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Artworks or Aesthetic Objects? Applying Kendall Walton's Normative Thesis to AICAN-generated Digital Objects

KSENIJA SAVČIĆ

University of Rijeka, Faculty of Humanities and Social Sciences, Department of Philosophy,
Sveučilišna avenija 4, 51000 Rijeka, Croatia
ksenija.savcic@uniri.hr

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ABSTRACT: This paper examines the philosophical implications of AI-generated digital objects in artistic institutions, focusing on Ahmed Elgammal's (2017) study, which assumes that aesthetic appeal, novelty, and indistinguishability from human-made artworks suffice to classify these objects as artworks. I challenge this tacit premise by arguing that AICAN-generated digital objects cannot be evaluated in the same way as human artworks because they lack extrinsic properties necessary for correct categorization. Drawing on Kendall Walton's *Categories of Art* (1970), I assert that truth and falsity apply to aesthetic judgments of artworks. I examine and defend Walton's requirements for the correct categorization of artworks against relevant objections. I proceed by applying Walton's requirements to AICAN outputs. I argue that AICAN's digital objects fail to meet two crucial requirements for correct categorization. Thus, their aesthetic properties necessarily remain category-relative, exposing artistic practice to radical relativism in aesthetic judgment. I contend that Walton's distinction between aesthetic objects and artworks provides a plausible framework for understanding AICAN's outputs and the aesthetic response they elicit. Accordingly, I argue that AICAN digital objects should be regarded as aesthetic objects rather than artworks.

KEY WORDS: Aesthetic objects, aesthetic relativism, AI-generated art, AICAN, categories of art, Walton.

Introduction

The intersection of artificial intelligence and art has ignited widespread debate, raising questions about authorship, creativity, and the definition of art. My discussion examines the growing presence of AI-generated digital objects in artistic institutions and public discourses. Proponents of technological advancements highlight the transformative potential of AI in artistic practices, outlining systems like AICAN, which exhibit the ability to create original outputs (Elgammal et al. 2017). The

longstanding and complex relationship between art and technology comes into focus, with historical examples like the invention of photography demonstrating how technological advancements have reshaped artistic practices (Agüera and Arcas 2017). Some scholars argue for recognizing software as autonomous artists, suggesting that their creations parallel human art and calling for a redefinition of creativity that embraces human-machine partnerships (Colton 2012; Mazzone and Elgammal 2019).

Empirical research investigating human responses to AI-generated art yields mixed results. Some studies reveal significant biases against computer-generated art, with human-created works often receiving higher ratings (Ragot et al. 2020). However, observing AI systems in action appears to mitigate these biases (Chamberlain et al. 2018; Hong and Curan 2019). In contrast, other studies report a failure to find evidence of a statistically significant bias against computer-generated art (Pasquier et al. 2016).

Philosophical discussions on AI-generated art largely accept AI systems as a new artistic medium, yet the ability of machines to create artworks autonomously is disputed on various grounds. One line of argument suggests that the attribution of authorship to AI agents is implausible, as artworks are created by social agents (Hertzmann 2018). Another perspective, grounded in Kantian aesthetics, contends that artistic creativity necessitates freedom, which cannot be attributed to AI systems under current technological conditions (Winter 2023). Human agency is highlighted as essential for conferring artistic significance, emphasizing the indispensable role of human involvement in the creative process (Anscomb 2022). Imagination, understood as the ability for cognitive manipulation which undergirds creativity, is claimed to be a distinctly human trait that cannot be attributed to machines (Kind 2022).

In this paper, I address the evaluation of AI-generated digital objects from a philosophical perspective, with a focus on Ahmed Elgammal's (2017) study. This study highlights a significant problem, building on the implicit assumption that aesthetic appeal, novelty, and indistinguishability from human-made artworks are sufficient to confer the status of artworks on AI-generated digital objects. I identify this tacit premise as the central problem my paper aims to challenge. To ensure clarity, I limit the scope of my inquiry to AICAN-generated digital

objects that have not been modified by human artists, thus leaving aside the question of whether AI constitutes a new artistic medium.

I argue that, regardless of their ontological status, AICAN-generated digital objects cannot be evaluated in the same way as human artworks because they lack extrinsic properties which are necessary for the correct categorization. Drawing on Kendall Walton's *Categories of Art* (1970), I reinforce his normative thesis, asserting that truth and falsity apply to aesthetic judgments of artworks. I examine and defend Walton's requirements for correct categorization of artworks against relevant objections. I proceed by applying Walton's requirements for correct perception to AICAN outputs. These objects do not belong to an established artistic category due to AICAN's training structure, which penalizes the emulation of already established styles. Moreover, lacking a history of production and an artist's intention,[1] they fail to satisfy two crucial requirements for correct categorization. Consequently, their aesthetic properties remain category relative. Without making an ontological claim, I argue that since we cannot evaluate AICAN outputs as human artworks, we should not classify them as such, as doing so would expose artistic practice to radical relativism in aesthetic judgment. I maintain that Walton's distinction between aesthetic objects[2] and artworks provides a plausible framework for understanding AICAN's digital objects and the aesthetic response they elicit. Accordingly, I contend that AICAN digital objects should be regarded as aesthetic objects rather than artworks.

In the first section, I introduce the problem, exemplified by the institutional recognition of AI-generated outputs as artworks, rooted in their aesthetic appeal and indistinguishability from human-made artworks. In the second section, I argue that discussions about theories of art aimed at identifying corresponding properties between AI-generated objects and art are misguided, as they commit a category error. I maintain that AI-generated objects should be compared to artworks, not to artistic practice. In the third section, I present Walton's argument,

[1] I take the artist's intention and history of production to encompass biographical details about the artist, the immediate artistic influences shaping her oeuvre, and the methods and conditions of her modes of production.

