

# *Can Copies Have More ‘Aura’ Than Originals?*

## *- From the Perspective of Paintings*

Yi Huang<sup>1,a,\*</sup>

<sup>1</sup>*School of Law, University of Warwick, Coventry, CV4 7AL, UK*

*a. Eve\_qx828627@163.com*

*\*corresponding author*

**Abstract:** From the day a work of art is created, its tangible carrier has the function of being used for reference and study, which means that the vast majority of works of art are inherently reproducible. This has led to the negative impact of people with superior skills who can reproduce identical works of art and confuse the public, resulting in the infringement of the rights to which the original author is entitled and the blinding of the ignorant masses. Especially in today’s technologically advanced world, the cost of making a simple copy is getting lower and lower, and the quality of a fine copy is getting higher and higher. Moreover, some copies can take away the “aura” of the original work. In fact, reproductions are only reproductions because the originality of the original work and the “here and now” of its creation cannot be reproduced. However, an exquisite copy, given the right environment, light, and other factors, may be able to replicate or even surpass the “aura” of the original work. This reproduction can prevent the original work from being destroyed for various reasons. Then, it will not be easy to reproduce it in the world, and a good quality reproduction can preserve the excellent original work as close to its original form as possible. In addition, a large number of copies can also increase the popularity of the original work. Therefore, the protection of reproductions is also necessary. The presence of perfect-quality copies is positive for the original work.

**Keywords:** copies, original work, aura

## 1. Introduction

In this digital age, the Internet is a platform for talented people of all shapes and sizes to publish their work, but it offers more than that. There are published texts, published photos and published paintings. When artists publish these artworks on the Internet, the public can access them and might use these published materials to make copies. This phenomenon has led to a debate about whether these “works” are original, reproductions or plagiarism. In the most unusual cases, the copies are extremely good or even better than the originals, which leads to the question - Can Copies Have More “Aura” than Originals? This proposition elevates the otherwise simple and brutal judgement and debate about whether it is an original or merely a copy to another level, which is what Latour and Lowe’s article calls “Is it well or badly reproduced?” [1] In order to clarify this question, we first need to clarify what is the “aura” of an original and a copy, and under what circumstances, is a copy an “authorised copy” and not “the infringement copy” or “the fake”. Only once this is clear

can we further discuss whether it is possible for an “authorised copy” to have more “aura” than an original. Today’s art form has changed considerably compared to the past. The mystery of religious rituals no longer accompanies it as it was in the past, so the aura that was given to these works of art by the sacred meanings of the times is now weakened compared to the past when everyone could publish, everyone had access to the work of art, and everyone has the possibility of obtaining a copy that is almost indistinguishable from the original. In an age where reproductions are available to everyone, where everyone has access to works of art, and where everyone can acquire copies that are virtually indistinguishable from the originals, the aura has diminished compared to the past. It is, therefore, possible for copies to have more aura than originals.

The rest of this paper will be organised as follows: section 2 will illustrate the relationship between originals and copies and illustrate what kind of copies are eligible to be included in this paper, i.e. what kind of copies are not in breach of intellectual property law. Section 3 will explain aura’s notion and a different attitude towards originals and copies over time. Furthermore, the different types of reproductions will be analysed in the 4th section, explaining what kind of copies can obtain more aura than the originals. The final section will conclude the opinions in this paper.

