



"Canvas of Change: Navigating Art, Justice, and Rights in the Digital Epoch"

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Abstract

This article explores the intricate interplay between art, justice, and human rights in the ever-evolving landscape of the digital age. From the democratization of artistic expression facilitated by digital platforms to the challenges posed by surveillance, privacy concerns, and the integration of artificial intelligence in creative processes, the journey through this digital canvas is both transformative and complex. Examining the economic dynamics of digital art markets, the article navigates issues of accessibility, wealth concentration, and the environmental impact of blockchain technology. Drawing insights from seminal works by Postigo, Lessig, Zuboff, Broussard, Donath, and Negus & Pickering, the narrative weaves a tapestry that reflects the profound implications of technological advancements on the canvas of art, justice, and fundamental human rights in the 21st century.

Keywords:

Digital Art, Justice in Digital Age, Human Rights and Technology, Surveillance and Privacy in Art, AI and Artistic Autonomy, Economic Justice in Digital Art Markets, Intellectual Property in the Digital Age, Social Activism in Art, Technological Innovations in Art, Ethical AI in Creative Processes, Environmental Impact of Digital Art

Introduction

The digital age has ushered in an unprecedented era of transformation in the realm of art, transcending the conventional boundaries that have long defined this expressive medium. As pixels replace pigments and screens supplant canvases, artists now navigate a landscape that is both limitless and labyrinthine. Yet, this digital revolution extends beyond aesthetics; it delves into the very core of justice and rights in art, transcending traditional paradigms. Art has always been a

reflection of the society from which it emerges. In the digital age, this reflection becomes an intricate mosaic, capturing not only the hopes and aspirations but also the complexities and challenges of an interconnected world. As digital tools enable artists to transcend geographical constraints, their works become accessible to a global audience, democratizing a realm that was once confined to select galleries and elite collectors. This newfound accessibility raises profound questions about justice in representation and recognition, as artists from diverse backgrounds now have the means to share their narratives and perspectives.

Yet, as art takes on a digital form, it grapples with a myriad of dilemmas that redefine notions of justice and rights. The very essence of artistic expression in a digital landscape, often characterized by the free exchange of ideas and remix culture, challenges established norms of copyright and intellectual property rights. Artists, both established and emerging, navigate this intricate terrain, seeking a balance between safeguarding their creations and fostering a culture of collaboration and innovation. The digital age has also seen art intersect with the realms of social justice and activism. Artists wield their digital tools as instruments of political expression, challenging social norms, and advocating for change. Whether through powerful digital art installations or viral social media campaigns, they serve as catalysts for discussions on human rights, inequality, and justice. However, this newfound power also exposes them to potential online censorship, raising questions about the boundaries of artistic freedom and the role of digital platforms as arbiters of acceptable content.

Privacy, a fundamental right in the digital age, has become an intricate concern for artists. As they engage with digital technologies and online platforms, they may inadvertently expose themselves to surveillance and data collection, potentially stifling artistic autonomy. The need to protect artists' rights to create without fear of surveillance or data exploitation becomes paramount in an era marked by heightened concerns over privacy breaches. Furthermore, the integration of artificial intelligence (AI) into artistic creation challenges conventional notions of authorship and artistic autonomy. As AI algorithms generate art, questions arise about ownership and the implications for artists' rights and income. Additionally, these algorithms, trained on often biased datasets, may perpetuate societal

inequalities, calling for measures to ensure fairness and representation in AI-generated art.

Economic justice is another facet of the digital art landscape. The rise of non-fungible tokens (NFTs) has disrupted traditional art markets, offering new avenues for artists to monetize their work. However, the concentration of wealth among a select few while leaving many artists struggling prompts an examination of economic justice within the digital art ecosystem. In this intricate tapestry of pixels, algorithms, and social media shares, understanding the interplay between art, justice, and rights becomes a pressing imperative. As the digital age continues to evolve, the boundaries of art expand, reshaping its role in society. Examining these multifaceted issues is crucial to shaping a more equitable and inclusive digital art world that respects the rights and fosters the creativity of artists in a digital age of limitless possibilities and complex challenges.

