

**THE MORE YOU LOOK, THE LESS YOU SEE: MOACYR SCLiar'S  
MAX AND THE CATS AND YANN MARTEL'S LIFE OF PI**

**QUANTO MAIS VOCÊ OLHA, MENOS VOCÊ VÊ: MAX E OS FELINOS  
DE MOACYR SCLiar E A VIDA DE PI DE YANN MARTEL**

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**RESUMO:** O lançamento do filme *As Aventuras de Pi* (2012) do diretor Ang Lee fez com que a polêmica envolvendo as obras *A Vida de Pi* de Yann Martel e *Max e os Felinos* de Moacyr Scliar fosse retomada. Neste contexto, este artigo tem por objetivo traçar paralelos e mostrar diferenças entre as obras *Max e os Felinos* e *A Vida de Pi*, enfocando as relações entre ambos os textos e a discussão levantada por essas aparentes similaridades. Conceitos de plágio são apresentados e esclarecidos e são refutadas quaisquer alegações de plágio ou quebra de direitos autorais por parte de Martel. O artigo ainda investiga as razões pelas quais as acusações de plágio podem ter surgido.

**PALAVRAS-CHAVE:** originalidade, plágio, autoria.

**ABSTRACT:** The release of Ang Lee's *Life of Pi* (2012) brought the polemics involving Yann Martel's *Life of Pi* and Moacyr Scliar's *Max and the Cats* back to the limelight. In this context, this article aims at tracing parallels and showing differences between *Max and the Cats* and *Life of Pi*, focusing on the relationships between both texts and the discussion raised by these apparent similarities. Plagiarism concepts are presented and clarified and plagiarism and copyright infringement allegations on Martel's part are rejected. The article also investigates the reasons why plagiarism allegations might have been raised.

**KEY WORDS:** originality, plagiarism, authorship.

## INTRODUCTION

On the opening pages of *Life of Pi* Yann Martel announces, "The more you look, the more you see" (2001, p. 13). This is valid for any literary text, for the more you look for traces of other texts in any literary text, the more you will find. At the same time, despite the polemics years ago linking Martel's novel and Moacyr Scliar's *Max and the Cats*, the more you look into Martel's text for traces of Scliar's novel, the less you will find. A contrastive analysis shows that there is not much connecting both novels, except for roaring felines and the polemics raised by them. Therefore, this paper aims at tracing parallels and showing differences between both texts, focusing on the relationships between these texts and on the polemics raised by these apparent similarities, rejecting any allegations of either copyright infringement or plagiarism on Martel's part and questioning the reasons why plagiarism allegations were raised.

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Moacyr Scliar's *Max e os Felinos* was first published in 1981 and received its English translation as *Max and the Cats* in 1990. In October 2002, Canadian writer Yann Martel won the Man Booker Prize for *Life of Pi*. As Yann Martel was not a well-known writer before the prize, it brought him to the limelight. Newspaper and magazine articles on him abounded since everyone wanted to know more about the man and his fiction. But it was when Martel decided to speak about his fiction and his composition methods that problems began. Martel admitted having 'borrowed' the premise for his novel from Moacyr Scliar's *Max and the Cats*, and many heard 'stolen', 'copied', or 'plagiarized' instead of the valued 'original', and copyright infringement entered the scene. To make matters more complicated, and why not, more interesting, Martel declared he had not read Scliar's book himself, but merely read about it, which suggests he could not have plagiarized it. This incident might lead us to a deeper discussion of authorship and the role of the author, for the stigma over plagiarism is attached to the idea that authors can own their texts.

## CONCEPTS OF PLAGIARISM

Although it is not easy to define plagiarism, it is usually defined as appropriating someone else's words or ideas without acknowledgement and using them as one's own, posing as the originator of those words. Thus, plagiarists supposedly steal the work of others and, consequently, the credit and, according to copyright regulations, the ownership and the profit obtained from this work. However, this was not always like that. At Shakespeare's time, for instance, both mimetic and ordinary writers were valued and copyright did not exist. Differently from Shakespeare and his contemporaries, when writers sit down to write nowadays, they know there is copyright. The landmark was Romanticism, for before Romanticism texts could circulate more freely, as collaborative forms of writing were still prevailing, and, therefore, no one cared much about issues such as plagiarism (WOODMANSEE, 1994, p. 3). However, after Romanticism as originality and genius gained force, plagiarism and forgery also came to the limelight and discussions regarding the nature of a writer's work abounded.