## **2. Definition and Relationships of Original and Copy**

First of all, original work and copy are complementary and antonyms. The original work is the intellectual creation of its author, while the copy is a derivative of the reproducibility of the work itself. Copies may be made by students for practice, by teachers for teaching, by producers for dissemination of their work, or, of course, by others for profit. [2] The main difference between the two is that a copy does not have the “originality” of an original. There is no doubt that the original work, the first of its kind, was the most unique at the time it was created and that the person who created it was the greatest compared to the imitators and copiers who have since made a profit. Therefore, to protect the ability to innovate and stimulate the art world to continue to innovate, there is a great need to protect this great original in an age of replicas. However, it is not the core of this article to distinguish whether a work is a reproduction. On the one hand, it is almost impossible to create a new, unidentified work of art, and there is a difference between what is considered original and what is legally recognised as original. Many of the best original works are judged by reference to past glories or learning from past works influenced by past styles. Most original works nowadays are in the shadow of the best works of the past. This is why the law provides some protection for “non-original work”. Copyright, however, is a right created by intellectual property law to protect the innovation of original work and is a right granted to the originator of the original work, which does not set a threshold for protection and has no special requirements for the work. It is only in the event of a copyright dispute that an additional determination of whether the work is copyrightable is required. The most important aspect of copyright litigation is the determination of the originality of the work. Although it is optional for this discussion whether a work is original or not, the copy must at least be authorised as a prerequisite for discussing the issue of aura with the original work. However, the laws of different regions have different definitions and understandings of the original work. The general originality requirement for EU copyright is “author’s intellectual creation”. [3] However, in the UK, originality has traditionally been defined as “labour, skill, or judgment”, [4] but does not require innovation, as it is a requirement for inventions. What is original is the author’s understanding added to the input of “labour, skills or judgement”. The “labour, skills or judgement” involved in copying alone is not originality. [5] For example, if a painter copies a photograph, this requires the painter’s labour to draw it, a certain amount of skill in drawing, and a precise judgement of the structure of the photograph in terms of colour, but it does not require any work other than the exact reproduction of the image, so even if it has laboured, it is still a copy. [6] or these non-original works, although the law does protect them, it is not the copyright that is protected,

but rather the “related rights” under the Berne Convention. [7] In summary, although the rules vary from place to place and the formulation varies widely, the core point is generally the same. In other words, although copyright in an artistic work need not be “inventive thought”, it must still be “the author’s own intellectual creation”, which, interpreted in terms of UK law, means that the author has to pay something other than copying. A copy that does not violate these laws is either a copy that has been authorised by the original author, a copy that shows the source, or a copy that has passed the copyright protection period and is in the public domain.

Although in the field of litigation, it is essential to distinguish whether a work is original and whether a copy is legal. However, whether a work is original is of little significance, provided that it does not violate intellectual property law. While the importance of an original work is undisputed, the significance of an original work is largely conferred by the copy. Thus, this question of ‘original’ and copy is relative and contradictory. Theoretically, original work should precede ‘copy’. However, without the widespread dissemination of high-quality copies, original work would not have attracted the attention of scholars and experts who would have sought out the sources of these copies, much less the distinction between copies and originals. It is clear that good copies ensure the continued existence of the original and even facilitate the emergence of new ones. Conversely, if there are not enough copies of original work that are not widely distributed or exciting enough, the original will likely disappear. Just as if there were not so many copies of the Mona Lisa, [1] and if the teachers in art classes had not shown us the drawings in textbooks, in picture books and on PowerPoint and had not asked us to analyse and copy them over and over again, there would not have been so many people travelling from far and wide to the Louvre to see its original work and repeatedly question its authenticity. In fact, with today’s incredibly advanced computer technology, reproductions are widely available. Some high-quality reproductions are so realistic that perhaps even the real author of many works of art cannot always determine whether he or she paints a work accurately. This means that whether a work is original or reproductive is often less significant to most people. The fundamental question is whether the “aura” can be reproduced, whether the reproduction is good or bad and whether it can have a positive effect on the artistic value of the work, a kind of transmission, a trajectory [1] of the development of the thing. In short, whether copies are good or bad depends on the extent to which they can inherit the aura of the original work, whether they can transcend it, and whether they can serve to aid the dissemination of the original work and promote the preservation and development of the art.

### 3. The Aura

As for “aura”, it is an emotional sense that people perceive when they view a work of art. It changes with social development and historical changes, as well as with the changing perceptions of people. At a time when perceptions were limited to the late Roman art industry, no amount of perfect copying could match the original work. That is the reason why the core of “aura” was considered to be the “here and now” [2] of the original work, it was impossible to go back in time, and one could not go back to that particular point in time, so the traces of time on the artwork are evidence of the “here and now” of the artwork’s creation. In other words, the core of “aura” is the “authenticity” of the artwork, that is, all the history it has undergone since its inception. It is the essence of its continuity and transmission, the proof of all the history it has undergone over the years, and the unique story of the time and context in which it was created. [2] This story exists only in the first artwork to be created. A copy of it may be able to reproduce the way it was made, the materials used, and the physical and chemical composition, but it will never be able to reproduce the thoughts of its creator when it was first created or the traces of time that have been carved into the work throughout history. When these traces could not be perfectly reproduced, this “aura” was the most significant advantage of the original over the reproduction.

