# The Original in the Digital Age

Doron Avital – Karolina Dolanska

In 2021, an NFT of a digital artwork by the artist @beeple was sold for $69 million. This sale is the starting point for a logical-historical journey tracing the fate of the Original in the digital age. We follow the footsteps of two seminal works exploring the concept of the Original, the celebrated *The Work of Art in the Age of Mechanical Reproduction* by Walter Benjamin and Nelson Goodman's book, *Languages of Art.* We examine two case studies: the Lost Leonardo - a recently surfaced painting claimed to be by Leonardo da Vinci, which remains highly disputed, and the grandiose saga of van Meegeren, the famous counterfeiter of Vermeer's works from the 1930s and 1940s. Both tales are read as fascinating detective stories. We provide an analysis of our own that anchors the idea of the Original with the logic of Singular Rule - thereby giving structure to the 'one-of-its-kind' property that we associate with the Original. Our final remarks discuss the relevance of our analysis to the digital art of today. | *Keywords: Digital Art, The Original, Singular Rule, Walter Benjamin, Nelson Goodman*

1. Digital Art Today: from NFT to AI
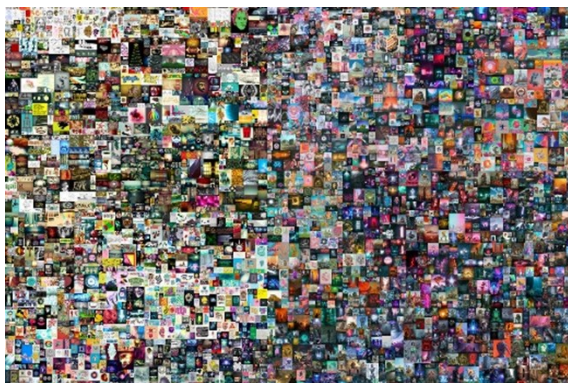
Beeple's collage, *Everydays: The First 5000 Days*

In March 2021, Christie's announced that they were proud to offer *Everydays: The First 5000 Days* by artist @beeple as the first purely digital work of art ever offered by a major auction house. Until October of the prior year, the most

Mike Winkelmann (the digital artist known as @beeple) had ever sold a print for was $100. On March 11th, an NFT of his work was sold for the price of $69 million. According to Christie's, this sale positions @beeple "among the top three most valuable living artists".

The explosion of the phenomenon of NFTs, which is the acronym for Non-Fungible Tokens – the term NFT was picked by Collins Dictionary as The Word of the Year 2021 – redirects us both to the question of the meaning of ownership in the digital age as well as in general to the question of art in our digital times. What is NFT? It is a unique file that lives on a Blockchain that reads like a digital receipt confirming ownership, and in the context of our interest here, an ownership of a work of digital art. The novice visitor to the world of Blockchain can imagine a network of participants registering transactions among themselves in a manner that is completely immutable and all the same requires no central authority confirming the validity and integrity of these transactions. In this fashion, in the context of the auctioning of *Everydays: The First 5000 Days*, the transaction of purchasing the work from the artist, and consequently the new fact of ownership of the piece, is an undisputed fact registered on the Blockchain for all visible times to come.

Questions may now arise as to the significance of this newly registered fact of ownership. For one, it signifies the trivial fact that only the new registered owner is in a position to resell the work. However, given the reproducible nature of digital artworks, ownership here does not always entail exclusivity. The work is indisputably owned by the buyer, be it an art lover or dealer, yet the work is generally open to view to all members of the general public equipped with the minimal machinery required for it to be viewed on screen. This new sense of ownership is sometimes referred to as 'bragging rights' and on occasions may even include some restrictions or limited rights on display of the works. However, in essence, the radical departure from a traditional concept of ownership lies here in the fact that we have an object owned by an individual, while being open for viewing and accessible to all.[1]

The hype surrounding the novelty of NFTs in the context of digital art is now giving way to the new emerging hype around Artificial Intelligence. While NFTs and blockchain technology enable the potential decoupling of ownership from exclusivity - ensuring both the *reproducibility* of digital art as well as

---

[1]   It is important to note that NFT ownership is not exclusively limited to digital objects but can also extend to physical objects, with their ownership claims registered on the Blockchain. However, the true novelty of NFT ownership lies within the digital realm. This can apply to a digital artwork but equally well to a recorded basketball play from an NBA game. While the recorded basketball play may be accessible to all, only a limited number of NFT ownership registries for it are made available for public purchase. In this context of the physical versus the digital, it is worth noting an exercise undertaken by an early pioneer of the concept of NFT, @TaschaLabs. @TaschaLabs bought a diamond, NFT-ed it, and then publicly destroyed it, demonstrating that the NFT, the Blockchain receipt of ownership over the now-absent diamond, maintains its metaphysical existence on the Blockchain, despite the physical diamond no longer existing. Adding a touch of humor, it's worth noting that shortly after, the diamond-NFT surpassed the value of the original $5K physical diamond. Here is @TaschaLabs on her experiment: "If you make an NFT of a real diamond, and the diamond itself gets destroyed in a fire tomorrow, you still have the same asset. Because the token still exists and is in limited supply just as before. Nothing has changed. What NFT is doing to the concept of asset, few understand." For more information, see Tascha (2021).

the viability of an economic model to sustain the digital art market - the emergence of powerful AI technology seems to offer an unlimited inventory of new '*means of production*' for creating digital art. With the advent of these AI engines, we are now able to employ verbal text as our new *digital brushes*, thereby enabling us to generate a vast multitude of digital images in a single instance. In this process, we have at our disposal, in fact an unlimited inventory of images that we can utilize. Moreover, in a single instance later, we can produce an unceasing number of variations for any of the digital images that we have created.

All this brings the subject of digital art to the forefront of today's discussion about art. At the core of this discussion, we believe, is the question of the "Original". Can the traditional concept of the Original, as it has been understood throughout history, withstand the challenges posed by the digital revolution? In this paper, we aim to explore this question and offer a possible resolution.

