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## Cheating in the Digital Age of Art

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## Cheating in the Digital Age of Art

### Writing Process

*Editor's note: This paper was named Best Persuasive Essay, which included a \$100 award.*

I wrote this piece for my research assignment in English 198. The course topic was cheating, and my paper delves into the morality behind the reuse of artistic ideas. I use five scholarly articles to support my argument that artistic reproductions should be encouraged and the current legal systems require a change. My writing process included multiple drafts, peer review, and a review with my professor.

Course

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Semester

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# Cheating in the Digital Age of Art

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*Madeline Haara*

When one thinks of plagiarism, most people immediately think of direct academic dishonesty in the school system. Yet cheating, especially plagiarism, occurs in many different intellectual fields. One topic that is overlooked is the ethics of reproducing of works of art. While this can vary anywhere from copying a different artistic style to using a similar, repurposed image, it is not truly plagiarism. This is because the advancements in technology have made art readily available and widely shared, spreading artistic ideas and redefining intellectual property rights. The repurposing of visual art, mainly new media art, should not be considered cheating because it involves inspiration, enhances culture, gives exposure to the original artist, and calls for a changed legal system.

First, new media art is defined as “art that uses new means of mass communication, specifically electronic and digital technology,” such as digital and computer art (qtd. in Seneff 1). Growing in prominence now, it was introduced by a shift in artistic standards. Seneff claims that this type of art was established by Marcel Duchamp, a member of the Dada and conceptual movements who hated the business side of art. Duchamp challenged the norms of the early 1900s and produced ready-mades, normal objects presented in a new way that stressed the importance of the artist’s views and decisions (7). Even famous pop artist Andy Warhol used ideas from philosopher Marshall McLuhan, claiming, “art is what you can get away with” (Marczewska 4). Now, the New Media Age has transformed the way people operate, especially in the world of visual art. The issue of copying versus having a clear influence should no longer be a debate since the interpretation is changing yet again. Seneff says that in art today, “creation becomes irrelevant, everything now is just transformative and derivative, and implicitly out of copyright” (8). Therefore, copying does not truly exist in art since the original idea is transformed to create new meaning.

There is an important distinction between imitation and inspiration. Steve Jobs said, “Good artists copy, great artists steal” (qtd. in Seneff 3), an idea that has been prevalent even since before Shakespeare’s time, as many believe he did

not write his own plays. Yet the arts, both performing and visual, often rely on others' ideas as inspiration. Jobs' use of the word steal does not encourage plagiarism, it simply means to be inspired. It is transforming an idea to one's own interpretation. For example, learning specific art movements and styles is not considered copying since the idea is being changed. Consequently, inspiration and cheating are entirely different ideas with separate motives.

Historically, political statements and social critiques have been made by reusing artistic ideas and materials (Marczewska), but reusing is now "part of the construction of new culture, which necessarily builds on old culture" (Purtee). So, technology has merely advanced a technique that has been used for years. It has allowed art to become more accessible to the masses, encouraging the use of reproductions. This is inevitable in today's society because it enhances both culture and the original piece itself. One should feel distinguished and recognized when his work is used as inspiration, as it is contributing to something larger.

Reproducing an artist's work, especially when credit is given, can hugely impact both careers. This is particularly the case for lesser-known artists, as they can be introduced to the artistic community. By sampling someone else's artistic ideas, "A work of art grows in originality in proportion to the quality and abundance of its copies" (qtd. in Schweibenz 12). The original piece gains a better reputation through the process, and it is fundamental that an original cannot exist without a copy. The digital age has made this reproduction much easier, as photos of art can be easily electronically modified and later shared. Similarly, artworks such as paintings in museums have been introduced to a wider public through technology. Schweibenz explains that digital images and photos tend to reach the masses rapidly while one object can only be seen by a limited amount of people (12). Public appreciation grows through photos and reproductions—a type of recognition impossible to reach with just one version. Thousands of people can own a reproduction while an original is outrageously expensive and can only be owned by a single person. He goes on to say, "As more and more material becomes available in digital form across the internet, the digital surrogate may well become an increasingly common form of our experience of objects... Users may view the images as artifacts having their own intrinsic value rather than as imperfect surrogates to be compared against the original" (qtd. 11). By changing an original to express one's own ideas, it becomes an entirely new piece, separate from the original. The flow of ideas is inevitable, and artists should be honored that others find inspiration in their work.

