



THE ROLE OF AI IN CONTEMPORARY ART: CAN AI WORK BE CONSIDERED "ORIGINAL" ART?

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ARTICLE INFO

Received on
2 January 2025
Revised on
3 February 2025
Accepted on
3 April 2025

KEYWORDS

Artificial Intelligence
Contemporary Art
Copyright
Originality
Ethics

ABSTRACT

The development of artificial intelligence (AI) in contemporary visual arts has presented both challenges and opportunities. This study examines the role of AI in art creation and its legal and ethical implications, particularly regarding copyright and originality. Using a qualitative descriptive method through literature review, this research analyzes how AI influences the definition of art and the role of artists in the digital era. The findings indicate that AI can serve as a creative tool that expands artistic exploration but raises debates over the authenticity and copyright of AI-generated works. Furthermore, this study recommends clearer regulations regarding the ownership of AI-based artworks to provide legal certainty for artists and technology users.

1. INTRODUCTION

The rapid development of artificial intelligence technology (AI) has penetrated various fields, including contemporary art. AI is now able to produce works of art that resemble human creations, such as paintings, music, and writing. This phenomenon has led to a debate about the status and artistic value of these works. The main question that arises is whether a work created by a machine can be considered original art and who owns the copyright to the work.

In Indonesia, Law Number 28 of 2014 concerning Copyright defines a creator as an individual or group who produces a distinctive and personal creation. This definition creates ambiguity regarding the legal status of works generated by AI, given that AI is not a recognized legal subject. Legal analysis shows that only humans can be considered creators according to the Copyright Law No. 28/2014, so AI cannot own copyrights. For AI works, humans with sufficient creative contributions must be considered creators, which can be AI programmers, users, or employers, depending on their level of involvement in the creative process [1].



Research by Ayu Arifah Sinaga et al. [2] examine the position and legal protection of digital artworks produced by AI in the perspective of Law No. 28 of 2014 concerning Copyright. The results of the study show that there is a legal vacuum related to the recognition and protection of copyright for AI works, so regulatory updates are needed to answer the challenges of technological development. This article recommends inclusive policy formulation to create legal certainty and encourage innovation in the field of AI-based digital art in Indonesia.

With the increasing use of AI in the creation of artworks, a deep understanding of the originality and copyright status of these works is needed. This research is important to contribute to the development of regulations that are fair and in accordance with technological developments in the field of contemporary art. The purpose of this study is to research and analyze the role of AI in contemporary art and determine whether works produced by AI can be considered original art, as well as to examine the legal implications related to copyright for works of art produced by AI in Indonesia.

2. METHODS

This study uses a qualitative descriptive method with a literature review approach. The qualitative descriptive method was chosen because it allows an in-depth analysis of the phenomenon of the role of AI in contemporary art and its legal implications. Literature review is used to collect and analyze a variety of relevant scientific references, including journals, books, laws, as well as related academic articles. According to Snyder [3], the literature review method allows researchers to identify, evaluate, and synthesize existing information systematically in order to gain a comprehensive understanding of a research topic.

The data collected comes from a variety of credible sources, such as scientific journals that have been indexed in databases such as Scopus, Google Scholar, and other academic portals. In addition, a study of regulations such as Law Number 28 of 2014 concerning Copyright was also carried out to understand the legal aspects related to AI-based artworks. Data analysis is carried out using the content analysis method, which is an approach that aims to identify the main patterns, themes, and arguments in the literature being studied [4]. The results of this analysis are expected to make a theoretical and practical contribution to the debate on the originality of AI artworks and their legal implications.

3. RESULTS AND DISCUSSION

3.1. Attitudes Towards AI In Art

The development of artificial intelligence (AI) in the field of art has triggered a variety of responses from various circles, ranging from artists, art critics, to the general public. Based on recent research (2020-2024), attitudes towards the presence of AI in the art world can be mapped in a fairly wide spectrum, ranging from enthusiastic acceptance to strong rejection, with various nuances in between.

On the one hand, many digital artists and contemporary creators see AI as a revolutionary tool that opens up the possibilities of new artistic expression. A study by Cetinić and She [5] revealed that the majority of digital artists appreciate AI's ability to expand the scope of human creativity. They believe that generative technologies such as DALL-E and MidJourney not only speed up the process of creating works but also allow the exploration of visual styles that were previously difficult to realize manually. Proponents of AI in the arts also emphasize the democratization aspect, where this technology makes the artistic process more inclusive by allowing people without formal art backgrounds to express their creative ideas.