To address this subject, we will follow the footsteps of two seminal works exploring the concept of the Original, the celebrated *The Work of Art in the Age of Mechanical Reproduction* (1935) by Walter Benjamin - both the *Production and Reproduction* and of digital art certainly bring in with greater urgency the concerns and insights that Benjamin expresses in his seminal essay - and Nelson Goodman's (1968) book, *Languages of Art*. In addition, we will examine two historical case studies. The first case study revolves around the Lost Leonardo, a recently surfaced painting claimed to be the work of Leonardo da Vinci. However, its authenticity remains highly disputed. The second case study involves the captivating saga of van Meegeren, a notorious counterfeiter of Vermeer's works during the 1930s and 1940s. Both tales are read as intriguing detective stories and are very telling to the case we purport to make in this paper. We will provide in conclusion an analysis of our own that anchors the idea of the Original with the logic of Singular Rule - thereby giving structure to the 'one-of-its-kind' property associated with the Original - and show how the general resolution we offer bear on the question of the Original in the Digital Age.

2. The Lost Leonardo
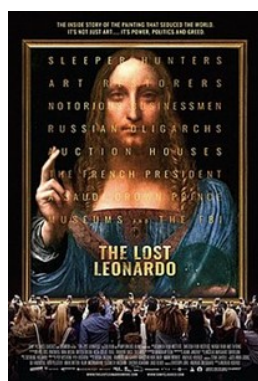
Salvator Mundi by Leonardo da Vinci [attribution to Leonardo is debated]

The analog to the NFT notion of ownership in the arts in the pre-digital era could be the note "on loan" from a certain individual, which you may find in museums or exhibitions as they are attached to works on display. But here lies the difference between the analog/physical works of art and their digital equivalents. We may consider, say, an "on loan" note attached to the *Mona Lisa* but then we may consider the true owner, if there were such a person, claiming back the work restricting it from public view. This clearly is not the case for the *Mona Lisa* but surprisingly is and was the case for another work of art attributed to Leonardo, the painting titled *Salvator Mundi* (1499–1510). As a word of caution, we should note that the attribution of this work to Leonardo remains highly questionable. The reader my refer here to a beautifully done documentary tracing the story of the work since it was bought for the meager sum of $1175 in New Orleans in 2005, until it was finally sold in Sotheby's auction for the staggering sum of $450 million in 2017. In a highly publicized affair, the *Salvator Mundi*, which was purchased for this price, was intended to be showcased in a Leonardo da Vinci retrospective in the Louvre Museum in October 2019. It was alleged that the owner of the work, Mohammed bin Salman, the Crown Prince of Saudi Arabia, conditioned the loaning of the work on it being displayed in the same room against the *Mona Lisa.*

It was further alleged in the press and the aforementioned documentary that the discussion on the matter had escalated to the extent of an exchange between the President of France, Emmanuel Macron, and the Crown Prince. What transpired in this conversation on art and politics is still a mystery, but as a result of it the Louvre exhibition opened up without the display of *Salvator Mundi* to the disappointment of many. Since then, the whereabouts of the work are unknown. It was rumored to be guarded at the Crown Prince's Royal yacht or to be brought back to Saudi Arabia.

The reader may assume that if the artwork in question had been digital, such a chain of events probably would not have taken place. This is so because the nature of ownership of an NFT registered on the Blockchain is shaped by ideology and technology in a way that does not mandate restrictions on the public viewing or displaying of the artwork. Ideology here is the insistence that truth and beauty, say, science and art, should be openly accessible to the public. We witness the 'open access' revolution in software, for example. Advocates of this revolution clearly consider that scientific papers, as well as works of art, should be open to public viewing. This leaves open the economic model, for scientists and artists would need to be able to trade their goods in order to continue to prosper and further create. How would Picasso manage to offer us the wealth of his ingenious work if not for art dealers and the machinery of the economy of the art world in general. But when we go digital, we observe that the gates guarding the concept of *scarcity of access to goods*, which is essential to the logic of an economy, can be rather easily lifted. Here enters the logic of NFT on the Blockchain, as it separates the ownership of the artwork from its availability for public display and visual consumption. If there is a solid sense in an economy for buying and selling digital art while all the

same having the art accessible and open to view to the general public, it would seem we are venturing into a new landscape for art and its economy.

Yet the persistent difficulty that seems to haunt us as we discuss digital art must be that in the analog world, we seemed to have a sound notion of what the original work of art is, and the notions of ownership and value thereof are attached to the original work. Clearly the claim of being in ownership of a postcard of the *Mona Lisa* would carry little attention and the little financial value attached to it would register this fact accordingly. We can trace a digital work from its first registered transactional entry into the Blockchain, say, the artist successfully sells his works as an NFT as @beeple does, but what merit this transaction has to the claim that the new owner is holding on here to the original work? Since any other digital version of the work played on any public screen must be of (roughly) equal value, what value does ownership mean here?

The two questions, the digital reproduction and ownership, are surprisingly connected. If any digital reproduction of the work is almost literally the same as its predecessor, almost binary identical, what merit has the claim that I own the original version? What meaning at all could we attribute here to the notion of the original version? What meaning could be ascribed to one of the oldest questions of the philosophy of art about the distinction between the Original and its copies or forgeries?

3. The Work of Art in the Age of Mechanical Reproduction
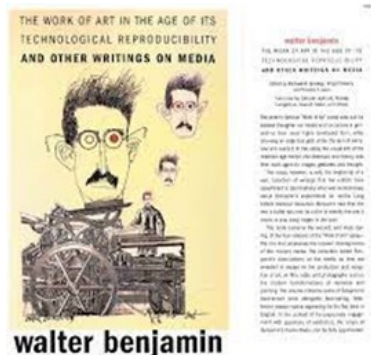
The question of the original work of art versus its copies or possible forgeries has had a long standing presence in the history and study of the philosophy of art. Seminal in this tradition is Walter Benjamin's essay *The work of Art in the Age of Mechanical Reproduction* (1935, 1968) where he claims that: "Even the most perfect reproduction of a work of art is lacking in one element: its presence in time and space, its unique existence at the place where it happens to be" (Benjamin, 1968, p. 220). To this he reserved the term *aura* and then concludes that: "One might subsume the eliminated element in the term 'aura' and go on to say: that which withers in the age of mechanical reproduction is the aura of the work of art" (Benjamin, 1968, p. 221).