I. Digital Art and Creativity

In the digital age, art knows no geographical bounds. Digital tools have democratized the creation and dissemination of art, enabling artists from diverse backgrounds to share their work with a global audience. This newfound accessibility, a hallmark of the digital era, has the potential to reshape long-standing injustices in the art world. Historically marginalized voices now have a platform to challenge traditional hierarchies and engage in conversations that extend far beyond physical galleries. The democratization of art raises profound questions about justice in representation and recognition. It challenges the established norms of whose art gets seen, celebrated, and preserved. The digital age has given rise to a complex landscape of copyright and intellectual property rights, posing challenges and opportunities for artists.¹ Postigo says, "The digital rights movement is not just a technological and economic phenomenon, but a social and cultural movement." Postigo emphasizes that the movement for digital rights extends beyond technology and economics, highlighting its profound impact on society and culture. The ease of replication and distribution in the digital realm has led to debates over how to protect the rights of creators while

1 Postigo, Hector. *The Digital Rights Movement*. The MIT Press, 2012. P.3

fostering a culture of collaboration and innovation. Digital artists must navigate these intricate waters, often relying on a patchwork of legal frameworks that are still catching up with the rapid pace of technological change. Balancing the need to protect artistic creations with the desire to encourage the free exchange of ideas and remix culture becomes a pivotal consideration for justice and rights in this context.

The shift to digital art raises questions about the preservation of cultural heritage. Traditional art forms, like paintings or sculptures, can endure for centuries, but digital artworks are subject to the vulnerabilities of rapidly evolving technologies. Ensuring the longevity of digital art and safeguarding the rights of future generations to access and appreciate it is a significant challenge. Initiatives to archive digital art and establish protocols for its preservation emerge as vital components of the broader discourse on justice and rights in the digital age. The digital age has intensified debates around cultural appropriation, particularly when it comes to digital art. Artists must navigate a fine line between inspiration and appropriation, respecting the rights and heritage of indigenous cultures and marginalized communities. Lawrence Lessig says, "Creativity and innovation always builds on the past."² Lessig's quote underscores the idea that artistic creation is inherently collaborative and iterative. It speaks to the transformative nature of art and the need for a balance between creative freedom and existing intellectual property rights. Justice in this context involves acknowledging the historical injustices faced by these communities and ensuring that digital art creation is culturally sensitive and respectful. The rise of digital platforms and social media has provided artists with powerful tools for self-expression and exposure. However, these platforms also come with their own sets of rules and regulations. The balance between artistic freedom and adhering to platform-specific guidelines can be delicate. Instances of censorship, whether due to algorithmic biases or policy enforcement, challenge the rights of artists to express themselves without restraint, raising questions about the role of digital platforms as arbiters of acceptable content.

2 Lessig, Lawrence. **Remix: Making Art and Commerce Thrive in the Hybrid Economy**. Penguin Books, 2009. P.15

In this complex digital landscape, where creativity knows no boundaries, addressing the justice and rights concerns related to digital art becomes an ongoing endeavour. As technology continues to reshape the art world, it is imperative to strike a balance between preserving and expanding the rights of artists, ensuring that the digital age fosters both artistic innovation and inclusivity. The intersection of digital art, creativity, and justice will remain a vibrant arena for debate and progress as we navigate this brave new world of artistic expression.

II. Social Justice and Activism in Digital Art

The digital age has witnessed an unprecedented surge in politically charged art and activism. Artists leverage the accessibility and reach of digital platforms to amplify their voices and engage with social justice issues on a global scale. Digital art, whether in the form of powerful illustrations, videos, or interactive installations, serves as a potent tool for expressing dissent, highlighting inequalities, and advocating for change. This intersection of art and activism challenges traditional boundaries and calls into question the role of art in promoting justice and social transformation. Digital art has emerged as a means to amplify the voices of marginalized communities and those historically underrepresented in mainstream art. Artists from diverse backgrounds, including LGBTQ+ artists, people of colour, and indigenous creators, find in digital platforms a space to challenge stereotypes and reclaim narratives. Social justice-oriented digital art celebrates the richness of human experiences and helps create a more inclusive art world where representation is equitable. While digital platforms empower artists to engage with social justice issues, they also introduce complex questions surrounding online censorship. Governments and platforms may restrict or remove art that challenges the status quo or addresses controversial topics. This challenges the boundaries of artistic freedom and underscores the need to protect artists' rights to express themselves without fear of retribution or suppression. The tension between responsible content moderation and safeguarding artistic freedom is a pressing issue in the digital age.