Martha Woodmansee reinforces this idea by explaining that the current regime of authorship is the result of a radical reconceptualization of the creative process that culminated 200 years ago "in the heroic self-representation of Romantic poets" (1994, p. 3). Thus, in Romanticism, there was a mystification of the author in detriment of authorship "with the

ascent of the originary genius-proprietor” (WOODMANSEE, 1994, p. 3). Woodmansee reminds us that for the Romantics, “genuine authorship is originary in the sense that it results not in a variation, an imitation, or an adaptation, and certainly not in a mere re-production” but in a “new, unique—in a word, original—work that may be said to be the property of its creator” (1994, p. 3). Thus, it is not surprising that it is in this period, when writers begin to be seen as proprietors of their work, that there is the advent of copyright law, which, despite often overlooked, is nothing else than the right to make copies or a regulation over the making of copies. The difference between literature and other artistic manifestations is that literature is bounded to the idea of copies, for it relies on the possibility of distributing copies obtained from an original. An author of literary texts expects copies to be made from his original so that he is recognized as an author. It is usually said that in painting there is only one original, whereas in literature there are always copies involved, for even when a writer submits “an original” to an editor, he or she keeps a copy of it. However, these copies have something in common that is not material. When we go to a bookstore and buy a book, we buy a licensed copy. According to copyright, the author is also the owner of the copies to some extent. This means that copyright does not demand that original works be different from the existing ones, only that they be not copied (SAINT-AMOUR, 2003, p. 7). That means to say that if the process of creation does not involve the existing work, the result does not matter for copyright purposes.

Therefore, it is not a coincidence that “it was during the same century, when the cry against plagiarism became quite loud, that the first English copyright statutes were enacted” (MALLON, 1991, p. 39). This means to say that the idea that plagiarism is a crime and should be punished emerged at the same time that copyright was enacted. This discussion makes it clear that copyright belongs to the legal spheres, whereas plagiarism is more related to the ethical aspects of writing. This is discussed by Alexander Lindley’s *Plagiarism and Originality*, when he reminds us that although plagiarism and infringement are often associated, they are not the same thing (1952, p. 2). What makes the difference between them is copyright, since copyright is not necessary for the existence of plagiarism but is essential in the case of infringement. Groom concludes this by saying that, “Romanticism asserted the cultural rights of the individual artist and original creative genius over the impostor or forger” (2003, p. 15). However, it is interesting to point out that instances involving accusations of plagiarism and literary forgery led to a deeper discussion of authorship and the role of the author, for the stigma over plagiarism is attached to the idea that authors can own their works,

which is problematized nowadays at the same time copyright infringement accusations abound, though this might seem contradictory.

The fear of being robbed or copied has always been present among writers. With this regard, Meltzer declaims that the “fear of being robbed masks a more basic anxiety that originality may be impossible and illusory; and paranoia in the scaffolding that arises and supports itself by (means of) those creators—criticism (or theory) itself” (1994, p. 6). For the author, “The anxiety about having an original idea stolen hides the larger fear that there is no such thing as originality—but merely the appearance of it” (MELTZER, 1994, p. 41). Howard also shares Meltzer’s view that there is no originality by saying, “The fear of plagiarism is only compounded by the widespread suspicion that there is no such thing as originality — that all ‘originality’ is actually ‘influenced’” (1999, p. 26). She also defends that if originality does not exist, and its opposite being plagiarism, all writers might be, to some extent, plagiarists (1999, p. 26). However, the problem with Howard’s assertion is that plagiarism might not be the counterpart of originality. Lindley defends that, “plagiarism and originality are not polar opposites, but the obverse and reverse of the same medal” (LINDLEY, 1952, p. 14). Alfrey also discusses this distinction. For the author,

At the right of copyright law lies the elusive ideal of originality — and its corollary plagiarism. Originality and plagiarism are not opposites, but are closely related and both are linked to the idea of genius and imagination (2001, p.1).