In today's commercial times, we find common uses in the notion of *aura* that can be telling for our discussion. Here is a 'substitutions allowed' policy of a flower shop in Paris:

> However, due to the regional and seasonality availability of the flowers, making necessary substitutions of equal or greater value is unavoidable. Rest assured that we will ensure that the 'look' and *'aura'* of the arrangement will be maintained using the same colour combination, shape, style, and size of flowers.

What we learn here is that *aura* is this unique quality that must stay intact under substitutions or alterations. This is the essence of the commercial commitment that the flower shop makes here in its policy. If this is an artwork, we can consider alterations or modifications of it whose effect either *withers off* its unique *aura* or keeps it intact. It is here that Benjamin alerts us that in the age of mechanical reproduction, the *aura* withers off either as it were with each reproduction cycle or that the very idea of *art designed for reproduction* undercuts the very meaning or possibility of *aura*.

Walter Benjamin connects the uniqueness of the artwork with the traditional context in which the work originated and the role it plays in this context. We must bear in mind, for example, that the neutral museum context that we nowadays associate with art is relatively a modern notion that has to do with the secular character of Modernity. Here, Benjamin makes this point:

> The uniqueness of a work of art is inseparable from its being imbedded in the fabric of tradition. This tradition itself is thoroughly alive and extremely changeable. An ancient statue of Venus, for example, stood in a different traditional context with the Greeks, who made it an object of veneration, than with the clerics of the Middle Ages, who viewed it as an ominous idol. (Benjamin, 1968, p. 223)

He then goes further to claim that the age of mechanical reproduction emancipates the work of art from what he calls "*its parasitical dependence on ritual*". Since the capacity to be reproduced allows the work to be accessed in principle by anyone and in any location and time, the work is no longer tied exclusively to a "*ritual context*". In fact, these two formulations are equivalent - art designed for mechanical reproduction and art emancipated from the singular context of the *ritual*. This, Benjamin argues, is the essential character of the new art:

> An analysis of art in the age of mechanical reproduction must do justice to these relationships, for they lead us to an all-important insight: for the first time in world history, mechanical reproduction emancipates the work of art from its parasitical dependence on ritual. To an ever-greater degree the work of art reproduced becomes the work of art designed for reproducibility. (Benjamin, 1968, p. 224)

He rightfully connects the revolutionary aspects of the mechanical reproduction of art with the politics of Modernity, the possibility of mobilization of mass movements, as well as, we should add, the democratic essential thread that runs through Modernity. For analogy, we may consider here the unmediated access to the scriptures that the printing revolution

enabled. Here, too, the Christian religious practice is emancipated from the necessary mediation of ritual and priesthood. This enabled the mobilization of the Reformation movement in Christianity and, to follow on Max Weber's thesis *On Protestant Ethics and the Spirit of Capitalism*, the rise of capitalism as a matter of ideology and practice. The mechanical reproduction by design of the new art enables the *reproduced* art to be *reactivated* and *accessed* by the public in their "*own particular situation*", undercutting the need of any mediation in the form of a ritual context, in the same fashion in which the printing revolution enables unmediated access to the scriptures that do not mandate the priesthood as an intermediary. The traces of the analogy between these two emancipatory processes are easily detected in Benjamin's text:

> This is a symptomatic process whose significance points beyond the realm of art. One might generalize by saying: the technique of reproduction detaches the reproduced object from the domain of tradition. By making many reproductions it substitutes a plurality of copies for a unique existence. And in permitting the reproduction to meet the beholder or listener in his own particular situation, it reactivates the object reproduced. These two processes lead to a tremendous shattering of tradition which is the obverse of the contemporary crisis and renewal of mankind. Both processes are intimately connected with the contemporary mass movements. (Benjamin, 1968, p. 221)

When Benjamin considers the mechanical reproducibility of art, he has in mind the technology of his times and mainly the camera and the art form of filmmaking. The photographic negative is his prime example of mechanical reproducibility of the work of art, as he argues that it conceptually obliterates the old notion of authenticity or the sense of holding on to the original work as opposed to its copies. All 'authentic' prints made of the film-negative are copies of equal value, and none can claim to be the Original. Hence, he declares that art moves from the domain of *the ritual* to the domain of *politics*.

> From a photographic negative, for example, one can make any number of prints; to ask for the 'authentic' print makes no sense. But the instant the criterion of authenticity ceases to be applicable to artistic production, the total function of art is reversed. Instead of being based on ritual, it begins to be based on another practice—politics. (Benjamin, 1968, p. 224)

Benjamin further describes the process where the *aura* withers off with reproduction. In a beautiful passage he describes the *aura* of a fresh encounter with Nature - here, the *aura* experience of a summer afternoon:

> If, while resting on a summer afternoon, you follow with your eyes a mountain range on the horizon or a branch which casts its shadow over you, you experience the aura of those mountains, of that branch. (Benjamin, 1968, pp. 222–223)

This experience, when accessed by reproduced art - consider the camera or the film - can bring the experience closer, as it were, to the viewer. But by making it easily accessible and available to the public or the masses, it undercuts its uniqueness as an open-ended experience. The original *aura* decays.

