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Frameworks for artificial intelligence-generated art in society considering algorithmic creativity, emotional communication, and copyright

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Abstract

Artificial intelligence (AI)-generated art has rapidly transitioned from experimental settings to mainstream cultural and communicative practices. Generative systems now produce visual, musical, literary, and multimodal works that challenge established assumptions regarding creativity, emotional expression, and authorship. While audiences increasingly engage emotionally with such works, international copyright law remains anchored in human authorship, creating legal uncertainty and cultural ambivalence. This article presents an interdisciplinary analysis of AI-generated art at the intersection of art theory, communication studies, emotional psychology, and international copyright law. Drawing on comparative legal frameworks and empirical research on audience perception, it demonstrates how existing legal regimes inadequately account for the emotional and communicative dimensions of algorithmic creativity. The study argues that sustainable governance requires coordinated international reforms that recognize human–AI co-creation while safeguarding cultural values, emotional trust, and artistic legitimacy in the algorithmic age.

Keywords: Artificial intelligence-generated art; Copyright law; Emotional communication; International law; Algorithmic creativity; Art and society

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1. Introduction

Artificial intelligence (AI) has become one of the most transformative forces shaping contemporary artistic production and cultural communication. Advances in machine learning, particularly deep generative models, have enabled systems to produce images, music, text, and interactive experiences that rival human artistic output in technical complexity and aesthetic refinement.¹ What began as computational experimentation has evolved into a widespread cultural phenomenon, with AI-generated art circulating across galleries, digital platforms, advertising, entertainment, and heritage institutions.

From the perspective of arts and communication, this transformation is not merely technological. Art has long functioned as a medium through which societies express emotions, negotiate identities, and transmit cultural meaning. Communication theory emphasizes that art is not a static object but a dynamic process involving creators, audiences, and shared symbolic systems. AI-generated art participates in this communicative ecosystem, yet it does so through algorithmic mediation rather than

direct human intentionality.²

Empirical research demonstrates that AI-generated artworks can elicit strong emotional engagement, including immersion, aesthetic pleasure, and affective resonance, particularly in interactive installations and audiovisual contexts.^{3,4} At the same time, persistent skepticism surrounds the emotional authenticity of algorithmic creativity. Audiences frequently report that AI-generated works feel less “authentic,” less emotionally “deep,” or less meaningful when their artificial origin is disclosed, even when technical quality is indistinguishable from human-created art.^{5–7} These reactions reflect deeply rooted cultural beliefs about creativity, emotion, and human agency.

The rapid proliferation of AI-generated art has also exposed fundamental limitations within existing legal frameworks. International copyright law, as embodied in the Berne Convention and related instruments, is predicated on the concept of human authorship. Authorship presupposes intention, creativity, and personal expression—qualities traditionally associated with human creators.⁸ Courts and copyright authorities across jurisdictions have largely rejected claims that AI itself can be an author, while offering fragmented and often inconsistent approaches to determining whether AI-assisted outputs qualify for protection when human involvement is present.^{9–11}

This legal ambiguity has far-reaching consequences that extend beyond questions of ownership and economic rights. Studies indicate that uncertainty regarding copyright protection negatively affects artists’ emotional well-being, creative confidence, and willingness to engage with AI tools.¹² In cultural and heritage contexts, AI-generated reinterpretations of historical symbols raise ethical concerns about appropriation, emotional harm, and erosion of collective identity.¹³ For audiences, legal disputes surrounding AI art influence trust, perceived legitimacy, and emotional reception of algorithmic works.

Despite growing scholarly attention to AI and copyright, much of the existing literature treats legal questions in isolation from emotional and communicative dynamics. Similarly, studies of emotional responses to AI art often overlook the regulatory structures that shape cultural meaning and artistic legitimacy. This article addresses this gap by adopting an explicitly interdisciplinary approach that integrates international copyright law with communication theory and emotion research.

The central argument advanced here is that AI-generated art must be understood not only as a legal or technological artifact, but as a communicative and emotional practice embedded within society. Copyright

law functions as a normative signal that shapes how art is valued, trusted, and emotionally experienced. When legal frameworks fail to align with communicative realities, they generate emotional dissonance, social resistance, and cultural instability.

Accordingly, this study aims to address three core research questions:

- (i) How do existing international copyright frameworks conceptualize authorship and originality in relation to AI-generated art?
- (ii) How do emotional and communicative responses to AI art interact with legal narratives and regulatory uncertainty?
- (iii) What forms of international legal reform are necessary to ensure that algorithmic creativity can coexist with human artistic values, emotional expression, and cultural sustainability?

2. Conceptual framework: Art, communication, emotion, and algorithmic mediation

Art has historically been understood as a communicative practice through which emotions, meanings, and values are expressed and interpreted. Classical aesthetic theory emphasizes the role of intentionality and emotional expression in artistic creation, while modern communication studies focus on the interaction between creators, audiences, and cultural contexts. From this perspective, art is not defined solely by its material form, but by its capacity to mediate emotional and symbolic exchange.

Figure 1 illustrates the interaction between algorithmic creativity, emotional perception, communicative legitimacy, and international copyright law, showing how legal recognition mediates audience trust and cultural acceptance.

Artificial intelligence complicates this framework by introducing algorithmic systems as intermediaries in the creative process. Generative AI systems do not experience emotion or intention in a human sense; instead, they operate by identifying statistical patterns within large datasets and producing outputs that approximate learned styles and structures.¹ Nevertheless, the outputs of these systems function communicatively in much the same way as human art. They evoke emotional responses, stimulate interpretation, and participate in cultural discourse.

