

THE SOCIAL CONSTRUCTION OF CREATIVITY IN THE AGE OF GENERATIVE AI: RETHINKING AUTHORSHIP AND VISUAL LABOR

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ABSTRACT

Generative AI systems now produce images from short text prompts. This change raises sociological questions about who is seen as a creator and how visual work is valued. This study examines how creativity, authorship, and visual labor are socially constructed in the age of generative AI. The study uses qualitative documentary analysis with a constructivist approach. The data are four sets of public documents. They cover the 2022 Colorado State Fair case, the 2025 report of the United States Copyright Office and the ruling in Thaler v. Perlmutter, the 2023 agreement of the Writers Guild of America, and empirical studies of artists, audiences, and workers published from 2022 to 2025. The analysis draws on social construction, boundary-work, art worlds, and the sociology of work. The findings show three constructions. Recognition of the creator depends on the rules of each setting and not on the image alone. Definition by law assigns authorship to humans who contribute identifiable expression. Valuation of creative work depends on labor contracts, on how tasks change and become invisible, and on the labels that audiences read. The study argues that creativity is a social accomplishment that different groups negotiate. It offers practical implications for designers and design educators, including documentation of human contribution, disclosure of AI use, and clear contract terms.

Keyword: Authorship, Creative Labor, Generative AI, Social Construction, Sociology of Work, Visual Labor

INTRODUCTION

In August 2022, an image made with Midjourney won first place in a digital art category at the Colorado State Fair (CBS Colorado, 2022). The entrant, Jason Allen, stated that he used Midjourney. Many artists reacted with anger on social media. One judge said that he did not realize the image came from AI when he judged it, and he kept his decision ("AI Won an Art Contest," 2022). The case shows a plain fact. The same image can be a prize winner, a source of anger, and later a legal question. Each reaction rests on a different idea of who made the image.

Sociology treats such ideas as products of social life. Berger and Luckmann (1966) argue that people build shared meanings of reality through interaction and institutions. Pinch and Bijker (1984) apply this view to technology and show that different social groups give the same artifact different meanings. Creativity follows the same logic. Csikszentmihalyi (1988) explains that a field of experts inside a cultural domain judges creativity, so a person or a product is called creative after the field accepts it. Amabile (1996) shows that the social environment shapes creative work. Runco and Jaeger (2012) define creativity as the combination of originality and effectiveness, and both criteria need someone to judge them. Becker (1982) shows that art is collective work and that a community decides which participants count as artists and which count as support staff.

Authorship is also a social category with a history. Woodmansee (1994) and Rose (1993) show that the modern author, as an individual owner of original work, developed with the market for printed works and the law of copyright. Foucault (1977) describes the author function as a way that societies classify texts and assign responsibility for them. Barthes (1977) argues that meaning does not rest with the author alone. These works help to explain why generative AI creates conflict. It challenges the person-centered idea of the author that law and markets rely on.

Visual work is also labor. Menger (1999) describes artistic labor markets as unstable, with unequal rewards and uncertain careers. Hesmondhalgh and Baker (2011) document similar conditions in the cultural industries. Neff et al. (2005) show that cultural workers carry risk as entrepreneurs, and Gill and Pratt (2008) link this pattern to precarity. McRobbie (2016) shows how the language of passion and creativity supports these arrangements. Generative AI enters this setting. Epstein et al. (2023) describe it as a new medium that changes aesthetics, ownership, and creative work. Jiang et al. (2023) report harms that artists describe, including economic loss, plagiarism, and reputational damage.

Existing studies often examine one dimension. Some measure how audiences rate AI art (Horton et al., 2023). Others measure productivity (Noy & Zhang, 2023) or interview illustrators (Porquet et al., 2025). Few studies link the recognition of creators, the legal definition of authorship, and the valuation of visual labor in one frame. Studies in Chester show that visual decisions are places where legitimacy and status are negotiated. Yuniar and Yazar (2026) analyze the sponsorship debate around ARTJOG 2026, and Faqih et al. (2026) apply Bourdieu to the design of the film Jumbo. These studies do not address generative AI. This study extends their approach to that topic.

