

‘Bargaining for our very existence’: why the battle over AI is being fought in Hollywood

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To get her start in Hollywood, Chivonne Michelle studied acting at New York University. But what helped her break into the industry and gave her the key training she needed was working on set as a background actor. Today, the rise of artificial intelligence (AI) technology threatens to put those “entry-level and working-class” Hollywood jobs at risk, Michelle and other striking actors say. AI is threatening jobs across many sectors, from doctors and lawyers to data scientists and journalists. But Hollywood actors and writers, currently united in their first “double strike” in more than 60 years, are fighting back in an unprecedented way, vowing to protect every worker in their industry, from the extras to the stars, from being replaced by new technologies. The dual strike by the Screen Actors Guild-American Federation of Television and Radio Artists (Sag-Aftra) and the Writers Guild of America (WGA) have forced the major studios to halt production, resulting in a standoff that is expected to drag on for months. On the picket lines outside Netflix this week, one Sag-Aftra member after another described being “fired up” about the potential threats AI poses to their jobs. If actors don’t win serious protections against being replaced by AI, “it ends the profession,” Zeke Alton, a member of the Sag-Aftra negotiating committee, said. “They’re forcing us to negotiate and bargain for our very existence.” Actors are also very aware that the battle between workers and bosses over AI and other new technologies does not end with them, he added. “When our very recognizable members speak, the whole world tends to listen, and we’re aware of that. UPS is having issues, Starbucks is having issues, teachers are having issues, nurses are having issues. We have a really loud voice at Sag-Aftra, and we’re speaking for everyone.” Why here? Why now? It should not be a surprise that the battle lines over labor and AI are being drawn in Hollywood, said Jennifer Coates, a partner at law firm Dorsey & Whitney who specializes in tech-related cases. “This has come to such a head in the entertainment industry because it has to do with something so fundamentally human, which is creativity,” Coates said. “Can there really be an AI-generated version of Marlon Brando in *The Godfather*? Can you create that with a computer, or do you need to understand something about human beings, about human expression?” Hollywood artists may be also benefiting from more public empathy than previous disrupted workers have received. The disruptions of new AI technology have been “moving up the economic and labor food chain”, Coates said, from laborers and people working in manufacturing plants, to the legal profession, “to teaching, to now acting, to writers”. “People did not consider the jobs of people working on a factory line, jobs that were replaced by robots, to be creative,” Coates said. “I think the people on the line may argue differently. But there’s no argument that what an actor does is creative.” The actors’ concerns around AI are multifold. Celebrities are increasingly targets of deepfake technology, which can use their voices and likeness for everything from advertisements, to shockingly believable sham songs, to pornography. A major flashpoint of the first week of the actors’ strike was a