This contemporary discussion on the nature of plagiarism and copyright allied to prevailing literary practices enriches the discussion on the polemics that would bind *Life of Pi* and *Max and the Cats* seems. The issue seems to have been inaugurated by *The New York Times* with the publication of an article entitled “Tiger in a Lifeboat, Panther in a Lifeboat: Furor over a Novel” (2002). This article introduces both novels and presents a short interview with Scliar in which he admits to be “perplexed” by the fact his novel might have been used without his permission and claims that “an idea is intellectual property” (2002), which is only partly true. The discussion soon got to Brazil and major Brazilian newspapers and news sites almost immediately published articles with headlines suggesting that Scliar was accusing Martel of plagiarism and would sue him for copyright infringement, which was, to say the least, hasty. As the polemics gained force, Scliar was invited to speak at some of the major Brazilian TV programs, give interviews to newspapers from all over the world, and seek legal action. Scliar also admitted he had not read Martel’s novel and could not accuse him of plagiarism, as it had been suggested he would.

This statement, attributed to Scliar, that an idea is intellectual property works well for patent law, but not so well for copyright law, as copyright law does not protect ideas, themes, or subject matter; but it does protect craftsmanship, which is usually defined as “effort and judgment” (ALFREY, 2001). That means to say that, “two works can claim protection, even if identical, provided the effort behind the work is demonstrably independent” (ALFREY, 2001), which emphasizes the process and not the result of this process. Thus, even if the two novels were identical, which is not the case, Martel’s might not be considered a case of copyright infringement.

## THE NOVELS

Regarding the novels themselves, they present a slight similarity in plot, which is the premise Martel referred to, but it does not go much further than that. *Max and the Cats* is a 116-page novella and is divided into three parts. Each of these sections receives the name of a feline that plays a relevant role in that period of the protagonist’s life. As the title of the novella suggests, and the narrator confirms in the first sentence, “Max had always been involved with felines”. (SCLIAR, 2001, p.11). However, most of the felines in his life, the Bengal tiger, the jaguar, and the Brazilian wildcat, were dead ones, differently from what happens to Martel’s protagonist.

The novel starts with the story of Max Schmidt and his family in Berlin in the years before and during the Second World War. Max is the son of a furrier who had been a tiger hunter in India and is raised among animal furs and stories. He is described as an oversensitive boy who seeks refuge in the shop’s stockroom to read. Max’s favorite books are travel books, mainly a book about Brazil, which tells the story of a boy and a jaguar and makes Max wish to come to Brazil when he is older.

Max is happy among the furs, but his happiness is temporary. Although the furs are just the remains of the animals, it was as if the animals were alive for Max (SCLIAR, 2001, p.13) and there is one animal that frightens Max: the stuffed Bengal tiger that his father had killed in India, which works as a reminder of his father’s authority and strength. This fear is so strong that it gives him nightmares (SCLIAR, 2001, p.14). This terror, allied to the narrator’s comments that the happiness experienced by Max amongst the furs would reveal to be ironic (SCLIAR, 2001, p. 13) makes it clear that the relationship Max holds with felines will change

along the narrative. This creates suspense and we are stirred to read further in search for Max's other cats.

In college, he dedicates to the study of animal psychology under the supervision of a mentor who spends hours telling Max stories about the mysterious felines that inhabit the Brazilian forests. This second reference to Brazil makes Max even more interested in traveling to Brazil. At this time, Max has to run away from his lover's husband and she makes arrangements for him to escape on a ship to Brazil, but he misses the ship and takes another one, whose conditions on board are awful. The noise on the ship calls Max's attention and he feels there is something strange going on. He discovers there are animals aboard and one night he realizes the crew is leaving the ship because it is sinking. Luckily, Max finds a little lifeboat and leaves the ship to find the next day there is a jaguar sharing the lifeboat with him. This incident ends part I and introduces part II, which is called "The Jaguar in the Lifeboat".

