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Journal of Science and Knowledge Horizons
*ISSN 2800-1273-EISSN 2830-8379***ARTIFICIAL INTELLIGENCE AND REWRITING HISTORY:
THE LEGAL IMPLICATIONS.**

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Email :delej@yorku.ca , ORCID: <https://orcid.org/0000-0002-8769-3836>.**Abstract:**

Artificial Intelligence (AI) is playing an increasingly prominent role in the analysis, reinterpretation, and even rewriting of historical narratives. Through powerful technologies such as deepfakes, generative models, and machine learning algorithms, AI can manipulate historical data and imagery in ways that challenge the integrity and authenticity of the historical record. These technological advances raise significant legal and ethical questions, particularly regarding the ownership and authenticity of AI-generated content, the potential spread of misinformation, and the risks posed by revisionist histories driven by algorithmic manipulation. As AI's capacity to generate and disseminate historical reconstructions grows, concerns about intellectual property rights, defamation, historical falsification, and the distortion of cultural memory have become increasingly urgent. This paper critically investigates the implications of AI's involvement in shaping historical discourse, with a focus on the intersection between technology, law, and historical integrity. It explores how existing legal frameworks—such as copyright law, defamation law, and regulations on misinformation—apply to AI-generated historical content and whether these laws are sufficient to address the novel challenges posed by AI-driven historical revisionism. Through an interdisciplinary analysis, the paper examines the legal status of AI-generated works, the attribution of authorship and liability, and the tension between free expression and the need to preserve factual historical narratives. In addition to evaluating current legal regimes, this study proposes a set of legal and policy reforms aimed at ensuring transparency, accountability, and ethical standards in the use of AI for historical

purposes. It advocates for the development of international guidelines and regulatory mechanisms to safeguard against the misuse of AI in historical contexts, while still encouraging technological innovation and scholarly exploration. Ultimately, this paper offers a balanced approach to managing AI's transformative potential in historical scholarship, ensuring that advancements in AI contribute to, rather than undermine, the accurate and responsible understanding of the past.

*** Dele Jemirade**

1. Introduction

This article critically examines the complex and evolving relationship between Artificial Intelligence (AI) and the rewriting of history, focusing on the profound legal and non-legal implications that may arise from the deployment of AI in the historical field. As AI technologies increasingly permeate various sectors of society—including education, media, and archival practices—their potential to influence, manipulate, and even fabricate historical narratives demands urgent attention. This paper explores how traditional and revisionist historical sources are currently used and how AI tools, such as large language models and deepfake technologies, could be leveraged to reinterpret or distort historical events. It scrutinizes the risks associated with AI-generated content being presented as authentic historical sources, leading to altered public perceptions, historical confusion, and potentially dangerous forms of revisionism.

At the core of this analysis lies the question: Can AI alter the course of history, either by producing necessary corrections to previously misunderstood events or by enabling unnecessary and misleading revisions that serve ideological or political agendas? The possibility of AI contributing to either outcome underscores the need for careful scrutiny, ethical regulation, and legal oversight. The article contends that without proper regulation and critical assessment, AI may become a powerful tool for historical manipulation, thereby undermining scholarly integrity and public trust in historical knowledge.

Leading voices in AI research, such as Geoffrey Hinton, have sounded alarms about the broader existential risks posed by unregulated AI, warning that these technologies could have far-reaching consequences, including the potential to destabilize human societies and immediate source of human annihilation if not controlled or regulated.¹ While such warnings often focus on physical or economic threats, this article argues that the cultural and epistemological risks—particularly the manipulation of history—are equally grave. The misuse of AI in this context could contribute to a global threat, as historical narratives shape collective memory, national identity, and public policy.

Currently, there is no established case law directly addressing the misuse of AI for rewriting history. Nonetheless, growing awareness of the issue, coupled with the increasing sophistication of AI, suggests that legal frameworks may soon evolve to address these concerns. The essay concludes by positing that as AI continues to advance, the development

of domestic and international case law in this area is not only likely but necessary, to prevent the abuse of AI and to preserve the authenticity and reliability of historical discourse.