Digital art's ability to evoke emotions and provoke critical thinking can be a catalyst for change. Social justice-themed art exhibitions, virtual reality experiences, and digital installations immerse audiences in the stories of marginalized

communities, fostering empathy and encouraging action. This transformative potential of digital art is at the forefront of discussions about the role of art in society and its capacity to address pressing social issues. Digital art often thrives within online communities that share a common cause or passion. These communities serve as platforms for collective activism and solidarity. Artists can collaborate with like-minded individuals from around the world to create art that addresses social injustices. This collaborative spirit underscores the digital age's ability to connect people globally and drive collective action for justice and change. Digital art captures and preserves moments of historical significance. It becomes a powerful tool for documenting social justice movements, from protests and marches to moments of resilience and resistance. In this way, digital art contributes to the collective memory of society, ensuring that pivotal events and voices are not forgotten.

As the digital age continues to unfold, the intersection of social justice, activism, and digital art promises to play a pivotal role in shaping conversations around equity, equality, and human rights. It exemplifies the potential of art to transcend physical boundaries and spark meaningful dialogues on issues that resonate with global audiences. The ongoing discourse about how to balance artistic freedom, the power of collective activism, and the need to combat online censorship ensures that the role of digital art in advancing social justice will remain a dynamic and evolving facet of contemporary culture.

III. Surveillance and Privacy

In the digital age, the act of creating art often occurs in the public eye, whether through livestreams of the creative process or the sharing of works on social media. While this visibility can be empowering for artists, it also exposes them to potential surveillance. This surveillance takes various forms, including government monitoring, online tracking, and data collection by technology platforms. The concern here is not just about artists' rights to privacy but also the chilling effect that surveillance can have on artistic expression. Knowing that their work is being monitored can lead artists to self-censorship, potentially stifling creative autonomy. As artists engage with digital platforms, they often share personal data, ranging from their real names and locations to the content of their

artworks. Ensuring artists' rights to data privacy is crucial in an era marked by data breaches and concerns over personal information misuse. Artists, like any other digital users, face the challenge of protecting their sensitive information from cyber threats and ensuring that platforms adhere to privacy regulations. The broader implications of data privacy extend to questions about who owns and profits from the data generated by digital art platforms. The rise of surveillance capitalism, characterized by the mass collection of user data for profit, has significant implications for artists. Shoshana Zuboff says, "The unprecedented economic value of prediction assures the triumph of surveillance capitalism over the peoplescope."³ Zuboff discusses how surveillance capitalism's focus on predicting and influencing behavior has significant economic implications. Digital platforms often rely on algorithms that mine user data to curate content, including art recommendations. This raises questions about the impact of these algorithms on artistic autonomy. To what extent do these algorithms shape the visibility and success of an artist's work? Artists may find themselves in a constant battle for visibility and recognition in an ecosystem driven by algorithms designed to maximize engagement.

Some governments use digital surveillance tools to monitor and censor artists whose work challenges the status quo or addresses sensitive political topics. Artists operating under repressive regimes may face grave consequences for their expression, including imprisonment or persecution. The tension between artistic freedom and government surveillance is a pressing human rights issue in the digital age. Protecting the privacy and rights of artists living in such environments becomes a matter of international concern. The practice of artists voluntarily surveilling themselves or their audience as a form of artistic expression raises ethical questions. Some artists incorporate surveillance technologies into their work, exploring themes of observation, voyeurism, and control. These projects prompt discussions about the boundaries of consent, privacy, and the potential harm or benefits of such artistic interventions. In response to growing concerns about surveillance and data privacy, artists and technologists are experimenting with Privacy-Enhancing Technologies (PETs). These tools aim to protect users' privacy while still enabling them to engage with digital platforms and create art.

