content feels repetitive, or like old wine in a new bottle. Only the readers will be able to decide, based on their prior readings and knowledge, how similar or different a "new" literary work could be to an "old" one. It must also be acknowledged that some borrowings may go unnoticed, or some may be overly hyped.

An online search in the "News" section of Google presents cases of plagiarism in movies as well as non-fiction. Sieving them, the following cases of literary plagiarism in the Indian context in the past 15-20 years were found:

1. An article in India Today notes that "unknown" critics accused M.T. Vasudevan Nair and Paul Zachariah of plagiarism, "Nair's 1964 novel *Manju* (Mist) is on trial four decades after its publication for allegedly being similar to a Hindi story *Parinde* (Birds, 1956), by fellow Jnanpith winner Nirmal

Verma. And Zacharia's recent novella *Enthundu Vishesham Pilathose?* (How is life, Pilate?), whose English translation was recently brought out by Katha, is reportedly "too much inspired" by a story written by the 19th-century French writer Anatole France." (Radhakrishnan). Radhakrishnan observes that such an accusation of plagiarizing was also made earlier against Perumpadavom Sreedharan, for his novel, *Oru Sangeerthanam Pole* (Like a Psalm). No further information about any action taken or the comments of the authors/critics has been included in this article. Nevertheless, the subtitle of this article questions if envy was the motivation for these accusations.

2. Chetan Bhagat was accused of plagiarism for his novel *One Indian Girl* in 2017. Avita Bajpai claimed, "that the "characters, places and emotional flow" of One

Indian Girl has been plagiarized, and that she had gifted Bhagat a copy of the book during the Bangalore Literature Festival in 2014." (ET Bureau). This case, however, was resolved, as, "The Supreme Court has emphatically stated that where there is no textual copying and there are differences in literary style, similarities of the same general nature in a narrative of a long, complicated search for something – in the case of the two female protagonists, it is a search for their true "inner self" – does not indicate infringement." (Sudhir)

3. Kavya Vishwanathan has thus been enlisted in The News Minute, "In one of the most widely publicized cases of plagiarism, Kaavya Viswanathan's debut novel in 2006 about an Indian-American girl was found to contain multiple passages with similarities — sometimes verbatim and other times gleaning

language — from the popular young adult books *Sloppy Firsts* and *Second Helpings* by Megan McCafferty. Later, similarities were also discovered between Kaavya’s book and other novels, including Sophie Kinsella’s *Can You Keep a Secret?* Following the allegations, publisher Little, Brown eventually recalled all copies of Opal Mehta and declined to publish a second novel from Kaavya.” (TNM Staff) It was found that her contracts were withdrawn and her writing career stalled.

4. The New Indian Express reports Shukur accusing K R Meera’s *Aarachar* of plagiarism, “The origin of the ‘Aarachar’ is from the documentary made by Joshy Joseph called ‘One day from the hangman’s life.’ The novel follows each incident and drama from the documentary. Similarly, the novels of Sumantha Banerjee ‘The Wicked City Crime and

Punishment in Colonial Calcutta’ and ‘Dangerous Outcast: Prostitution in 19th century Bengal’. Besides, Meera had taken some references from the novel ‘Hangwomen’ and copied the historic references from certain websites.” (ENS, 2014) Again, this article, like the first one, lacks further information.

Intriguingly, in cases 1 and 4, whether the critics were indeed right or whether the authors were innocent was not found anywhere. How the authors battled the critics or the critics’ accusatory words was not found either. It cannot be denied that such news impacts the image, reputation, and mental health of the author because the truth is hardly publicly acknowledged/ascertained. Case 2 is significant because it helps understand what the court’s view on “copying” is; this is stated later in the literature review section. In case 3, Kavya claims that she did not deliberately copy from the works, which beckons an understanding of cryptomnesia, considered later in the literature review section.