> This image makes it easy to comprehend the social bases of the contemporary decay of the aura. It rests on two circumstances, both of which are related to

the increasing significance of the masses in contemporary life. Namely, the desire of contemporary masses to bring things 'closer' spatially and humanly, which is just as ardent as their bent toward overcoming the uniqueness of every reality by accepting its reproduction. Every day the urge grows stronger to get hold of an object at very close range by way of its likeness, its reproduction. Unmistakably, reproduction as offered by picture magazines and newsreels differs from the image seen by the unarmed eye. Uniqueness and permanence are as closely linked in the latter as are transitoriness and reproducibility in the former. To pry an object from its shell, to destroy its aura, is the mark of a perception whose 'sense of the universal equality of things' has increased to such a degree that it extracts it even from a unique object by means of reproduction. (Benjamin, 1968, p. 223)

To use Benjamin's conceptual framework, we could further suggest what is it that great art could and aims to achieve for us. For great art could be said to have the capacity to reactivate in us the original *aura* of the encounter with nature - if nature is our model here. Van Gogh's *The Starry Night, his Wheatfield with Crows*, or the *Sunflowers* pictures, to name a few, certainly reactivate the *aura* of these genuine encounters with nature. Great artists lead us to experience with and through them the fleeting moments of these encounters. We relive these moments with the artists through their works. We could say that great art freezes and encapsulates these moments for all eternity, and all the same, hands us the key to decode them afresh and relive their *aura*. The original *aura* then comes back to life.

It is here also that the mechanical reproduction of art with its force to obliterate the very idea of the original work of art seems to Benjamin to undermine the original *aura*. Can a post card reproduction of van Gogh's *The Starry Night* or Leonardo da Vinci's *Mona Lisa* activate the same sense of awe as we have when facing the Original? Could it reactivate the *aura* of the works? This question becomes even more pressing, when we consider the arts that, as Benjamin puts it, are "*designed for reproduction*". In the technology of his time, the prime examples for him, as mentioned, are photography and filmmaking.

This brings us to our digital times and digital art. It is hard to think of a better example of "*art designed for reproduction*" than digital art. By its very constitution, it is created using script and armed with a multitude of available applications that serve as the new "digital painting brushes". Also at its disposal is an enormous wealth of visual objects ready-made for use, as well as strong AI engines that are ready to take part in the creative process. Consider for example, as mentioned earlier, the ability to "draw" and "paint" with text and words. This new all-powerful "*art designed for reproduction*" must bring forth, even with greater urgency, the concerns expressed by Walter Benjamin in his seminal paper. To put it plainly: no Original, no *aura*, no real Art?!

As a consequence, also present are Benjamin's political worries of the cultural and political ramifications of art as a consumable reproduced commodity - of art completely "democratized", if we wish, by the means of its delivery as well as by the means of its production. For if by plugging text in a sophisticated AI engine, any one now can claim to be an artist, then we should ask ourselves

whether this threatens the very idea of what art is and what is the role artists play in our society; does the "democratization" of art deliver a devastating blow to art? Surely, the idea of science democratized in this fashion must endanger the very concept of truth on which science rests. What about the arts, then? What would be the political face of a society with no real art and no real artists? To answer this, we need first to ask ourselves whether the very idea of the Original is dead.

4. The Perfect Forgery

Christ and the Disciples at Emmaus. Han van Meegeren, 1936–1937

The year is 1937 in the Netherlands. Dr. Abraham Bredius, a distinguished art historian and an authority on the paintings of Johannes Vermeer, the great 17th century Dutch master, is presented with a painting of *Christ and the Disciples at Emmaus*. The 83-year-old art historian is thrilled to authenticate the painting as an original work by Vermeer, and he proudly declares with great bravado that:

> It is a wonderful moment in the life of a lover of art when he finds himself suddenly confronted with a hitherto unknown painting by a great master, untouched, on the original canvas, and without any restoration, just as it left the painter's studio. And what a picture!... I am inclined to say—the masterpiece of Johannes Vermeer of Delft... quite different from all his other paintings and yet every inch a Vermeer. (Bredius, 1937, pp. 210–211)

It takes a few years for *Christ and the Disciples at Emmaus* to be exposed as a forgery. The forger is Han van Meegeren, a relatively unknown Dutch artist. In May 1945, he is arrested and put on trial. The allegation is not forgery but collaboration with Nazi Germany. He was traced and charged after a record was found of an art transaction in which he sold *Christ and the Disciples at Emmaus* to none other than Field Marshal Hermann Göring, the second-in-command of the German Fuhrer. Furthermore, it turned out that van Meegeren had sold Göring, for a considerable sum, another presumably authentic Vermeer, this

time the painting *Christ with the Woman Taken in Adultery*. The charges of collaboration and the plundering of a Dutch national asset such as a Vermeer Original and selling it to the enemy were considered grave and could carry a death sentence. His only escape from the charges was to admit instead his crime as a forger of Vermeer: "The painting in Göring's hands is not, as you assume, a Vermeer of Delft, but a van Meegeren! I painted the picture!" (*Han van Meegeren's Fake Vermeers*, no date)

To prove his case, van Meegeren suggested that he paints another Vermeer under the supervision of the court. So came to life another Vermeer, that of *Jesus Among the Doctors*. Following this, charges of collaboration were dropped and substituted for forgery, for which he was sentenced to a short prison time. Nonetheless, the affair did earn van Meegeren a certain level of national hero status for his act of ridiculing the Nazi regime and Göring, as well as for defrauding them of a substantial sum of money with his counterfeit Vermeers.[2]

Let us return to the Vermeer expert's excitement over what we know now was a fake Vermeer. The great art historian does not stop at authentication and further expresses his excitement with the painting:

> In no other picture by the great master of Delft do we find such sentiment, such a profound understanding of the Bible story—a sentiment so nobly human expressed through the medium of highest art. (Bredius, 1937, pp. 210–211)

Benjamin's notion of *aura* immediately comes to mind here. The elderly art historian expresses his exuberance at an encounter with a Vermeer's *aura* radiating as it were out of the work: Vermeer at his best, an *aura* of a Vermeer rising above himself! But as it is often with false memories or illusions, that they overstate that which they purport to do, here, too, the 'more Vermeer than Vermeer' was perhaps the hint, lost on the old expert, that we have a case of a well-crafted forgery.

To succeed in triggering a false sense of Vermeer's *aura*, we could see van Meegeren following closely on Benjamin's definition of the origination of the artwork's *aura* as it is anchored in "*its presence in time and space, its unique existence at the place where it happens to be.*" Van Meegeren follows scholarly works that place the early Vermeer in Italy and builds on an optional storyline according to which the artist is inspired to paint religious themes that are based on works of Caravaggio. He follows this with years of perfecting the techniques necessary to match the times of the origination of the works, producing the appropriate paints and brushes to correspond with those used by Vermeer. Additionally, he engineers a unique scheme to apply to the paints to give the impression that they belong to a picture painted in the 17th century. All of this is executed on a canvas from an old painting of that period, which is scraped clean of its previous content.