This study aims to describe how generative AI changes the social construction of creativity, authorship, and visual labor, and to explain what these changes mean for designers. The study contributes an integrated sociological frame and practical implications for design practice and education.

RESEARCH METHOD

Research Design

This study uses qualitative documentary analysis with a constructivist approach (Creswell & Poth, 2018). The approach fits the aim because the study examines how groups define and negotiate meanings. It does not test a causal claim. The study does not use interviews or surveys of its own. It analyzes documents that are public and verifiable.

Data and Data Sources

The data come from four sets of documents. The first set concerns the 2022 Colorado State Fair case. It includes news reports (CBS Colorado, 2022, “AI Artwork Wins Art Competition,” 2022, “AI Won an Art Contest,” 2022) and the decision of the Review Board of the United States Copyright Office on the registration of the same image (U.S. Copyright Office Review Board, 2023). The second set concerns the legal definition of authorship. It includes the second part of the Copyright Office report on copyrightability (U.S. Copyright Office, 2025) and the ruling in *Thaler v. Perlmutter* (2025). The third set concerns work relations. It includes the AI provisions of the 2023 agreement between the Writers Guild of America and film and television producers (Writers Guild of America West, n.d.). The fourth set is empirical studies from 2022 to 2025 on artists, audiences, and workers.

The researcher selected the documents through purposive sampling. A document had to be public, verifiable, and directly about authorship, creativity, or the organization of creative work. The writers’ agreement

concerns writing and not visual work. It is included because it records how a group of creative workers defined the status of generative AI in a labor contract.

Analytical Framework

The analysis uses three sets of concepts. The first set is social construction. Berger and Luckmann (1966) and Pinch and Bijker (1984) guide the view that social groups produce the meanings of creativity and technology. Gieryn (1983) offers the concept of boundary-work, which describes how groups draw lines between what counts and what does not count as legitimate. Becker (1982) adds the concept of art worlds. Bourdieu (1993) adds the field of cultural production, in which actors compete for legitimacy.

The second set concerns authorship. Foucault (1977), Woodmansee (1994), and Rose (1993) treat the author as a historical and legal construction.

The third set comes from the sociology of work. Braverman (1974) describes deskilling as the separation of conception from execution. Autor (2015) and Acemoglu and Restrepo (2019) explain that technology displaces tasks and can also create new tasks. Star and Strauss (1999) and Gray and Suri (2019) describe invisible work that supports visible products.

Data Analysis

The analysis followed five steps, as shown in Figure 1. First, the researcher collected the documents and read each one in full. Second, the researcher coded each document on three dimensions. These are who is named as the creator, what is defined as creative work, and how labor is organized and valued. Third, the researcher compared the codes across documents to find shared and conflicting claims. Fourth, the researcher interpreted the patterns with the concepts above. Fifth, the researcher grouped the interpretations into themes by following the steps of thematic analysis (Braun & Clarke, 2006).

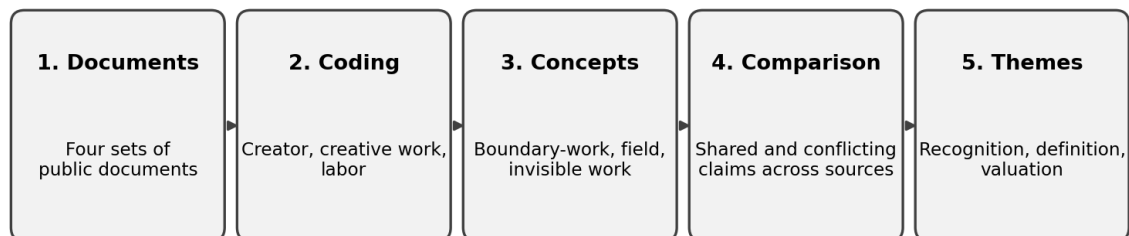


Figure 1. Analytical framework of the study

Trustworthiness and Limits of the Data

The study applies the criteria of Tracy (2010). Rich rigor is pursued by drawing on several types of documents. Transparency is pursued by stating the coding dimensions. Credibility is pursued by tying every claim to a named source. The study has one clear limit. It does not include the voices of designers in Indonesia. The findings therefore describe institutional constructions and do not describe the experience of any one group of workers.