2. A brief review of traditional historical sources

Present historical sources, often referred to as primary sources, encompass original materials that furnish direct evidence or first-hand accounts pertaining to historical events, practices, or conditions². These sources are contemporaneous with the period under examination and are of immense value to historians endeavouring to reconstruct and interpret the past. Present historical sources include written documents, such as official records, government publications, legal documents, census data, treaties, and court rulings. Also included are personal writings, like diaries, letters, autobiographies, and journals, as well as published works, which consist of books, newspapers, pamphlets, and magazines produced during the studied timeframe. Furthermore, administrative records, including meeting minutes, financial ledgers, and business correspondence, contribute to this corpus.

Additionally, visual and artistic materials comprise artworks such as paintings, sculptures, and drawings that encapsulate cultural or historical themes; photographs, which capture significant moments in history and societal events; and cartography, where maps illustrate geographical understanding or territorial claims. Oral and audio records also play a pivotal role, encompassing oral histories, recorded interviews or transcriptions of personal accounts, speeches—both recorded and transcribed—by historical figures, as well as music and songs that manifest cultural values or historical occurrences. Cultural and social practices such as observed rituals and documented traditions reflect societal norms or beliefs, while folklore and mythology consist of oral narratives, myths, and legends that have been passed down within various cultures. Finally, environmental and scientific evidence, including fossils and biological remains indicative of past human or animal activity, along with climate data derived from ice cores, tree rings, and sediment layers, illuminate historical environmental conditions.

3. A brief review of historical sources based on the revisionist school of thought

The revisionist approach within historiography seeks to contest conventional historical narratives by reinterpreting significant events, figures, and trends. Scholars within this school of thought strive to reveal overlooked perspectives, reevaluate established conclusions, and delve into the complexities of history. Revisionist historians place particular emphasis on marginalized or underrepresented viewpoints, challenge prevailing historical accounts, and

employ interdisciplinary methods spanning sociology, anthropology, economics, law, religion, political science, and archaeology. Their work frequently involves reassessing the motivations and outcomes of crucial historical events. Classical examples of revisionist historians include Edward Sa'id in his book "Orientalism" where he challenged historical paradigms on the Middle East and critiques how Western scholarship portrays the 'Orient' as an exotic and inferior "other," perpetuating cultural imperialism³. Paul Lovejoy also in *Jihād in West Africa during the Age of Revolutions*, argued against the historiography that excluded Africa as a contributor to any revolution that impacted humanity⁴.

4. The risk of AI manipulating the description of historical events, resulting in a new understanding of history

The risk of misuse of AI cannot be overemphasised globally as earlier mentioned and this is further supported by Eliezer Yudkowsky when he argued that 'We cannot use calculations from a precise, precisely confirmed model to rule out events or place infinitesimal upper bounds on their probability, as with proposed physics disasters. But this makes AI catastrophes more worrisome, not less⁵. This concern is reflected in this paper. The potential for artificial intelligence (AI) to alter historical narratives and reshape our comprehension of history presents significant concerns that encompass ethical, social, and political dimensions. These issues may lead to the production of misleading accounts through the generation of convincingly inaccurate representations of historical events, influenced by biases present in training data and deliberate manipulation. AI tools possess the capability to create fictitious documents, images, or videos that seem authentic, which could ultimately distort public perception regarding pivotal historical occurrences.

Moreover, this phenomenon may result in the erosion of historical consensus, as the overwhelming influx of AI-generated misinformation could surpass the capacity of existing fact-checking mechanisms. Should AI instruments be permitted to redefine historical contexts, even credible sources might be subjected to scepticisms, fostering widespread distrust of information sources. The distinction between fact and fabrication may become increasingly ambiguous, particularly as AI is able to produce hyper-realistic images and videos that masquerade as evidence of historical events.

Additionally, historical digital archives are at risk of manipulation without detection, complicating verification processes. The implications for education and collective memory are profound, as AI could shape the understanding of history for future generations. Biased

educational materials designed by AI could perpetuate skewed perspectives, embedding such biases within young minds. Oleg Brodt, et al have argued on the risk of bias in AI when it comes to the development of algorithms that could potentially be rigged against certain humans or ethnicities or nationalities⁶. Over time, exposure to AI-generated historical distortions has the potential to solidify in societal memory. Furthermore, the political and ideological manipulation of history is conceivable, particularly if authoritarian regimes or ideologically driven groups exploit AI to revise historical accounts, thereby suppressing unfavourable narratives and minimizing inconvenient truths. In this context, AI may function as a propaganda tool, amplifying narratives that serve to justify the actions of current regimes through the falsification of past events.