[2] I take an aesthetic object to be any entity, whether natural or artificial, that elicits aesthetic approval and delight through perception. The aesthetic perception of them is essentially the same as that for works of art, but not being objects of human construction, they do not call for human criticism (Pepper 1955: 108).

expressed through his psychological and normative theses. The fourth section defends Walton's thesis against objections to the psychological thesis and to the requirement of the artist's intention in establishing the correct category for perceiving an artwork. In the fifth section, I discuss Elgammal's AICAN system, which operates as an autonomous agent, excluding human artists from the creative process. In the sixth section I apply Walton's thesis to AICAN-generated digital objects. These objects lack extrinsic properties of an artwork, which are essential for correct categorization. Thus, I propose a normative claim: AICAN digital objects should be classified as aesthetic objects rather than artworks. In the concluding section, I address a potential objection to my argument.

The Problem: Indistinguishability, Originality, and Aesthetic Appeal

Recent AI advancements have enabled machines to convincingly replicate human-made artistic content including music, poetry, humor, and visual art, sparking public debate over AI's legal status and economic impact on the art market. The rise of generative adversarial networks (GANs) has fueled the popularity of AI-generated art by allowing artists to fine-tune algorithms with selected datasets, creating digital objects with sophisticated aesthetic qualities (Boden, 2003). An early and prominent example is Harold Cohen's AARON program, capable of producing thousands of aesthetically pleasing and surprising line drawings. AARON's work has been commissioned and displayed worldwide, including at Tate Gallery's special 1983 exhibition featuring its abstract landscapes (Boden 2004: 150). The Portrait of Edmond de Belamy, produced by Obvious Collective's GAN model, which was sold for $432,500 at Christie's in 2018, surpassing the price of an Andy Warhol print at the same auction, highlights the institutional recognition of AI art and its economic impact on the art market. More recently, a portrait of English mathematician Alan Turing, created by a humanoid robot Ai-Da AI, was sold at Sotheby's auction for $1,08m (Cain 2024). AI-generated digital objects are exhibited and commissioned alongside human-made artworks, gaining increasingly more attention and influence in public space.

The public debate has become particularly heated since the release of Open AI's ChatGPT in November 2022. The development of

Generative Pretrained Transformers (GPT), such as Chat GPT, Midjourney, and Stability AI, had a severe impact on the job market for illustrators and digital artists, particularly in sectors like video game development and advertising (see Zhou 2023; McKenzie 2024; Wakelee-Lynch 2023). Questions of authorship and data ownership rightfully arise as a legitimate concern for many artists as their work is used to train algorithms, often without their knowledge and consent (see Blaszczyk et al. 2024; Appel et al. 2023). Numerous lawsuits are currently in course against AI companies such as Stability AI, Midjourney, and Open AI, claiming copyright's infringement, Getty Images and New York Times having so far the strongest ground for their claims (see Grynbaum & Mac 2023; O'Brien 2023). Consequently, the discussion surrounding AI digital objects is diverse, complex, and relevant in the public life. I maintain that, even though AI outputs are institutionally recognized as art, the philosophical insight into what constitutes an artwork and the criteria for its evaluation might elucidate important and overlooked aspects of the problem, shedding new light on how we are to treat those newly emerged artifacts.

In this paper, I conduct a conceptual analysis of the term *artwork* by examining the criteria essential for its art-critical evaluation. I then apply these criteria to AICAN-generated digital objects to assess whether aesthetic appeal, originality, and indistinguishability from human-made artworks suffice to evaluate them as human artworks. To narrow down the scope of my inquiry within the expansive domain of AI models, I focus on Ahmed Elgammal's AICAN. According to its creators, the system functions as an autonomous agent, independent of a human artist's involvement in the creative process. AICAN's outputs are institutionally valued and have been exhibited globally, with one piece recently auctioned for $16,000. Elgammal et al. (2017) conducted studies with human volunteers, finding that participants could not reliably differentiate between AICAN-produced and human-made works previously shown at prestigious art festivals. Furthermore, on several evaluative criteria, AICAN's outputs received higher ratings than those of human artists. Thus, I maintain that AICAN presents a clear example of the problem explored in this paper: whether AI digital objects should be classified as artworks in virtue of possessing aesthetic properties and eliciting aesthetic response in appreciators.

The Category Error

Approaching this issue from the philosophical perspective, I argue that a significant distinction ought to be highlighted. Much of the public and philosophical debate surrounding AI in artistic practice focuses on the question of whether AI can create art (for example, Boden & Edmonds 2009; Coeckelbergh 2017; Hertzmann 2018; Tait 2024; Clarke 2022). While the term *art* is often used as an evaluative term implying an endorsement of an object's aesthetic value or cultural significance, it is not synonymous with the notion of *artwork*. Art is a human practice that encompasses a vast network of participants, including artists, performers, audiences, art critics, and, of course, artworks. The book industry alone, as Lamarque observes, includes "writers, publishers, editors, book reviewers, academics, teachers, readers of all kinds, judges of literary prizes, bookshop owners, shareholders of publishing companies, designers, typesetters, and advertising executives" (Lamarque 2008: 60). However, both in scientific literature and in public discourse, terms "art", "work", and "artwork" are often used interchangeably. For example, Marian Mazzone and Ahmed Elgammal state:

> Backed by our training in computer science (Elgammal) and art history (Mazzone), we argue for the consideration of AICAN's works as art, relate AICAN works to the contemporary art context, and urge a reconsideration of how we might define human and machine creativity. (Mazzone and Elgammal 2019: 1)

I maintain that to refer to artworks as art is to commit a category error.[3] Category errors are exemplified by sentences such as 'The number two is blue' or 'Green ideas sleep furiously' (Magidor 2024). The philosophical importance of category mistakes lies in their role in understanding and delineating ontological categories. Without clarity about types and categories, the nature of philosophical problems and methods remains obscure (Ryle 1938, 189).

