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# INTELLECTUAL PROPERTY AS MORAL CRIME: A LEGAL AND ETHICAL ANALYSIS OF *THE PLOT* BY JEAN HANFF KORELITZ

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## Abstract:

*This paper endeavours to examine Jean Hanff Korelitz's novel The Plot. It explores whether stealing intellectual property (IP) should be seen as a moral crime or not. The story follows a professor who steals a student's unpublished novel idea. It sparks debates about ownership, ethics, and creativity in the literary world. IPR laws legally aim to protect creators, but the novel questions whether these rules always align with fairness or justice. The protagonist's actions raise questions on ethical dilemmas: Is borrowing ideas theft, or part of creative evolution? The novel suggests that strict IP enforcement can stifle innovation when power imbalances exist between a professor and a student. However, it also emphasizes the harm of exploiting others' work without giving credit to the original author. This analysis argues that IP laws are necessary but they fail to address deeper moral questions about who truly "owns" ideas. Korelitz's novel challenges readers to rethink how society balances the protection of creativity with the fluid nature of the artistic influence of other artists. The paper concludes that IP disputes, like the novel's plot, reveal tensions between legal rights and ethical responsibility. It appeals to reevaluate the definition of intellectual theft in a world where ideas are repeatedly shared and reshaped according to the passage of time.*

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## Introduction:

Intellectual property rights (IPR) are legal protections designed to safeguard creators' original works including books, inventions, and brands. These include copyrights, patents, and trademarks, which grant exclusive rights to creators for limited period of time. IPR aims to incentivize innovation by ensuring creators profit from their work. Jean Hanff Korelitz exposes the ethical complexities of these laws in his novel entitled *The Plot* (2021). The novel focuses on a writer namely Jacob Finch Bonner. He steals a deceased student's unpublished story idea. It sparks a tale of guilt, ownership, and moral ambiguity in the novel. This act of theft is legally actionable as copyright infringement. It raises questions: Do IPR laws truly protect creativity, or do they enable exploitation?

IPR frameworks, like copyright, treat ideas as property, but critics argue this commodification is against cultural progress. Martha Woodmansee says that modern authorship ideals emerged during the rise of capitalism. It frames creativity as a marketable asset (12). However, this system ignores the collaborative nature of art. Peter Jaszi and Rosemary J. Coombe add that "strict IP enforcement can suppress shared creativity as it



prioritizes profit over communal knowledge” (45). *The Plot* mirrors this tension, as Jacob’s theft, which is legally condemnable, highlights how IPR can feel unjust when applied to immaterial ideas.

The novel also critiques the psychological and ethical costs of IPR. The moral burden of theft is reflected in Jacob’s paranoia when laws are technically unbroken (ideas themselves are not copyrightable). Lawrence Lessig’s “free culture” concept argues that rigid IP restrictions hinder creativity in art and literature. It is echoed in Jacob’s justification of his actions as “untapped potential” (78). Jessica Litman also notes that “digital age innovations challenge traditional IPR as well as complicates notions of ownership in a world where ideas spread instantly (102). These debates are systematically put into a gripping narrative by Korelitz. He compels readers to confront whether IPR serves justice or perpetuates a flawed system. This paper analyzes how *The Plot* innovatively reframes IPR as a moral dilemma. It urges a reevaluation of who truly owns a story and at what human cost.

### **A Legal and Ethical Analysis of *The Plot*:**

In Jean Hanff Korelitz’s *The Plot*, Wendy’s observation about the antagonist’s username “TalentedTom” links intellectual property theft to moral failure (138). The name echoes Patricia Highsmith’s *The Talented Mr. Ripley*, where Tom Ripley steals identities (45). Similarly, “TalentedTom” indicates stolen creativity not just ideas. This frames plagiarism as a moral crime in which envy forces the doer for the theft of another’s success. The name “TalentedTom” suggests insecurity as he tries to hide his real name. By hiding behind a pseudonym, Tom avoids accountability, mirroring how online anonymity enables ethical violations (Litman 72). Wendy’s question, “Should we infer he’s a writer?”, hints that Tom’s resentment stems from unmet ambitions. This aligns with Martha Woodmansee’s argument that authorship is tied to self-worth; failure breeds destructive envy (112). Tom accuses Jake of plagiarism. It shows a warped view of ownership in the novel. William Fisher argues, “Intellectual property debates ignore the moral harm of denying creators recognition” (Fisher 89). Tom weaponizes this harm by attacking the integrity of Jake. Thus, Korelitz’s portrayal of plagiarism as both legally wrong and morally corrupt blurs the lines between crime and personal failing.

In Jean Hanff Korelitz’s *The Plot*, Alessandro claims, “You can’t copyright a plot” (138). This statement stresses the legal gap between protecting ideas and their expression. Jessica Litman notes, “Copyright law safeguards only the particular form of expression, not the underlying ideas” (56). This legal stance allows creators to reuse plots without penalty, raising ethical concerns. Even legally profiting from another’s idea may be considered theft and it challenges the moral boundaries. Martha Woodmansee and Peter Jaszi argue that Western culture equates authorship with “original genius”. It promotes a belief that uncredited ideas regardless of legality are morally wrong (123). Korelitz’s novel meticulously examines this tension in the following lines: “If copying plots isn’t illegal, is it still unethical?” Alessandro’s remark frames this dilemma and appeals to readers to question whether intellectual property laws address moral responsibility or not. The disconnect between legal permissions and ethical judgments highlights a key theme i.e., actions can be lawful yet morally dubious. It complicates notions of ownership in creative work.



