Art in the Time of AI: An Ethical Analysis of AI in the Creative Labor Market

Katya Little

DSCI B201 - Ethics in Data Sciences

December 15, 2022

ABSTRACT

In this paper, I examine the issue of AI-generated art in the creative labor market, specifically in relation to two-dimensional art i.e. painting, illustration, and design. The development and introduction of artificial intelligence as a tool for artistic analysis has spurred its use in the creation of novel art pieces, which are becoming increasingly popular both online and in person. I attempt to address gaps in a body of existing literature that is mostly focused on the abstract nature of automated creativity by positing that another relevant discussion at hand is that of the value of creative labor which is both innate and essential to human life. In considering whether or not to allow for the automation of such labor in its entirety, I argue for the right to fulfilling work, a concept that I expand upon in suggestions for how to implement such a right through policy actions as well as present for further study in both art-related industries as well as the wider discussion of labor in an automated world.

INTRODUCTION

The proliferation of AI art provokes two central questions: 1) what becomes of art when humans are sidelined or entirely removed from the process of its creation (and what that means for larger metaphysical discussions of what it means to be human or machine), and 2) how the creative economy will respond to the growing presence of AI-generated pieces, and what that means for human consumers, programmers, owners, and users of such AI, artists, and policymakers. I briefly address the first question to evaluate its significance in relation to the second the second, but focus primarily on the real-world creative labor market through an ethical lens of what will likely happen to creative workers in a world where AI becomes a viable option for art creation, what ought to be done about it, and why.

Witnessing the brief history of AI in the art world and the improvement of art generated by AI by leaps and bounds in recent years, we may very well see a world where human art is commercially valuable only for the purposes of exclusivity and sentiment. The discourse over whether or not the strict AI-human boundary and hierarchy used in discussions about automation is useful in the context of our increasing understanding of the human body and mind as biological machinery and algorithm in and of itself is incredibly valuable in the analysis of creativity and aesthetics, but fails to consider important concrete realities of human need, happiness, and fulfillment. When considering what must be done in the context of automation's purpose and the role of art in human life and its relationship to natural human behavior, we find that there exists a moral imperative to preserve and actively create space for human beings to do creative work. In terms of policy, this indicates a need for action to limit the role of AI-generated art to the non-commercial sphere to allow it to continue fostering creative expression and personal enjoyment while acknowledging the value of and need for human creative labor.

I set four key parameters in my discussion of AI art: that 1) artificial intelligence is not a sovereign being, but, as pointed out by Epstein et al. (2020), is made and managed by a wide network of human actors; that 2) we will reach a point in the development of artificial intelligence for the purposes of generating art at which every single novel artwork created by the operations of commonly-used AI will be indistinguishable from that of a human in skill, style, or creativity, provoking no negative reactions like the uncanny valley from the viewing of the piece in an everyday situation like visiting an art gallery or reading a picture book; that 3) this particular discussion will be centered around two-dimensional art such as painting and illustration, and that references to "art" refer to such mediums; and that 4) I approach this issue from a near-future perspective with government and economic systems similar or identical to the ones we have at present, and propose actions that are in reach of the governments in existence at the time of my writing this.

THE DAWN OF AI ART

Cetinic and She (2022) distinguish between two distinct uses of artificial intelligence in two-dimensional art: "(1) AI… used for art analysis and employed on digitized artwork collections, or (2) AI… used for creative purposes and generating novel artworks." Early on, artificial intelligence worked primarily in the vein of the first use for art, allowing galleries and analysts to organize and study vast collections of pieces to allow for easier access and new ways of studying both the art itself, but also the

artistic and intellectual movements pieces are part of in history as well as viewer reactions to certain works or themes, particularly with the use of Convolutional Neural Networks (CNNs). There had been interest in the modification of images to mimic certain artistic styles, but the use of AI for the generation of entirely new and unique images only really began to gain traction recently, most notably with the invention of Generative Adversarial Networks (GANs) in 2014 (which were later innovated on, as described by Epstein et al. (2020), to create what was "marketed by Christie's as 'the first portrait generated by an algorithm to come up for auction'" in 2018) and most recently with the introduction of DALL-E in 2021, which can generate images from user-submitted text prompts (Cetinic and She, 2022). It is important to understand that all of these networks must be trained on existing image datasets (either created by human beings or taken by them as photographs) in order to generate new pieces (Cetinic and She, 2022) (Epstein et al., 2020), and that it is increasingly difficult for people to tell the difference between an art piece made by a human and one generated by an AI (Cetinic and She).

It is not a significant leap to see a future in which researchers have developed networks with the flexibility to generate pieces that are indistinguishable to viewers in quality from those created by humans. Networks would out-compete your everyday artist in the job market every single time on a scale completely different from human-human competition, producing any number of images exactly to a client's specifications within a fraction of the time required for a human to create a single piece. The possibility of an art industry in such a future being entirely composed of AI is very possible.

DIFFERENTIATING BETWEEN ART AND LABOR

Cultural posthumanism has long since advocated for the dissolution of the distinct walls between human and machine propped up by a Western culture that sees humans as the governors of the natural world and creators of the artificial. Zylinska (2020) argues that "a post-humanist art history would see… all art works, from cave paintings through to the works of so-called Great Masters and contemporary experiments with all kinds of technologies, as having been produced by human artists in an assembly with a plethora of nonhuman agents: drives, impulses, viruses, drugs, various organic and nonorganic substances and devices, as well as all sorts of networks – from mycelium through to the internet."

However, posthumanism ignores two important concepts in the discussion about automation of creative work: the purposes of automation and human need.