The debate around AI and art highlights the consequences of conceptual obscurity, as the category error directs the discussion toward

[3] The term "category error" was first explicitly defined by Gilbert Ryle (1938), who argued that errors (or, alternatively, category mistakes) occur when properties or actions are attributed to entities belonging to an incompatible logical category. One of Ryle's famous illustrations involves a visitor to a university who, after being shown the colleges, libraries, and other buildings, asks, "But where is the university?" The visitor makes a category error by assuming that the university is a physical object alongside its constituent parts rather than understanding it as an institution comprising those elements (Ryle 1949: 6).

invalid evaluative comparisons, such as those between AI-generated outputs and ready-mades. For example, Alice C. Helliwell states:

> Historically, the way we understand the definition of art has shifted. It is hard to see why a urinal can be art, but art made by a generative algorithm could not be.[4] (Helliwell as cited in Baxter 2024)

The implication is that if a urinal can be considered art, then AI-generated works, which may exhibit considerable aesthetic appeal, should also qualify as art. However, as Nick Zangwill observes, "works of art are multipurpose things" (Zangwill 1999: 612). Duchamp's ready-mades, such as *Fountain* (1917), represent a form of conceptual art that intentionally seeks to distance itself from traditional notions of beauty and aesthetic value, serving to protest the excessive importance attached to works of art (Blumberg 2024). Thus, the artistic significance of ready-mades lies precisely in their mundane character and lack of aesthetic appeal. In contrast, AI-generated digital objects are gaining attention because they elicit an aesthetic response from human observers. The comparison, grounded in logical error, misrepresents the fundamental differences in purpose, context, and reception between the two.

Thus, I maintain that asking whether AI can create art is akin to asking whether AI can suffer from psychiatry, conflating the subject of a discipline—mental disorder—with the discipline itself. AI-generated digital objects do not replace art as a human practice. Rather, they are evaluated as potential substitutes for one specific part of that practice: the artwork itself. To determine whether they are well-suited to occupy this position within a normative practice without significantly altering or damaging it, it is essential to identify the properties that ground art-critical evaluation and to assess whether AI-generated objects possess them. I argue that Kendall Walton's influential paper *Categories of Art* (1970) provides robust argument for considering extrinsic properties, such as the artist's intention and the history of the artwork's origin, essential in art-criticism, as aesthetic judgements of artworks rest on them in a fundamental way (Walton 1970: 337). In the next section I discuss Walton's argument.

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[4] Helliwell discusses questions 'Is AI art really art?' and 'Can AI be truly creative?' in Helliwell 2023.

Kendall Walton's *Categories of Art*

Amid the formalism era, Walton argued for two seemingly contrasted propositions. He claimed that "a work's aesthetic properties depend on its historical context as well as its nonaesthetic properties" and that "no examination of the work itself, however thorough, will by itself reveal [its aesthetic] properties" (Walton 2020: 79). However, he also maintained that "aesthetic properties are perceptual and declined to challenge the idea that "paintings and sonatas are to be judged solely on what can be seen or heard in them—when they are perceived correctly" (Walton 2020: 79). His insightful and nuanced discussion is stated through two distinct theses. The psychological thesis claims that the perception of a work's aesthetic properties depends on how its nonaesthetic properties are categorized. It is supported with numerous examples, successfully demonstrating that altering the categorization of a work fundamentally changes the aesthetic properties we perceive. The normative thesis asserts that a work's aesthetic properties are those perceived when the work is viewed in the correct category. Walton rejects the notion that aesthetic judgments are category-relative, arguing instead that misclassifying a work leads to an incorrect aesthetic judgment. The correct categorization is determined by the history and context of an artwork's creation, including the artist's intention and the societal recognition of the category at the time. Thus, a work's aesthetic properties depend fundamentally on historical facts about its creation and context, proving that both intrinsic and extrinsic properties are individually necessary and jointly sufficient for something to be an artwork.

Walton builds his argument on Frank Sibley's (1959) distinction between aesthetic and non-aesthetic properties in artworks. According to this view, aesthetic properties—such as tension, coherence, mystery, balance, flamboyance, or elegance—arise from an artwork's non-aesthetic properties, like its colors, shapes, or sounds. Thus, the aesthetic (or "Gestalt") qualities of an artwork emerge from its non-aesthetic properties. Walton further maintains that the aesthetic properties of an artwork depend not only on its non-aesthetic properties, but also on the categories in which we perceive them:

> … what aesthetic properties a work seems to have, what aesthetic effect it has on us, how it strikes us aesthetically often depends (in part) on which of its features are standard, which variable, and which contra-standard for us. (Walton 1970: 343)

The psychological thesis, therefore, asserts that what category we perceive an artwork in affects what aesthetic properties it appears to have. These categories are defined by non-aesthetic, perceptually distinguishable properties, which are classified as standard, variable, or contra-standard.

A property of a work of art is considered *standard* within a perceptually distinguishable category if its presence is essential for the work to belong to that category—its absence would disqualify the work from being included. A *variable* property, on the other hand, is irrelevant to the work's classification, meaning its presence or absence does not affect whether it fits within the category. A *contra-standard* property with respect to a category is the absence of a standard property with respect to that category which tends to disqualify the work from it. While there may be ambiguity in determining whether a property is standard, variable, or contra-standard, clear examples exist. For instance, the flatness of a painting and the motionlessness of its markings are standard for the category of painting, while the specific colors used are variable. Color patterns, being a variable category, do not affect artwork's classification as a painting. A protruding object on the surface would be contra-standard, challenging the classification of a work as a painting. Another clear example can be found in music. While exposition-development-recapitulation form of a classical sonata is a standard feature, its thematic musical material is variable relative to the category of classical sonatas (Walton 1970: 339–340).