Nevertheless, based on the cases, the major questions that arise are:

1. What could be called plagiarism in literature?
2. When could a work be called plagiarised? In what ways should the “new” work be dissimilar to the “old” work?
3. How is plagiarism different from influence/inspiration?
2. Copy-sketch - slight modifications in the subject.
3. Corporeal equivalence - the matter is different but the representation is the same.
4. Foreign-city-entrance - the works are substantially similar but the “garnishing” differs. (Kulkarni 7)

Review of Literature

In this section, Kulkarni’s analysis of how Sanskrit scholars have viewed plagiarism, how comparative literature looks at similarities between works, and Devy’s point of view about originality have been presented to gain a deeper understanding of the Indian perspective of originality and plagiarism.

On the one hand, literary critics since Bana in Indian Sanskrit literature have discussed originality and plagiarism in literary works. According to Kulkarni, Rajashekhara has treated this subject most scientifically, identifying and explaining borrowings of words as well as borrowings of ideas. Concerning borrowings of words, Rajasekhara considers the following instances:

1. Imaging - the works are basically the same, the meaning is the same, but the setting is a bit different.

Similarities based on meaning have been divided into 32 varieties:

1. The meaning remains the same but the natural order is inverted.
2. Adopted works with partially the same meaning.
3. The brief idea of the earlier poet is elaborated.
4. Importing via translation
5. Importing in a different meter
6. Expressing the same meaning but reversing the cause
7. Transferring the earlier poet’s ideas to a new thing
8. Concisely combining ideas that belong to different stanzas
9. Transfers description to another similar thing
10. Reproducing without embellishments
11. Inverting the order of description
12. Describing in detail what was earlier generalized
13. What was unimportant in the earlier work is made important

14. Rendering the same in a new style
15. Changing the object of description but using the same style
16. Altering/changing the description of the same thing
17. Connecting the idea of the earlier poet to a new thing
18. Appropriating only one or two aspects of the earlier author
19. Interweaving earlier ideas with new ones
20. Describing based on the earlier author but with a remarkable difference in the number
21. Adding a striking sense after describing the idea of the earlier author
22. Affirming the negative statement
23. Concisely arranging ideas from different verses
24. Expressing in different ways the basic idea of the earlier poet
25. Reworking an idea with counterbalanced reasoning
26. Expressing the same idea differently
27. Replacing comparisons from the earlier work
28. Changing words from the earlier work into different words, retaining meaning
29. Taking the subject to a higher level, the loftiness of matter

30. Retaining the first half but composing an original latter half.
31. Importing sections into an original work
32. Choosing a subject matter opposite to the earlier author

Of these, 1-8 are to be avoided since they only serve as a reflection or a mirror of the earlier work, 9-16 are acceptable due to their new disguise, 17-24 showcase a certain amount of originality, and the last set from 25-32 reveals how the author uses his skills to create an original work. (Kulkarni 10-12)

In essence, Rajasekhara's classification demonstrates the variety of ways in which the "old" subject matter could be transformed into a "new" one and enlists cases where originality could be distinguished from plagiarism. However, it lacks nuances of "imitation" and "influence", and the use of such different terms. That is, the Sanskrit words used describe the type of borrowing or type of change, but hardly the relationship between the earlier author and the new one.

Interpreting Rajasekhara as well as the Sanskrit critics' explanations, Kulkarni observes, "It is conceded that 'borrowing without beautifying is plagiarism'. But all plagiarism is not improper. If the later poet transmutes into his own precious metal the

less refined ore of other poets, it is no plagiarism. If you improve what you borrow or what you do still better than what is done you are not open to the charge of plagiarism.”(17) He further notes, “The charge of plagiarism is only valid where the borrowing is deliberate without creating new thought and new effects. Literature is full of coincidences, but they are not all plagiarisms. Some are due to similarity of creative genius.” (18) He concludes that the Sanskrit theorists have not sufficiently dwelt on unconscious plagiarism, appropriation of thought, and the psychology of plagiarism.

