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(Un)authorised theft: The ethics of using real life to inform fiction

Abstract:

Writers commonly steal from the lives of those around us as fodder for our fiction, though we are not subject to external oversight regarding the ethics of such practice. It is left up to individual writers to set our own ethical standards. Does poetic licence exempt us from the ordinary moral rules of human engagement? In this paper, I provide examples of different ways in which I have stolen from the lives of others to lend authenticity and resonance to my current work in progress PhD novel, *Mother of Pearl*. I discuss the ethical issues raised by my practice, and concur with guidelines proposed by Claudia Mills to protect privacy and confidentiality, and minimise the harm caused by using people I know as a resource for my fiction. However, when it comes to theft from the lives of distant others—in my case, writing in the narrative voice of a Thai woman—I argue that a different approach is needed. Taking into account recent debates regarding cultural appropriation, I suggest that Kwame Anthony Appiah’s concept of the respectful cross-cultural conversation at the heart of cosmopolitanism provides a way forward. Significantly, I argue that metaphorical conversation between the writer and their research, as well as literal conversation between the author/text and representatives of the communities we write about, are essential elements in an ethical practice for fiction writing across boundaries in a globalised world.

Biographical note:

Angela Savage is an award winning Melbourne writer, who has lived and travelled extensively in Asia. Her first novel, *Behind the Night Bazaar* (Text, 2006), won the 2004 Victorian Premier’s Literary Award for an unpublished manuscript. All three of her Jayne Keeney PI novels were shortlisted for Ned Kelly Awards, *The Dying Beach* also shortlisted for the 2014 Davitt Award. She won the 2011 Scarlett Stiletto Award for her short story, ‘The Teardrop Tattoos’, published in *Crime Scenes* (Spineless Wonders, 2016). Angela is currently studying for her PhD in Creative Writing at Monash University, supported by an Australian Government Research Training Program Scholarship. <http://angelasavage.wordpress.com/> @angsavage

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Introduction

[An artist] is completely amoral in that he will rob, borrow, beg, or steal from anybody and everybody to get the work done ... He will be completely ruthless if he is a good one ... Everything goes by the board: honour, pride, decency, security, happiness, all, to get the book written. If a writer has to rob his mother, he will not hesitate; the “Ode on a Grecian Urn” is worth any number of old ladies (Faulkner, 1956, para 16).

Sixty years after Faulkner’s *Paris Review* interview, American author Lionel Shriver made a similar point about an author’s ‘right’ to thief in her controversial opening address to the Brisbane Writers Festival:

Who dares to get inside the very heads of strangers ..., who steals their very souls? Who is a professional kidnapper? Who swipes every sight, smell, sensation, or overheard conversation like a kid in a candy store, and sometimes *take notes* the better to purloin whole worlds? Who is the premier pickpocket of the arts?

The fiction writer, that’s who.

This is a disrespectful vocation by its nature – prying, voyeuristic, kleptomaniacal, and presumptuous ... [W]riting fiction takes gall. (Shriver, 2016, paras 21-23).

For Australian author Charlotte Wood, too, ‘theft from the lives of others...is at the heart of the novelist’s practice’ (2009, p. 83). Yet unlike social scientists who require ethics committee approval to broach human subjects, writers are not accountable to external oversight. Publishing contracts require us to warrant that our work is original, and contains neither defamatory or libellous material, nor instructions that might injure someone. But when it comes to other potential harms posed by our work, that is, ‘fiction’s capacity to cause pain’ (Wood, 2009, p. 72), we set our own ethical standards. In this paper, I outline different ways in which I have stolen from the lives of others in writing my current work in progress and PhD novel, *Mother of Pearl*. I discuss the risks involved and the ethical standards I impose on myself, with reference to the practices of other writers. I consider specific ethical issues involved in writing characters in countries outside my own, and propose an ethical framework for writing across boundaries of difference.

There are myriad ways in which fiction writers steal from the lives of others. Sometimes the theft is petty: we pilfer a gesture, a turn of phrase, a look. Sometimes it’s grand larceny: we lift whole incidents from the lives of others to use as plot devices, ransacking the experiences of acquaintances and strangers alike for the sake of our art. I contend that the reasons why we do this do not reflect failure of imagination or ‘creative laziness’, but rather a complex interplay in the creative writing process between imagination and experience, ‘invention and reality’ (Wood, 2009, p. 67), largely in the service of creating ‘believable and authentic characters’ (James, 2014, p. 47). As Alex Miller argues, ‘[i]n even the most fanciful of work there must be a bedrock of reality from which the imagination takes flight’ (2009, p. 24).