Walton insists that the categories ought to be perceptually distinguishable. In Walton (2020), he reaffirms this claim, stating that:

> Walton '70 … insisted that aesthetic properties are perceptual and declined to challenge the idea that paintings and sonatas are to be judged solely on what can be seen or heard in them—when they are perceived correctly. (Walton 2020: 79)

Membership in perceptually distinguishable categories is based solely on features that can be perceived in artworks under normal conditions. For instance, etchings do not form a category, as they refer to a specific production method, which is not perceptually identifiable. However, Walton argues that apparent etchings—works that resemble

etchings—can form a category since their features are perceptually recognizable. Accordingly, Cezanne's paintings and Beethoven's music do not constitute perceptually distinguishable categories but works in the style of Cezanne or Beethoven do. A category is not perceptually distinguishable if its membership depends on non-perceptual factors (Walton 1970: 339)

Walton argues that artworks can be experienced through multiple categories that are not mutually exclusive. For example, Brahms' sonata can be heard as a musical composition, a piece of Western classical music, a work in the classical sonata form, a romantic piece, and as a musical piece in Brahmsian style. However, some categories are incompatible; for instance, one cannot perceive a photographic image as both a still photograph and as part of a film at the same time. How we perceive an artwork in certain categories is determined by our familiarity with similar works, exposure to art criticism, and the context in which the work is presented.

Walton asserts, however, that it would be a mistake to overly formalize the rules for determining how works are correctly perceived, as this would impose unnecessary restrictions. He supports his claim with the example of Giacometti's thin metal sculptures. A critic viewing them simply as sculptures or representations of people might describe them as frail, emaciated, or wiry. However, a critic viewing them within the category of thin metal sculptures of that kind might focus instead on the expressive nature of the positions of their limbs, thus ascribing quite different aesthetic properties to the sculptures. Walton argues that in Giacometti's case it is likely undecidable which perspective is correct, as it is unclear whether a category of thin metal sculptures is well enough established in Giacometti's society.

Among several convincing arguments supporting the indeterminacy of aesthetic properties thesis, the most notable one is the Guernica thought experiment. Walton asks us to imagine a society without the concept of painting, which instead recognizes an art form called *guernicas*. *Guernicas* are bass relief-like works modeled on Picasso's *Guernica*, sharing its colors and shapes but rendered in sculpted, protruding surfaces. In this society, *Guernica* itself would be perceived as a *guernica*, not a painting. As a result, its flatness would be seen as a variable rather than a standard feature, while its figures would become standard. This shift in categorical perception would lead to radically different aesthetic

judgments: what we find dynamic and disturbing, they might find cold, lifeless, or dull (Walton 1970: 347).

The difference in aesthetic response, according to Walton, is not just due to our greater familiarity with flat artworks and their familiarity with *Guernica*'s shapes and colors. A person equally familiar with both paintings and guernicas might perceive *Guernica* as a painting at times, finding it dynamic and intense, and as a guernica at others, seeing it as cold or lifeless. Context, such as viewing it in a painting or guernica museum, or being told how to categorize it, may influence perception, though one could also willingly shift between different ways of perceiving.

Consequently, the aesthetic properties of a work can vary dramatically depending on the categories through which it is perceived. One approach to resolve this problem is to accept that aesthetic judgments are category-dependent; the same work can be dynamic in one category but not in another, and both judgments are valid. Walton rejects this possibility, stating that accepting relativism in aesthetic judgements would lead to disintegration of artistic practice:

> I am ruling out the view that the notions of truth and falsity are not applicable to aesthetic judgments, on the ground that it would force us to reject so much of our normal discourse and common-sense intuitions about art that theoretical aesthetics, conceived as attempting to understand the institution of art, would hardly have left a recognizable subject. (Walton 1970: 355)

Thus, the normative thesis is postulated. Not all perceptions of an artwork are equally valid. An artwork is perceived properly when it is perceived within correct categories.

Correct perception, according to Walton, is determined by the following four requirements:

i. The presence of a substantial number of properties in a work that are standard for a particular category.
ii. The fact that the artwork, when perceived in a specific category, is better or aesthetically more pleasing than when viewed in that category.
iii. The fact that the artist who produced the work intended or expected it to be perceived in that category.
iv. The category's established and recognized status in the society where the artwork was produced.

Walton maintains that those requirements typically align, as artists usually intend for their works to be experienced in a way that matches the recognized categories of their society.

In the following sections, I discuss two objections to Walton's argument.[5] Nick Zangwill's objection resists the scope of conclusion drawn from Walton's psychological thesis. Daniel Nathan's objection rejects the requirement of artists' intention for determining the correct category in which a work is perceived as redundant.

Objections

Zangwill's objection

Nick Zangwill defends a moderate formalist view that builds upon the principle of aesthetic and nonaesthetic determination, drawing on Kant's distinction between free and dependent beauty (Zangwill 1999: 610). He applies this view to central art forms such as painting, sculpture, literature, and music, arguing that only moderate formalism provides a satisfactory framework for understanding them. Zangwill centers his argument around Sibley's supervenience thesis, maintaining, however, an important distinction between formal and non-formal aesthetic properties. Formal aesthetic properties, such as elegance, daintiness, dumpiness, power, balance, and delicacy, are entirely determined by narrow nonaesthetic properties, like arrangements of lines, shapes, colors, sounds, or spatial relations. Non-formal aesthetic properties, on the other hand, are partly determined by broad nonaesthetic properties, which include the historical, cultural, or contextual factors surrounding the artwork's history of origin (Zangwill 1999: 611).