5. The benefits of using AI to rewrite histories that were based on false evidence

Moira Donovan has shown ‘How AI is helping historians better understand our past’ and argues that ‘The historians of tomorrow are using computer science to analyse how people lived centuries ago’⁷. The utilization of artificial intelligence to reevaluate and potentially revise historical narratives grounded in erroneous evidence presents significant advantages, yet it necessitates a careful approach characterized by a steadfast commitment to accuracy and ethical considerations. AI possesses the capability to uncover the truth and rectify historical inaccuracies by analysing extensive datasets of historical records, juxtaposing conflicting accounts, and identifying discrepancies, thereby assisting historians in discerning factual reality. Moreover, the process of fact-checking becomes more robust through AI's ability to cross-reference historical evidence with contemporary findings. This function can illuminate and amend instances where false evidence has resulted in distorted historical narratives, thereby promoting justice and acknowledging the perspectives of marginalized voices—many historical accounts have been influenced by the biases of those in positions of power. AI can further expose suppressed narratives by examining underutilized or overlooked archives, thus empowering marginalized groups with a platform for their stories.

Maureen Muleka notes the importance of big data which could empower historians in writing and rewriting history⁸. Efforts to correct historical records can bolster initiatives aimed at addressing historical injustices, such as land claims, reparations, and public apologies. In the realm of education, enhancements to curricula can ensure historical accuracy, equipping students with a clearer comprehension of the past, which in turn fosters critical thinking and cultural awareness. Furthermore, AI-driven simulations and reconstructions based on credible

data can enhance the engagement and relatability of historical education. Cultural reconciliation may be achieved through precise historical revisions that aid communities in reconciling and understanding their shared histories, particularly in scenarios where false evidence has exacerbated division or conflict. By constructing shared narratives that present an evidence-based and inclusive perspective of history, AI can promote unity and understanding among diverse groups. Additionally, the application of AI in addressing historical falsehoods establishes standards for accuracy and transparency, which deters future manipulations of evidence, thus setting important precedents for accountability.

6. Can artificial intelligence change historical evidence and narratives?

Artificial intelligence possesses the capacity to impact historical narratives and shape interpretations of historical evidence, yet it remains incapable of altering physical artifacts or primary historical documents. Although AI cannot modify historical evidence in a tangible manner, it can significantly influence how history is presented, remembered, and taught. It is imperative to establish transparency, ethical guidelines, and rigorous oversight to mitigate the risk of AI distorting historical truths. AI tools can facilitate the digitization of historical materials, including photographs, documents, and audio recordings. This argument is supported by Mark Coeckelbergh, who argues that ‘AI processes and narratives shape our time and link past, present, and future in particular ways that are ethically and politically’⁹. However, these same tools can also be exploited to produce forgeries or counterfeit artifacts that masquerade as authentic historical items, or to edit and distort existing evidence using deepfake technology or manipulated images. This is evident in the work of W.R. Cole where he explains the possibility of using AI to manipulate and distort data and information¹⁰. Furthermore, AI systems that analyze historical data may perpetuate biases inherent in their programming or training datasets. For instance, algorithms trained on incomplete or biased data may generate interpretations that skew historical narratives. The underlying assumptions embedded within these models can significantly impact AI-generated reconstructions of ancient sites, events, or languages.

AI can enhance accessibility and inadvertently foster unnecessary revisionism by emphasizing certain perspectives, thereby determining which historical records are most prominently featured in digital formats. This can lead to the erasure or marginalization of less-documented histories and contribute to the selective curation of historical evidence, which may unintentionally support particular ideological narratives. Conversely, AI has the potential to

advance historical analysis by sifting through vast amounts of historical data to reveal previously obscured patterns and insights. However, it may also risk overemphasizing quantitative dimensions of history, thereby oversimplifying the complexities of human experiences and fostering deterministic or overly linear interpretations of historical events. From an ethical standpoint, the application of AI in the management of historical evidence raises essential inquiries, including how to ensure the authenticity of historical records in the digital age, what safeguards should be established to detect and prevent the dissemination of falsified historical data, and who is responsible for determining the application of AI tools in the study or dissemination of history.