In this fashion, this well thought-of and brilliantly executed, perfect crime succeeded to deceive both the master art historian and the contemporary

---

[2]   Van Meegeren died from a heart attack at the age of 58 in November 1947 while awaiting the outcome of his appeal against his sentencing.

community - and later on, also Hermann Göring. Not lacking a sense of humor, like perfect protagonists of crime stories who cannot resist leaving a signature hint beknown only to them in the crime scene that can reveal their identity, van Meegeren uses objects from his atelier as models for pictorial elements in the forged paintings. Here is the master forger in his atelier, working on his vindication from collaboration with the Nazis as he proves that he is the true creator of a fake Vermeer.

Van Meegeren painting *Jesus Among the Doctors* in 1945

5. The Trained Eye

Nelson Goodman's *Languages of Art* and the Cola Wars of the 1970s

In the case of van Meegeren, we encounter the forging or copying of an artist, and not of a specific single picture. Van Meegeren imitates Vermeer and claims that his imitations are originals of Vermeer, and from here follows the accusation of forgery. In the case of the forgery of the single picture, the imitation of the Original takes place with the aim of achieving a perfect or indistinguishable copy of the Original.

The question of the Original versus its imitations or copies has a long-standing presence in the history and philosophy of art. In fact, it can be traced back to Plato and the role that imitation plays in his metaphysics. The partaking relation said to hold between objects and their Platonic forms is that of imitation: the objects of our surroundings imitate or strive towards but

fall short of their ideal Platonic forms. For example, a drawn circle on the blackboard imitates but falls short of the ideal circle. Imitation here appears as a noble pursuit aiming towards the ideal forms, yet falling short.

However, in art, imitation receives no acclaim with Plato. It is degraded as third-removed from the truth activity. First, we have the objects imitating their ideal forms, and second, the employment of imitation with craftsmen, such as a carpenter producing a series of chairs according to a pattern. This second employment of imitation is undoubtedly a useful necessity and deserving of praise. However, the third employment of imitation found in the arts involves imitating ordinary objects. It does not attempt to imitate ideal forms, nor does it aim to produce practical tools. For instance, a painted dinner table imitates the actual table it models but cannot function as a surface for a family dinner. At most, if successfully executed, it can delude onlookers into believing they are encountering a table. It is at this point, when art assumes the role of remaking illusory imitations, that it obtains its notoriously degraded status with Plato. In protesting against Plato on this point, we could even elicit sympathy for van Meegeren's frustration in not receiving praise for his high imitation skills. As he once proclaimed before a reporter in court: "My paintings will become original Vermeers once more. I produced them not for money but for art's sake!" (*Han van Meegeren's Fake Vermeers*, no date)

Taking imitation as the starting point in the analysis of art emphasizes once more the importance of addressing this persistent question of what lies between the Original and its imitative offshoots - the copies, the forgeries, or its indiscernible versions. The most penetrative analysis into this matter, at least in the analytic-philosophical tradition, is Nelson Goodman's seminal book *Languages of Art*. In this book, Goodman delves into the question of copy and forgery versus the Original, where he claims that in art that is not *notational* - a classic analog of which is painting versus, say, a musical score - however indiscernible the Original is from its perfect copy or forgery, there still must be a physical difference between them. Consider, for example, that the copy or forgery are created necessarily after the coming into being of the Original and may utilize by necessity materials and means of production that are different from the ones used in the construction of the Original. This would be certainly the case if the time interval between the two constructions is considerable.

In the van Meegeren trial, for example, chemists were called to examine his forgeries, and they concluded that van Meegeren's methods were not entirely perfect as they could prove that his paints were mixed with 20th century paint hardeners. The physical difference, therefore, may well - and in the analog world of plastic art must - be there, yet it might be completely indiscernible. So indiscernible it was in the case of van Meegeren that even the chemical tests performed in court had a hard time dissuading the expert art historian Dr. Bredius from his stubborn position according to which the paintings were authentic. As is often in life, vested interest - his reputation at stake as the one who first authenticated *Christ and the Disciples at Emmaus* as a genuine Vermeer - caused the master expert to hold on to his position.

Goodman argues, then, that the mere existence of a physical difference serves as the logical anchor that enables us to overcome the difficulty. Once we are introduced to the difference, we could train ourselves to see and evaluate the full scope of the difference. If the untrained eye of an observer is trained on which is the Original work and which is the copy, they may see through the illusory sameness of the two works and rediscover the power of the Original and then observe the copy or the fake for what it really is. Just as an illusion may lead us astray for a while, but once recognized there is no way back and we see it for what it is - that it is an illusion - so is the case also with the fake or the copy.

This can also shed new light on Walter Benjamin's quest for the *aura* that must accompany the Original. The trained eye is taught to discern the Original from the copy or the fake and in this it can observe the work afresh, as it were, for the first time. It reactivates the *aura*, which withers off in the copy, as it brings to life the original's "*presence in time and space, its unique existence at the place where it happens to be*" (Benjamin, 1968, p. 220). This is much in the same fashion when we say of great literature, whether fictional or not, that it brings the epoch of its historical times to life. As we venture through the prose, we relive the times afresh together with the protagonists, as though we were present with them in the plot. It is in this that great art may be said to serve a cause for which no other discipline can substitute.