comment from Duncan Crabtree-Ireland, Sag-Aftra's chief negotiator, who said that studios had "proposed that our background performers should be able to be scanned, get paid for one day's pay, and their company should own that scan, their image, their likeness, and to be able to use it for rest of eternity, on any project they want, with no consent and no compensation". It's a description the Alliance of Motion Picture and Television Producers (AMPTP) has disputed, calling it a "mischaracterization". "The union has distorted the facts in an effort to garner support for its work stoppage," the producers said. The AMPTP said in a statement that its current AI proposal would require "advance, specific consent" to both create and use digital replicas of performers, including background actors, and that the contract would prohibit later use of the replica unless performers consent to the new use and are paid for it, and that they would also ban "digital alterations" of performances beyond "traditional editing/post-production practices". A spokesperson for Sag-Aftra did not immediately respond to a request for comment. Actors on the picket line said what Crabtree-Ireland had described was outrageous, and that replacing human extras with digital scans could also lead to cuts of other on-set jobs, like makeup and costume artists. They are also concerned about consent – worried that directors and producers could do things to a performer's digital replica, like putting them onscreen naked, or making them play a racist or offensive role, that a human actor can currently refuse to do – like the Black Mirror episode Joan Is Awful become reality. Justine Bateman, an actor, writer and director who has become a prominent AI critic, wrote on social media that the AMPTP had not only wanted to own background actors' likenesses "forever", but that the studios had also "wanted to feed 100 years of acting performances (for a nominal fee)" into AI models "so all our work could be frankensteined into 'new' AI characters". Several actors on the picket line outside Netflix on Tuesday said they had not yet faced the decision of whether or not to be digitally scanned while working on a film, but said they were concerned about it. Ja'Quan Cole, who worked as a background actor before getting larger roles in *Winning Time*, *Wu-Tang: An American Saga* and *Snowfall*, said he feared that AI would become so ubiquitous in music and film that in 10 years younger people would no longer be able to tell the difference between an artificial voice and a human voice. At the moment, it tends to be major actors on film sets, and the production's background actors, who are most likely to be asked for digital scans on film sets, said Alton, who was part of the union contract negotiations that have sparked the actors' strike. Background actors have become a focus of AI concerns because they are an obvious target of cost-cutting measures, said Chris Gomes Muffat, an AI expert and founder of AI-powered content creation tool Promptify. "In a movie, you have a lot of people around the protagonist who do not do anything but be part of the scene, without dialogue. AI can easily replace and populate people in the background artificially. It's cheaper to do that than to manage and pay 100 people," Gomes Muffat said. Already, on sets, "background actors are run through the scanning truck and are told in the moment, 'You're just going to do this,'" Alton said. "Our principal performers are being told, 'In the event that you die, we need to scan you and have a model of you, a la Paul Walker in *The Fast and the Furious*.'" In both cases, these requests are happening outside the purview of Sag-Aftra's standard contract – putting actors in precisely the kinds of unequal negotiating positions that unions are designed to prevent, Alton said. Alton himself said he refused to be scanned around 2018, when he was a background actor on the set of *Wonder Woman 1984* in Virginia, along with an estimated 350 other background performers. "It didn't smell right to me," he said. Is the threat of AI overhyped? Some analysts say that the union rhetoric around AI is overhyped. "AI is so new, people are just throwing the term around while the vast majority of them do not fully understand what AI can and cannot do at this point. So actors are throwing it in as another concern, when in my judgment, it's just a red herring," said Steve Schiffman, an adjunct professor at Georgetown University's McDonough School of Business. Schiffman said he blamed studio management for having "done a really bad job" of explaining the crisis in industry revenue over the past decade, as film and TV have increasingly shifted to online streaming services, and having "done an even worse job explaining AI", leaving workers "scared" and emotions "very high". Because technology in the film industry has advanced so quickly in the past decades, Paul Barrett, deputy director of the NYU Stern Center for Business and Human Rights, said, "people are extrapolating from the experiences they've already had to a future where the sheer amount of human participation in art is going to be reduced and machine participation is going to be maximized." Other activists say that AI technology is being overhyped and misunderstood – but argue that it is the studio executives and Wall Street investors who are failing to understand what the new technology can and cannot do. The media frenzy over AI this year is the result of tech industry marketing, said Adam Conover, a comedian and member of the writers' union negotiating committee. A wide variety of technologies, many of which aren't actually "artificial intelligence" or even that new, are now being marketed under the sexy, investor-friendly label of "AI", he said. Having failed in recent years to create the "new disruptive innovations" that its investors demand, the tech industry has started to "propose a new technology that they simply claim is going to change everything, and a lot of time it isn't even coherent", Conover said. While some of the AI scenarios that actors fear may not be happening yet, Alton, the Sag-Aftra negotiating committee member, said the technology appears to be moving fast enough that he believes that within the terms of the actors' next contract, which lasts for three years, "all of this stuff is going to be possible". Union contract protects stars and bit players alike One reason the actors' union is uniquely positioned in the labor dispute over AI is that A-list celebrities are bound by the same union contract protections as extras working for a day rate, said Barrett, a configuration that strengthens the solidarity between workers with more and less power. "There are not many industries that have the experience of having its whole economic framework that applies to everybody, from the best-paid stars to entry-level performers, negotiated at once," he said. Extra jobs may not seem that important to studio executives, or even to audiences, but these low-level positions serve a crucial role within the profession, as a place where actors can

get their first experience of working on a film set, network with each other and even get discovered. Outside Netflix on Tuesday, Elizabeth Oliver saw the raucous pro-union chants on the picket line as a sign of how willing actors are to support the rights of everyone in their profession. "I hope people making their living as background actors and workaday actors feel supported," she said.