I should qualify that I am not referring to the appropriation of historical figures as subjects for fiction. Nor do I discuss the ethics of explicitly fictionalising real stories and real people (cf. James, 2014). Rather, this paper considers the more pervasive practice among writers of using our own lives and the lives of those around us—albeit disguised, embellished and re-invented—as fodder for our fiction.

Thieving from the lives of others

An example of what I call petty theft is pilfering a physical resemblance or look from a real person for a character. Australian writer Tegan Bennett Daylight says of her process for creating characters:

eventually I know that I need an image of somebody. So quite often, what I do without telling anybody, is take the way someone I know *looks*, and graft my made-up character onto their looks. (Wood, 2009, p. 78, emphasis in original).

I also like to have a visual image of my characters early in the novel-writing process. For two characters in *Mother of Pearl*, Meg and her husband Nate, I borrowed the look of a couple in a magazine, gluing their photograph into my notebook and retaining no other information about them, apart from a vague memory that they survived airplane trouble somewhere in Asia. I drew a line between my real-life models and my made-up characters by making Meg and Nate reluctant travellers, especially when it comes to Asia. Describing their arrival in Bangkok, Meg's sister Anna observes,

Meg seemed to wilt like a delicate flower in the heat, while Nate looked ill at ease, a fish out of water. Or as it was more bluntly put in Thai, *pla dai nam deun*, the fish that dies in shallow water (73).

Ethically speaking, I would argue that this kind of petty theft is low risk: were they to read my novel, the couple in the magazine are highly unlikely to recognise themselves. As Daylight says, 'when you read a physical description of a character and it says they've got black hair and dark brooding eyes, everybody's black hair and brooding eyes are different. So it doesn't matter' (Wood, 2009, p. 78). But what happens when the theft is more specific?

When my novel *Mother of Pearl* opens, Meg has spent six unfruitful years trying to have a baby through in vitro fertilisation (IVF) and decides to explore surrogacy in Thailand. Having no personal experience of either IVF or surrogacy, I read memoirs (Arieff, 2012; Garner, 2016; Leigh, 2016) and blogs by affected women (see for example, Amani (Meg), 2010; Journey Girl, 2010; TABI, 2014). While this research helped me to understand the practicalities involved in IVF and surrogacy, equally significant was how the accounts informed Meg's emotional development, enabling me to go beyond the stereotypes associated with infertility (Sandelowski and de Lacey, 2002).

I was particularly enthralled by a blog called *The Art Of Being Infertile*, in which pseudonymous author TABI uses art and craft as well as words to document what she calls 'the huge range of experiences, questions, and emotions that arise when dealing with infertility and IVF treatments'. She writes in a kind of manifesto:

my hope with this [blog] is to primarily release from myself any and all anguish that comes from this truly absurd journey. Second, I hope that by visually capturing my experiences that I bring another way for my fellow IVFers to not feel alone. Thirdly, if by chance someone who isn't going through infertility or IVF reads this, I would like them to think, besides "Thank God this isn't me," that us barren folk are not to be pitied but to be admired for the courage it takes to enter this world and stay in it till the end.

... [E]ven though there is clearly an art to getting pregnant ... I have never more strongly believed that there is truly an art to being infertile. (TABI, 2007, paras 1-2).

I was so moved by TABI's blog, I wanted to create a character who would be, in part, an homage to her. This involved giving my character Meg a creative practice that she could use to reflect on and process her experience of infertility, but which was discernibly different from TABI's art. I recalled a friend's comment about a pearl being the perfect metaphor for a baby because it irritates the hell out of you while it's inside, but comes out beautiful and perfect; also another friend saying women jewellery-makers commonly reference parts of their bodies in their work. With these elements in mind, I made Meg a jeweller who works with pearls:

Meg used freshwater pearls—human creations, considered the least valuable pearl variety—because they were knurly and imperfect like she imagined her own eggs to be. Like the embryos made with those eggs, which started to divide and then stopped. Impermanent, incomplete things. She set the pearls in misshapen disks of silver that might symbolise her dysfunctional uterus, her ovaries, sometimes her heart or brain (7).

Again, the risks of such appropriation seem low. Were the blogger known as TABI to read my novel (a possibility, as she might be drawn to the subject matter), assuming I have successfully re-imagined her truth, I doubt that she would recognise herself as the inspiration for Meg. However, I hope that she would recognise herself *in* Meg: that what I have stolen from TABI lends authenticity to Meg's character, making her someone with whom readers feel an affinity, and in whom readers recognise truth.

The examples that I have discussed so far concern small-scale theft from strangers of stuff that is unlikely to be missed. But what happens when a writer steals from the lives of friends or family members—people with a much higher likelihood of recognising their experiences or ideas in our fiction? What ethical issues come into play?

