

A.I.-Generated “Art”

1. Introduction: In August of 2022, [this piece \(Théâtre D’opéra Spatial\)](#) won first place in Colorado State Fair’s fine art competition, in the digital art category. Controversy followed, sparked by the fact that the piece was generated by an A.I. ([Midjourney](#)).

Artificial intelligence is getting better and better (and faster) at producing images. If you’ve never tried it out yourself, go check out [Microsoft’s Image Creator](#), aka Dall-E 3. (It’s free, but requires you to create an account. If you don’t want to do that, try [Stable Diffusion](#) instead.) Even **video** (e.g., [Sora](#), or [Canva](#)) and **song** generators (e.g., [Suno](#)) are getting really impressive!

There are a lot of interesting philosophical questions to explore here.

2. Is it Art?: Let’s start with a metaphysical question, about categorization: Is it *art*?

What is required in order for something to be art? Surely the mere fact that these AI-produced images are *images* is not sufficient. Not *all* images are art. Consider for instance that photo your camera accidentally took of the pavement, or that one of your driver’s license that you uploaded to that online portal, or the photo on the license itself. Those aren’t works of art. Right?

So, what is required in order for something to be art? Some suggestions:

- Art requires an *artist*.

[Is that correct? Like, is a tree art? Is a rock art? Or the Sun? That doesn’t seem plausible. If it were, then we run the risk of *everything* being art – in which case, ‘art’ isn’t a very interesting category, since it doesn’t distinguish anything from anything else.]

- Art requires *intentionality* on the part of the artist.

[Art doesn’t *merely* require a maker. It seems to require that its maker had some sort of *intention* – an intention to *make art*. After all, your lunch had a *maker*. Your air conditioner had a *maker*. But, surely these are not pieces of art. If they were, then it would turn out that we are *all* artists, and *everything* we produce is art. But, surely that’s not right. Is it?]

- Art requires *being perceived* as art.

[Another common suggestion is that art requires being perceived in a certain way by the consumer or viewer (namely, *as art*), or even requires being presented in a specific *context* (e.g., in a gallery). Are these *necessary* conditions for being art? If not, could they at least be *sufficient* ones? Is *merely* being viewed as art enough to make something art? If so, then we are forced to accept that the air conditioning unit becomes art in the very moment that Frank mistakes it for art in [this scene](#) from *It’s Always Sunny in Philadelphia*. (There’s a similar scene in *Wonder Woman 1984*, but with a trash can.) Can that be right? If so, then note that we have just rejected the claims that art requires a maker with intentionality, or even a maker at all (e.g., if Frank had mistaken some pebbles from someone’s shoe as art).]

We're not going to settle the question, 'What is art?' here. But, the brainstorm above can help us think more carefully about the case of A.I.-generated "art":

- Does A.I.-generated art have an artist? If so, who/what is it?

- The A.I.?

[But, these programs – even if they have some *autonomy*, they are not *sentient* (we'll assume). How can something be an artist if it not only lacks the intention to produce art, but does not even have conscious experiences at all?]

- The person giving the A.I. the instructions?

[The guy who won first prize in Colorado claimed that he was the artist, because he is the one who came up with the specific description to give the A.I., and he spent a lot of time working on this description.

Consider: When cameras first came out, people were hesitant to say that photographs could be art. "The cold, non-sentient, unfeeling machine is the thing creating the images! All the human did is push a button!" But, in time, we came to accept that photography was a legitimate artistic medium, and what made it art was the artist's intentionality – namely, their decision of where and when to capture the image, how to frame it, what settings to use, which of many images to present as art, and so on, not to mention their perception of the final product *as art*. Not just *any* photo is art, but if a photo has *these* features, then it seems to be art. Isn't that essentially what the CO man did with the A.I. Midjourney?

(One might complain that the "artist" didn't put enough *work* into producing the final piece. Yet, consider [Marcel Duchamp's 'Fountain'](#) (a toilet with a name signed on it). Is that art? People in the art world claim it *is* art. (Or consider [Maurizio Cattelan's 'Comedian'](#) – just a banana duct taped to a wall.) If this is art, then: What sorts of things can I just find and add a signature to, or tape to a wall, in order to turn it into my art piece? If I just find the Mona Lisa, surely I can't make it be *my* art piece just by signing my name (or 'R. Mutt') onto it, or by taping it to my wall. Right?)

Counterpoint: Imagine that I commission a piece from an artist – say, a painting, or tattoo, or whatever. I give them a description of what sort of thing I want. They come back to me with several sketches of possibilities. I refine my description by adding further details. We go through this process a few times. In the end, they produce the painting and deliver it to me. I sign my name at the bottom, claiming that I am the artist. That doesn't seem okay, does it? Yet, isn't that essentially what the Colorado art competition winner did? Why or why not? Consider it this way: If I prompt Chat GPT to write an essay, and then sign my name to it, that is **plagiarism**. Right?