Copyright laws were put in place to protect peoples' ideas, but this need is much less applicable due to today's focus on new media art and the fair use doctrine. Copyright infringement itself "occurs when someone's work is used

without their permission or without giving them compensation” (Purtee). But it can also happen when the recent work and the original have the same intention. Thus, the goal of copyright infringement law is to encourage new culture by preventing the reuse of old ideas. However, as previously stated, allowing others to take inspiration actually promotes new culture, therefore contradicting the intent of the law. Lawmakers acknowledged this, admitting that “copying, quoting, recontextualizing, and reusing existing cultural material can be critically important to creating and spreading culture” (Purtee), and the concept of fair use was added in 1976. Fair use, a doctrine of copyright law, recognizes that art is made through repurposing only if it promotes a new meaning. This idea in art has been exemplified through the “borrowing and building on” of artworks in Duchamp’s Dada and Warhol’s Pop Art movements (Marczewska). These movements’ focus, begun over a century ago, continues to be prevalent in the digital age.

Yet, U.S. copyright law does not explicitly protect media art in its framework. It cannot even apply to this genre since technology has made the arts so collaborative. Worldwide participation makes one clear originating artist difficult to recognize; therefore, the owner of the intellectual property is obscured. Also, copyright laws differ around the world, so following the correct national laws can be problematic (Seneff). The uncertainty of whether or not copyright laws can be applied to media art can even lead to moral discussions. But, in order to develop culture and art as a whole, strides have been made to make ideas readily available to all, disregarding copyright’s application to this topic. Examples include organizations like The Free Software Foundation and Creative Commons. They advocate for the freedom to use and reuse works through technology, supporting the view that the new media age should result in a shift away from the norms of strict intellectual ownership.

While technology has enhanced the arts, some believe it has actually been hindered or that ideas have simply been more effortlessly stolen. A major argument against the use of direct copies is that “The computer reduces the digital picture to the monitor’s dimensions, blurs the image, and provides only a shallow depth of field, and the impact of material and spacial impressions are lost” (qtd. in Schweibenz 14). This is inaccurate because of the impressive improvements that have been made to lessen differences in digitizations, as well as the established programs that accept them. Many museums are now digitizing collections, sometimes even the entire museum. Examples include the MET in New York City, the Smithsonian and the National Gallery of Art in Washington, DC, and many more worldwide. Hundreds of thousands of these museums’ works are accessible online. It is just a change in how society interacts with art. Benefits

include research and accessibility as well as a superior viewing of the piece (Shelmon). The digitized copies have high resolution and an improved viewing experience, one without lines and crowds struggling to read the limited information on the museum label. Digitization and therefore technology can provide multimedia information on nearly every aspect of the piece, improving the viewer's understanding.

Some insist that using others' intellectual property for profit reduces its value. Author Barbara Savedoff argues, "The multitude of reproductions make it difficult to discover and appreciate the unique value of the original" (qtd. in Schweibenz 11). This is untrue because technology and creativity enhance each other. Technology has allowed for ideas to become more accessible, innovation to flourish, and new artistic tools to emerge. Also, artists' new and original creations all come from some preexisting idea. The value of the original is amplified by the value of the reproduction. Technology and new media art can utilize past intellectual property to further art altogether.

There can be no original without a copy. New media art is not stealing or cheating, but a way to sustain and grow the arts. The reusing of ideas is essential because it builds on culture, opening the possibilities for other artists to be inspired. It gives the original artist more exposure and fame when used correctly. It is because of this that copyright laws must change with society. The new media revolution is simply a result of a more technologically advanced society, akin to society's dependence on cell phones and then smart phones. Society adjusted to this, and they must do the same for art. Intellectual property rights must be viewed differently, as globalization due to technology makes the entire discussion less able to be defined.

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