Recent scholarship has proposed concepts such as “algorithmic post-memory” to describe how AI-generated imagery contributes to collective memory formation, particularly in post-conflict and marginalized communities.² Similarly, the notion of “affective symbolic documentalism” has been used to explain how AI art

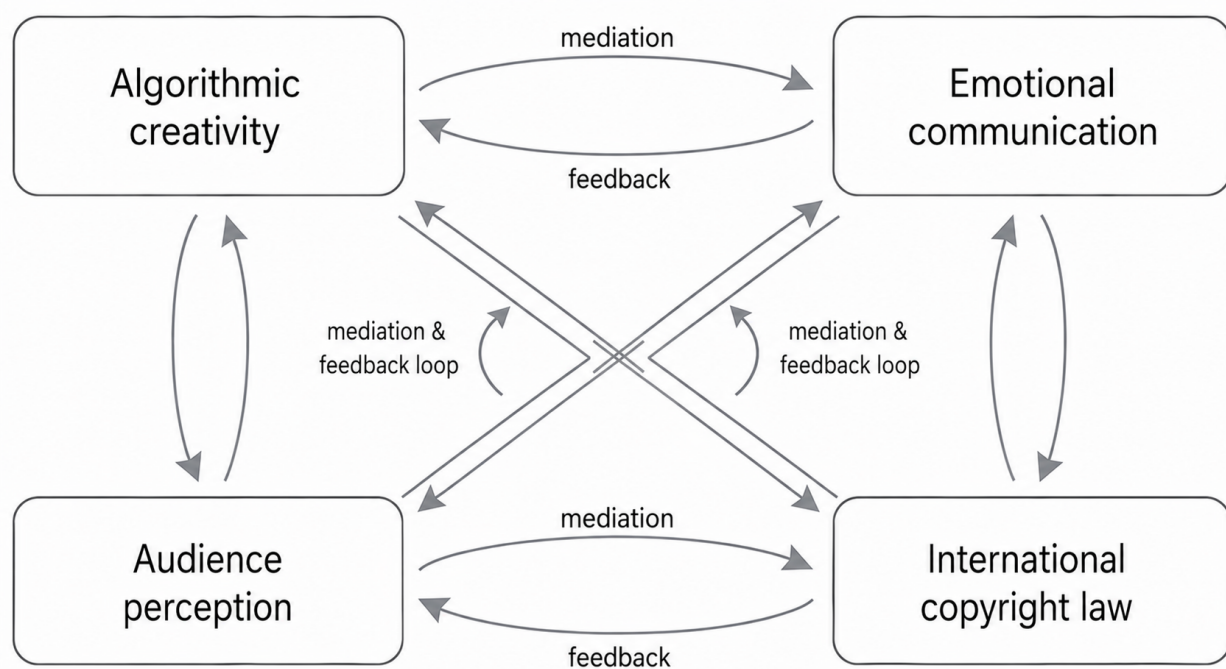


Figure 1. Conceptual framework of artificial intelligence-generated art as emotional communication within legal systems

can serve as an emotional archive, enabling audiences to reconnect with suppressed histories and identities.¹⁴ These concepts highlight that emotional impact does not depend solely on human authorship, but on reception, context, and narrative framing.

At the same time, empirical studies reveal a persistent gap between emotional response and perceived legitimacy. While AI-generated art can elicit strong affective reactions, audiences often downgrade their evaluations when informed of algorithmic authorship.^{5,6} This phenomenon reflects what communication theorists describe as attribution bias: emotional meaning is filtered through beliefs about the source of a message. In artistic contexts, human intentionality remains a powerful cue for emotional authenticity.

This bias has direct implications for copyright law. Copyright operates not only as an economic mechanism, but as a cultural signal that affirms artistic legitimacy and creative recognition. When the law refuses to recognize AI-generated art as protectable, it implicitly communicates that such works are culturally inferior or less worthy of emotional investment. Conversely, overly expansive protection risks undermining human creativity and diluting the symbolic value of authorship.

Understanding AI-generated art therefore requires

an integrated framework that accounts for technological production, emotional reception, communicative meaning, and legal recognition. Without such integration, regulatory approaches risk addressing symptoms rather than underlying cultural dynamics.

3. Methodology

This study employed a narrative interdisciplinary review methodology that integrates doctrinal legal analysis with qualitative synthesis of empirical research from communication studies, psychology, media studies, cultural studies, and copyright scholarship. The objective is not to perform a statistical meta-analysis but to provide a theoretically informed synthesis of how algorithmic creativity, emotional communication, and copyright governance intersect in contemporary discussions of AI-generated art.

Literature search was conducted between January and March 2025 using five academic databases: Web of Science, Scopus, Google Scholar, HeinOnline, and SSRN. Searches were limited to publications published between January 2018 and March 2025 to capture developments associated with modern generative AI systems. Representative search expressions included combinations of the terms “AI-generated art,” “algorithmic creativity,” “generative AI and copyright,” “artificial intelligence authorship,”

“emotional perception of AI art,” “authenticity of AI-generated artworks,” “creative AI governance,” and “AI cultural heritage.”

The initial search identified 412 records across the five databases. After removal of duplicate records ($n = 87$), 325 publications remained for title and abstract screening. Following relevance screening, 141 publications were selected for full-text assessment. Of these, 76 sources were retained for detailed review and synthesis. The final corpus consisted of peer-reviewed journal articles, conference papers, legal analyses, policy reports, judicial decisions, and international regulatory documents directly relevant to AI-generated art, emotional communication, authorship, originality, copyright protection, and governance.

Studies were included if they:

- (i) Addressed AI-generated artistic or creative outputs.
- (ii) Discussed copyright, intellectual property, emotional perception, audience reception, authenticity, cultural impact, or governance.
- (iii) Provided empirical, legal, conceptual, or policy-relevant evidence.
- (iv) Were available in English with sufficient bibliographic information for verification.

Exclusion criteria included duplicate publications, non-scholarly commentary, news reports without academic analysis, inaccessible full-text records, and studies unrelated to artistic or communicative applications of generative AI.

Because the reviewed literature spans multiple disciplines and methodological traditions, a formal quantitative meta-analysis was not appropriate. Instead, a structured quality appraisal process was applied. Sources were evaluated according to publication venue quality, methodological transparency, relevance to the research questions, citation impact, recency, and contribution to understanding the relationships among algorithmic creativity, emotional communication, and copyright governance. Particular weight was given to peer-reviewed studies, internationally recognized legal sources, and empirical investigations employing validated research methods.

The legal component of the study is based on doctrinal analysis of international copyright instruments, including the Berne Convention, the Trade-Related Aspects of Intellectual Property Rights Agreement, regional copyright frameworks, judicial decisions, administrative rulings, and scholarly legal commentary. Comparative analysis was employed to identify similarities and differences among regulatory approaches in the United States, European Union, United Kingdom, China, and other jurisdictions.