Max, alone in the lifeboat with the jaguar, has then to learn how to share it with a carnivorous animal without being devoured. He defeats his cowardliness and copes with the situation. After a long trip floating on the Atlantic, Max finally succeeds and gets to Brazil safe and sound. He decides to start a new life. Part III, entitled, "The Brazilian wildcat on the hills" introduces us to the last important feline in Max's life. After selling his mother's jewels to a Jew, he leaves the city where he is, Porto Alegre, and decides to settle in the country, closer to the nature he had imagined for Brazil. However, despite having convinced himself the incidents on the lifeboat had been left behind, they still haunted Max's life. Max buys a little farm and decides to live there. As times goes by, he misses the presence of a woman and his servant brings him one of his nieces. He falls in love with Jaci and they get married. Max seems well, but he starts having obsessive ideas. It seems the felines have not abandoned him. He supposes his new neighbor, who is also from Germany, is Frida's ex-husband and goes to the neighbor's house to show him he is not afraid. His neighbor is extremely friendly and does not understand what Max says about Frida and the Nazis. After being convinced that the neighbor wanted to kill him, Max makes the man's life hell. Finally, the neighbor, unable to bear his accusations and torture, ends up killing himself in front of Max. Max takes responsibility for the crime and is taken to prison. After remaining in prison for six years, he is released and can go back home. The murder seems to have done good to him. He dedicates himself to raising cats and is finally at peace with his felines.

In short, everything in Max's life is related to felines: his childhood years in the stockroom, the beginning of his sexual life in the stockroom, his education in college, his

journey to Brazil, and his dedication to cats. Nevertheless, there is much more in *Max and the Cats* than the story of a boy that is stranded at sea in a lifeboat. It is a story about the difficulty in growing up, running away from Nazism and an authoritarian father, and trying to find one's own identity in a distant and exotic country.

Yann Martel's *Life of Pi* is much longer than *Max and Cats* for it is a 350-page novel. The number three seems to rule the novel, for it is also divided into three parts, having several chapters each. The protagonist and narrator of most of the novel is Piscine Molitor Patel, or simply Pi, the second son of a family of zookeepers in southern India, who we know to be now married and living in Canada. When the story begins, he is a Hindu boy who, fascinated by religions, also ends up on a lifeboat to escape from Europe and reach Canada. Thus, in *Life of Pi* there are also people on the move from Europe to America, which is not plagiarism, but simply a recurrent episode in 20<sup>th</sup> century history and literature. However, whereas Max leaves Europe to escape the Nazis by himself, the Patels leave India for Canada in the late 1970's in order to escape the repressive government instituted in India in 1975.

The ship founders and Pi ends up like Max: stranded at sea in a lifeboat with a feline. Nevertheless, the feline he is stranded with is not unfamiliar to him. He has to share the boat with Richard Parker: the zoo's Bengal tiger. Pi has to learn to survive in a lifeboat at sea with means managing to feed the tiger in order to prevent it from being hungry. Therefore, whereas Max was terrified of his father's stuffed Bengal tiger, which represented his father's authoritarianism, Pi has the contact with a living Bengal tiger, which he has to try to keep alive. The choice of a Bengal tiger for both novels does not seem to be random, for the Bengal tiger, similarly to all large cats, is a solitary animal, just like Max and Pi were solitary boys.

Pi's struggle to keep alive accounts for the middle and longest section of the novel, for Pi spends nearly a year in the lifeboat. Whereas Max Schmidt was a young man, Pi was a teenage boy and had more difficulty to learn how to survive at sea. Moreover, Pi is not alone in the lifeboat with the tiger, as Max is alone with the jaguar. He also shares the boat with a hyena, an orangutan, and a zebra with a broken leg. The picture seems bleaker, since they are all starved carnivores. As Martel himself made it clear in his "How I wrote *Life of Pi*" (2002), each animal embodies a human trait he wanted to portray. The hyena embodies cowardliness, the orangutan maternal instincts, and the zebra exoticism. And these are the issues Pi has to learn to cope with along his journey, for he has to learn to be bold by himself.

Hunger and thirst take hold of all of them and they start searching for preys. Pi realizes he has to take control of the situation before the tiger does, considers his options, and

concludes, “My options were limited to perching above a tiger or hovering over sharks” (MARTEL, 2001, p. 155). He decides to stay on board and fight, but as he does not know how to fight, he decides to think of survival strategies. The hyena confines herself to a corner of the lifeboat afraid of the tiger and soon begins to devour the wounded zebra; the female orangutan is next. Pi realizes he is the next in line and decides to learn how to fish in order to supply Richard Parker with food. He makes several survival plans, but finally decides to tame the tiger by giving him food and making the environment in the boat seem like a cage. It turns out to be a wise plan, since Richard Parker had been in the zoo all its life.