Ted Chiang argues against prompt-writers being artists for a different reason. As he points out, **artists make CHOICES**. For example, when you write a 10,000 word story, you're making at least 10,000 choices. If you only write a 10 word prompt, then the A.I. is filling in the gaps for all of the choices you're NOT making. It does so by either (a) taking the average of all other human choices, or (b) mimicking the style

of some particular author. Either way, can YOU really claim to be the artist? He concludes, “the image might be exquisitely rendered, but the person entering the prompt can’t claim credit for that.”]

- The people who programmed / created the A.I.?

[Can that be correct? They merely made the algorithms. Could that alone make them forever the true artists of everything their (unpredictable) creation ever produces?]

- Some collaboration between two or three of the above?
- Could it still be art even if it turns out to lack an artist?

[Imagine that you’re viewing a beautiful piece in a museum, that really moves you. “What a lovely work of art,” you say. “Oh, that’s not art,” I reply. “For, that was created by an A.I.” Could I possibly be correct? Or does the mere fact that it moves you, and you viewed it as art, and/or the context of it being displayed in an art museum *as art* – do these make it **be** art, even if it turns out to lack an artist?]

2. Moral Concerns: There are a number of moral concerns associated with A.I.-generated art.

- (a) **The Value of A.I. Art:** Assuming that art is valuable in the first place (*is it? if so, is its value intrinsic or instrumental?*), is AI art *also* valuable? If so, does it have *just as much* value as exactly similar human-made art?

This may help: Imagine you find out that your favorite piece of art – whether it be an image, or a song, a novel, a poem, or whatever – was actually produced by an AI and not a human being. Would you think less of it? Why or why not?

Brainstorm: Isn’t one of the important functions of art to portray or highlight certain aspects of the human experience – in turn, producing in us a feeling of *connection* and shared experience? And is this (at least in part) what gives art its value? If so, then one might wonder whether A.I.-generated art is less valuable for this reason. For, when the A.I. generates its images, it is not drawing from past experience, past pain, love, joy, etc. So, how could such work generate a sense of shared connection?

A part of the value of art is the human expression or meaning behind it. As Ted Chiang points out, saying “I’m sorry” or “I love you” might be two of the least original statements in the world – but they’re MEANINGFUL because there is the human intent of expression behind them. Similarly for art:

“What you create doesn’t have to be utterly unlike every prior piece of art in human history to be valuable; the fact that you’re the one who is saying it, the fact that it derives from your unique life experience and arrives at a particular moment in the life of whoever is seeing your work, is what makes it new. We are all products of what has come before us, but it’s by living our lives in interaction with others that we bring meaning into the world. That is something that an auto-complete algorithm can never do, and don’t let anyone tell you otherwise.”

Furthermore, Chiang argues: Imagine that someone sends you an AI-generated email. Isn't writing directed at us only worthy of our attention if the person sending it put some THOUGHT into it? Or, at the very least, if there is NOT any thought put into it, then this needs to be made transparent. (Sure, we sign our names to Hallmark cards, but there, there's no pretext that you are the author. It's clear that you're not.) By contrast, Chiang likens LLM's to "money laundering for copyrighted data," "plagiarism" with "no guilt".

He mentions [a Paris Olympics commercial for Google's A.I. Gemini](#), where a child has the LLM write her fan letter to an athlete. The company pulled the ad after public horror.

(Counterpoint: Does it matter that *humans built A.I.*, or that a *human fed it instructions* (and curated the finished product), or that the A.I. "learned" by surveying *human-made art*? Are these things enough to establish that connection to humanity, and meaning?)

- (b) **Is It Theft?** These AI's are trained by being fed thousands of images from other artists. So, one stylistic flourish in the final image that you receive might be directly ripped from Van Gogh (or whoever) and another from MC Escher. That seems like theft, which would be a reason in favor of concluding that the use of such applications is immoral.

Counterpoint: What artist *isn't* inspired or influenced by other artists? Don't ALL artists borrow style ideas or flourishes from, or pay tribute to, artists who came before?

Rebuttal: Sure, but the A.I. scrapes online images and directly takes pieces from them.

Counterpoint: This sounds like sampling in music. (Consider for example the Beastie Boys' *Paul's Boutique*, a masterpiece of sampling.) Is that theft? Legal issues aside, is it *morally* permissible to use samples without the original artist's permission? Is the answer affected by whether or not the artist making use of the samples is *selling* their work?

Food for thought: If I take a bunch of prints of my favorite artworks, and cut them up, and make a collage out of them: Is the final product (my collage) *art*? and if so, *Am I the artist*? And, *Is this theft*?

Or if I *intentionally* try to create something in the exact same style as some existing artist – say, Salvadore Dali – am I somehow *stealing* from Dali? Or paying homage to him? ("Imitation is the sincerest form of flattery," as they say.)

Does it matter that the Beastie Boys are borrowing their samples out of love for the source material, and paying tribute or homage to it, while an A.I. just uses and replicates the styles and textures of other images indiscriminately, in a cold, non-appreciating way?

Does it matter that the images used (in my collage, or in an A.I.'s training) are all easily found online, in the public space, and that (we'll assume) artists have in many cases signed or clicked on agreements to allow those images to be displayed online?