But on the other hand, not a few people respond to the presence of AI in art with skepticism and even rejection. Traditional artists, in particular, often view AI as a threat to humanist values in the arts. Boden [6] in his paper in *Frontiers in Psychology* identifies the main concerns of manual artists regarding originality and copyright, where many AI models are trained using the artist's work without adequate permission or compensation. Moreover, there is a fundamental criticism of the artistic depth of AI-based works that many critics such as Fang et al. [7] as too mechanistic and incapable of capturing the complexity of human emotions that is the essence of art creation.

In the end, the discussion about the role of AI in art cannot be separated from the fundamental questions about the nature of creativity and authenticity in the arts. As recent research shows, these technological developments do offer unprecedented innovation opportunities, but at the same time present new challenges in the aspects of ethics, creative economy, and the preservation of humanist values in the arts. Going forward, a clearer regulatory framework and constructive dialogue between various stakeholders are needed to ensure that the integration of AI in the art world can take place in a sustainable and equitable manner.

3.2. Generative AI Development for the Arts

The development of generative artificial intelligence (AI) in the arts has become an important topic in recent years, with various studies exploring how AI can play a role as a medium and collaborator in the creative process. One significant example is the work "Unsupervised" by Refik Anadol, which uses AI to analyze 138,151 archives of artworks from the Museum of Modern Art (MoMA) spanning 200 years of art history. Through the use of Generative Adversarial Networks (GANs), the AI in this work generates dynamic abstract visuals, transforming static archives into "living memories" that bridge past and present art. Research by Firdaus [8] highlights that AI in "Unsupervised" challenges traditional concepts of the art medium and offers a multidimensional aesthetic experience that expands the human imagination.

In addition, collaborations between artists and AI have sparked a wave of creativity in the era of the digital art revolution. AI can help artists understand audience preferences, analyze art trends, and create works that interact with society through technologies such as augmented reality (AR) or virtual reality (VR). Research by Anggraini et al. [9] shows that this collaboration allows for the exploration of concepts and expressions that were previously difficult to achieve, making the creative process more contextual and sustainable.

In the context of traditional art, such as batik, AI has also been leveraged to develop contemporary motif designs. AI technology enables the translation of text into images, providing opportunities for batik artisans to speed up the design process and enrich creative ideas. The training program implemented by Rianto et al. [10] involves the use of AI-based platforms and design transfer techniques to fabric media, resulting in batik motifs that appeal to the millennial generation. The main advantages of applying AI in batik design include time efficiency in design creation and extensive creative inspiration through automatic motif exploration.

However, the integration of AI in art is inseparable from technical and ethical challenges. Over-reliance on AI can reduce the authenticity of artists, and issues such as intellectual property rights are a major concern. Djunaidi [11] emphasized the need for in-depth consideration regarding the role of AI in the creative process of cross-disciplinary art to ensure that collaboration between humans and machines still respects artistic and ethical values. Overall, the development of generative AI in the arts opens up new opportunities for creative exploration and innovation, but requires a balanced approach to addressing emerging challenges.

3.3. Analyzing the Creative Process Between Artists and AI

Collaboration between artists and artificial intelligence (AI) has become an important topic in the art world contemporary, opening up new opportunities in the creative process. Research by Anggraini et al. [9] highlighting how AI helps artists understand audience preferences, analyze art trends, and create works that interact with society through technologies such as augmented reality (AR) and virtual reality (VR). This collaboration allows for the exploration of concepts and expressions that were previously difficult to achieve, making the creative process more contextual and sustainable. Djunaidi [11] researched the role of AI as a tool of creativity in art, showing that AI can serve as a collaborator in the creation of artworks, aiding in the formation of ideas and the development of artistic content. However, the study also emphasizes that over-reliance on AI can reduce artists' authenticity and pose technical and ethical challenges, including intellectual property rights issues. The study by Firdaus [8] explored the use of AI as a medium in the work "Unsupervised" by Refik Anadol, which involved AI trained with an archive of artworks from the Museum of Modern Art (MoMA). The result is dynamic abstract visuals, transforming static archives into "living memories" that bridge past and present art. This research highlights how AI challenges traditional concepts of the art medium and offers a multidimensional aesthetic experience that expands the human imagination.

In addition, research by Hanifa et al. [12] discussing the role of AI in improving the performance of the creative industry in Indonesia. AI offers the potential to optimize production processes, increase efficiency, and drive creativity through automation, personalization, deep data analysis, and trend prediction. However, this study also examines the challenges and opportunities faced by the use of AI in the creative industries and its implications for workforce and skills development. Overall, the integration of AI in artists' creative processes offers great potential for innovation and artistic exploration. However, it is important for artists to balance the use of these technologies with maintaining their artistic identity and authenticity, as well as considering the ethical and technical implications that may arise.