7. What are the current perspectives of experts on the impact of AI on history?

Scholars express a range of viewpoints regarding the influence of artificial intelligence on the examination and interpretation of historical events. Many acknowledge AI's potential to transform historical research through the analysis of extensive datasets, the identification of patterns, and the reconstruction of lost artifacts. For example, AI algorithms are capable of processing large volumes of historical texts to reveal trends and correlations that may have previously gone unnoticed, thus deepening our comprehension of past occurrences. Nonetheless, concerns regarding the ethical implications of AI in the realm of historical studies remain salient. Daniel Karel et al even argue that ‘Artificial Intelligence Summaries of Historical Events Improve Knowledge Compared to Human-Written Summaries’¹¹. A major issue is the potential for bias inherent in AI algorithms. As these systems are trained on existing data, they run the risk of perpetuating or intensifying biases found within historical records. Furthermore, the characteristics of certain AI models may lead to oversimplifications and distortions of historical narratives, which could result in misinformation or misrepresentation.

Esteemed historian Yuval Harari cautions about the broader societal implications of AI, positing that it could undermine democratic institutions and render humans obsolete if left unchecked. He underscores the dual-edged nature of information, which can foster progress and truth but may also be manipulated to impose control or incite chaos¹². According to Harari,

‘Over the last 100,000 years, we Sapiens have certainly accumulated enormous power. But despite all our discoveries, inventions, and conquests, we now find ourselves in an existential crisis. The world is on the verge of ecological collapse. Misinformation abounds. And we are rushing headlong into the age of AI—a new information network that threatens to annihilate us. For all that we have accomplished, why are we so self-destructive?’¹³

While AI presents promising avenues for enhancing historical research, experts advocate for prudence. They call for interdisciplinary collaboration among historians, ethicists, technologists, and policymakers to address ethical dilemmas and ensure that AI is employed

responsibly within the study of history.

8. Is there any case law for using AI for historical revisionism?

Currently, there is a lack of specific case law regarding the application of artificial intelligence in the realm of historical revisionism. Nevertheless, the intersection of AI and historical interpretation has drawn attention in various legal contexts. For example, a federal appeals court judge has posited that AI could serve as a valuable tool for courts engaging in originalist analyses, specifically by assisting in the research of historical meanings of particular words or phrases¹⁴. This viewpoint underscores the potential for AI to influence legal interpretations that are grounded in historical context. Moreover, the increasing prevalence of AI-generated content has raised significant concerns regarding the dissemination of misinformation and historical inaccuracies. Reports have indicated a rise in online narratives that romanticize figures such as Hitler, thereby amplifying trends associated with historical revisionism. This situation highlights the difficulties involved in regulating AI-generated content to curb the alteration of established historical facts. While these developments illuminate the intricate relationship between AI and historical interpretation, they do not equate to the establishment of formal case law. The legal system has yet to directly confront instances in which AI is employed explicitly for the purposes of historical revisionism.

9. What are the legal implications of using AI for historical revisionism?

The legal implications associated with the utilization of artificial intelligence in the context of historical revisionism are contingent upon the specific circumstances, jurisdiction, and underlying intent of its application. In many jurisdictions, individuals and organizations are permitted to articulate their interpretations of historical events under the protections afforded by freedom of speech. This allowance, however, can lead to instances where AI technologies may be employed to distort or inaccurately represent history. Conversely, there are countries that impose restrictions on certain varieties of historical revisionism, such as Holocaust denial. In jurisdictions including Germany, Austria, and France, laws explicitly criminalize the denial or trivialization of specific historical atrocities.

The deployment of AI tools that generate or propagate negative revisionist narratives may challenge the boundaries of free speech protections, especially when these tools are utilized to disseminate misleading or detrimental interpretations on a wide scale. As the landscape evolves, new legal frameworks are being established, with various jurisdictions advancing legislation aimed at combating online misinformation and disinformation, which could be relevant to AI-

generated historical content. Consequently, there exists the potential for legal examination regarding whether the developers, operators, or users of AI systems may be held accountable if the technology disseminates false or misleading historical information. Should AI-generated historical revisionism target particular individuals or groups, it may indeed give rise to defamation claims. This is addressed by Yaniv Benhamou et al, where they argued that to establish damages for liability is easier if there is one person involved but difficult in the case of AI where so many individuals are involved¹⁵.