The synthesis process followed an iterative thematic coding strategy. Sources were grouped into four analytical themes: (i) algorithmic creativity and authorship; (ii) emotional communication and audience perception; (iii) copyright protection and legal uncertainty; and (iv) governance, ethics, and cultural implications. Findings were then interpreted through the combined lenses of communication theory, cultural analysis, and copyright scholarship to develop the integrated framework presented in this article.

Several limitations should be acknowledged. First, the review relies on English-language literature and may therefore underrepresent scholarship published in other languages. Second, despite the structured search process, publication bias and database coverage limitations may have affected source selection. Third, the narrative synthesis approach involves interpretive judgment and does not provide the statistical reproducibility associated with systematic reviews or meta-analyses. Finally, the rapidly evolving nature of generative AI means that legal developments, technological capabilities, and public perceptions may change after completion of the present review. These limitations should be considered when interpreting the findings and recommendations presented in this study.

4. International copyright law and artificial intelligence-generated art

International copyright law has evolved over more than a century to protect human creativity and encourage cultural production. Central to this framework is the concept of authorship, which presupposes a human creator capable of exercising creative choice and expressing personal intellectual effort. The Berne Convention explicitly anchors copyright protection to “authors” of literary and artistic works—a term historically interpreted as referring to natural persons.⁸ While the Convention does not define authorship exhaustively, its emphasis on originality and personal expression has shaped national copyright laws worldwide.

Rather than being treated as quantifiable variables, emotional response, cultural context, and perceived intentionality are examined in this study as relational constructs. Emotional engagement with AI-generated art emerges from the interaction between aesthetic form, cultural framing, and audience attribution of agency, as documented in empirical studies of art perception and communication.

The rise of AI-generated art challenges these foundational assumptions. Generative systems can autonomously produce outputs without direct human

intervention at the moment of creation, raising questions about whether such works can satisfy originality requirements. In most jurisdictions, copyright offices and courts have concluded that AI systems themselves cannot be recognized as authors, as they lack legal personality and intentional agency.^{9,10}

In the United States, this position has been reinforced through administrative decisions rejecting copyright registration for works produced without human authorship. The United States Copyright Office has consistently held that copyright subsists only in works created by human beings, a stance affirmed in cases involving algorithmic and automated production.¹¹ Similar conclusions have been reached in the United Kingdom, although the United Kingdom law uniquely provides for computer-generated works by attributing authorship to the person who made the necessary arrangements for creation. This statutory solution, however, has been criticized for its ambiguity and limited applicability to modern machine learning systems.¹²

Within the European Union, copyright law emphasizes the concept of originality as the author's own intellectual creation. European courts have interpreted this standard as requiring creative freedom and personal expression, criteria that are difficult to reconcile with fully autonomous AI systems.¹⁰ Nevertheless, European Union scholars argue that existing copyright doctrine is sufficiently flexible

to protect AI-assisted works where meaningful human choices shape the output, such as through prompt design, selection, and curation.¹⁵

Asian jurisdictions present a more diverse landscape. Chinese courts have demonstrated a willingness to recognize copyright protection for AI-generated works when human involvement can be identified, even if indirect. This pragmatic approach reflects a broader interpretation of originality and an emphasis on economic and cultural policy objectives.^{16–18} By contrast, many other jurisdictions maintain strict human authorship requirements, leaving AI-generated art largely unprotected.

Figure 2 presents a comparison of the dominant legal positions of major jurisdictions, including the United States, European Union, United Kingdom, and China, regarding authorship, originality, and protection of AI-generated works. Table 1 presents a comparison of legal approaches across major jurisdictions.

These divergent approaches reveal a fragmented international legal environment that generates uncertainty for artists, platforms, and audiences alike. From a communicative perspective, this fragmentation undermines the symbolic coherence of art as a protected cultural practice. When identical AI-generated artworks receive protection in one jurisdiction but not another, the legal system sends inconsistent signals regarding artistic

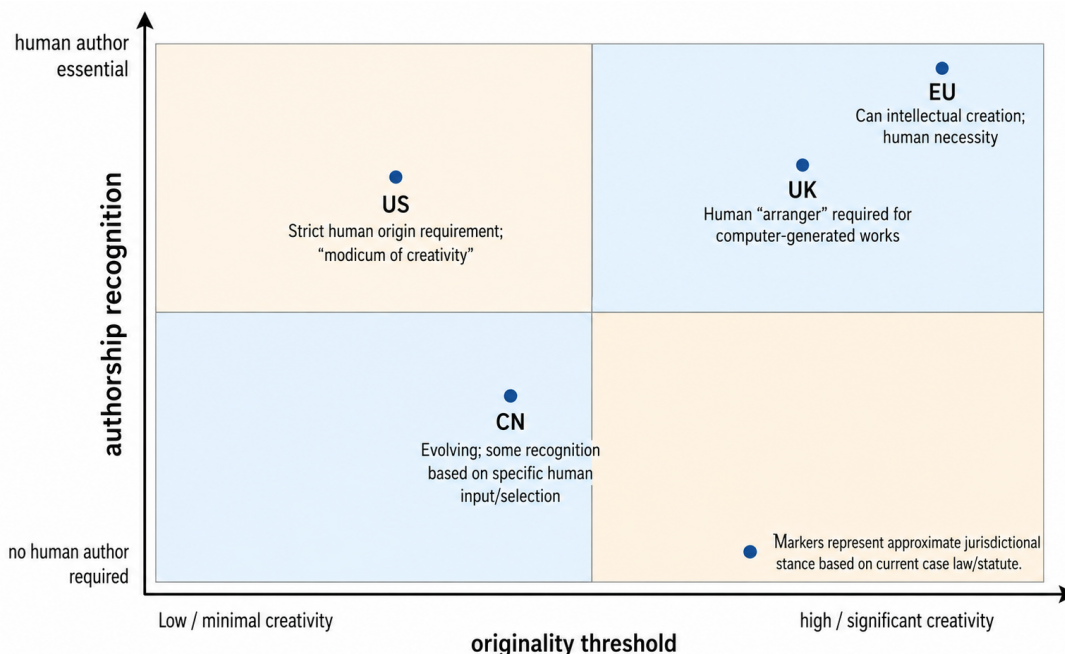


Figure 2. Comparative international copyright approaches to artificial intelligence-generated art
Abbreviations: CN: China; EU: European Union; UK: United Kingdom; US: United States.

legitimacy and emotional value.