Parallel to this struggle, Pi’s feelings towards his family are confuse for it takes him a long time to admit they are probably dead. He imagines encounters with his family and his brother Ravi asking him, “You find yourself in a great big lifeboat and you fill it with animals? You think you’re Noah or something?” (MARTEL, 2001, p. 120). And this is exactly how Pi feels, a young Noah lost in the flood.

Concerning the structure of the novel, there is a narrative within a narrative. In the outermost layer, the narrator is the writer of *Life of Pi* commenting on his meetings with an adult Pi and his family and in the innermost layer there is an adult Pi telling his story from the time he was a boy in India to his arrival in Mexico. The outermost narrator makes it seem he had met a Piscine Patel and talked to him in order to write his story through his own eyes. Both narratives are interpolated and discourses mixed, as faith gains importance.

Faith is in the two levels of the text as Pi attributes his survival to his faith. When he leaves India, to his family’s desperation, who could not understand how he could practice the three religions at the same time, he can be said to be a Hindu Christian Muslim boy. Pi, however, is not concerned about that. He just wants to practice his faith, for he believes in one God with multiple faces and facets. He claims he survived because he prayed everyday and was able to lead a life in a different dimension, a transcendental one, which included faith and excluded fear and time. Pi, telling his story, discloses that, “Many people seem to lose God along life’s way. That was not my case” (MARTEL, 2001, p. 47), which hints to the end of his story, when he is happily married in Canada telling his life to an attentive listener. This is confirmed at two points in the narrative, at least, when he states that, “I must say a word about fear. It’s life’s only true opponent. Only fear can defeat life” (MARTEL, 2001, p. 161) and also “Time is an illusion that makes us pant. I survived because I forgot even the very notion of time” (MARTEL, 2001, p. 192). This is a point of convergence with Scliar’s book, for both boys have to defeat their cowardice to survive.



Thus, Pi survives to tell a story that nobody believes. We, readers of this story told by Martel, are asked to have faith and believe both. At the end of the novel, when Pi arrives in Mexico, he is interviewed by officers from the Maritime Department of the Ministry of Transport who ask him about his journey with the purpose of finding out more about the sinking of the ship. Pi tells his story, but they think it is a fantastic story and mock at him. They say, “Mr. Patel, we don’t believe your story” (MARTEL, 2001, p. 292). They ask him to tell the true story and Pi asks them, “So you want another story?” (MARTEL, 2001, p. 302). They say they want “the straight facts”, and Pi proceeds to tell them another story, which is more factual and easier to believe. The two stories match, as if one had been based on the other; however, they can not tell which one is true. They are satisfied, but leave with a feeling of uneasiness.

In the author’s note to the first edition of *Life of Pi*, Martel claims he had met a man in India who had said to him “I’ll tell a story that will make you believe in God”, and proceeded to tell a story about a family friend, Pi, whom he should meet (MARTEL, 2001, p. x), and who turns out to be his main character. Nevertheless, a few paragraphs later, Martel states, “Also, I am indebted to Mr. Moacyr Scliar, for the spark of life” (MARTEL, 2001, p. xii), admitting Scliar’s influence on the novel. This is in agreement with what he stated at the very beginning of his “How I wrote *Life of Pi*”, when he declared “I would guess that most books come from the same mix of three elements: influence, inspiration, and hard work”(2002). Martel proceeded to write about these three elements. When touching upon influence, Martel points out that about 10 years before writing *Life of Pi*, he had read a review in *The New York Times* by John Updike which had greatly impressed him. He stated that, “As far as I can remember, the novel was about a zoo in Berlin run by a Jewish family” and “The family decides to immigrate to Brazil. Alas, the ship sinks and one Jew ends up in a lifeboat with a Black Panther” (2002). But as the narrator admits, “Memory is an ocean” (MARTEL, 2001, p. 42) and its vastness makes memory deceiving, as Freud has proven us, for there has never been any review of *Max and the Cats* by John Updike, much less in the *New York Times Review of Books*. Also, there was no zoo in Berlin in *Max in the Cats*. Martel must have read a review of Scliar’s novella somewhere and the scene of a boy in a boat with a feline called his attention. This instance exemplifies how our memory works and plays tricks on us, for we select information and memorize it following the rules of our unconscious, and not ours.