On this account, the history of production, art-historical context, and artist's intentions always constitute broad non-aesthetic properties of artworks upon which non-formal aesthetic properties emerge. Moderate formalism concedes that contextual and representational works possess non-formal aesthetic properties, which are partly determined by the work's broad non-aesthetic properties. Zangwill's analysis of Walton's argument leads him to conclude that (1) a work's representational properties are influenced by its history of production and (2) that the

[5] For objections concerning the restrictiveness of the perceptual distinguishability requirement, see Davies (2020); for discussions on the relation between cognition and perception, refer to Stokes (2014) and Ransom (2020); for applications of Walton's argument to literary works, see Friend (2020); and for a formalist interpretation of Walton's *Categories of Art*, see Laetz (2010).

aesthetic qualities of representational artworks are partially dependent on what they represent. For instance, a painting might be beautiful as a representation of a tree, rather than beautiful and a representation of a tree (Zangwill 2000: 481).

Thus, Zangwill adopts what he refers to as a strategy of tactical retreat concerning the class of contextual and representational artworks, admitting that these properties are category-dependent. However, the Guernica thought experiment appears to yield a general conclusion that applies to all works of art, claiming that aesthetic judgments always take a category-dependent form, because it seems plausible that for any aesthetic property of any work, an example like Walton's Guernica is imaginable (Zangwill 2000: 485)

This generalization poses a significant challenge to moderate formalism, which asserts that things possess formal aesthetic properties intrinsically, enabling category-neutral aesthetic judgments. Therefore, Zangwill rejects the generality of Walton's conclusion—more specifically, the conclusion that our evaluations of an artwork's aesthetic properties is always dependent on the art-historical categories under which the work is classified.

Zangwill offers an alternative way to understand the shift in judgment that occurs when we consider Picasso's Guernica as a *guernica*. He argues that while phrases like "elegant for a C" or "an elegant C" are often used in the practice, they do not necessarily validate Walton's assertion that aesthetic judgments are always category-dependent. Instead, references to a category in aesthetic judgments might be seen as pragmatic tools to establish the *degree* of an aesthetic property in an artwork. Establishing degree is distinct from category-dependency. For example, Mycenaean seals, as a class, are generally more dynamic than Minoan seals. However, a particular Minoan seal might still be seen as dynamic *for a Minoan seal* (Zangwill 2000: 487). Zangwill argues that dynamism is an intrinsic property of an artwork, enabling category-neutral aesthetic judgements. Such category-neutral judgments, he contends, are essential for formalism as they allow to make judgements about the intrinsic aesthetic nature of things without knowing about their relational properties (Zangwill 2000: 487).

Zangwill proceeds to discuss the formal aesthetic property of vitality in Picasso's *Guernica*. He argues that describing a flat *guernica* as lifeless is appropriate, as it lacks the liveliness typical of most works in the

class of guernicas, which are exceptionally lively as a class. At the same time, Picasso's *Guernica* can also be aptly described as vital because it is livelier than most paintings, which, as a class, are less lively than *guernicas*. He asserts that a flat *guernica*, while less lively than most *guernicas*, is still as lively as Picasso's *Guernica,* which is livelier than most paintings, claiming that "the two might be equivalent in terms of degree of liveliness and also equivalent in respect of other aesthetic properties" (Zangwill 2000: 487).

This claim allows Zangwill to "stubbornly maintain that the two narrowly indistinguishable things are aesthetically indistinguishable, so long as they are both abstract and non-contextual works" (Zangwill 2000: 487).

Reply (mine)

Zangwill's position appears inconsistent. In *Feasible Aesthetic Formalism*, he explicitly states that he does not commit to aesthetic realism, aiming to remain neutral between realist, projectivist, and response-dependent views of aesthetic properties and assuming only the falsity of the error-theory which treats aesthetic discourse as wholly mistaken (Zangwill 1999: 612). However, in his response to Walton's argument, he asserts the existence of an intrinsic aesthetic nature of objects, claiming that we can make category-neutral aesthetic judgments independently of their relational properties. Moreover, he asserts that it is possible to determine the degree to which a particular aesthetic property is present in any given artwork (Zangwill 2000: 487).

By conceding to the latter, we accept that the aesthetic property of liveliness can be represented on a continuum, with one end labeled "extremely vital" and the other "completely lifeless," where each artwork's liveliness can be, through comparison, correctly mapped along the line. Since the class of *guernicas* generally ranks higher than the class of paintings, no painting could exceed the degree of liveliness of the strikingly lifeless *guernica*. Zangwill's position gets even less intuitive once we recollect our knowledge of the imagined category of *guernicas*. Unlike Picasso's work, they do not represent the Spanish Civil War. Theoretically, they could be contextual, representative, or abstract, showing a range of aesthetic properties as varied as the artworks recognized by our society.

Zangwill states that Walton's *Guernica* thought experiment is an "intuition pump, which, Walton hopes, will nudge us towards the conclusion that our judgements about the aesthetic character of works of art are dependent on the art-historical categories under which we subsume them" (Zangwill 2000: 484).

While the reliability of appeals to intuition can be questioned, it remains a widely accepted method in philosophy, drawing on pre-theoretical, immediate, and non-inferential judgments to support claims or clarify concepts. By contrast, Zangwill's argument, though carefully reasoned, appears both remarkably counterintuitive and lacking empirical evidence.