Nelson Goodman's point here about the trained eye can be brought to bear on more mundane scenarios outside of art. For example, consider the discussion in business and marketing culture about 'blind tests'. There are many known experiments of blind tests, where experts or people of strong convictions about the differences between, e.g., the taste of distinct beverages, fare poorly when they need to identify or compare the beverages served to them. Perhaps the most well-known of these scenarios is the one related to the 'Cola Wars'. The term refers to the long-time rivalry between the soft drink manufacturers Coca-Cola and Pepsi. The two firms were engaged in dramatic mutually targeted marketing campaigns from the late 1970s to the 1980s. The rivalry was fierce and politically colored, as the two polar rivals seemed to be representing established White America, on one hand, symbolized by Coca-Cola, and Pepsi, on the other hand, positioned as the representative of the challenging, up-and-coming young generation. Heavily in play here was also the African American community's identification with Pepsi as the drink that challenges the hegemony of White America - the king of pop, singer Michael Jackson, was the poster boy of the Pepsi campaign. However fierce and political the divide was, it turned out that blind tasting tests had surprisingly dismal results with experts and diehard supporters of the two rival drinks, as both sides failed in them repeatedly. Here, Goodman's analysis could serve us well; when the experiment participants are told which drink is which, they are able - not, as it were, falsely - to notice and taste the differences. This is also true of beer wars and wine tasting. As long as there is a physical difference, we can learn to observe it, feel it, or taste it.

Goodman (1968, p. 113) relies on the necessary existence of a difference to anchor his definition of *autographic* art:

> a work of art is autographic if and only if the distinction between Original and forgery of it is significant; or better, if and only if even the most exact duplication of it does not thereby count as genuine.

Goodman distinguishes, however, the possibility of multiplicity embedded, for example, in etching and argues that it is autographic even though we can create multiple works from of the original mold. This must hold true, we will argue, also of the art of photography, if we recall Benjamin's worries about the duplicative nature of the photographic negative. Goodman draws the line, though, between what he calls *notational* art - music, for example, where the musical score constitutes the identity of the work - and non-notational arts, like the plastic arts, where there is no notation to secure the identity of the works.

Here, in the plastic arts, the important emphasis that Goodman (1968, pp. 111–112) makes is that "the aesthetic properties of a picture include not only those found by looking at it but also those that determine how it is to be looked at". This brings us back into the question of what it is that we see in the picture – the visual *gestalt* experience – in analogy to what it is that we taste in the wine before us. Here, the artwork can offer a potential multiplicity of experiences that the observer can explore in an iterative, educational process. This, as we will suggest in the next chapter, will carry us from being captive by the picture of a *particular, presumably unique object* that we call the Original to an analysis of the deeper, internal structure of what we may call the Original. We will have to explore the property of being 'one-of-its-kind' that must, in the final analysis, capture the essence of the idea of the Original.

6. Variations and Singularity

Picasso version of Michelangelo's *David*. DALL·E OpenAI

The drawings above were generated by DALL·E, an AI engine of OpenAI. The generating text was the following word combination: "Picasso version of Michelangelo's David". To this, DALL·E offered optional pictures from which

we have chosen one, titled here 'original' in the top center. We then asked DALL·E to offer variations to the 'original' and received the rest of the pictures above. It is safe to say two things: first, that these are indeed variations of the 'original', as there is an overall gestalt that supports the idea that they are all derived from the same picture; and second, that the 'original' represents a superior artistic version compared to its variations.

Setting a picture against its variations is the leading idea in the work of the Czech aesthetician Tomas Kulka. In his work, Kulka suggests setting the artwork against itself as a standard, challenging the idea that it is aesthetically superior to its variations or possible alterations. Kulka (1996, p. 73) defines admissible "alterations" as those changes to the work "that do not shatter the basic perceptual gestalt". As he examines alterations that are better, worse, or neutral with respect to the original work, Kulka offers a reconstruction of key aesthetic concepts such as *unity*, *complexity*, and *intensity* and thereby a way to ground a better, educated evaluation of the work.[3] The DALL·E example we design is a mechanically executed illustration of this idea.

There is something tempting in the attempt to evaluate the work of art against its variations. We may envision the artists themselves grappling during the creation process with competing paths on which to proceed. We could envision the preliminary sketches, the layers erased to make way for new versions, and we could act as experts do when they examine classical artworks - try to reverse-engineer the work of the artist, thereby gaining a deeper insight into the outcome. In fact, digital art provides for the first time in history a new prospect for this idea since we can effortlessly record the whole creative process from its inception.[4]

However, in insisting, as Kulka does, on a single "perceptual *gestalt*" as the constant with respect to which variations are admitted, we forget that an artwork may be approached through many different *gestalts*. To illustrate this, let us reflect on the familiar duck-rabbit *gestalt* switch or the following white versus black figures Mosaic by M. C. Escher, below.

---

[3]   Kulka's reconstruction is extremely helpful in examining the subject of kitsch. Kitsch is a work that allows for no "meaningful" alterations; all its alterations are neutral with respect to the Original and therefore can replace the original work to no effect. According to Kulka, it is categorically different from art - whether bad or good - since it does not carry any promise of improvement. See Kulka (1996).

[4]   This assessment of the significance of variations is also evident in the controversy surrounding the restoration and authentication of the Lost Leonardo, *Salvator Mundi*. The restoration, led by Dianne Dwyer Modestini of New York University, received praise but also criticism for being too creative. One critic doubted the attribution of the work to Leonardo, claiming that the work is half by the master's students and half by Modestini. Considering this critique, the significance of the analysis of alterations cannot be overstated. In the case of the Lost Leonardo, one such alteration emerged when Modestini discovered a drawing of Christ's thumb underneath the painted one. At least with Modestini, this was an indication for the authenticity of the work. The logic is clear when we bear in mind that the Original precedes the copy. The copy faithfully follows the finished composition of the Original, and therefore such a pictorial deliberation, in this case, of the positioning of the thumb, would clearly seem unwarranted.
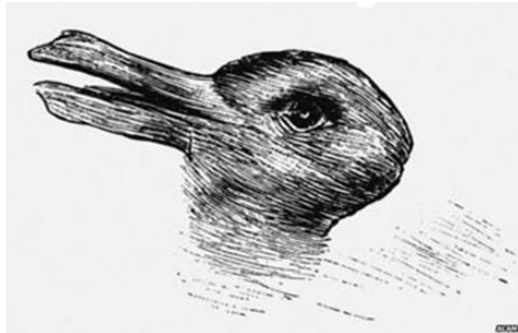
Mosaic, by M. C. Escher   Duck-Rabbit

In these examples, we have two "perceptual *gestalts*" competing on our visual field, for we cannot see them both at the same time. We could introduce the distinction between *figure* and *background* and acknowledge that it is impossible to simultaneously access both the figure and the background. A *gestalt* switch happens when we move from one visual reading to the other, e.g., from duck to rabbit. In the switch, roles are also switched, for what we observe at a time is the *figure*, and to allow for this, the complementary pictorial element must retreat to the background. Thereof it assumes the role of *background*.