From Kulkarni’s discussion of the scholars and his interpretation, it can be learned that plagiarism was a concern in Sanskrit literature. Standards and expectations of what an author can or cannot do were listed/proposed. Though verbatim reproductions were not acceptable, consideration was given in case an author had made efforts to rework and add his/her “effects” to the work.

On the other hand, it is important to consider how the similarities were practically viewed by the writers and readers. Sisir Kumar Das remarks that the similarities between Vilvamangal’s *Srikrishna Karnamritam* and Jayadev’s *Gitagovindam* were popularly attributed to the rebirth of the poets, that is,

Vilvamangal was reborn as Jayadeva. He observes that medieval Indian readers considered similarities between words so normal a phenomenon that they hardly constructed any systematic framework to study them in detail. (3) The commonalities were accredited to the common cultural heritage and ideological background. Das further notes that for a medieval Indian scholar, Sanskrit literature served as the reference point, where s/he compared his regional literature to Sanskrit but hardly to those works of literature produced in other languages. (3) This implies that scholars may or may not have discerned similarities/different modes of expression, of perhaps, even the same subject matter between the regional languages.

Further, a comparative study of supposedly similar works not only reveals whether a writer has plagiarized from the earlier work or not, but it also helps readers understand whether the author has imitated or was influenced by the earlier work/author. The early Sanskrit theorists do not seem to have used these exact terms of “imitation” or “influence” but with the advent of comparative literature as a discipline and its extension in the Indian context to Indian Comparative Literature and Comparative Indian literature, different kinds of influences on the “Indian

literature” have been studied, especially, the impact of English literature on “Indian” works.

In this context, a comparatist, Swapan Majumdar (86) differentiates between imitation and influence as

1. Imitation is a result of direct contact between the two authors whereas influence is indirect despite the similarity.
2. Imitation is “more positivistic and warranted by temporal validity” whereas, “Influence is more inclined to be relativistic and might well be polygenetic in terms of time.”
3. Imitation may be studied in one-to-one correspondence, while Influence reveals simultaneous traces of absorbing more than one source or parts of them at a time.
4. At the same time, imitation and influence complement each other, imitation marks the beginning of influence.

From this, it can be learned that imitation refers to the same/similar content in two works. In contrast, influence

implies that an author has assimilated content from his readings and his work only echoes what he has absorbed. Here, Majumdar makes no mention of plagiarism. This could imply that copying of the “copy-paste” kind from one work to another was not expected of any author.

In addition, while conducting a comparative study of works, the objective is to discern and develop a deeper understanding of the creative process of the “new” author and move away from the narrow labels of a “plagiarist” or a “non-plagiarist”. Majumdar states, “Founded on outward resemblances, if not duly supported by the evidence of dependence, the search for analogies - leaving out cases of ‘polygenesis’ - is apt to run into an inconsequential and unproductive yet intellectually painstaking exercise.” (87) Here, reflecting on the importance of evidence is crucial but how and on what basis the similarities emerge is also a significant question that needs to be investigated, and for this critics/scholars are compelled to delve into the profound meanings and implications of the works.

In the same vein as “influence”, Devy, in his essay, notes, “Elements of plot, stories, characters, can be used again and again by new generations of writers because Indian literary theory does not lay undue emphasis on originality. If

originality were made a criterion of excellence, a majority of Indian classics would fail the test. The true test is a writer's capacity to transform, to translate, to restate, to revitalize the original." (7) This rejoins what the Sanskrit theorists have said about "recreating" existing ideas and what Majumdar terms as "influence". In fact, in the 32 ways of transferring meaning, Rajasekhara acknowledges even minor changes that demonstrate the skills of an author as originality (though not very high-quality). Nevertheless, it cannot be denied that an author has the freedom to remodel or mold existing ideas adding his personal contextual touch. Again, as Majumdar also states, the "how" factor should be examined to the minutest possible level to gain a wholesome understanding of the originality of a work.