3.4. AI in Fine Art Production

Artificial Intelligence (AI) has become a significant source of creative reference for artists in recent years, allowing for the exploration of new art forms and expanding the boundaries of traditional creativity. According to research conducted by Elgammal et al., [13] AI can serve as a collaborative tool that sparks innovative ideas through the generation of images, music, and even poetry based on data input provided by artists. Technologies such as Generative Adversarial Networks (GANs) and Transformers have made it possible to create previously unimaginable works of art, combining complex and abstract elements. The study conducted by Liapis et al. [14] shows that the interaction between artists and AI can lead to new aesthetic approaches, where machines are not just passive tools but as active creative partners. In research conducted by Widodo and Suryono [15], it was revealed that local artists are beginning to utilize AI to interpret traditional culture with a contemporary perspective, creating a dialogue between cultural heritage and modern technology.

Artificial Intelligence (AI) has evolved into a transformative medium in the creative process of artists, not only as a technical tool but also as a collaborative entity capable of sparking artistic innovation. According to research conducted by McCormack et al., [16] AI plays a role as a creative partner that can come up with unexpected ideas through generative algorithms, such as Generative Adversarial Networks (GANs) and neural style transfer, which allows artists to experiment with visual styles that have never been explored before. An in-depth study conducted by Cetinic and She [17] shows that the dynamic interaction between human intuition and artificial intelligence can result in hybrid artworks, in which computational and manual aesthetic elements complement each other. Research by Rianto et al. [10] highlighting the

use of AI in the development of contemporary batik motif designs. AI technology allows the translation of text into images, thus speeding up the design process and enriching the creative ideas of batik artisans. The training program they implemented involved the use of AI-based platforms and design transfer techniques to fabric media, resulting in batik motifs that appeal to the millennial generation. The main advantages of applying AI in batik design include time efficiency in design creation and extensive creative inspiration through automatic motif exploration.

In addition, collaborations between artists and AI have sparked a wave of creativity in the era of the digital art revolution. Research by Anggraini et al. [9] suggests that AI can help artists understand audience preferences, analyze art trends, and create works that interact with society through technologies such as augmented reality (AR) or virtual reality (VR). This collaboration allows for the exploration of concepts and expressions that were previously difficult to achieve, making the creative process more contextual and sustainable. However, the integration of AI in the fine arts also poses challenges, especially related to authenticity and intellectual property rights. Djunaidi [11] emphasized that while AI can play a role as a collaborator in the creative process, over-reliance on this technology can reduce the authenticity of an artist's work. In addition, there are ethical and technical issues to consider, including copyright to works generated through collaboration with AI.

In the realm of photography, Yudisetyanto and Firmansyah [18] explored how AI can be used as a reference in developing creative photography ideas. They found that AI can help in image analysis, pattern recognition, and visual composition creation, thereby enriching photographers' creative processes in an era of technological disruption. Overall, the application of AI in fine art production offers great potential for innovation and efficiency. However, it is important for artists and creative industry practitioners to balance the use of these technologies by maintaining artistic values and considering the ethical implications that arise.

3.5. AI Ethics in Art

The integration of artificial intelligence (AI) in fine arts has raised various ethical considerations, especially related to copyright, plagiarism, and social responsibility. Research by Zuhdi, Saptono, and Rahmanda [19] analyze the use of AI in the creation and sale of fine art graphic designs, highlighting the legal uncertainty that arises due to the absence of specific regulations in Law Number 28 of 2014 concerning Copyright regarding works produced by AI. They emphasized the need for legal adjustments to protect the rights of creators and provide legal certainty in the use of AI in the field of fine arts. In addition, research by Pinasty et al. [20] discusses the challenges posed by AI's ability to mimic the styles of famous artists, which has the potential to trigger issues of plagiarism and copyright infringement. They highlighted that the Copyright Law in Indonesia does not yet explicitly regulate artworks created by AI, so clear regulations are needed to protect copyright and ensure fairness in the creative industry. Singarimbun [21] explores the legal implications of the use of AI in graphic arts on intellectual property rights. The study uncovered ambiguities in the recognition of copyright for AI-generated works, which can create uncertainty for creators and users. This study recommends a revision of intellectual property rights laws to accommodate the development of AI technology in the arts.

In a social and cultural context, Anifa [22] highlighted the impact of AI in graphic design, especially related to social ethics and responsibility. While AI can improve the quality and efficiency of work, its use without considering ethical aspects can be detrimental to human values and cultural diversity. The study emphasizes the importance of clear guidelines in the use of AI technology to ensure that innovation supports creativity without exploiting the parties involved. Tarigan [23] also highlighted the ethical challenges that arise in digital art due to the rapid development of AI. This research emphasizes the need

for clear guidelines to regulate the use of technology in the creation and distribution of artworks, to ensure that technology is used to support creativity without harming individuals, artists, or audiences. Overall, the application of AI in the fine arts demands serious attention to ethical, legal, and social aspects. Clear regulations and ethical guidelines are needed to ensure that these technologies are used responsibly, respect the rights of creators, and support cultural diversity in the creative industry.