Jean Hanff Korelitz explores tensions between creativity and ownership in the present novel. The quote highlights storytelling as a shared, evolving process: “Works of art can overlap... You can follow an idea from one author’s work to another” (213). This challenges strict intellectual property (IP) laws that penalize artistic overlap. Korelitz frames narrative borrowing as natural and “powerful,” not theft. However, IP laws often treat such overlaps as violations (Litman 54). The novel’s protagonist is accused of plagiarism. It mirrors real debates: when does inspiration become a crime? Many scholars argue that IP laws prioritise profit over cultural growth. Lewis Hyde argues that “art thrives on a commons of ideas” (87). It suggests that strict ownership stifles creativity. Similarly, Lawrence Lessig warns that IP regimes restrict “remix culture,” where stories adapt across generations (102). Korelitz uses the metaphor “combustible” which reflects legal battles over originality in today’s era. Yet, her romantic view ignores power imbalances stating that “marginalized voices often face harsher penalties for borrowing” (Litman 62). The quote’s ethical ambiguity emphasizes the novel’s core conflict: is IP protection moral, or a barrier to storytelling’s survival?

In Jean Hanff Korelitz’s *The Plot*, Anna’s remark, “Well, that sounds very artistic... spiritual exchange looks like plagiarism to the rest of us” (213), exposes the clash between artistic idealism and ethical accountability. Anna, an outsider to literary circles, rejects Jake’s romanticized view of creativity as a “spiritual exchange,” framing it instead as theft. This tension mirrors debates about intellectual property (IP) where artistic borrowing risks crossing into unethical territory. As Jessica Litman notes, copyright law struggles to define “originality,” often leaving ethical judgments ambiguous (Litman 12). Anna’s accusation reflects this ambiguity: her practical stance contrasts with Jake’s abstract defense, revealing how IP disputes hinge on perspective. Martha Woodmansee argues that Romantic-era ideals of “original genius” still shape how artists justify borrowing, ignoring communal cultural contributions (Woodmansee 35). Jake’s “spiritual exchange” echoes this individualism, while Anna’s critique aligns with Lawrence Lessig’s view that unchecked artistic liberty can exploit others’ labor (Lessig 63). Thus, the quote underscores IP’s moral complexity where one person’s inspiration is another’s crime.

Jake’s defends himself by stating, “How can it be plagiarism? I never saw more than a couple of pages [...] and I absolutely avoided every detail I could remember” (213). This quote highlights conflict between legal standards and ethical responsibility. Legally, plagiarism requires direct copying of expression and not ideas (Litman 78). Jake’s avoidance of Parker’s “details” may shield him legally. However, ethics complicate this concept. Rebecca Moore Howard argues writers often “unknowingly replicate structures” of others’ work by blurring intent (Howard 233). Jake’s awareness of Parker’s plot raises questions of subconscious influence even if Jake avoided specifics. Creative ownership ethically extends beyond literal theft. Martha Woodmansee critiques Romantic ideals of “solitary genius”. She argues that “all creativity is influenced by others” (45). Jake ignores how even partially known ideas shape outcomes by dismissing the contribution of Parker. Thus, Jake morally fails when he denies the indirect role of Parker even if he evades the legal blame. This distinction underscores the key theme of the present paper: breaching intellectual property rights is not just legal but a moral crime when uncredited influences exploit the creativity of others.

The quote from *The Plot* reveals a key ethical dilemma: Evan Parker’s theft is not of



intellectual property but of something deeply personal. This shifts the nature of debate from legal copyright violations to moral questions about ownership of the lived experiences of the concerned people. Korelitz writes, “What Parker had stolen was something he must have seen up close” (192). It implies that theft involves emotional or psychological harm not just plagiarism. This stands against the traditional notions of IP law, which focuses on tangible works, not intangible personal stories (Hegel 41). Legal scholar Mark Rose argues, “Copyright struggles to address the moral right to one’s own identity” (23). This is a gap Korelitz exposes in the novel. Similarly, Martha Nussbaum notes, “Narratives tied to personal trauma blur the line between creator and subject” (79). This raises ethical concerns beyond legality. Thus, the novel challenges readers to see IP theft as not just illegal but immoral as it exploits intimate human experiences. In this context, Lawrence Lessig’s claims, “Some stories are too sacred to commodify” (124). It appeals to a reevaluation of ethical boundaries in creative work.

### **Conclusion :**

Jean Hanff Korelitz’s novel entitled *The Plot* challenges readers to rethink intellectual property as both a legal concept and a moral issue. Jake, the novel’s protagonist, steals a story idea, believing it unclaimed. His actions may not legally breach copyright laws. It protects expression but not ideas. However, Korelitz ethically paints his choice as a moral crime. The story highlights the tension between creativity and ownership, asking: Who “owns” an idea? The book argues that moral responsibility goes beyond the legal technicalities of the laws. Jake’s guilt and downfall suggest that using others’ intellectual work harms the trust and integrity of that person in creative fields like literary works and arts. The law lags behind ethical dilemmas. Korelitz implies that creators owe accountability to their peers and not only the courts. In this way, *The Plot* warns the people who prioritizes profit over ethics. It appeals for a cultural shift where respect for an intellectual piece of work becomes as important as legal compliance. The novel reminds us that morality must guide creativity and not loopholes in a world where ideas are important.

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