Legal Precedents: Courts may need to ascertain whether content generated by artificial intelligence can be attributed to specific individuals or organizations, and whether such attribution constitutes defamation under current laws. Furthermore, narratives produced through AI-driven historical revisionism that incite violence could potentially propagate hate speech, particularly when they deny or distort historical events associated with particular ethnic, national, religious, or cultural groups. **Legal Penalties:** In various jurisdictions, existing laws prohibiting hate speech could be applicable to the creators and distributors of AI systems responsible for generating such content. **Use of Historical Materials:** AI systems that are trained on copyrighted historical works or databases may encounter challenges related to intellectual property rights. The legality of training AI on such materials is contingent upon jurisdiction-specific interpretations of fair use or analogous legal doctrines. **Accountability and Liability:** Legal inquiries arise regarding the accountability for harmful AI-generated historical revisionism, specifically with respect to whether responsibility lies with the developers, distributors, or end- users of the AI systems. **Terms of Service and AI Accountability:** AI tools that engage in such activities may contravene the terms of service established by platform or software providers. Moreover, the developers of AI systems could face increased scrutiny if their tools are employed to create harmful content, especially in instances where adequate safeguards were lacking.

Regulation of AI Systems: Jurisdictions may impose requirements on AI systems to incorporate mechanisms that promote transparency and accountability, thus ensuring that the outputs generated by AI are traceable and subject to regulation. Varun Mundra has argued in this direction advocating for a stronger regulation to prevent the manipulation of reality in rewriting history while using AI¹⁶. **Cultural and Political Sensitivities and Jurisdictional Variance:** Historical interpretations can differ across nations, leading to varying legal standards regarding the definitions of revisionism and denialism. **Geopolitical Implications:** The potential for AI-

driven revisionism to escalate tensions among nations rises if it inaccurately portrays contentious historical events. Emerging Legal Approaches and Regulation of AI Output: Governments, along with international organizations, are currently investigating frameworks to regulate AI-generated content, emphasizing adherence to established legal and ethical standards. AI and Digital Ethics: Institutions advocate for the implementation of ethical guidelines within AI systems to mitigate the risks of propagating harmful historical narratives. Fraud and Misrepresentation: The utilization of AI-generated historical revisions for financial gain or deceptive practices—such as the fabrication of artifacts or documents—may lead to criminal charges for fraud. Additionally, misrepresentation within educational, academic, or media contexts could result in disciplinary repercussions or legal penalties. Organizations dedicated to ethical and professional standards, such as museums, publishers, or educators, that employ AI to alter historical narratives may encounter legal challenges if they infringe upon established professional codes of ethics, especially if the material presented is misleading or falsified. International law and accountability: Efforts to revise history with the intent of modifying the narrative surrounding international conflicts or treaties have the potential to provoke diplomatic disputes and may also invite international legal challenges. Precedents and Emerging Trends: The swift advancement of AI technology has engendered ongoing debates concerning liability and accountability. In response, governments and international organizations are actively formulating new regulations, such as the EU AI Act, aimed at addressing potential misuse, including the practice of historical revisionism.

Copyrighted Content: The legal implications surrounding the creation of new versions of historical narratives or documents using AI stem from the use of copyrighted materials as foundational sources. For example, if an AI produces a reinterpretation of a historical text derived from a copyrighted book, this may result in potential copyright infringement concerns.

Ownership of AI-generated Content: The question of ownership of works generated by AI presents various legal complexities. It remains uncertain whether the rights belong to the AI's creator, the user who directs the AI, or if such works could fall into the public domain.

Historical accuracy and manipulation, misinformation, and defamation: The use of AI to alter historical accounts can lead to significant legal ramifications if the resulting narratives misrepresent facts or propagate falsehoods. Such actions may invoke legal claims related to defamation or misinformation, particularly if they adversely affect individuals, communities, or nations. For instance, distorting historical events or figures may result in legal repercussions

if the changes cause reputational harm. Freedom of Speech v Harm: While the right to freedom of speech is generally upheld, employing AI to revise history may be regarded as detrimental if it manipulates events in ways that foster hate, misinformation, or violence. Legal frameworks may grapple with the challenge of reconciling this fundamental freedom with the need to safeguard against harmful content.