RESULTS AND DISCUSSION

The analysis found three constructions. These are recognition of the creator, definition of authorship, and valuation of creative work. Valuation appears in labor contracts, in changes to tasks, and in audience judgment. Table 1 summarizes the four sets of documents. The sections below present each construction and then discuss their meaning.

Table 1. Summary of the documents analyzed

Document set	Setting	Authorship question	Labor question
Colorado State Fair case (2022) and Copyright Office Review Board decision (2023)	Recognition in a competition	Is the person who writes prompts and selects outputs the artist?	Is the curation of generated images skilled work?
Copyright Office report (2025) and <i>Thaler v. Perlmutter</i> (2025)	Definition by law	Can a machine or a prompter be an author?	Which human acts count as authorship?
Writers Guild agreement (2023)	Valuation through collective bargaining	Can AI be a writer?	Who controls the use of AI, credit, and pay?
Empirical studies (2022 to 2025)	Valuation by artists, audiences, and employers	How do audiences judge work labeled as AI-made?	How do tasks, income, and visibility change?

Recognition: Authorship as a Negotiated Status

The Colorado case shows that recognition depends on the rules of a setting. Allen entered the image in a category for digital art. The category definition refers to works that use digital technology as part of the creative or presentation process (“AI Won an Art Contest,” 2022). The judges awarded first place. One judge said he did not know that the image came from AI, and he stood by his decision after he learned it (“AI Won an Art Contest,” 2022). Within the rules of the competition, the image qualified.

Outside the competition, many artists rejected the result. One critic described the work as the product of pressing a few buttons (“AI Won an Art Contest,” 2022). Allen answered that he generated hundreds of images and refined his prompts and selections over weeks (“AI Artwork Wins Art Competition,” 2022). Thousands of social media comments called the win unfair (CBS Colorado, 2022). Faqih and Nasrillah (2026) show that visual forms on social media can shape public opinion about a person in cancellation cases. This study suggests that judgments about AI creators form in a similar public setting.

Both sides used boundary-work (Gieryn, 1983). Critics placed the work outside art by describing it as simple button pressing. Allen placed it inside art by describing time, selection, and revision as skilled labor. Neither side used a fixed test of creativity. Each side drew the boundary in a way that protected its own view of legitimate work.

The later history of the image adds a second layer. The Review Board of the Copyright Office reviewed Allen’s application. It required him to disclaim the parts generated by Midjourney, even though he reported at least 624 prompts and revisions (U.S. Copyright Office Review Board, 2023). The same image therefore holds two statuses. A competition treated it as a winning work. A federal office treated its generated parts as outside human authorship. This result supports the view of Becker (1982) that a community with its own conventions grants the status of artist. It also supports the view of Csikszentmihalyi (1988) that a field decides what counts as creative.

Definition: Law Assigns the Author Function to Humans

The Copyright Office report of January 2025 states that copyright protects original expression created by a human author. It concludes that prompts alone do not give enough human control over the output to make the user the author. Human contribution can still be protected. This includes human works that appear in the output, creative selection and arrangement of material, and creative modification of the output (U.S. Copyright Office, 2025). The Office judges each case on its own facts.

The courts follow the same direction. On 18 March 2025, the D.C. Circuit held in *Thaler v. Perlmutter* that a work created solely by AI cannot receive copyright. The court did not rule out copyright for works made with the assistance of AI (*Thaler v. Perlmutter*, 2025). The Supreme Court declined to review the case on 2 March 2026 (Baker Donelson, 2026).

Foucault (1977) describes the author function as a way to assign ownership and responsibility to a subject. The law applies this function to a human subject. Rose (1993) shows that copyright developed together with the idea of the author as owner. The recent decisions keep this idea and do not create it. The practical effect for

designers is a new form of work. A designer who wants protection must be able to show which parts of the final work came from human selection, arrangement, and modification. This is an interpretation of the legal texts. It is not a statement of the law.