- (c) **The Loss of the Artist: A Bad Thing?** We are almost certainly going to lose a lot of artists in the near future. Consider those who are presently paid for commissioned portraits, or images to accompany magazine articles, or talk show monologues, and so on. The *paid* artist (as a profession) might one day soon be a thing of the past. Is that bad?

Note that technology has replaced many professions – lamplighters, ice cutters, switchboard operators, the milk deliveryman. Minus the economic hardships that some inevitably experienced, losing these professions has probably not been a bad thing on the balance. Would we say the same if we also lose *the artist*?

It seems to me that this would be far more tragic, like the loss of the philosopher. For, artists, like philosophers, are a vital piece of this human experience – we explore, we express, we grapple with, what it means to be a human, and how to live. If there is no one left to express these things, and we allow A.I.’s to “express” them for us, haven’t we become as cold and empty as the machines?

Worse still, A.I. may not merely replace professional artists only, but also that part of our minds that is devoted to producing art even non-professionally. Just as we have outsourced our sense of direction, the storing of information like phone numbers, and countless other mental tasks to our phones, might we also one day entirely outsource the creation of art? (Consider for example how it used to be more common for families to entertain themselves by making music together, but now simply push play on Spotify.)

- (d) **Will We Still Be Motivated to Produce Art?** In a world where a thousand amazing portraits are obtainable with the click of a button, will we even be motivated to make art at all, even non-professionally?

Maybe not? And yet: I know that there are lots of musicians who can make music better, more quickly, and with more skill than I have, and yet I still make music all the time (dumb little songs on my ukulele), because the joy is in the making itself. So maybe we’ll still be moved to make art in a world where A.I. is a million times better at it? Even so, might we end up making *less* of it?

- (e) **Will it Suppress Art?** Applications such as Dall-E are carefully restricted to prevent users from generating images that are pornographic, violent, or political in certain ways. Yet, historically, *so much* art has had at least one or even all THREE of these features. A lot of great art is *very* controversial. (Perhaps this is even when art is at its best?) If art becomes predominantly produced by A.I.’s, and these applications continue to be restricted in these ways, will this lead to artwork becoming suppressed creatively? *Puritanical*, even? Who should be in control of what kinds of content these AI’s are and are not allowed to output?

- (f) **Will it Suppress Skill-Building & Creativity?** Ted Chiang asks us to consider the purpose of assigning college essays. He writes,

“teachers don’t ask students to write essays because the world needs more student essays. The point of writing essays is to strengthen students’ critical-thinking skills; in the same way that lifting weights is useful no matter what sport an athlete plays, writing essays develops skills necessary for whatever job a college student will eventually get. Using ChatGPT to complete assignments is like bringing a forklift into the weight room; you will never improve your cognitive fitness that way.”

Is it possible that human ability to create, think creatively, or critically, etc., will atrophy, in a world where we rely on A.I. to generate all of our output?

- (g) **The Great Democratizer?** Perhaps in the future, there will still be a place for human artists (who will surely charge more for their art than AI's will), just as there is presently a place for artisanal table-makers (who charge a lot more for their hand-made tables than the machine-made ones). We might worry that this could render human-made art as a luxury that only the rich can afford – but isn't human art *already* a luxury, for the rich?

On the flip side, since the AI is widely available, many more people now have access to creating and owning beautifully rendered images that could not before (whether this lack be due to lack of time, access to art supplies, or lack of artistic talent, or whatever). So, in some sense, might these A.I.'s ultimately be the great democratizer and equalizer of art – in much the same way that YouTube and TikTok have (in addition to all phones now coming with video capabilities) democratized certain things such as the sharing and spreading of ideas (in the same way that, going back further, bringing literacy to the masses did).

Put that way, even if there are fewer artists in the strict sense, might it also simultaneously become the case that there is *more access to art* and (broadly speaking) *more artistic expression* in the world (due to billions of people now being able to express themselves via A.I.-generated content)?

- (h) **The Perpetuation of Racism and Sexism?** Imagine that the A.I. is trained by images where the word 'professor' is associated mostly with images of white males in the data set. After its training, whenever anyone uses the word 'professor' in their instructions, they are more likely to receive an image of what looks to be a white male, more frequently than any other kind of image. You can see how, if the data set tends to associate positive words, or positions of power, etc., with one demographic, and negative words, positions of weakness, etc., with another, then these biases will be perpetuated by the A.I.'s future output. Is this a cause for concern?

- (i) **Should *Théâtre D'opéra Spatial* Have Won?** Return to the Colorado case. Was it fair for this A.I.-generated piece to win? Or permissible for the submitter to submit it?

(Note: If it *was* fair, then this entails that the piece must be art. Surely it's not okay for something that is NOT art to win first place in an art contest?)

Some have suggested that it was *not* fair, because the "artist" merely pushed some buttons, while all of the other submissions required a lot of artistic effort. We might even liken the use of A.I. to performance-enhancing drugs in sports – or worse, replacing the competitor with a robot athlete. As one Twitter user states, for this "same reason we don't let robots participate in the Olympics." Is that a fair assessment?

What if the competition had designated "A.I.-generated art" as its own category?