Returning to Chetan Bhagat's case, Sudhir quotes and reports some pertinent remarks made in the Supreme Court and his interpretations of legal treatises:

1. "A copy has been defined by the Supreme Court as something "which comes so near to the original as to give to every person seeing it the idea created by the original". The Court went on to hold that it is not necessary that the infringing copy should be an exact or verbatim copy of the original but

its resemblance with the original in a large measure is sufficient to indicate that it is a copy."

2. "According to a leading treatise on copyright law, when two authors portray in literary form the same occurrence, involving people reacting to the same emotions under the influence of an environment constructed of the same materials, similarities in incidental details peculiar to the environment or setting are inevitable. That being said, unless they are accompanied by similarities in the dramatic development of the plot or in the lines or actions of the principal characters, they do not constitute evidence of copying." (Sudhir)

3. "The Supreme Court has emphatically stated that where there is no textual copying and there are differences in literary style, similarities of the same general nature in a narrative of a long, complicated search for something – in the case of the two female protagonists, it is a search for their true "inner self" – does not indicate infringement." (Sudhir)

Point 1 clarifies what could be labeled a copy, point 2 extends to explain how it operates in literature, and point 3

reiterates what aspects should be compared between two works, and what aspects should be similar for a work to be called plagiarized from the earlier. This ties up with the ideas of the Sanskrit theorists and also Majumdar as well as Devy's ideas.

Besides these theories of conscious plagiarism, influence or imitation, cryptomnesia as unconscious plagiarism also deserves a mention. A rapid Google search reveals that experiments or research have hardly been carried out on this concept, at least not in India. Nevertheless, discussing the concepts of originality, copying, and subconscious copying as well as reporting two cases and the US copyright law, Ekici concludes that cryptomnesia creates a grey area in the copyright law because it makes space for a reader who reads a work, retains it subconsciously but not consciously enough to acknowledge its source. S/he explains, "a person's brain records a work that already exists and places it in his or her subconscious, but later forgets the existence and source of this work and causes the person to continue his or her life as if he or she was unaware of this work and to produce his or her own works based on that existing work unconsciously. This is such an illusion that when a person recalls the existing work in his or her subconscious, he or she perceives this

work as an "expression" of himself or herself and experiences a confusion of meaning. For this reason, even when he or she realizes that the work he or she has produced is exactly like another existing work, he or she still cannot realize that it is a copy, and he or she experiences a great surprise." (11) In brief, cryptomnesia is copying without conscious knowledge, the author will not know this unless someone else points this out. This suggests that readers devouring books/reading material are likely to remember ideas and phrases without their bibliographical details and quote/paraphrase them when they deem necessary or useful. This links to some extent with Majumdar's idea of "imitation" but seems in sync with the polygenetic "influence", where authors absorb ideas from various sources to refurbish and recreate them. At the same time, the concept of cryptomnesia is not too far from Devy's idea of originality. Hardly does any author surround himself/herself with books that s/he read and makes conscious attempts to reproduce and recast what has already been written.

Thus, similarities between works could be debated and deliberated in a variety of ways. In the following section, the research questions presented in the

introduction will be reviewed and the “plagiarism” cases weighed.

Discussion and Analysis

Based on the literary, legal as well as psychological perspectives discussed in the literature review, it is clear that plagiarism is not an easy concept to define, especially in literary arts. There are grey areas that need conscious contemplation and reflection.

On the one hand, it is tough to prove cryptomnesia - if the plagiarism case is a solid one - but not irrefutable when an author is a voracious reader who has assimilated ideas and expressions. In Kavya Vishwanathan’s case, the revelation of plagiarism stranded her literary career despite her pleas for unconscious copying. Whether she was truthful or not could hardly be verified. She still features in the list of authors who have plagiarized; precisely because authors can use cryptomnesia as a defense to escape the charges and cover up their act. It is tough to reach a conclusion in Kavya’s case and the justification could feel inadequate and incomplete. But, likely, a study of an author's life, biographies, autobiography, letters, and other such sources could be revelatory.