Valuation through Work Relations: Contracts as Boundary-Work

The Writers Guild agreement of 2023 shows how workers can set the status of generative AI through collective bargaining. The agreement states that AI is not a writer and that AI-generated material is not literary material. Material that a company gives to a writer cannot count as source material for credit or pay. The company must tell the writer if material was generated by AI. A writer may use AI if the company agrees, and a company cannot require a writer to use it. The guild also reserves the right to assert that the use of writers' work to train AI is prohibited (Writers Guild of America West, n.d.).

This agreement is boundary-work in written form (Gieryn, 1983). It fixes who counts as a creator, what counts as source material, and who decides when AI is used. It protects credit, which is a form of recognition, and pay, which is a form of valuation. One document therefore joins the three dimensions of this study.

Writing differs from visual work. The documents reviewed here did not include a comparable collective agreement for illustrators or designers. Menger (1999) and Hesmondhalgh and Baker (2011) describe markets with many self-employed workers and unstable careers. In such markets, individual workers may have less power to set terms with clients. Contracts, disclosure rules, and professional norms are therefore important in visual work.

Valuation through Task Change: Deskilling and Invisible Work

Table 2 summarizes the empirical studies. Their results point in different directions. Noy and Zhang (2023) found that ChatGPT reduced the time that professionals needed for writing tasks by 40 percent and raised quality ratings by 18 percent. This result fits the view of Autor (2015) that technology changes the mix of tasks in a job. Acemoglu and Restrepo (2019) add that new tasks can also appear. Erickson (2024) gives an example. In six commercial products that used AI, production was more labor intensive because workers combined traditional skills with computational skills.

Table 2. Summary of empirical studies on artists, audiences, and workers

Study	Method	Finding relevant to this study
Jiang et al. (2023)	Review of harms reported by artists	Harms include economic loss, plagiarism, and reputational damage
Shan et al. (2023)	Survey of 1,207 participants	97 percent of the artists expected lower job security for some artists
Porquet et al. (2025)	Interviews with four illustrators	Style transfer copied fragments of style but lacked its emergent quality
Horton et al. (2023)	Six experiments, N = 2,965	Work labeled as AI-made was devalued even when judged indistinguishable
Doshi and Hauser (2024)	Online experiment with short stories	Individual creativity rose and the variety of stories fell
Noy and Zhang (2023)	Online experiment, 453 professionals	Task time fell by 40 percent and quality rose by 18 percent
Erickson (2024)	Case studies of six commercial products	Work was more labor intensive and human contributions became less visible

The same studies show a problem of visibility. Erickson (2024) found that contributions by human workers tended to become invisible in products that put AI in the foreground. This pattern matches the concept of invisible work (Star & Strauss, 1999) and the account of hidden human labor in digital systems (Gray & Suri, 2019). Crawford (2021) adds that AI systems depend on large amounts of human-made material and human labor, and that these inputs are rarely credited.

For illustrators, a central issue is style. Porquet et al. (2025) interviewed four illustrators who tested a model fine-tuned to their own work. The illustrators said that the model copied parts of their aesthetic but lacked the emergent quality of their style. Yet the results could still be seen by others as able to replace their work. The

authors read these results as boundary objects, meaning objects that different groups read in different ways. In a survey of 1,207 participants, 97 percent of the artists expected AI mimicry to reduce the job security of some artists (Shan et al., 2023). Jiang et al. (2023) list economic loss, plagiarism, and reputational damage among the harms that artists describe.

Braverman (1974) describes deskilling as the separation of conception from execution. Generative AI can produce a similar split. A client or a manager can state the concept as a prompt, and a model can perform the execution. The studies reviewed here do not measure deskilling directly. They show that illustrators fear this split and that the style of an artist can be treated as a separable asset.

Valuation through Labels: Creativity Judged by Origin

Studies of audiences show that the label of origin changes judgment. Horton et al. (2023) ran six experiments with 2,965 participants. People devalued art labeled as AI-made even when they reported that it was indistinguishable from human-made art and even when they believed a human collaborated. Comparing human-labeled and AI-labeled images raised the perceived creativity of human-labeled images. This finding supports the view that a field and its labels judge creativity (Csikszentmihalyi, 1988). It also gives a reason why disclosure of AI use matters in a market.