Additionally, the argument faces a significant theoretical issue. Zangwill claims to accept Sibley's supervenience thesis, as outlined in *Aesthetic and Non-aesthetic* (1965). According to Sibley, aesthetic properties emerge—or supervene—on non-aesthetic properties. Sibley (1965) provides a list of aesthetic concepts closely resembling the one presented by Zangwill (1999), which includes concepts like beautiful, elegant, graceful, and dainty. However, Sibley's complete list of concepts he considers aesthetic includes: the beautiful, elegant, graceful, dainty, tightly knit, unified, integrated, and lacking in balance; serene, somber, lifeless, dynamic, tragic, and sentimental; deeply moving, exciting, full of tension; as well as trite and vivid (Sibley 1959; Sibley 1965). Some are broadly formal, focusing on non-referential qualities like unity and balance; others are expressive, conveying attributes such as serenity and somberness. Additionally, some properties are affective, tied conceptually to experiential reactions, such as being exciting or deeply moving, while others, like being trite, do not neatly align with any specific category (Gaut 2009: 27).

Sibley argued that all these properties emerge indiscriminately from narrow non-aesthetic properties, meaning that aesthetic properties cannot change unless the underlying base properties are altered. Walton's thought experiment, however, demonstrates that perceived aesthetic properties can shift fundamentally with a change in context, showing that the supervenience base must be broadened to include art categories and art-historical context.

Zangwill's argument divides aesthetic properties into formal, emerging from narrow non-aethetic properties, and non-formal, emerging, in part, from the broad non-aesthetic properties. However,

Zangwill does not present a determinate list of formal properties; for instance, liveliness, which seems to belong to expressive properties, is absent from the list of formal properties outlined in *Feasible Moderate Formalism* (1999). Furthermore, while his distinction between formal and non-formal properties based on differing supervenience bases is interesting, it lacks justification. Thus, I argue that the burden of proof rests on him to substantiate this claim.

Therefore, I contend that Walton's psychological argument remains intact, lending plausibility to his normative thesis, as the normative thesis depends upon the truth of the psychological thesis. The normative thesis itself has not been questioned. However, the requirements for establishing the correct category were challenged. In the next section, I discuss the anti-intentionalist's objection to Walton's argument.

Nathan's objection

Daniel O. Nathan (1973) identifies Walton's "Categories of Art" (1970) as a significant paper which explores the relationship between aesthetic and non-aesthetic properties and introduces the concepts of "standard," "variable," and "contra-standard" properties. According to Nathan, Walton's argument can be divided into three parts, claiming that:

i. Aesthetic properties depend not only on a work's non-aesthetic properties but also on which of these properties are classified as "standard," "variable," or "contra-standard."
ii. These classifications are relative to the category (e.g., genre, medium, or style) in which the work is perceived.
iii. Determination of the work's correct category requires knowledge of historical and intentional facts about the work.

Nathan accepts the first two claims; however, he maintains that the third claim lacks justification.

Nathan performs an analysis of Walton's requirements for determination of the correct category and asserts that "the same criticisms count against his defenses of considerations (iii) and (iv) as against any intentionalist position" (Nathan 1973: 540). Thus, Nathan argues that Walton's first requirement (i) is usually not only sufficient for determining the correct category, but the only requirement one does, in fact, consider, unless the artwork in question is extremely unusual one, in which case, in Nathan's opinion, the second requirement (ii) handles the categorization.

Nathan argues that Walton proves the necessity of (iii) and (iv) by proving the inadequacy of (ii). Namely, Walton argues that a mediocre work, suffering from an overabundance of cliches, could be via (ii) requirement significantly improved, or even made a masterpiece, merely by a choice to judge it within categories in which cliches are variable or contra-standard rather than standard. Walton appeals to intuition once again when he asserts that the work did not turn into masterpiece due to the choice of a judge of which set of rules to apply in judging it, but rather that the judgment is mistaken. Nathan agrees that (ii) requirement in itself is inadequate for correctly categorizing the work of art. However, he maintains that Walton's arguments supporting considerations (iii) and (iv) are overstated. Nathan asserts that Walton downplays the strength of (i) in counteracting inappropriate, or "far-fetched" categories. He maintains that we implicitly recognize that the work does not belong in that category, thus misrepresenting the extent to which consideration (ii) could distort our judgement.

Nathan proceeds by questioning the artist's intent requirement on the Schoenberg's case. Walton's argument that Schoenberg's early twelve-tone compositions should be perceived as twelve-tone relies on the requirement of the artist's intention, which Walton deems necessary due to the lack of societal recognition of twelve-tone music at that time. Nathan maintains that even without such recognition, non-aesthetic properties of Schoenberg's works, contra-standard in traditional categories, point toward a distinct category that need not be based solely or altogether on artist's intent. He argues that a sensitive critic could independently propose the new category based on the work's features. This implies that correct categorization is possible without the artist's explicit intentions or historical context. Thus, Nathan maintains Walton failed in achieving his main objective – demonstrating that "since artists' intentions are among the relevant historical considerations, the "intentional fallacy" is not a fallacy at all" (Walton 1970: 364; see Wimsatt & Beardsley 1946).

Reply (Walton's)

Walton (1973) defends his argument against Nathan's objection on two counts. First, he maintains that countless possible categories could satisfy (i) without establishing the appropriate way to perceive a work of art. For example:

> … (i) does not weigh in the slightest against hearing Stravinsky's *The Owl and the Pussycat* (1966) in the preposterous category of works whose first, seventeenth, and twenty-first harmonic intervals are major seconds, whose longest and shortest note values are in the ratio 6:1, and which contain in a single voice between twenty and thirty repetitions of the immediately preceding pitch. (Walton 1973: 267)

Second, Walton claims that Nathan rightly observes that critics can propose new ways of perceiving works when conditions (i) and (ii) challenge familiar categories. However, Nathan overlooks how this freedom risks yielding numerous irrelevant or nonsensical interpretations, reducing art criticism to mere sophistry, where eloquence outweighs substance. Therefore, Walton asserts the necessity of requirements (iii) and (iv) for distinguishing meaningful interpretations from irrelevant ones (Walton 1973: 268).