3 Zuboff, Shoshana. "The Age of Surveillance Capitalism: The Fight for a Human Future at the New Frontier of Power". PublicAffairs, 2019. P.10

Innovations in PETs, such as secure and anonymous communication methods, encrypted databases, and decentralized platforms, empower artists to reclaim control over their digital presence and data.

In the digital age, the confluence of artistic expression, surveillance, and privacy is a complex and evolving landscape. Artists face a delicate balancing act as they navigate the tension between sharing their work with a global audience and protecting their privacy and creative autonomy. Ensuring that artists' rights to privacy and freedom of expression are upheld in this digital milieu is not only crucial for individual artists but also for the broader discourse on human rights, artistic autonomy, and the evolving nature of creativity in a digital world.

IV. AI and Artistic Autonomy

The integration of artificial intelligence into artistic creation has opened up new frontiers of creativity. AI algorithms, particularly those in the fields of generative adversarial networks (GANs) and deep learning, can produce art that ranges from paintings to music compositions and even poetry. This development challenges traditional notions of artistic authorship. While some view AI as a tool that artists can harness to augment their creative processes, others raise questions about the extent to which an AI-created artwork can truly be attributed to a human artist. One of the central issues in the realm of AI and art is the question of ownership and rights. When an AI algorithm generates a piece of art, who owns it? Is it the artist who initiated the algorithm or the creators of the AI model? Addressing these questions is crucial for safeguarding the autonomy of human artists and ensuring that they are recognized and compensated for their contributions. Some artists actively collaborate with AI systems, blurring the lines between human and machine creativity. These collaborations explore the symbiotic relationship between human intention and AI's capacity to generate novel ideas. While such partnerships can lead to innovative and unexpected outcomes, they also prompt discussions about artistic autonomy. Artists must grapple with questions about the extent to which they guide or surrender control to the AI, and how these choices impact the resulting artwork.

AI algorithms are trained on datasets that may contain biases based on the data they are derived from. This can result in artwork that perpetuates stereotypes or fails to adequately represent diverse perspectives. Ensuring fairness and representation in AI-generated art is a critical aspect of addressing artistic autonomy. Artists and technologists must work together to develop and train AI models that are ethically sound and align with artistic intentions. The blurred lines between human and AI authorship raise complex issues in copyright law. Some countries and jurisdictions are adapting their copyright frameworks to accommodate AI-created content. This adaptation involves redefining the legal notion of authorship, which is essential for artists to maintain control over the use and distribution of AI-generated art. As AI continues to evolve, it presents challenges to the autonomy of artists. The fear that AI may render human artists obsolete or devalue their contributions is a legitimate concern. However, proponents argue that AI can be a tool for artists to experiment, explore new creative avenues, and even critique the role of technology in society, ultimately reaffirming the artist's autonomy through innovation. Artists using AI must also grapple with ethical considerations. They need to address issues like transparency in AI-generated art, disclosure to the audience, and the potential for AI to be used to create deepfakes or for malicious purposes. Upholding ethical standards in AI-driven art becomes essential to maintaining the integrity of the artistic process.

In the digital age, AI's impact on artistic autonomy is a nuanced and evolving conversation. Artists must weigh the benefits of AI-enhanced creativity against the potential challenges it poses to their creative independence. Finding a balance between harnessing AI's potential and preserving human agency in the arts is key to navigating the evolving landscape of AI and artistic expression. Addressing these complex issues requires collaboration between artists, technologists, legal experts, and ethicists to ensure that AI remains a tool that augments rather than supplants human creativity.

V. Digital Art Markets and Economic Justice

The advent of blockchain technology and non-fungible tokens (NFTs) has disrupted traditional art markets. Artists can tokenize their digital creations, essentially turning them into unique, verifiable, and tradable assets on blockchain

platforms. This innovation offers new opportunities for artists to monetize their work directly, bypassing traditional intermediaries like galleries or auction houses. However, it also raises concerns about the environmental impact of blockchain networks and the potential for speculative bubbles within the NFT market. While NFTs have empowered some artists to generate substantial income, they have also exposed economic inequalities within the digital art ecosystem. High-profile NFT sales garner significant attention and financial rewards, but this concentration of wealth among a select few leaves many artists struggling to make a living. Economic justice in the digital art world entails addressing these disparities, and ensuring that a broader spectrum of artists can benefit from the digital revolution.