However, with the gradual development of technology, reproductions of the original work can be reproduced almost precisely at an equal scale. The creation of these reproductions has made it easier for people to feel the sacredness of the original work. The perception of the aura of a work of art had gradually shifted from the reverence of the early days of art, when it was associated with religion, to a desire to own works of art and to experience their details, light and shade, brushwork and other, up close. [2] In other words, this perception changes from an almost pilgrim devotion to an equal appreciation of pure force and beauty. It is clear that as technology continues to innovate, attitudes towards works of art are changing, from the creator to the specialist to the ordinary person. In this context, a reproduction can surpass the aura of the original if it reproduces every detail of the original work so that the image can be felt in all its splendour.

#### 4. The Criticism&Idea

For example, with the widespread use of electronic painting software, many painters have switched from traditional pen and paper painting to computerised painting. This electronic painting software has produced countless copies of the original work that can be widely distributed online. What is the point of asking the owner of a copy to print a copy of the original work when anyone can download it from the Internet without restriction? At least with these computer-generated images, it is true that the reproduction is an exact copy of the aura of the original work, but this is an extreme case. There is little point in discussing whether a work is an original or a reproduction when both the original work and the reproduction are computer-generated and distributed on the Internet. This is because the original work is a picture drawn by a computer and stored in the computer. At the same time, the reproduction is also a download of the original picture disseminated on the Internet. In this case, there is no need to discuss whether the reproduction is good or bad in terms of technical means because it is, in a way, the same image as the original. Because the original work was produced and distributed on a computer, it also does not wear out over time like other realistic works of art. The original work drawn on the computer will remain unchanged if the Internet exists and the webmaster does not delete the work. Therefore, in this case, the reproduction either belongs to the distribution against the author's authorisation, which is a violation of intellectual property law and infringes the author's copyrights, or it is just exactly the same as the original work, which means there is no need to judge its goodness or badness. The reproduction of a physical work of art is a different matter. In the case of a mere copy of an original work of art, which is most often the case when a student copies a master's work since those who have skill often prefer to create original work rather than copy, there is no doubt that there is a technical gap in the experience of the person doing the work. The quality of the copy is undoubtedly less good than that of the original work. The reproductions produced by merely human hands are, therefore, often different from the originals.

The aura of the original can also be weakened if the copy is not copied by human hands but rather by photography or facsimile, a simple and crude reproduction of the work of art through photography and photocopying, which produces a flat picture that, although consistent with the original in structure and colour, completely loses the depth of the original work. Many experts who specialise in identifying paintings as originals now use a combination of expertise in brushstrokes and colour, combined with the time of the creation of these paintings, the fading of the paint and the wear and tear of the brushstrokes. If these details are lost, we cannot touch the subtle colours and brushstrokes of the work through the photograph, and all we can see is a bare object on a reflective electronic screen, unable to feel the impact of the original work. Like Holbein's Ambassador at the National Gallery in London, it is a picture without brushwork, without depth, almost like a roadside poster. Even though it still claims to be 'original', it cannot hide the fact that the viewer sees it as a reproduction. The reproduction is so crude that it does not reveal the subtleties of the painting. Yet it is these details that are most important. This is the reason why people nowadays seek out the

originals; the aura they want to feel from a work of art is shown through these subtle and sublime details. Part of the reason why so many people would cast doubt on the authenticity of the Mona Lisa at the Louvre, I assume, is because the viewer has no way of really feeling the detail of the work through the layers of human figures and the glass cover that protects the picture, plus the legendary Da Vinci Code hidden beneath the picture, which to many people is a way of authenticating the painting, but we cannot outside the safety glass observe it through the naked eye. Simple, crude photography or facsimile that does not restore the details of the original work can cause aura decline. So what kind of reproduction will inherit the aura of the original work?