Laurent Stern, while defending a broadly anti-intentionalist approach to interpretation in art, nevertheless observes that the greatest strength of the intentionalist approach lies in its capacity to deflect misinterpretations, especially those influenced by ideological agendas. Such misinterpretations can be damaging to both the artwork and the practice of art criticism, as they tend to conceal rather than reveal what can be found in an artwork (2005: 117).

However, I maintain that the author's intention and history of the work's production are also important when interpreting works that belong to multiple categories. For instance, Stacie Friend (2020) argues that *Gulliver's Travels* by Jonathan Swift can be read as a fantasy adventure, a political or social satire, and a satire of travel journals. She discusses the scene where courtiers compete for a vacant office by performing a rope dance, in which "whoever jumps the highest, without falling, succeeds in the office" (Swift 1980: 53–54). Friend argues that this scene can be understood as a depiction of an exotic custom in the context of fantasy, while for readers familiar with satire, it also serves as a "biting portrayal of political intrigue" (Friend 2020). On this occasion, the knowledge of the author's intention and the historical context from which the work emerged supports a more complex interpretation which enriches the experience of the artwork.

Thus, I contend that, despite criticism, the main arguments of Categories of Art remain robust. In the next section, I will describe AICAN, a system created at Rutgers' Art & AI Lab.

AICAN

AICAN is a near-autonomous artist, created at Rutgers' Art & AI Lab, which is designed to study the creative process in art and its evolution from perceptual and cognitive perspectives (Mazzone and Elgammal 2019: 3). The model draws on Colin Martindale's psychological theory (Martindale 1990), which suggests that artists assimilate existing works before breaking away to establish new styles. This process is implemented through a "creative adversarial network" (CAN), a variant of GAN that leverages "stylistic ambiguity" to foster novelty (Elgammal 2017).

In traditional GAN systems, the generator is trained to produce images that deceive the discriminator into believing they originate from the training distribution, without directly accessing the training data. Over time, the generator becomes capable of producing images that the discriminator can no longer distinguish from the originals, effectively mimicking the distribution of the training set. Traditional GAN models rely heavily on the human artist for pre- and post-curatorial actions, as well as for tweaking the algorithm (Elgammal and Mazzone 2019: 2). The authors correctly observe that this process does not result in genuine novelty, since the best possible outcome would be no different than if the generator had "cheated" by being given direct access to the training set.

For this reason, the art world largely rejected GAN outputs as lacking value and originality (Boden and Edmonds 2009: 24; Boden 2010: 412). The common objection is that GANs never move beyond imitation of existing styles, leading some scholars to argue that "there is no motivation for the creation of endless variabilities and reproductions" (Pangrazio and Bishop 2017). A closely related objection is that, although computationally diverse, most outputs look very much alike, depending on the particular network architecture (Browne 2020: 4). Thus, GAN outputs failed to achieve value beyond that of human-made pastiches.

To address the lack of originality objection, Elgammal et al. propose an approach that builds on D. E. Berlyne's theory linking aesthetic experience to psychophysical arousal. Berlyne found that people tend to prefer stimuli with moderate arousal potential where too little is boring and too much is unpleasant. Habituation, or the decline of arousal from

repeated exposure, plays a critical role in the evolution of art, pushing artists to seek novelty to sustain interest. According to Berlyne, features that raise arousal in art include novelty, surprisingness, complexity, ambiguity, and puzzlingness.

Martindale, expanding on Berlyne's thesis, identifies habituation as the driver of artistic change. If artists repeat the same styles, arousal diminishes, and their work loses appeal. To maintain engagement, the "art-producing system" must introduce enough novelty to counter habituation while remaining within the pleasurable range. Such changes follow what Martindale calls the principle of "least effort," aiming to sustain interest without overwhelming the audience.

Following this framework, the authors propose a model for an art-generating agent based on a modified GAN. The agent's goal is to produce artworks with higher but controlled arousal potential by introducing stylistic ambiguity and deviation from known styles (Elgammal et al. 2017: 3–4).

According to its developers, AICAN consists of a generator and discriminator. Unlike traditional GAN systems, AICAN does not rely on curated datasets. Instead, it is trained on over 80,000 images spanning five centuries of Western art history (Mazzone and Elgammal 2019: 3). The artworks from the dataset are categorized by style labels (such as Renaissance, Baroque, Impressionism, Expressionism, etc.), enabling the discriminator to differentiate between labeled artistic styles.

The generator is trained through two opposing signals: one encourages adherence to the aesthetic qualities of the training data (minimizing deviation from the art distribution), while the other penalizes replication of established styles (maximizing stylistic ambiguity). These opposing signals ensure that the generated imagery remains both novel and aligned with acceptable aesthetic standards. This balance reflects Martindale's "least effort" principle, which posits that excessive novelty risks rejection by audiences (Mazzone and Elgammal 2019: 3).

The authors conducted an adaptation of a Turing test to assess human responses, blending AICAN-generated images with pieces from Art Basel 2016 and works by abstract expressionist masters. Findings indicated that 75% of participants were unable to reliably distinguish between the AI-generated art and human-created pieces, often mistaking AICAN-generated images for human-made artworks (Elgammal and Mazzone 2019: 4).

Consequently, since AICAN digital objects elicit aesthetic responses from audiences and are shown to be indistinguishable from human-made artworks, Mazzone and Elgammal argue that they should be recognized as artworks, situating them within the contemporary art context and prompting a reevaluation of the definitions of human and machine creativity (Mazzone and Elgammal 2019: 1). In the next section, I challenge their proposal by applying Walton's requirements for the artworks' correct categorization to AICAN-generated digital objects.