I posit that automation has two primary purposes: to prevent human beings from doing tasks that are dangerous or boring to them, and to maximize the efficiency of tasks important to human life and welfare of the human body or mind. This is not to imply that the natural world and nonhuman creatures are irrelevant, but that neither they nor automation are concerned with the other: when we place machines into a system, it is either for the sake of altering an already human system or to alter a natural one for human use. Whether or not focusing on human need or want instead of or over nonhuman need or want is morally permissible is irrelevant to this particular discussion because the creative job market exclusively involves humans. Beetles, kelp, and amoebas are not helped or hurt by whether or not it is a human being or AI designing and painting the mural on the street corner.

The robots that we classically refer to as such have not been and will never be created to suffer or need– those that are present metaphysical questions that are outside the scope of this paper– because unlike us, they are created with distinct purposes outside of self-preservation, none of which would be reasonably assisted by a capacity to suffer. We must partake in the use of an us/them dichotomy in order to adequately explore the automation using artificial intelligence of human creative work, because the existence of suffering, which stems from harm but for the purposes of this discussion also the neglect of needs, *matters*.

THE RIGHT TO FULFILLING WORK

Why focus on the need for creative *work* if people can continue to pursue art in their own time as a hobby? I posit that we must approach the automation of art with the understanding that this was not the first industry to face the potential of being entirely automated, and it will be far from the last. The possibility of perfect automation– a situation in which society has the capability to automate all work– necessitates the carving out of industries and jobs that simply do not need to be automated in order to fulfill the purposes of automation that I previously outlined, because people need to work in some way.

They need a reason to get them out of bed in the morning that they feel helps society advance or maintain itself in some way, because we as humans derive meaning and value from being helpful to others. There is simply no point to increasing the efficiency of industries or jobs that can be done by human hands without putting human life and welfare at risk, with the automation of creative work, it being the outlet for expressions of the human experience, theory, relationships, and culture being among the most pointless.

Manovich (2018) says it best, pointing out that "if all creative and knowledge work will become the domain of AI, what will be left for humans? What will be the purpose of our existence? Watching endless films created by AI, listening to AI-generated music, and being driven in driverless cars around AI-generated cities? Many modern thinkers and artists have envisioned a future where humans, liberated by machines from mechanical and boring work, will be engaging only in play and art (e.g., Constant's New Babylon). But if automation of cultural production by AI continues, eventually it will be these AI playing and making art – not us." This is a grim possibility, but has enormous potential. The point at which we will no longer have to do work is the one at which we will have the greatest freedom to think about and choose what work we *want* to do.

CARING FOR A WORK FORCE

The most fitting lens through which to view an ethical response to AI art is the ethics of care. In an industry that has the capacity to be perfectly automated, workers become objects of care and society, more specifically their government, becomes their caretaker. I argue the government is in the position of caretaker as an enforcer of ethical norms on companies primarily driven by profit. Sampath and Khargonekar (2018) propose a specific framework for business leaders, guided by two central principles: "(i) humans will and should remain critical and central to the workplace of the future controlling, complementing, and augmenting, the strengths of technological solutions; and (ii) automation, artificial intelligence and related technologies are but tools to support, improve, and enrich human lives and livelihood." Cetinic and She (2022) echo this sentiment, emphasizing the good AI can do for art as a tool for artists and creatives, with their work fundamentally being "rooted in the idea that the existence and meaning of art is indeed inseparable from human-to-human interaction" and seeking to "explore how bringing AI in the loop can foster not only advances in the fields of digital art and art history but also inspire our perspectives on the future of art." Though targeted toward businesses who utilize artificial intelligence, Sampath and Khargonekar (2018)'s framework can also be used to shape government policy.

I propose general measures tackling the two main issues with AI-generated art in the market: intellectual property and use of AI to create new artworks at the expense of human artists. AI should only be permitted to be trained on images that are in the public domain, preventing the inclusion of living and currently operating artists' work in datasets. Additionally, the use of AI to generate creative works that are then sold as products in and of themselves or packaged within larger works like websites should be banned, effectively limiting AI image generation to personal use for the sake of enhancing human creative work and individual fun.

CONCLUSION

The realm of art, creativity, and even thought is not exclusive and impossible to be reduced to binaries like human-machine; however, cultural posthumanism cannot in good conscience be extended to hand wave the real-world consequences of AI art's proliferation. Human beings don't live to sit in stasis– we live to experience and connect, to change the world by hand and through the use of tools and respond to the changes we didn't make, and making sure that we shape a future where humans are still free to do those things involves channeling artificial intelligence in creative work toward assisting human self-expression, not replacing it entirely.

WORKS CITED

Cetinic, Eva, and James She. “Understanding and Creating Art with AI: Review and Outlook.” *ACM Transactions on Multimedia Computing, Communications, and Applications*, vol. 18, no. 2, May 2022, pp. 1–22. *DOI.org (Crossref)*, https://doi.org/10.1145/3475799.

Epstein, Ziv, et al. “Who Gets Credit for AI-Generated Art?” *IScience*, vol. 23, no. 9, Sept. 2020, p. 101515. *DOI.org (Crossref)*, https://doi.org/10.1016/j.isci.2020.101515.

Manovich, Lev. *AI Aesthetics*. Strelka Press, 2018.

Sampath, Meera, and Pramod Khargonekar. “Socially Responsible Automation: A Framework for Shaping the Future.” *The Bridge*, vol. 48, no. 4, Dec. 2018.

Zylinska, Joanna. *AI Art: Machine Visions and Warped Dreams*. First edition, Open Humanities Press, 2020.