Table 1. International copyright treatment of artificial intelligence-generated art

Jurisdiction	Artificial intelligence as author	Human attribution	Protection status
United States	No	Required	Generally denied
European Union	No	Required	Conditional
United Kingdom	No	Arranger-based	Limited
China	No	Broad interpretation	Often granted

5. Comparative legal cases and regulatory debates

Judicial and administrative cases concerning AI-generated art illustrate the tensions between technological innovation and traditional copyright doctrine. One of the most widely cited controversies involves attempts to register AI-generated works under the name of the AI system itself. Such claims have been uniformly rejected on the grounds that AI lacks legal personhood and cannot hold rights or responsibilities.^{9,11}

Other cases focus on the role of human involvement in AI-assisted creation. Courts and copyright offices have examined whether activities such as dataset selection, algorithm configuration, prompt engineering, and post-generation editing constitute sufficient creative contribution to warrant authorship. These determinations are often fact-specific and lack consistent standards, leading to unpredictability and legal risk.^{15,19}

Training data disputes represent another emerging legal frontier. Artists and rights holders have initiated lawsuits alleging that AI models infringe copyright by training on protected works without authorization. These cases raise complex questions about fair use, transformative use, and the boundary between inspiration and appropriation.²⁰ While some scholars argue that training constitutes a non-expressive analytical process, others contend that large-scale ingestion of copyrighted art undermines creators' economic and moral rights.

From the perspective of arts communication, these disputes extend beyond economic harm. Artists report emotional distress, anxiety, and diminished creative motivation resulting from perceived loss of control over their styles and cultural identities.^{12,17} Legal uncertainty amplifies these emotional effects by failing to provide clear recognition or protection.

International policy debates increasingly acknowledge these challenges. Proposals include the creation of sui generis rights for AI-generated works, neighboring-rights-style protection, or new international treaties addressing synthetic authorship.^{16,21} Each proposal seeks to balance technological innovation with the protection of human creativity, yet none has achieved global consensus.

6. Emotional responses and social perception of artificial intelligence-generated art

Empirical research on emotional responses to AI-generated art reveals a complex and sometimes contradictory landscape. Studies employing self-report measures consistently find that audiences attribute lower emotional depth and authenticity to AI-generated artworks when aware of their artificial origin.^{5,6} This perception persists even when the artworks are technically indistinguishable from human-created counterparts.

Biometric studies, however, complicate this narrative. Measurements of physiological arousal, such as pupil dilation and heart rate variability, indicate that AI-generated music and imagery can evoke emotional responses comparable to those elicited by human-created works.^{3,16} These findings suggest that emotional impact operates at both conscious and subconscious levels, with attribution influencing reflective judgment more than immediate affective reaction.

Social context plays a critical role in shaping emotional reception. In service, entertainment, and experiential environments, AI-generated art has been shown to enhance immersion, comfort, and word-of-mouth communication.⁴ In therapeutic and community settings, AI-generated imagery and music have been used to support emotional repair, memory reconstruction, and identity affirmation, particularly among marginalized groups.^{2,14} Figure 3 depicts cognitive and affective processing routes in audience perception, highlighting the divergence between immediate emotional arousal and reflective judgments of authenticity based on perceived authorship.

Despite these positive outcomes, resistance remains strong in cultural heritage contexts. AI-generated reinterpretations of sacred or historical symbols raise concerns about emotional harm, misrepresentation, and erosion of collective memory.¹³ Such concerns are intensified when legal frameworks fail to provide guidance or accountability.

Table 2 summarizes empirical findings on audience emotional response, authenticity judgments, and acceptance of AI-generated art.

Comparative Emotional Processing: AI-Generated vs. Human-Created Art

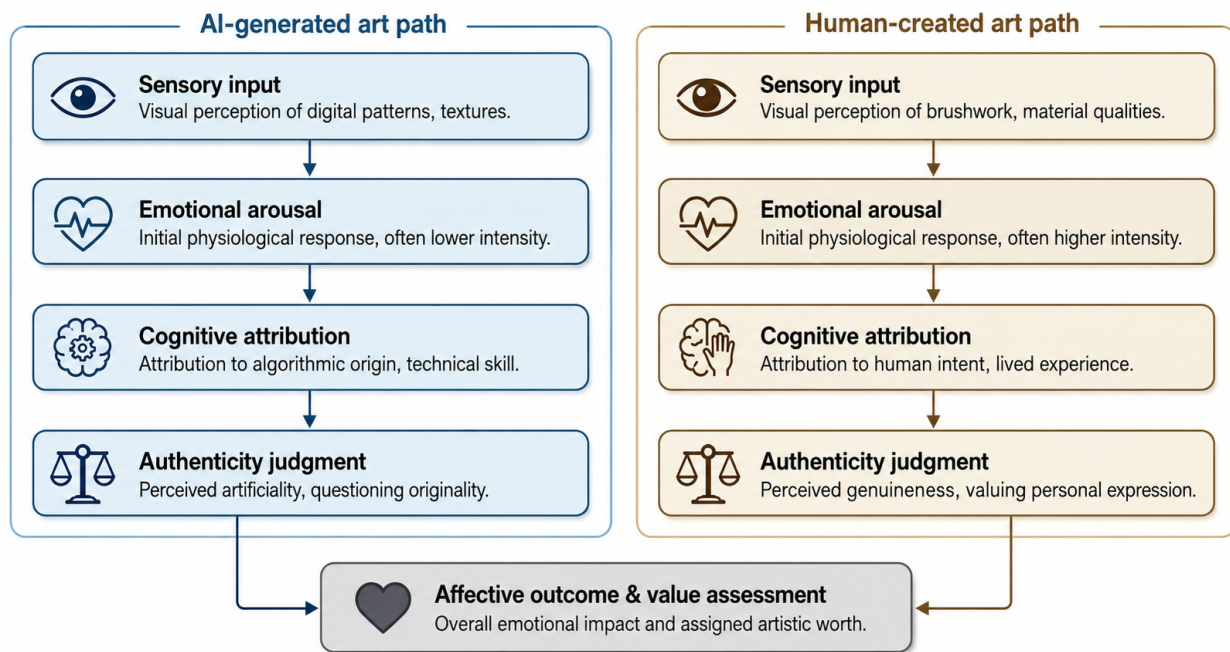


Figure 3. Emotional response pathways to artificial intelligence-generated versus human-created art
Abbreviation: AI: Artificial intelligence.