Application of Walton's Correctness Requirements to AICAN-generated Digital Objects

To evaluate whether AICAN-generated outputs can be categorized as human artworks, I will apply Walton's four requirements for establishing correctness. The first two requirements are undeniably applicable to AICAN-generated outputs. Given that the system was trained on over 80,000 works of art (and exclusively artworks), it is unsurprising that its outputs display numerous properties that are standard for various categories. The second requirement is also fulfilled, as it relies on the observer's ability to perceive aesthetic qualities and make aesthetic judgments. However, Walton's third requirement necessitates a person embedded in an art-historical context, which AICAN is clearly not.

The indispensability of authorial intention as a constraint on the imaginativeness of critics and viewers becomes strikingly clear when non-established and unrecognized categories are introduced into artistic practice (as with those generated by AICAN). Schoenberg's twelve-tone system provides a vivid example. As Walton observes, even Schoenberg's earliest twelve-tone works are correctly heard as such; to hear them otherwise (e.g., as chaotic or formless) is simply mistaken. This holds even if Schoenberg's contemporaries were unaware of the system. Yet their proper classification cannot be explained merely by the fact that they are more rewarding when heard as twelve-tone compositions (i.e., by appealing to Walton's second requirement). That factor alone does not account for the correctness of hearing them in this way. The only other relevant factor in determining the correct category is Schoenberg's intention (Walton 1970: 361).

Thus, it is precisely AICAN's stylistic novelty, coupled with absence of authorial intention, that renders its digital imagery unfit for correct categorization under Walton's normative thesis. As an algorithm, AICAN fails the third requirement, and its structure precludes meeting the fourth. Therefore, its outputs necessarily remain category-relative.

A critic might argue that, since the discriminator is trained to recognize style labels such as Renaissance, Baroque, Impressionism, and Expressionism, the outputs can be judged accordingly. Specific structural properties of these styles could be identified even when the system deviates from them, especially given that such deviations are limited. Consequently, AICAN outputs can be said to belong to at least some categories. For example, it is evident that the output is an image. Furthermore, following Walton's argument, one could contend that the image belongs to the category of digital art or that it falls within the abstract style.

However, for a correct judgment the categories ought to be narrowed down. To illustrate, I suggest recollecting Walton's example of a Brahms composition. Such a work can be heard as a musical composition, a piece of Western classical music, a work in the classical sonata form, a romantic piece, and, more precisely, as a musical piece in the Brahmsian style. These categories overlap and progressively narrow, leading to the Brahmsian style, which is defined by a distinctive set of narrow non-aesthetic sound-structural properties, such as the alternation of duple and triple meters, superimposition, and adherence to traditional harmonic and formal structures. The aesthetic properties correctly attributed to a Brahmsian piece are those that arise from its inclusion in all these categories, with the category of "Brahmsian style" being indispensable.

Dustun Stokes's discussion (2014) further illustrates the necessity of personal styles for determining correct aesthetic properties. For instance, Composition A (1923) from Mondrian's Composition pieces features uniform vertical and horizontal lines intersecting to form colored rectangles. These features are standard within the category 'in the style of Mondrian's Composition pieces,' with variables like line width and rectangle size, while in the broader category 'painting,' all these elements are variable. A viewer unfamiliar with Mondrian's work perceives it under the basic category 'painting,' potentially missing the subtle

organization salient to a Mondrian connoisseur. The art-critic, applying the more sophisticated category, perceives features like the dominance of colored rectangles and lack of negative space, resulting in a richer perceptual experience and distinct aesthetic judgements—describing the work as vivid or dense, while a someone perceiving it as a painting might find it sparse or cold (Stokes 2014: 17). If the image were not Mondrian's but generated by AICAN, its perception would remain category-relative, and neither judgment could claim correctness over the other.

Therefore, without making an ontological claim, I argue that since we cannot evaluate AICAN outputs as human artworks, we should not classify them as such, as doing so would expose artistic practice to radical relativism in aesthetic judgment.

I further maintain that Walton's distinction between aesthetic objects and artworks provides a plausible framework for understanding AICAN's digital objects and the aesthetic response they elicit. Walton draws a distinction between aesthetic objects and artworks, where truth and falsity is applicable to the latter, but not the former. Aesthetic judgments regarding artworks can be altered through acquired familiarity with the correct categories. In contrast, aesthetic judgments of natural objects, such as clouds or mountains, remain category-relative, allowing for opposing, yet equally valid judgments. An analogy can be drawn between AI-generated images and natural objects. Both possess aesthetic appeal but lack a history of origin, intentionality, and art-historical context. Therefore, I argue that AICAN digital objects should be regarded as aesthetic objects rather than artworks.

Conclusion

I have argued that Kendall Walton's argument provides compelling grounds for considering extrinsic properties of an artwork, such as its history of origin and the artist's intention, as essential for its correct evaluation. AICAN-generated digital objects possess aesthetic appeal and originality; however, they do not meet the necessary requirements for correct categorization and, consequently, evaluation. I argued that, since they cannot be evaluated as human artworks, they should not be classified as such. Furthermore, I argued that classifying these objects as artworks is damaging to artistic practice, as it undermines its coherence.

Lastly, I argued that Walton's distinction between aesthetic objects and artworks is applicable to AICAN-generated outputs, providing a plausible framework for classifying them as aesthetic objects.

An objection might be raised that my claim is too narrow and selectively focuses on a convenient subset of AI-generated digital objects, thereby oversimplifying a complex issue to support a strong claim.

In response, I maintain that the complexity of the problem is such that no single argument will resolve it. Therefore, I advocate for a careful and methodical approach. This paper sought to take one focused step in addressing this complex issue, with the hope of opening the way for further discussion.

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