In the switch of roles, we find out that the complementary *gestalts* are equally essential to the constitution of the work's identity. This poses a difficulty to Kulka, as his scheme requires a singled-out *gestalt*. We suggest, however, that this difficulty opens the door to a new scheme for the question of art. This is our idea of art as a Singular Rule. In previous papers, we explored this idea in depth; here we will introduce the gist of the idea.[5]

Let us follow Kulka and transform artworks into rules. By fixing the "perceptual *gestalt*" constant - *the figure* - we design a rule that takes as arguments all possible variations of the work and we admit the variations that keep the *figure* intact. The unaltered work in itself is trivially such a variation. We could then *switch* the *gestalt* and fix a new rule. The new rule admits variations that do not alter the new gestalt that now plays the *figure*. *Mosaic* by Escher can illustrate this unique structure. We may fix either white figures or black figures as constant. We define in this fashion two possible rules: white-figures as a rule admits variations of the original picture also with backgrounds different from that of the black-figures; we could then switch roles and introduce the black-figures rule, which admits backgrounds different from that of the white-figures. Since the two possible *gestalts* are essential to the constitution of the identity of the work, applying the two rules simultaneously would result in each of them admitting the other as the only admissible variation.

When, as observers, we switch between the two possible readings of Escher's *Mosaic*, we vacillate between seeing the picture as the manifestation of one or the other of the two rules. Seeing the picture as produced by one of

---

[5]   See Avital (2007, pp. 20-37), Avital, Dolanska (2019, pp. 17-27).

the rules, the second rule unfolds as the former's unique extension. This is what is meant by Singular Rule: that it is both the rule and its unique extension.

The uniqueness we associate with the Original can be finally explicated. For this, we must note the distinction between a thing's being unique and its being a particular. A particular object in and of itself does not imply that it is unique. In fact, we need a grasp of Singular Rule in order to grasp the true meaning of uniqueness. The idea of the Original as unique implies its being 'one-of-its-kind'. A particular object, e.g., a chair, may fall under a general concept such as "dining table chair" and therefore it is not one of its kind, since its kind is the extension of all dining table chairs. Not so, for example, for an original artwork such as Duchamp's famous chair, titled *Bicycle Wheel*. Duchamp's chair falls under nothing but its own rule or kind.

The logic of Singular Rule teaches us therefore that a particular in and of itself is not necessarily unique, i.e., that the particular in question may not answer to Singular Rule. To put it crudely, that a thing is *One* does not mean it is not *Many*, since if it is not 'one-of-its-kind' then it must be one of many. But the inverse also holds. The multiplicity that is internally written into the construction of certain forms of art does not in and of itself refute the logic of Singular Rule. Following on Goodman suggestion that the multiplicity embedded in etching does not undermine, in his terminology, that the work is autographic, we may now argue for the inverse of our claim on particulars failing to be unique. That there are many particular etchings that answer to the same mold as there are many digital artifacts that answer to the same computer code - or photographs to the same negative - does not necessarily undermine their claim for uniqueness. If by its inner logic the digital artwork answers to Singular Rule, however many are its particular manifestations, then it is 'one-of-its-kind' and therefore unique. Consider, for example, that in a repeated encounter with a traditional artwork, we may consider each encounter in time as a new manifestation of the work. From a logical perspective, a scenario of an art object that occupies as it were a single location in space and thereof is being visited repeatedly in different times does not differ in essence from a scenario of many digital artifacts answering to the same code that are situated all at the same time in different locations in space. Therefore, an etching or a digital artwork may achieve uniqueness however multiplicity is written into their very mode of construction. We may conclude then that the logic of the Original as "one-of-its-kind" as it is understood through the prism of Singular Rule can equally expose the presumed *One* as *Many* as well as reveal that the *Many* is actually *One*.

For true uniqueness, let us conclude this chapter by reflecting on *The Starry Night* of van Gogh. If we try to isolate a gestalt of any of the elements that make up this picture, the swirling skies, the moon, stars, mountain range, the cypress tree aiming high, other trees on the ground, hills, village houses, the church with its spire stretching up - whatever we can focus on visually - we soon discover that none of them can be skipped. All the elements are implicated logically, however repeatedly we may challenge this, through the

Singular Rule scheme. This is Singular Rule in its full glory: an *aura* of encounter with nature that comes to life before our very eyes.[6]

Vincent van Gogh (1889) *Starry Night*

7. Conclusion

Versions of *Salvator Mundi* executed by students and followers

By now we can answer the persistent initial question: no Original, no *aura*, no Art? What we suggest, then, is to approach the question of the Original through the idea of the Singular Rule, which, when properly recognized by the trained or the educated eye, brings to life the original *aura* and justifies the role of art as a constant reminder of true uniqueness.