The digital art world, driven by NFTs and blockchain, has its own set of financial barriers. Artists may need access to cryptocurrency to participate, and transaction fees can be prohibitive, particularly for emerging artists. Ensuring economic justice involves finding solutions to make the digital art market more accessible and inclusive, ensuring that artists from diverse backgrounds can engage on equitable terms. As digital art markets expand, there is a growing need for regulation to protect both artists and collectors. Regulations might encompass guidelines on provenance, authentication, and copyright issues specific to digital assets. Striking the right balance between regulation that ensures economic justice and allowing for innovation in this space is a complex challenge. Digital art platforms that facilitate NFT sales often operate on commission-based models. These platforms take a percentage of the sales, which can be substantial. For economic justice, it is essential to consider fair and transparent commission structures that benefit both artists and platform operators while preventing exploitation.

Judith Donath says, "The Internet reflects our society, but it does not shape it."⁴ Donath's quote prompts reflection on the reciprocal relationship between the internet and society. Judith discusses how digital platforms reflect existing societal structures and values, influencing the discourse on justice and rights in the digital age. The energy-intensive nature of blockchain networks used in

digital art markets raises sustainability and environmental justice concerns. Many artists and collectors are increasingly conscious of the environmental impact of their digital art transactions. Addressing these concerns is integral to a holistic approach to economic justice in the digital art ecosystem. Empowering artists with knowledge about the digital art market and the blockchain technology underpinning it is a key aspect of economic justice. Education can help artists navigate the complexities of this space, make informed decisions, and advocate for their rights and fair compensation. Traditional art institutions like galleries and museums are also adapting to the digital age. They play a role in ensuring economic justice by providing platforms and support for artists making the transition to digital art. Hybrid models that combine physical and digital exhibitions can help bridge the gap between the traditional and digital art markets. Artists, collectors, platforms, and regulators must collaborate and advocate for policies and practices that promote economic justice in the digital art realm. This includes addressing issues like intellectual property rights, provenance tracking, and fair compensation.

In the digital art landscape, economic justice is about more than financial transactions; it encompasses accessibility, inclusivity, transparency, and fairness. As digital art markets continue to evolve, finding solutions that balance the innovative potential of blockchain technology with the imperative of economic justice will be crucial in shaping a more equitable and sustainable future for artists and collectors alike. As Keith Negus and Michael Pickering say, "The integration of technology into artistic production is both a practical necessity and an aesthetic choice."⁵ Negus and Pickering highlight the dual nature of technology in art, addressing its role as both a practical tool and an aesthetic decision. They explore how artists navigate the integration of technology in the pursuit of creativity and expression.

5 Negus, Keith, and Michael Pickering. *Digital Art Worlds: Technology and Creativity in the 21st Century*. Palgrave Macmillan, 2016. P.10

A Critical Analysis:

The emergence of digital art, catalyzed by technologies like blockchain and NFTs, has undeniably transformed the traditional art market landscape. This shift presents both exciting opportunities and pressing challenges, particularly in the realm of economic justice. The use of blockchain technology and NFTs in the digital art market has democratized access to art creation and sales. For artists, this means the potential to monetize their work without relying on traditional gatekeepers like galleries or auction houses. This newfound accessibility has particularly empowered emerging and marginalized artists, who may have struggled to find recognition and financial stability in conventional art markets. However, the digital art market's disruption also highlights stark economic inequalities. High-profile NFT sales by a select group of artists have generated astronomical sums, often making headlines. While these success stories are impressive, they mask the economic struggles faced by the majority of artists in the digital space. This concentration of wealth among a small elite raises questions about the equitable distribution of financial gains within the digital art ecosystem.

The environmental impact of blockchain networks used for digital art transactions is another critical concern. The energy consumption associated with blockchain technology, particularly in proof-of-work systems like Ethereum, is substantial. This environmental cost is in stark contrast to the often progressive and environmentally conscious ethos of the art world. Addressing these sustainability concerns is not only an economic issue but also a matter of environmental justice, as it involves considering the broader ecological implications of digital art markets. The digital art market is not without its financial barriers. Artists and collectors must navigate the complexities of cryptocurrency, including the need for access to these digital assets and an understanding of how to use them. Transaction fees can also be exorbitant, particularly for artists who are just starting in the digital art space. Ensuring economic justice in this context means addressing these barriers and making the digital art market more inclusive.