Table 2. Emotional and social perceptions of artificial intelligence-generated art across studies

Dimension	Artificial intelligence-generated art	Human-created art	Key findings
Emotional arousal	Comparable physiological response	Comparable	Immediate affect often similar
Perceived authenticity	Lower	Higher	Attribution strongly affects judgment
Emotional depth	Moderate	High	Human intention valued
Social acceptance	Context-dependent	High	Disclosure reduces acceptance

Copyright law intersects with these emotional dynamics by shaping perceptions of legitimacy. When AI-generated art is excluded from protection, audiences may interpret this exclusion as evidence that such works are culturally inferior or emotionally hollow. Conversely, granting protection without safeguards may fuel fears of displacement and commodification.

7. Ethics, culture, and heritage in artificial intelligence-generated art

Beyond questions of ownership and legality, AI-generated art raises profound ethical and cultural concerns that directly affect emotional communication and social cohesion. Art is not merely an aesthetic product but a carrier of cultural memory, collective identity, and moral

values. When AI intervenes in artistic creation, it alters not only how art is produced but also how meaning is transmitted and emotionally experienced within society.

One of the most sensitive domains in this regard is cultural heritage. AI-generated reinterpretations of historical symbols, religious iconography, and national artifacts have proliferated rapidly, often framed as innovative engagements with the past. While such practices can enhance accessibility and stimulate public interest, they also risk distorting historical narratives and emotional significance when detached from cultural context or ethical oversight.¹³ In societies where heritage is closely tied to collective memory and identity, algorithmic reinterpretation may generate emotional dissonance rather than connection.

Recent scholarship examining the intersection of AI-generated art, copyright, cultural heritage, and artistic legitimacy highlights how technological innovation can conflict with established legal, ethical, and cultural norms.²² Furthermore, research on AI-powered animation and deepfake-based reinterpretation of sacred and historical imagery demonstrate how such technologies may challenge deeply rooted emotional and ethical values.¹³ In the Egyptian context, for example, the algorithmic “awakening” of Pharaonic symbols has provoked debate over whether such practices constitute respectful cultural communication or symbolic appropriation that undermines historical dignity.²³ These controversies highlight the limits of purely technical or legal approaches to AI art, underscoring the need for ethical frameworks grounded in cultural sensitivity and emotional respect.

Children’s imagery represents another ethically charged area where AI-generated art intersects with emotional harm and legal vulnerability. The use of children’s photographs in training datasets or generative outputs raises concerns about consent, exploitation, and long-term psychological impact. Studies emphasize that children’s images possess heightened emotional significance and social sensitivity, requiring stronger ethical safeguards than adult representations.²⁴ When such images are repurposed through AI systems without clear consent or accountability, emotional harm may extend beyond individuals to families and communities.

Figure 4 maps key ethical risks associated with AI-generated art, including cultural appropriation, emotional harm, loss of artistic identity, and misuse of children’s imagery across different social contexts.

From a communication perspective, these ethical challenges are amplified by the scale and speed of AI dissemination. AI-generated artworks circulate globally within seconds, often detached from their original cultural or emotional context. This phenomenon intensifies what scholars describe as affective misalignment, where emotional meaning intended in one cultural setting is misinterpreted or commodified in another.¹⁴ Legal frameworks that focus narrowly on economic rights fail to address these broader emotional and cultural consequences. Table 3 outlines ethical concerns associated with AI art in different domains.

Table 3. Ethical challenges of artificial intelligence-generated art by social context

Context	Ethical concern	Emotional impact
Cultural heritage	Symbolic distortion	Collective unease
Children’s imagery	Consent violation	Emotional harm
Art labor	Identity erosion	Anxiety
Public communication	Mistrust	Reduced legitimacy

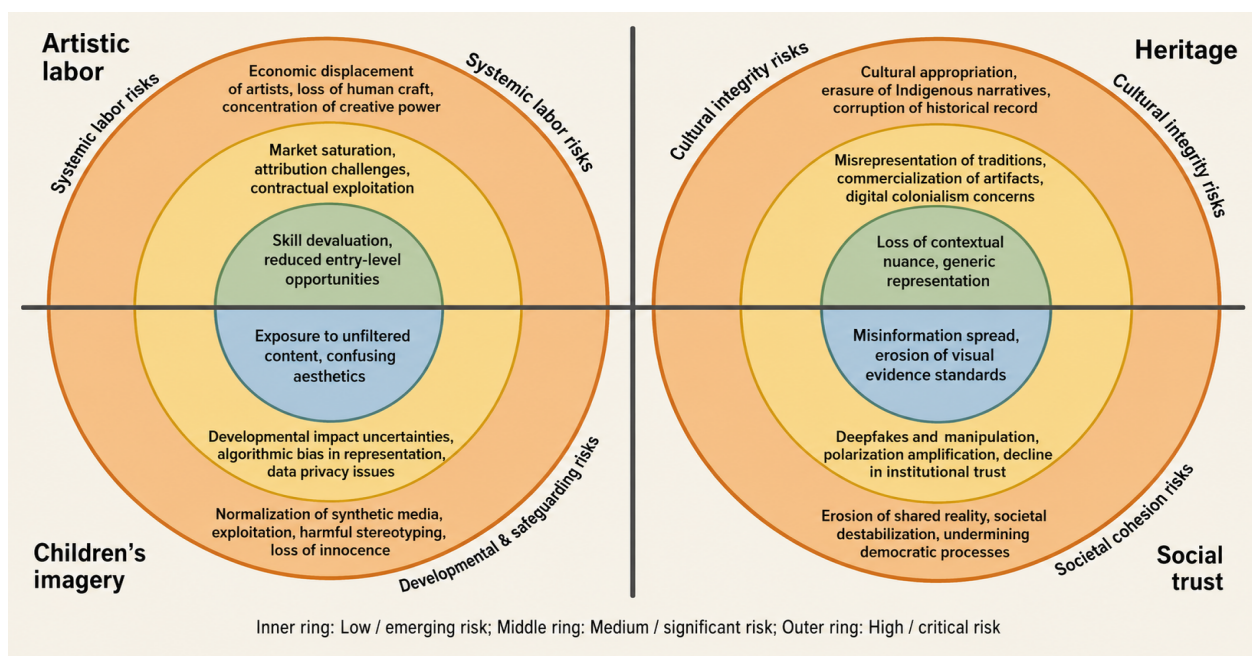


Figure 4. Ethical and cultural risk landscape of artificial intelligence-generated art