The Original as a Singular Rule is the standard with respect to which copies are possible. It is the singular-rule nature of the Original that is the driving force for imitators, followers of good faith or bad-faith producers of fakes. For example, we are aware of at least thirty copies of *Salvator Mundi*, as depicted in the examples above. This large number of copies is an indication that there must have been an Original by Leonardo. *The Original, therefore, is the spring of creative power.* Art starts with imitation in the education phase and later aims at independent breakthroughs by creating new Singular Rules: new standards for imitation. The Lost Leonardo may have not been painted by Leonardo, but the power of the original *Salvator Mundi* by Leonardo clearly resonates throughout history. *The Original, in this sense, is present as an ideal even in its*

---

[6] The focus of our analysis here, as well as our prime examples, is on the plastic arts. However, the general scheme we present, regarding the logic of Singular Rule and its relevance to the question of the Original versus its copies or forgeries - as well as the pursuit after the elusive aura - must apply to the arts in general. This may include music, performance art, and any other forms, as well as, in general, notational arts in Goodman's terminology. Although these art forms were not discussed within the scope of this paper, we would reserve another occasion to demonstrate how they align with our analysis.

absence. I suspect making a similar point was the motivation behind Damien Hirst's latest artistic happening. Hirst offered the owners of his works to choose either the physical work or its NFT; those who have chosen the NFT had their physical equivalent piece burned by the artist. Not judging the depth of Hirst's artistic endeavor, he does explore through this exercise the frontiers of digital art and the role of the Original in it.[7]

In conclusion, we must stress that only ignorance can account for our confusing the copy for the Original. It can confuse, on occasion, even the experts, as the copy to the Original is as the illusion is to the real. An illusion can mislead us into an enhanced, abstracted version of the real, as we are willing participants in its fabrication. The optical illusion of a *fata morgana* in the desert landscape must impress a stronger and more vivid effect of the presence of fresh water on the thirsty observer than that of the visual of a true life-saving oasis. Reflect on Dr. Bredius, the Dutch art historian, entirely taken in owe before van Meegeren's fake Vermeer: his excitement is not different from that of the thirsty wanderer of the desert experiencing *fata morgana*. Both are proven wrong by reality.

This brings forth the real importance of art education. Art education and the study of art history can be seen as the necessary training for us to discern and appreciate genuine uniqueness - however in the case of the distinguished art historian Dr. Bredius this was evidently not sufficient. The role of art education is therefore to cultivate the necessary sensitivity to discern singularity against the backdrop of practice and science that by their very essence eye towards generalization. Science, for one, handles all particulars as falling under (non-singular) concepts and in this way obliterates their possible claim for uniqueness. In fact, when we resist this powerful tendency towards generalization, such as when we consider a scenic view of a landscape unique and inimitable, we actually treat it as a Singular Rule, that is, we treat it as Art. Surely, by awakening within us the *aura* of his nightly encounter, van Gogh liberates the Starry Night from the shackles of generality if only this experience were to be perceived through the lens of science or immediate practical needs.[8]

This also offers a clearer explanation of the analogy between the relationship of the copy to the Original and the relationship of the illusion to the real. The illusion is a fabricated reality. No two desert oases are truly the same but the illusory *fata morgana* abstracts and manipulates general features to create

---

[7]   In fact, Hirst is imitating here, perhaps knowingly, the exercise undertaken by @TaschaLabs that we motioned earlier in the paper in footnote 1 - Hirst's burned artworks for @TaschaLabs destroyed diamond. In both cases, the NFT registers ownership of destroyed physical objects, leaving behind only the digital representation or trace of the artwork with Hirst and the experimental narrative with @TaschaLabs.

[8]   This is where Nature can present itself as Art, or as an ideal or a model for what Art is or should be about. This also introduces Art's role in society as a constant reminder of Nature's uniqueness and hence also as a reminder of the uniqueness of our lives. In this, Art presents itself as a counterforce against social institutions like the sciences, whose task can be viewed as that of enslaving nature to our concepts and pragmatic needs. This is the exact sense in which we could say that it is Art that sets Nature, and therefore us, free. Here also, we should note, lies the intimate bond between ethics and aesthetics, since the ethical dilemma must also be conceived as a unique scenario that escapes labeling under general headings or concepts. For more, see Avital (2007, pp.20-37).

a generic oasis image. The illusion copies the real as the copy, the forgery, or the fake do to the Original. The former is generic while the latter is *sui generis*. The latter answers to the logic of Singular Rule and, therefore, as "one-of-its-kind" it is genuinely unique. It is the Original.

Let us conclude then with a scene from the Matrix trilogy. Cypher is offered a deal in exchange for betraying his friends. Cypher indulges on the generic-Matrix-induced juicy steak and proclaims:

> You know, I know this steak doesn't exist. I know when I put it in my mouth the Matrix is telling my brain that it is juicy and delicious. After nine years you know what I realize? Ignorance is bliss!

Art chooses here to differ.

References:

Avital, D. (2007) 'Art as a Singular Rule', *The Journal of Aesthetic Education*, 41(1), pp. 20–37.

Avital, D. and K. Dolanska (2019) 'From Tomas Kulka on Kitsch and Art to Art as a Singular Rule', *ESPES. The Slovak Journal of Aesthetics*, 8(2), pp. 17–27.

Benjamin, W. ([1935] / 1968) 'The work of Art in the Age of Mechanical Reproduction.' In H. Arendt (Ed.) *Illuminations*. Schocken Books, pp. 217–251.

Bredius, A. (1937) 'A New Vermeer', Burlington Magazine 71 (November 1937), pp. 210–211.

Goodman, N. (1968) *Languages of Art: An Approach to a Theory of Symbols*. Hackett Publishing Company.

Han van Meegeren's Fake Vermeers (no date). Available at: http://www.essentialvermeer.com/misc/van_meegeren.html (Accessed: 23 June 2023).

Kulka, T. (1996) *Kitsch and Art*. Penn State University Press.

Koefoed, A. (2021) *The Lost Leonardo*. [Documentary] Elk Film, Pumpernickel Films, Alba Collis.

Leonardo da Vinci (1499–1510) *Salvator Mundi*. Wikipedia. Available at: https://en.wikipedia.org/w/index.php?title=Salvator_Mundi_(Leonardo)&oldid=1161175347 (Accessed: 23 June 2023).

Tascha [@TaschaLabs] (2021) Twitter. Available at: https://twitter.com/TaschaLabs/status/1430248952818028544 (Accessed: 23 June 2023).

Doron Avital
The Cohn Institute for the History and Philosophy of Science and Ideas
Tel Aviv University
doronavital@yahoo.com

Karolina Dolanská
Chair of Visual Art Studies
Anglo-American University (Prague)
karolinadolanska@gmail.com