After reading *Life of Pi*, it seems evident that Martel used Scliar’s premise, or better, what he could remember of it, or still better, what he wanted to remember of it. He admits he

had been impressed by the plot of *Max and the Cats* and had thought that perhaps “The idea had been faxed to the wrong muse” and he confessed having felt “a mix of envy and frustration” for not having had such an idea (2002). Thus, what is common to both novels is the premise of a fantastic travel of a boy to America accompanied by felines across the Atlantic on a boat, which except for the felines, is not original at all and cannot be claimed as property by any one.

Martel states he had not read Scliar’s novella when he wrote *Life of Pi*, nor did he intend to read it. Therefore, if it is assumed he is telling the truth, he had no intention of plagiarizing Scliar, or copying his text, his use of the premise, or language. Martel intended to write a book of his own, using the premise, and that is why he states he had no intention of reading Scliar’s book: he did not want to get influenced by it. Martel seems to know that ideas are not intellectual property and are not protected by copyright, but the expression of these ideas is and an analysis of the novel reveals that Martel did not make use of the expression of Scliar’s ideas, for Scliar’s novel is dramatically different from Martel’s.

## FINAL REMARKS

Sandra Martin wisely asks, “How many ways can the same story be told?” in her article on the polemics. She answers, “An infinite number, so long as there are people to spin the tales and listeners willing to hear them” (2002). In short, the use you make of the story, the shape you give to it, is more important than the story itself. The premise of the boy on a shipwreck could be silly if not used well; both writers used it to talk about other issues. None of the texts is in fact solely about a boy stranded at sea with a feline.

Martin’s opinion is in accordance with the view I defend. Edward Said states that, “the originality of contemporary literature in its broad outlines resides in the refusal of originality, of primacy, to its forebearers (1983, p. 135). Said goes even further and affirms that “the best way to consider originality is to look not for first instances of a phenomenon, but rather to see duplication, parallelism, symmetry, parody, repetition—echoes of it”(1983, p. 135). Thus, both novels could be analyzed based on the interesting intersections and parallels they provide us with, and not on plagiarism accusations. Because, as Said reminds us, “the writer thinks less of writing and more of rewriting” (1983, p. 135), supposing there is possibility of original writing. In contemporary writing, there is often “a desire to *tell* a story much more than one for telling a *story*” (1983, p. 132). This way, the focus is not on the story itself, but on the way

the story is told, that is, on the subjective details and marks added to it, which would account for the need to tell a story.

In his interview to Brazilian newspaper *Zero Hora*, Martel wisely asks, “Is it possible to plagiarize a book you have never read?” (2002). As Sandra Martin states, “the difference between the novels is in the telling” of the tale, and not in the tale that inspired them (2002). Martel is more interested in the metaphysical exploration of faith and religion (MARTIN, 2002, p. 03) and that is not surprising since Martel is a philosophy graduate. Scliar writes a book that is an allegory about Nazism, repression and Brazil’s 1964-1985 military dictatorship. Both texts, however, may be said to be works of magical realism, wherein supernatural events are treated as if they are commonplace (KILIAN, 2003, p. 01).

But the question to be posed is, “Why did everyone think of plagiarism before even knowing what the books were about?” We live in a culture of firsts and originality, whatever it is, is still thought to be important for writers. Many still believe that the more original the work, the better the writer. This is still related to the notion of the Romantic genius as an inspired being that would sit down and let his pen write as if it worked alone. What shocked the public was to read an author admitting he had borrowed from another writer, as many do. Martel’s statement that he was indebted to Scliar led many think he was a plagiarist, as if plagiarism were the opposite of originality. There is more to fiction than the opposition between originality and plagiarism. Much of the “originality” in contemporary literature is not related to novelty, but to a refusal to search for this originality.

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