3.6. Originality of AI-Based Artwork

In fine art, the concept of originality has long been associated with the subjective expression and individuality of the creator. However, the presence of AI in the process of creating artworks raises a debate about the limits of originality. Artwork generated by AI is often thought to be the result of algorithms that simply mimic or combine elements of previously analyzed data. Although AI is capable of creating unprecedented images, patterns, and compositions, some critics argue that true creativity still relies on human intuition and interpretation.

On the other hand, AI can also be seen as a tool that expands possibilities in artistic exploration without diminishing the value of originality. Artists working with AI not only give simple commands to machines, but also define parameters, choose appropriate results, and even modify the output generated by AI to create more personalized works. In this case, AI plays a new medium in art, similar to brushes or digital canvases, which still requires a human role in determining the artistic value of a work.

Furthermore, originality in AI art is often collaborative. The creation process involves interaction between humans and machines, where AI acts as a creative partner that offers infinite variety and possibilities. A study by Sari et al. [24] shows that artists who use AI in their work often think of AI as an exploratory tool that allows them to generate ideas that were previously unthinkable. Thus, while AI can create unique works, the human touch remains a key element in ensuring the value of originality in art.

3.7. Implications of Copyright Law on AI Works

Copyright is one of the crucial aspects in the debate about AI-generated artwork. In the laws that apply in many countries, including Indonesia, copyright can only be granted to individuals or legal entities that have legal capacity. Therefore, AI cannot be recognized as a creator because it has no legal rights. In some jurisdictions, such as the United States and the United Kingdom, copyright to AI works is granted to individuals who have made significant contributions to the development of algorithms or the compilation of input data. This shows that AI-based art creation still requires human intervention to be categorized as copyrighted works.

In Indonesia, Law Number 28 of 2014 concerning Copyright does not specifically regulate works of art produced by AI. This legal vacuum creates uncertainty in determining who is entitled to the copyright of AI-based artworks. Some legal experts argue that copyright owners should be individuals or entities that operate the AI and determine the inputs and parameters used in the creative process [1]. Thus, AI programmers, artists who use AI, or parties who finance the development of works can be categorized as copyright holders.

Another legal challenge is how to classify the contribution of AI in the creation process. If AI only acts as an aid, then the copyright remains in the hands of the artist who uses it. However, if AI acts autonomously and generates works without human intervention, then the copyright aspect becomes more complex. Therefore, clearer regulations are needed to accommodate technological developments and ensure legal protection for artists who use AI in their work.

3.8. Challenges and Opportunities of AI Integration in the Arts

One of the main challenges in the integration of AI in art is the legal uncertainty as well as the potential reduction of the role of artists in the creative process. Many are concerned that AI could replace the role of humans in the creation of art, eliminating the emotional and subjective aspects that characterize works of art [25]. In addition, the existence of AI in art also raises concerns regarding originality and copyright, given that AI can generate works based on data analysis from various sources without any clear control over plagiarism or copyright infringement [26].

However, on the other hand, AI also offers great opportunities in the development of contemporary art. With its ability to process and create complex visuals, AI can be used as a tool to help artists explore new ideas that were previously difficult or even impossible to achieve with traditional methods. Artists can use AI to create richer and more diverse variations of work, expanding the possibilities of their artistic expression [8]. Additionally, AI can also assist in the analysis of art trends, allowing artists to understand changes in market tastes and audiences more effectively [12].

With proper regulation and wise utilization, AI can become a tool that enriches contemporary art without replacing the role of artists. In this context, it is important for the arts community and the government to work together in creating policies that accommodate technological developments without overriding artistic and ethical values in the arts. Thus, AI can be integrated in the art world in a harmonious manner, providing maximum benefits to artists and society at large.

4. CONCLUSION

This research highlights the role of AI in contemporary art and its implications for originality and copyright. AI has opened up new opportunities in the exploration of the arts, but it has also sparked debates regarding the limits of human creativity and the role of technology. The study shows that AI-generated works have significant artistic potential, yet still require human intervention to be recognized as original. From a legal perspective, existing regulations do not specifically regulate copyright ownership of AI works, so a more inclusive policy revision is needed. In addition, the ethical aspect in the use of AI is also a major concern, especially in ensuring that technological innovations continue to respect the rights of artists and cultural diversity. Therefore, a multidisciplinary approach is needed in formulating fair and sustainable policies for the development of AI in the art world.

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