The ethical discourse surrounding AI-generated art thus reveals a critical gap between technological capability and normative governance. While copyright law addresses ownership and exploitation, it rarely engages with questions of emotional harm, cultural integrity, or symbolic respect. As AI-generated art becomes increasingly embedded in public communication, museums, education, and media, this gap poses risks to social trust and cultural continuity.

8. Emotional communication, society, and algorithmic legitimacy

Emotional communication lies at the heart of artistic practice. Whether through visual symbolism, musical composition, or narrative form, art facilitates emotional exchange between creators and audiences. AI-generated art participates in this process, yet it does so under conditions of contested legitimacy. The emotional impact of AI art is inseparable from how society perceives its source, intention, and moral standing.

The institutional and market integration of AI-generated art further illustrates its growing cultural legitimacy. Dedicated exhibitions and hybrid collections now curate fully algorithmic works alongside human–AI collaborative pieces, reflecting evolving curatorial practices. In parallel, AI-generated artworks have entered the commercial art market, with reported sales ranging from approximately USD 1,000 to over USD 30,000, signaling collector confidence in AI-generated art and institutional recognition.

This trajectory parallels earlier artistic disruptions triggered by photography and computer-based art, which initially provoked skepticism before becoming established artistic media. Rather than dissolving artistic meaning, these technologies expanded expressive possibilities—a pattern increasingly evident in contemporary AI art.

Perceived authenticity is instead conceptualized as a function of audience beliefs regarding human involvement, machine autonomy, and intentional agency. Prior research demonstrates that authenticity judgments are cognitively mediated and strongly influenced by disclosure of algorithmic authorship rather than by sensory qualities alone.

Empirical research consistently shows that audiences respond emotionally to AI-generated art, often experiencing pleasure, curiosity, and engagement comparable to responses elicited by human-created works.^{3,16} However, when participants are informed that a work was generated by AI, their evaluations shift. Emotional reactions become more ambivalent, and judgments of authenticity, depth, and meaning decline.^{5,7} This phenomenon illustrates

that emotional communication is not purely sensory but cognitively mediated by beliefs about agency and intention.

These findings have important implications for social acceptance. Art produced by humans is often perceived as a window into subjective experience, a trace of lived emotion and personal struggle. AI-generated art, by contrast, is frequently interpreted as a technical simulation of emotion rather than genuine expression. This distinction persists even when audiences acknowledge the technical sophistication of AI systems.²⁵ The result is a paradox in which AI art can move people emotionally while simultaneously being dismissed as emotionally hollow.

Legal recognition plays a subtle but significant role in shaping this paradox. Copyright law functions as a cultural endorsement of creativity. When the law recognizes a work as protectable, it signals that the work possesses originality, value, and legitimacy. Conversely, exclusion from copyright protection can reinforce perceptions that AI-generated art is derivative or culturally inferior. In this way, legal norms influence emotional reception and social trust, even among non-experts.

The emotional stakes are particularly high for artists who engage with AI as a creative tool. Studies indicate that unresolved copyright questions exacerbate anxiety, reduce creative confidence, and foster feelings of dispossession among artists who fear that their styles and identities are being absorbed into opaque algorithmic systems.^{12,17} These emotional responses are not incidental but central to understanding resistance to AI art within artistic communities.

At the societal level, emotional reactions to AI-generated art intersect with broader concerns about automation, authenticity, and human value. Public discourse often frames AI creativity as a threat to human uniqueness, intensifying negative emotions such as fear, resentment, and mistrust.²⁶ These emotions, in turn, influence policy debates and legal reform efforts, illustrating the reciprocal relationship between emotion, communication, and governance.

9. Governance, sovereignty, and international legal reform

The challenges posed by AI-generated art cannot be resolved through isolated national reforms. The global circulation of AI-generated content demands coordinated international governance that addresses legal uncertainty while respecting cultural diversity and emotional values. Recent scholarship emphasizes the concept of algorithmic sovereignty, which refers to the capacity of states and societies to govern AI systems in accordance with

democratic principles, cultural norms, and human rights.²⁷

International copyright law, however, remains fragmented and reactive. While existing treaties provide a shared foundation, they offer little guidance on synthetic authorship, training data, or emotional harm. Scholars increasingly argue that incremental reinterpretation of existing doctrines is insufficient to address the scale and novelty of generative AI.^{16,21} Instead, proposals range from new international treaties to *sui generis* rights tailored specifically to AI-generated works.

One proposed approach involves neighboring-rights-style protection that grants limited economic rights to AI-generated outputs without equating them to human-authored works.²⁸ This model seeks to preserve incentives for innovation while maintaining a symbolic distinction between human creativity and algorithmic production. Another approach advocates differential protection based

on the degree of human involvement, granting stronger rights when meaningful human creative choices are demonstrable.¹⁹

From an emotional and communicative standpoint, governance frameworks must also address transparency and accountability. Auditable documentation of AI art generation, disclosure of training data sources, and labeling of AI-generated content can help align audience expectations and mitigate emotional deception. Such measures support informed emotional engagement rather than artificial mystification.

Figure 5 shows alternative governance models, including full exclusion, human-centered attribution, differential protection, and *sui generis* regimes, illustrating their implications for innovation and cultural legitimacy. Table 4 presents governance options discussed in international scholarship.