On the other hand, the distinction between influence and imitation is

extremely important to understand how the author has dealt with the themes, characters, plot, style, and other literary aspects of his work. This is only possible through a careful perusal of all the works in question.

By extension, only a close reading of the “new” and the “old” work can ascertain whether a work has been plagiarized or influenced by some writer. A study of the similarities and differences, in all literary aspects - themes, plot, characters, structure, narrative style, the use of literary devices - is mandatory. Loose parallels between works do not qualify as plagiarism; because writers imitate, they imitate life, they represent life, and aspects of life could be similar across space and time. In addition, the role of myths cannot be ignored. They form, “the archetypes of the collective unconscious or the deeper level of the Indian psyche as a whole.”(Chellappan 103) Further, they have found different representations in the different Indian regions, “The archetypes such as Rama, Sita, Panchali and Karna have persisted in the different languages down the ages and, in this process, their significance has been widened. They are the spokesmen of certain layers of the Indian psyche, though each region has developed its own version.” (Chellappan 103) Moreover, the

“mythical” characters attain a new significance as the context changes, for instance, “Karna today stands for a kind of an anguish which is the anguish of the Young Man of the New India. Similarly Ahalya and Panchali and even Sita have been reinterpreted to portray the anger and agony of new woman in India.” (Chellappan 105) This implies that labeling works with such common characters or themes as plagiarized is inappropriate.

Thus, in the case of Nair, Zachariah, and Meera, greater, in-depth clarity is required. The articles that were found were insufficient; they lacked any description/quotation of the critic’s words and ideas - there were hardly any details to support the allegation. Whether another author influenced them, whether they imitated another author, or whether they recreated existing myths, emotions, and actions should be investigated. Solid proof is essential before casting any aspersions.

Finally, a critic labeling an author as a plagiarist could amount to defamation in the eyes of the law, “Whoever, by words either spoken or intended to be read, or by signs or by visible representations, makes or publishes any imputation concerning any person intending to harm, or knowing or having reason to believe that such imputation will harm, the reputation of

such person, is said, except in the cases hereinafter excepted, to defame that person.” (India Code: Section Details) Calling an author a plagiarist indeed harms his/her reputation, and his/her social standing in society. The sale of Chetan Bhagat’s book was stopped after Bajpai accused him of plagiarism. To regain dignity and to steer clear of the black mark on his literary career, he ensured that his innocence was publicly proved. Hence, cases termed as plagiarism must be thoroughly investigated and researched to guarantee that critics are more conscious of the terms that they use. Critics must also refrain from using damaging terms like “plagiarism” without enough proof obtained through a meticulous comparative study of the works in question.

Conclusion

Plagiarism signals dishonesty and insincerity and this is a dangerous accusation. Therefore, before designating a work as plagiarized, its authenticity should be thoroughly examined to discern whether it is influence, imitation, or a reworking of existing myths, ideas, or themes. The extent to which the works are similar and/or different should be clarified. Plagiarism, if proven is a serious offense, but at the same time, blaming an author for it without adequate proof is defamation. So, not only should an author be careful

when producing a work, but a critic should be equally mindful of his/her judgments/reviews.

Besides, during the research, comprehensive books about how concept of originality and plagiarism were not found. For example, Macfarlane's book, *Original Copy Plagiarism and Originality in Nineteenth-Century Literature*, White's *Plagiarism and Imitation During the English Renaissance: A Study in Critical Distinctions*, Whidden's *Authority in Crisis in French Literature, 1850–1880*, etc. offer insights into European literature and how the authors and critics grappled with ideas on creativity. Such encyclopedic studies were hardly spotted. This could indeed be a momentous task for researchers, even if it were conducted for a specific period for a specific regional language.

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