The lack of comprehensive regulation in the digital art market poses challenges for economic justice. Issues like provenance, authentication, and copyright in the context of digital assets require clear guidelines. Striking the right balance between regulation that protects artists and collectors and allowing for innovation is a complex task. Regulations that overreach could stifle the innovative potential of blockchain and NFT technologies, while a lack of regulation could expose artists and buyers to risks. Digital art platforms often operate on commission-based models, taking a percentage of sales. The transparency of these commission structures is a critical aspect of economic justice. While commissions can be a source of income for platforms and infrastructure maintenance, they must be fair and transparent to prevent exploitation. Unfair commission structures can erode the economic benefits that artists should gain from their work. Education plays a pivotal role in economic justice within the digital art market. Artists need knowledge about blockchain technology, NFTs, and the intricacies of this market to make informed decisions. Empowering artists with this information enables them to navigate the complexities of the digital art space effectively. It also allows them to advocate for their rights and seek fair compensation.

Traditional art institutions, including galleries and museums, are grappling with the digital transformation of the art market. Their role in ensuring economic justice involves providing support for artists transitioning to digital art and bridging the gap between traditional and digital art markets. Hybrid models that combine physical and digital exhibitions can help these institutions stay relevant and provide artists with essential exposure and support. Addressing economic justice in the digital art market requires collaboration among artists, collectors, platforms, and regulators. Collective advocacy for policies and practices that promote fairness is essential. This includes addressing issues like intellectual property rights, provenance tracking, and fair compensation.

In conclusion, the emergence of digital art and the adoption of blockchain and NFT technologies have revolutionized the art market. While this transformation offers unprecedented opportunities for artists, it also brings economic justice concerns to the forefront. Balancing accessibility, transparency, sustainability, and equitable distribution of wealth within the digital art ecosystem is a complex and evolving challenge. Achieving economic justice in this context will require

thoughtful collaboration, regulation, and education to ensure that the digital art space remains inclusive and sustainable for all stakeholders.

Conclusion

In the dynamic and ever-evolving landscape of "Art, Justice, and Rights in the Digital Age," we have explored a multitude of intricate intersections that define the modern artistic experience. This discussion has illuminated the profound ways in which digital technology has reshaped the realms of art, justice, and human rights. From the democratization of art in the digital era, which empowers artists from diverse backgrounds to share their stories and perspectives, to the complex web of copyright and fair use debates, where the collision of artistic freedom and intellectual property rights beckons, the digital age has forced us to reevaluate long-standing paradigms. Likewise, the fusion of digital art with social justice and activism has propelled artists into the forefront of societal change, allowing them to challenge norms, question power structures, and inspire collective action on global issues. Yet, it also underscores the tension between creative freedom and online censorship.

Moreover, the intricacies of surveillance and privacy in the digital age have emerged as critical concerns, threatening not only artists' autonomy but the very essence of artistic expression itself. Safeguarding the rights and privacy of artists in an era of heightened surveillance is paramount for the preservation of free, uninhibited creativity. The integration of artificial intelligence into artistic creation has opened up new vistas of creativity while sparking complex debates about authorship and autonomy. As artists collaborate with AI systems and wrestle with issues of algorithmic bias, the boundaries of creativity and control continue to shift. Finally, the digital art market, fuelled by blockchain technology and NFTs, has disrupted traditional paradigms, offering exciting opportunities for artists while also raising concerns about wealth concentration, accessibility, environmental sustainability, and fair practices.

In conclusion, the digital age has brought both promise and peril to the world of art, justice, and rights. It has expanded the canvas on which artists can paint their narratives, yet it has also challenged established norms and ushered in a

new era of complexity. As we navigate this digital realm, it is crucial that we strive for an equilibrium where the rights of artists, the demands of justice, and the potential for technological innovation coexist harmoniously. In doing so, we can foster an inclusive, equitable, and dynamic artistic landscape that reflects the diverse tapestry of human creativity and expression in the 21st century.

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