To provide an example, there is a scene in *Mother of Pearl* featuring a gay couple and their baby daughter born through surrogacy in Thailand. After drafting the scene, I read a poignant article by a friend about his experience of fatherhood as a gay man. One line stood out: 'It takes a lot for a gay man to imagine himself to be a parent. In all sorts of ways we're not socialised to consider ourselves fertile' (Wilson, 2016). I felt strongly that it would add depth to my character, Stephen, to have him echo this sentiment. But I was wary of exploiting my friend's situation, which was legally sensitive and a source of immeasurable grief to him. I ended up writing to him and asking if I might borrow the spirit of his words to put in the mouth of a minor character in my novel, reassuring him that if he preferred not to grant permission, it would have no bearing on our friendship. He responded with enthusiasm for the idea and thanked me for asking. In my fictional re-working, the spirit of my friend's words plays out as follows:

She raised her glass to his. "Here's something I never thought I'd say to you, my friend. Congratulations on becoming a father."

They sipped the wine.

"How does it feel?"

Stephen ran his hand over his close-cropped hair, a greyer velvet than Anna remembered. "I'd say it's a dream come true, except that as a gay man, fatherhood wasn't really a dream I let myself have" (p. 13).

When writing my second novel, *The Half-Child*, I sought permission from a Thai friend to use a vignette about petitioning a monk to change her name in order to improve her fate (Savage, 2010, p. 160). I also asked my friend for permission to reference her pearl metaphor, mentioned above. Authors Wood, Daylight and Ashley Hay also ask permission; others like Malcolm Knox and Helen Garner show manuscripts to the subjects of their fiction prior to publication (Wood, 2009, pp. 67-76)¹. Such approaches fly in the face of Faulkner's conviction that writers should be prepared to rob their mothers for the sake of their art and Shriver's notion of gall, raising the question, as Wood does, of whether asking permission is 'mere squeamishness' on a writer's part (Wood, 2009, p. 66).

Ethicist and writer Claudia Mills maintains that a fiction writer's poetic licence does not exempt them from ordinary morality, particularly in relation to those on whose lives they draw for material. She questions the assumption that the potential 'harms' of fiction are outweighed by the potential 'benefits' of artistic greatness—essentially Faulkner's argument—on the grounds that 'greatness is difficult to determine, and its determination can be almost endlessly postponed' (Mills, 2000, p. 201). She argues furthermore that fiction that causes pain because it is 'unfair', 'unkind', 'exaggerated'—in short, untruthful—undermines a work's artistic greatness. 'Moral flaws *are* artistic flaws', Mills says (2000, p. 201, emphasis in original)², and writers of fiction 'are after all first and foremost human beings, [and] need to respect their relationships with those about whom they write' (2000, p. 205).

Mills proposes that in order to respect confidence and protect privacy, an author is morally obliged to ask permission specifically 'when she treats someone else's story at length, and gained access to that story only through intimacy' (2000, p. 203). By her standards, then, I have taken the ethical course of action in asking my friends' permission to use their stories in my fiction.

But what happens when the theft takes place from a distance and asking permission isn't an option? In the following section, I consider the ethical issues involved in stealing from the lives of others across geographic, cultural and linguistic boundaries, and options for an ethical creative writing practice.

Thieving from the lives of distant others

In addition to Meg and her sister Anna, a third narrative voice in *Mother of Pearl* is that of the surrogate Mukda, a native of Thailand's rural northeast. In creating Mukda's character, my research included reading ethnographic material (Hibino & Shimazono 2013; Nilsson, 2015; Whittaker, 2014) and media accounts (Chiengtong, 2010; Fuller, 2014; Thongnoi, 2014; *Wombs for Hire*, 2013), featuring the voices of Thai surrogates. I spoke with a Thai surrogacy agent and an Australian lawyer in Thailand. I chatted informally with women and men in Australia who have children born to Thai surrogates, always disclosing that I am writing a novel on the topic; and I read blogs recounting surrogacy experiences in Thailand (for example, GB&LC, 2013; Samaras, 2014). In December 2015, I visited parts of Thailand

¹ Wood's research suggests asking for permission during the writing process or prior to publication is itself 'ethically complicated' and by no means fool-proof: subjects may later object to how their stories were used, and/or to implications made by readers and reviewers in response to the published work (2009, pp. 75-7).