Table 4. Proposed legal governance models for artificial intelligence-generated art

Model	Description	Strengths	Limitations
Full exclusion	No protection	Preserves human authorship	Stifles innovation
Human-centered	Protects human role	Familiar doctrine	Ambiguous thresholds
Differential	Based on involvement	Flexible	Complex enforcement
<i>Sui generis</i>	New right category	Tailored solution	Treaty required

Comparative Legal Models for AI-Generated Art: Innovation vs. Cultural Legitimacy Trade-offs

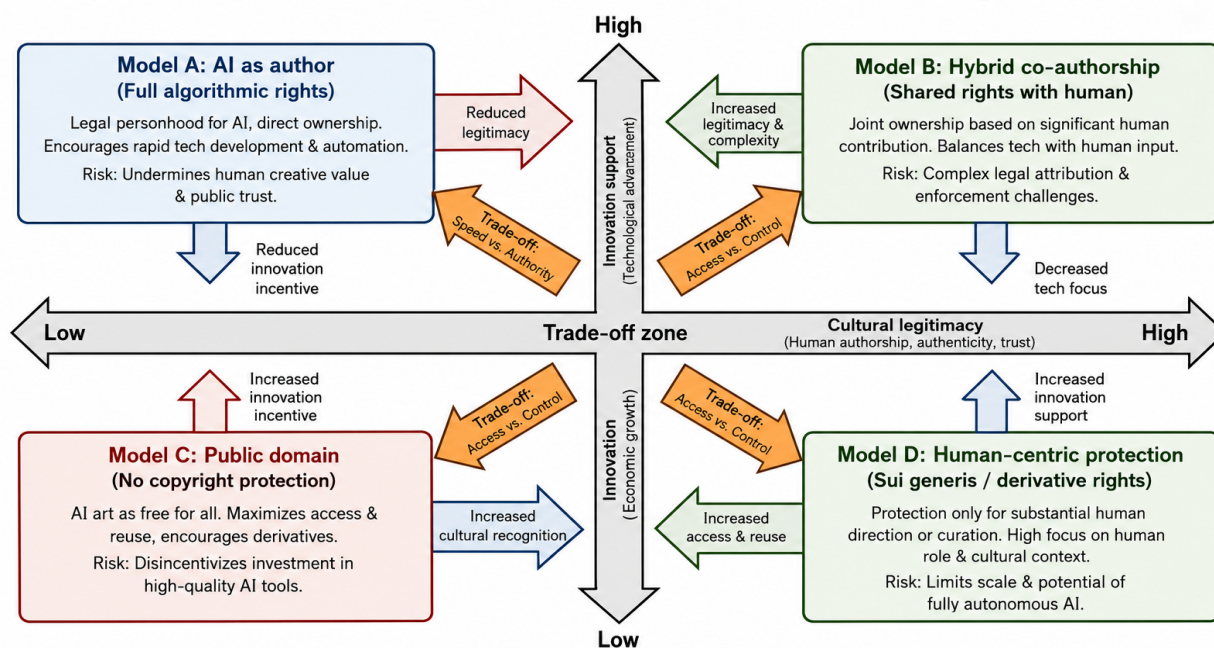


Figure 5. Governance models for artificial intelligence (AI)-generated art in international law

Importantly, international reform efforts must incorporate perspectives from the Global South and culturally diverse societies. Research on AI governance in Egypt and other non-Western contexts highlights the need for ethical frameworks that reflect local cultural values, historical narratives, and social priorities.^{24,27} Without such inclusivity, international law risks reproducing cultural hierarchies and emotional marginalization.

10. Integrated discussion: Law, emotion, and communication in algorithmic art

The preceding analysis demonstrates that AI-generated art cannot be adequately understood through a single disciplinary lens. Legal doctrine, emotional perception, and communicative legitimacy are deeply intertwined, and any attempt to regulate algorithmic creativity without acknowledging this interdependence risks producing ineffective or socially destabilizing outcomes. International copyright law, in its current form, addresses ownership and exploitation while largely ignoring the emotional and communicative functions that give art its social meaning.

Legal-emotional legitimacy is conceptualized as a dynamic relationship between legal recognition, emotional trust, and regulatory clarity. Rather than relying on formal

modeling, the paper analyzes how copyright recognition functions as a communicative signal that shapes cultural legitimacy and emotional acceptance of AI-generated art.

From a communicative standpoint, AI-generated art operates as a hybrid medium. It conveys emotion and symbolism through forms traditionally associated with human creativity, yet its production process lacks lived experience, intention, and moral agency. This hybrid nature explains why audiences often experience emotional engagement alongside cognitive discomfort. Emotional responses arise from aesthetic qualities, while doubts emerge from attribution and legitimacy cues.^{5,7,25} Law plays a crucial mediating role in resolving or amplifying this tension.

Copyright recognition functions as a form of symbolic validation. When AI-generated art is categorically excluded from protection, it reinforces narratives that such works are culturally inferior or emotionally superficial. Conversely, uncritical extension of copyright risks eroding the normative foundations of authorship and diminishing the symbolic value of human creativity. The challenge, therefore, is not whether to regulate AI-generated art, but how to do so in a way that sustains emotional trust, cultural continuity, and communicative clarity. Figure 6 visualizes