Doshi and Hauser (2024) report a different effect. Writers who received story ideas from generative AI produced stories that evaluators rated as more creative, better written, and more enjoyable. The gain was larger for less creative writers. Yet these stories were more similar to each other. The authors describe this result as a social dilemma, because individuals gain while the collective range of new content narrows. For design, the result raises the question of how a market values originality when many designers use the same tools.

Benjamin (1969) argued that mechanical reproduction weakens the aura of an artwork, which is its unique presence in time and place. The valuation of human-labeled art in Horton et al. (2023) suggests that value may shift to evidence of human origin. This is an interpretation. The data do not test the claim of Benjamin directly. Secoca et al. (2026) show that nostalgia in film posters builds cultural meanings that audiences recognize. Such meanings rely on human cultural memory. Whether generated images can carry them in the same way is a question for further research.

Discussion: Creativity as a Social Accomplishment

The three constructions show that creativity in the age of generative AI is not a fixed property of images or tools. Recognition, definition, and valuation each occur in a different institution. A competition, a copyright office, a labor union, and an audience each apply their own rules. The same person can hold different statuses in each. This agrees with the view of Pinch and Bijker (1984) that groups give technologies different meanings. It also agrees with the view of Berger and Luckmann (1966) that institutions make such meanings stable.

Bourdieu (1993) explains that actors in a field compete to define legitimate work. The conflict around AI fits this description. Artists defend a definition of art based on skill and time. Users of AI defend a definition based on selection and intention. Legal institutions favor human authorship. Studies in Chester show similar contests in other settings. Yuniar and Yazar (2026) show that sponsorship became a site where legitimacy and independence were contested in ARTJOG 2026. Faqih et al. (2026) show that character and environment design can visualize social inequality. These studies and the present study share the view that visual decisions carry social meaning.

Becker (1982) separates artists from support personnel, although both are needed to make a work. Generative AI changes this boundary. The workers whose images and texts trained the models are support personnel who are rarely named (Crawford, 2021). Users who select outputs claim the role of artist. Designers who edit generated outputs hold both roles. The documents reviewed here show that institutions are still deciding where to place each group.

Scholars also disagree on how to describe the technology. Epstein et al. (2023) argue that generative AI is a new medium with its own affordances. Cetinic and She (2022) review technical and conceptual work on art and AI. A sociological view adds that the choice between tool, medium, and author is a social decision. The law treats the system as a tool and the human as the author. Audiences treat AI origin as a lower-value label. Workers' contracts treat AI as a thing that cannot hold credit. These positions agree on one point. Authors are humans. They differ on how much human contribution is enough.

Implications for Design Practice and Education

Four practical implications follow. First, designers should keep records of their process, such as sketches, selections, edits, and versions, because legal and market institutions ask for evidence of human contribution (U.S. Copyright Office, 2025). Second, designers should disclose AI use, because audience judgment depends on labels (Horton et al., 2023). Third, designers and clients should write contracts that state who may use AI, how credit is assigned, and whether the work may train models, following the example of the writers' agreement (Writers Guild of America West, n.d.). Fourth, design education should teach students to read how creativity is defined and valued, and should assess process as well as output. These implications come from the documents reviewed here. They need testing in Indonesian studios and classrooms.

Limitations

The study relies on documents, and documents show institutional positions more than daily experience. Most cases come from the United States. The Writers Guild agreement concerns writing. Several of the empirical studies are conference papers or preprints and have not all passed the same review. The pace of change is high, so later rulings and agreements may change the picture. Future studies can interview Indonesian designers, illustrators, and clients and can examine local rules on copyright and contracts.

CONCLUSION

This study examined how creativity, authorship, and visual labor are socially constructed in the age of generative AI. The analysis of four sets of documents shows three constructions. Recognition of the creator depends on the rules of each setting. Law assigns authorship to humans who contribute identifiable expression. Labor contracts, task change, and audience labels decide how creative work is credited and valued. Together these constructions show that creativity is a social accomplishment that groups negotiate. It is not a property fixed in a tool or an image.

The study contributes an integrated frame that links recognition, definition, and valuation. For designers and design educators, the main implication is to document human contribution, to disclose AI use, and to set clear contract terms. Future research should add interviews and local data from Indonesia.

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