² In her doctoral dissertation, James identifies recent examples of fiction that illustrate Mills's hypothesis, works in which 'the ethical shortcomings have resulted in artistic compromise' (2014, p. 29).

featured in the novel, to inform both character and setting through dialogue with place (Casterton, 2005, p. 21). I talked about surrogacy with Thai friends. I also study Thai language, culture and literature more broadly, an ongoing part of my creative practice since I first started writing stories set in Thailand in the late-1990s.

As with the characters of Meg and Nate, I borrowed a look for Mukda from a newspaper photograph of a Thai surrogate mother. To add complexity and nuance to Mukda's character—to breathe life into her, so to speak—I appropriated small details from the lives of Thai women I encountered in my research. A surrogate mother whom Mukda meets in Bangkok refers to a doctor putting 'two glass tube babies' inside her (p. 80), an expression used by Pattharamon Chanbua, surrogate mother of baby Gammy, to refer to the embryos implanted in her through IVF (Murdoch, 2014). In my novel, a counsellor tells Mukda, 'Think of yourself as an oven' (p. 59), a reference to a comment made by a Thai surrogate that, 'I am just an oven ... The child inside is not mine nor related to me in any way' (Chientong, 2010).

Elina Nilsson's anthropological research demonstrates that surrogate mothers from Thailand's rural areas are, by their own admission, naïve about how surrogacy works; as a woman called Onwara put it, 'in up country, we don't know much' (2015, p. 32). Another, Maladee, described surrogacy as 'a strange thing' (Nilsson, 2015, p. 32). Nilsson found that 'the technology of IVF, how one can become pregnant without having sex with a man, is new for many [rural women]' (2015, p. 32). Moreover, Thai women were overwhelmingly likely to find out about commercial surrogacy through word of mouth (Nilsson, 2015, pp. 31-2). I translated these findings into a scene in the novel in which a neighbour, 'Aunty' Chompu, explains to Mukda that her old school friend, Lamai, has a job as a surrogate mother.

"It's not Lamai's baby, mind you. The doctors took a Thai egg and farang sperm and made a baby in a glass dish. Then they planted the baby inside Lamai's belly." [Aunty Chompu] illustrated by spearing a chunk of pineapple with a toothpick, adding with a chuckle, "There's no action south of the navel, if you know what I mean" (39).

As she reflects on the possibility of becoming a surrogate, Mukda muses that the 'very idea seemed so queer' (p. 41).

While I can acknowledge my sources in a bibliography, I am not in a position to ask individual Thai women for permission to use the spirit of their words or a vignette from their lives. At the same time, I recognise that in a globalised world characterised by multi-directional flows of information, culture and capital, I am accountable for my fictional representations of Thai people not only to Thais in Thailand, but to Thais in Australia and elsewhere, too. What options, then, do I have for an ethical creative practice with respect to writing distant others?

I am, of course, taking the position that the ethical question is not whether to write outside my own cultural boundaries in the first place, but how best to do so. As Gene Luen Yang puts it, 'our job as writers is to step out of ourselves, and to encourage readers to do the same' (2014, p. 12). Psychological studies reveal that published authors as a group are significantly more empathetic than average and 'readily adopt other people's perspectives' (Taylor Hodges & Kohányi, 2002-03, p. 377). Indeed, Shriver's detractors for the most part objected not to her right to '[s]tep into other people's shoes, and try on their hats' in the cause of writing fiction (Shriver, 2016, para 9), but her evident desire to do so without criticism and her

‘implicit insistence’, as Kaitlyn Greenidge puts it, ‘that writing and publishing magically exist outside the structures of power that dominate every other aspect of our daily lives’ (Greenidge, 2016, para 21). The upshot of the critical response to Shriver was that if you do write across boundaries of identity, be ethical about it. As Australian writer Maxine Beneba Clarke puts it:

What does it mean to be a writer who is not a minority writer and wanting to diversify your literature? How do you do that? ... What’s the respectful way to go about it?

In some ways it comes down to personal ethics... Whether you feel you are doing no harm; whether you feel you are doing it sensitively; and, I suppose, whether the publisher or the reader agrees that you have done it sensitively (Convery, 2016, paras 19-20).