Veronese's *Wedding at Cana* in Palladio's refectory, for example, is a "technical reproduction" of Louvre's original work. The technical team who made the reproduction scanned the original in high definition, printed it out using a facsimile, and then spread the canvas to the same size as the original, covering it with gesso in the texture of the original work. Then the areas are divided and filled with as many colours as possible in the same way as the original work, and finally, the whole is put together to fill in the imperfections. [8] Through this highly tedious and complex process, a copy is produced that is identical to the original work - at least in the eyes of the viewer - because, under British law, the labour put into the production of the work, the techniques used and the judgements made in the production of the work was made without any creative intelligence on the part of the maker, in terms of the techniques used and the judgement exercised, but was simply copied. The painting is also marked facsimile in the corner. It is, without a doubt, a reproduction. But it has the exact same vivid colours, thick brushwork and perfect structure as the original. Even more, this work is not just a reproduction of the original. The architectural depth of Palladio's refectory blends perfectly with the structure of the painting, with just the right amount of continuity and light to expand the space within the building and create a sense of mystery for the painting. The right amount of continuity is complemented by the right amount of light, which expands the sense of space within the building and creates an appropriate mystery for the painting. [1] The reproduction thus gives the viewer an even more immersive feeling than the original. In contrast to the randomly placed work in the Louvre, it seems to have taken away the aura of the original work. This is a classic example of a reproduction that possesses an even greater 'aura' than the original. This means that the original work's details are recorded using highly sophisticated instruments, then printed and laid on the canvas. This highly sophisticated technique captures the subtleties of the original work and reproduces every detail of the artwork, including the use of colour and shading, the details of the original brushwork, the texture of the plaster under the canvas and more, as accurately as possible. By laying out the canvas in this way in equal proportions, the professional will later be able to judge the exact texture of colour and texture in every detail based on the original work. By restoring the details of the original brushstrokes as closely as possible, according to the experts' respective interpretations, the reproductions will be able to reproduce the essence of the original work as closely as possible and convey the power and beauty of the original work to the viewer as accurately as possible. Many still argue that this is a facsimile and that putting so much effort into reproduction is not sensible. However, these people still have to inherit the stunning and exquisite nature of this replica, and it does not stop many people from coming to admire this excellent replica. None of this controversy prevents this replica from being excellent, and the legendary story has increased the popularity of the original work. At the same time, its significance does not stop there. Its presence adds another layer of security to the original work. Many fine original works will have survived the trials and tribulations of history, and many will have been damaged, lost or even disappeared altogether. The existence of a copy that is comparable to, or even surpasses, the original provides a safeguard for future generations. If the original were ever to break, there would be a chance to restore it to its original form based on reproduction. If lost, it can be a backup so that this fine work of art is not literally forgotten. It is a copy of the original, but



moreover, a safeguard for the original, an armour for the development of the art.

In summary, the reason why reproductions are not sought after and do not inherit the 'aura' of the here and now of the original is primarily due to the limitations of reproduction technology. The technological change has, on the one hand, led to a change in the perception of and need for artworks: from the pursuit of sacred meaning associated with religion and the protection of original artworks to making reproductions more widely available and accessible. On the other hand, technological changes have also led to a qualitative change in the quality of reproductions. The quality of the reproductions has skyrocketed from the scholar's not-quite-precise copies of the masters to photographs and photocopies with no depth on the plane to the almost replica of the original work that technical reproduction can achieve. The excellence of reproduction acknowledges the excellence of the original, extends the influence of the original and protects the development and transmission of the work of art. After all, the more widespread and popular a sound reproduction is, the more it proves the excellence of the original. The more copies circulated, the wider the influence of the original work and the longer it will remain in people's minds.

## 5. Conclusion

In short, for a copy to be able to take away the aura of the original work, it presupposes that the copy is a legal copy that does not violate intellectual property law. Only then can the question of whether the copy is good or bad be discussed. The goodness of the copy, that is, the ability of the copy to take away or replicate the 'aura' of the 'original work', depends on the quality of the copy. The quality of the copy depends to a large extent on the skill of the person making it. If a painter can match the skill of the original artist and then, with his or her own skill, can reproduce the details of the original, this is, of course, an excellent reproduction. However, in practice, this is rarely the case. More reproductions are still rough reproductions like posters, photographs and photography. Of course, some excellent reproductions have been made through technical reproduction, such as high-definition facsimiles. These are the ones that can reproduce the aura of the original artworks. The author believes that reproductions will continue to evolve with future formats. There are increasingly subtle and sophisticated techniques, not only in facsimiles but also in 3D printing. It may be possible to reproduce a flat piece of artwork not just by scanning it but by reproducing it directly in three dimensions, without the need for people to judge certain excellent textures by hand, but by replicating these textures in detail directly through high technology, and then producing a more accurate reproduction. Perhaps one day in the future, when virtual worlds are perfected and the metaverse is widely introduced into people's lives, a technology will be created that allows people to see the full context of the time in which a work of art was created, the whole story of the artist, and to feel the emotions of their mind when they created it. Alternatively, to visualise a work of art through a virtual 3D image, in the best environment, in the best light, from the best distance and angle. So even if the work is only a copy, how can it not have the same or even more aura as the original?

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