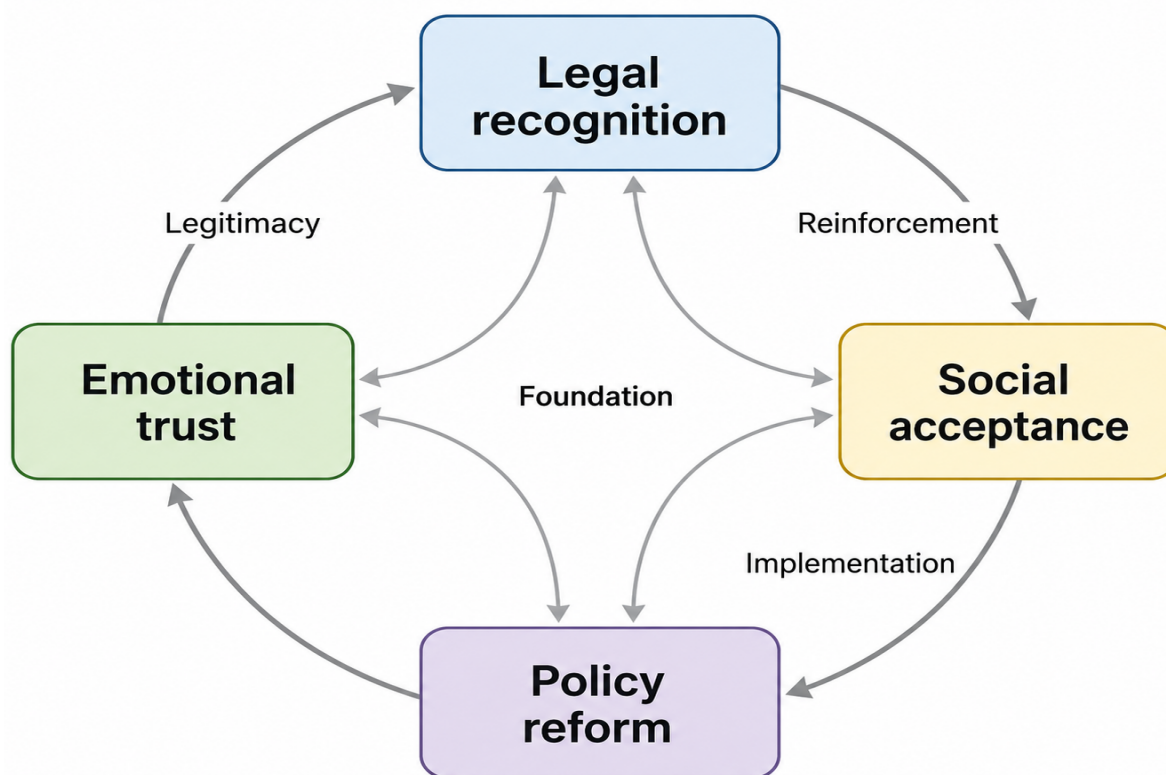


Figure 6. Emotional legitimacy and legal recognition feedback loop

how legal protection influences emotional trust and social acceptance, which in turn affect policy pressure and legal reform trajectories.

The findings reviewed in this article suggest that emotional harm and anxiety among artists stem less from AI technology itself than from regulatory ambiguity and perceived injustice.^{12,17} Where legal frameworks provide clarity, transparency, and recognition of human contribution, resistance diminishes and collaborative models gain legitimacy. This observation aligns with communication theory, which emphasizes that trust and meaning emerge from stable norms and shared expectations.

11. Policy Implications for arts, communication, and cultural governance

The implications of this analysis extend across legal policy, cultural institutions, and communication practice. First, international copyright frameworks must move beyond binary distinctions between human and non-human authorship. Differential protection models based on degrees of human involvement offer a promising path forward, allowing law to recognize creative labor without attributing moral agency to machines.^{19,28}

Second, emotional transparency should be incorporated into governance mechanisms. Mandatory disclosure of AI-generated content in artistic and communicative contexts would enhance audience autonomy and reduce affective deception. Such disclosure does not diminish emotional engagement; rather, it allows audiences to contextualize their responses and interpret meaning honestly.²⁶

Third, cultural heritage institutions require specialized ethical guidelines for AI-generated reinterpretation of historical and sacred symbols. International cooperation is essential to prevent cultural appropriation, emotional harm, and symbolic degradation, particularly for communities whose heritage has been historically marginalized.^{13,23}

Fourth, children's rights and emotional protection must be prioritized. AI governance frameworks should explicitly prohibit the non-consensual use of children's images in training data and generative outputs, recognizing the heightened emotional and ethical stakes involved.²⁴ This area demands harmonized international standards rather than fragmented national responses.

Finally, algorithmic sovereignty must be understood not only in technical or economic terms but as a cultural and emotional project. Democratic resilience depends on citizens' trust in communicative systems, including artistic and media content. Transparent, accountable AI

governance strengthens this trust and supports sustainable cultural innovation.²⁷

12. Limitations and future research direction

While this study offers a comprehensive interdisciplinary synthesis, several limitations warrant acknowledgment. First, the analysis relies on secondary empirical studies rather than original experimental data. Future research could benefit from longitudinal studies examining how emotional responses to AI-generated art evolve as social norms and legal frameworks mature.

Second, although the study incorporates comparative legal perspectives, jurisdictional coverage remains selective. Further research should examine underrepresented legal systems, particularly in Africa, Latin America, and Southeast Asia, where cultural values and emotional responses may differ significantly from Western contexts.

Third, emotional communication in AI-generated art is an evolving phenomenon. Advances in affective computing and emotion-aware generative models may alter audience perception in ways that current studies cannot fully anticipate. Ongoing interdisciplinary collaboration between legal scholars, psychologists, artists, and technologists is therefore essential.

13. Conclusion

Artificial intelligence-generated art occupies a contested yet transformative position within contemporary society. It functions simultaneously as a medium of emotional communication, a site of cultural negotiation, and a challenge to legal orthodoxy. This study has argued that international copyright law, in its current form, is ill-equipped to address the emotional, communicative, and societal dimensions of algorithmic creativity. By integrating insights from art theory, communication studies, emotion research, and comparative law, the study demonstrates that sustainable governance of AI-generated art requires more than doctrinal adjustment. It demands a rethinking of how law signals legitimacy, how emotion shapes social acceptance, and how culture adapts to algorithmic mediation. International legal reform must therefore pursue a balanced approach that preserves the symbolic value of human creativity while enabling responsible innovation. Such an approach recognizes that art is not merely an object of ownership, but a relational practice that binds individuals, communities, and societies through shared emotional meaning. In the age of generative AI, safeguarding this function is not optional; it is essential to the future of arts and communication.

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Conflict of interest

The author declares that there are no competing interests that could have influenced the work reported in this manuscript.

Author contributions

This is a single-authored article.

Ethics approval and consent to participate

Not applicable. This study does not involve human participants, human data, or animal subjects.

Consent for publication

Not applicable.

Availability of data

Not applicable. The study is based on methodological development, analytical modeling, and experimental evaluation using benchmark-style datasets.

Further disclosure

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