I propose that Kwame Anthony Appiah’s concept of cosmopolitanism provides a framework for an ethical creative writing practice in this regard. Cosmopolitanism recognises that our shared humanity resides in diversity, and promotes respectful conversation ‘across boundaries of identity’, not with a view to achieving consensus, but as a means of ‘get[ting] used to one another’ (Appiah, 2006, p. 85). Appiah uses ‘conversation’ not only to denote actual dialogue, ‘but also as a metaphor for engagement with the experience and ideas of others’, likening this to ‘the sort of imaginative engagement you get when you read a novel’ (2006, p. 85). Cross-cultural conversations do not require universals; it is enough that people in the conversation find something in common: ‘cosmopolitan curiosity’ means ‘[w]e can learn from one another; or we can simply be intrigued by alternative ways of thinking, feeling and acting (Appiah, 2006, p. 97). Homi Bhabha similarly identifies curiosity as a pathway to empathy, as it ‘shifts the balance of discourse from the language of enmity to the language of proximity’ (Bhabha, 2009, p. xiii). Appiah further characterises cosmopolitanism as committed to pluralism, as well as ‘what philosophers call *fallibilism*—the sense that our knowledge is imperfect, provisional, subject to revision in the face of new evidence’ (Appiah, 2006, p. 144). Cosmopolitanism thus brings imagination, curiosity and humbleness to conversations across boundaries.

While Appiah explicitly notes a relationship between cross-boundary conversation and the imaginative engagement fostered by *reading* novels, it is not a stretch to extend the metaphor to *writing* novels. Appiah’s description of ‘the problem of cross-cultural communication’ could apply equally to the author’s challenge in creating convincing characters outside of our own cultures:

The problem of cross-cultural communication can seem immensely difficult in theory, when we are trying to imagine making sense of a stranger in the abstract. But the great lesson of anthropology is that when the stranger is no longer imaginary, but real and present, sharing a human social life, you may like or dislike him, you may agree or disagree; but, if it is what you both want, you can make sense of each other in the end (2006, pp. 98-99).

To write ‘a stranger in the abstract’ can only result in tokenism or stereotyping. The writer’s task is to make the character ‘real and present’, not necessarily likeable, but someone to whom a reader can relate as a human being.

Appiah’s concept of the respectful cross-cultural conversation is relevant to an ethical creative writing practice in ways both metaphorical and literal. There is the metaphorical conversation that takes place between the writer and her research—the ‘homework’ as Yang

calls it (2014, p. 12)—which should be meticulous. In the writing process, there is also scope for literal conversations between the author/text and ‘people who are part of the culture you are writing about’ (Yang, 2014, p. 12), sometimes referred to as cultural sensitivity readers. Writers like Yang suggest that such conversations can help identify tokenism and stereotyping, and minimise damaging mistakes before a work is published. To my mind, such consultation reflects the cosmopolitan commitment to fallibilism: that my knowledge, particularly when writing Thai characters, is imperfect; and that by asking for help, I might minimise the chance of causing pain or offence through my fiction, and avoid the pitfalls of cultural appropriation (Young, 2005; pp. 143-6). Moreover, such conversations recognise that ‘otherness’ is in the eye of the beholder, creating opportunities to recognise how my own cultural differences are both constructed and perceived. In the past, these conversations have comprised talking through aspects of story and character with Thai friends. However, for *Mother of Pearl*, I have asked a Thai-born Australian woman, who introduced herself as a fan of my crime novels, to read a complete draft of the manuscript. Significantly, my cultural sensitivity reader shares a rural upbringing with my character, Mukda.

At the same time, I recognise that the dialogue between the work and the reader, the author and audience, by no means stops with the cultural sensitivity reader. I also recognise that I cannot entirely remove the risk of inadvertently causing pain or offense through my writing. But whereas Shriver wants the ‘right’ to write without being subject to criticism by the people she writes about³, I concur with Omar Musa that accepting criticism is a fundamental part of the process (Convery, 2016, para 17); and that being prepared to listen to and learn from any criticism is intrinsic to an ethical creative writing practice.

Conclusion

Wood concludes that while writers can ‘try to minimise the damage we cause, theft from the lives of others ... is a deeply uncomfortable, complex moral problem that has always been with us and will never disappear’ (2009, p. 83). Added to this is the recognition that the nature of the creative process, together with the unruliness of authors as a ‘bunch’ (Mills, 2002, p. 195), mean that decisions about ethical standards inevitably reside with the individual author.

In this paper, I have outlined different ways in which I have stolen from real life in writing my novel, *Mother of Pearl*. I have argued that while Mills provides useful ethical guidelines to minimise the harm caused by authors with regard to using people we know as a resource for our fiction, when it comes to distant others, a different approach is needed. I propose that Appiah’s concept of the respectful cross-cultural conversation at the heart of cosmopolitanism offers a potential framework for an ethical creative writing practice in this regard. Perhaps by Faulkner’s standards, this makes me less of an artist. Or perhaps I share Brenda Ueland’s belief that ‘the only way to become a better writer is to become a better person’ (cited by Mills, 2000, p. 205).

³ This point was made by Junot Diaz on his Facebook page, following Shriver’s speech, see <https://www.facebook.com/junotdiaz.writer/posts/1100525933345750>

Acknowledgements

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