Cultural and national sensitivities, cultural property laws: Various jurisdictions have established legal frameworks designed to safeguard cultural and historical heritage. The utilization of artificial intelligence to reinterpret history in a manner that diminishes or distorts the cultural significance of particular events or communities may result in legal ramifications under laws pertaining to cultural protection and preservation. National Security and Sovereignty: The employment of AI in rewriting history could yield political consequences, particularly when it concerns sensitive historical occurrences that are integral to national identity or sovereignty. Governments may take action should they view such revisions as detrimental to national interests or public order. Academic and historical integrity, academic standards: Educational institutions, historians, and related bodies must maintain stringent criteria for historical research and writing. James Auh believes that quality in higher education has been compromised because of AI and its usage by students. He described it as ‘The McDonaldisation of higher education in the age of AI’¹⁷. In academic contexts, the application of AI-generated historical narratives may raise concerns regarding the integrity of scholarship, especially if such narratives are found to reflect bias or present flawed interpretations of historical facts.

The legal framework surrounding the use of artificial intelligence for rewriting history is in a state of ongoing development, with implications expected to evolve alongside advancements in AI technology. Primary concerns will revolve around the necessity of balancing creative freedom against the obligation to maintain accuracy, prevent harm, and honour cultural and legal frameworks. Key stakeholders, including government entities, technology companies, and ethicists, will play critical roles in establishing the parameters of this practice. The legal ramifications associated with employing AI to modify or reinterpret historical narratives are both complex and nuanced.

While the act of historical revisionism through AI may not inherently breach the law, it presents substantial legal hazards, particularly in instances involving defamation, hate speech, or fraudulent activity. A thorough understanding of local laws, ethical considerations, and existing AI regulations is imperative to mitigate potential legal consequences. Furthermore, the legal

implications applicable to AI-driven historical revisionism vary significantly depending on the specific jurisdiction and context in which such technology is utilized. It is essential for lawmakers, developers, and society as a whole to collaborate in ensuring that AI tools are deployed in a manner that does not distort historical truths or facilitate harm. This collaboration will likely require a thoughtful equilibrium between safeguarding free speech and implementing measures to counter misinformation, hate speech, and incitement to violence.

10. Conclusion

This article has examined the profound and multifaceted role of artificial intelligence (AI) in the writing and rewriting of history. It is argued that AI holds significant potential to contribute positively to historical research by enabling new forms of analysis, uncovering previously overlooked patterns in historical data, and enhancing access to archival materials through digitization and interpretation tools. However, this same capacity for influence brings with it a dual risk—the possibility of AI being deployed to manipulate, distort, or fabricate historical narratives for political, ideological, or commercial purposes.

While there is currently no specific case law addressing the use of AI in rewriting history, existing legal frameworks in many jurisdictions offer partial guidance by addressing related issues such as misinformation, defamation, intellectual property, data protection, and the falsification of public records. The legal implications of AI's use in shaping historical narratives are therefore highly contingent on national legal systems, cultural norms, and the political contexts within which AI operates. Different countries may adopt diverse approaches to regulating AI's impact on historical representation, influenced by their cultural, religious, ethnic, and political sensitivities.

Furthermore, AI's ability to generate or manipulate historical content raises pressing concerns about the authenticity, accuracy, and integrity of historical records. Misuse of AI could lead to the erosion of trust in historical evidence, the manipulation of collective memory, and potentially, the revision of legal interpretations and claims that rely on historical facts, such as land rights, reparations, or national sovereignty. Such alterations could have serious legal consequences, particularly if AI-generated content is used to influence public opinion, policy decisions, or judicial proceedings.

In conclusion, while AI offers new opportunities for historical scholarship and public engagement with the past, its unregulated use poses significant risks. Without appropriate legal oversight, ethical standards, and technological safeguards, AI could be used to intentionally or

inadvertently rewrite history in ways that undermine the truth, distort cultural heritage, and lead to legal conflicts. Therefore, there is an urgent need for the development of robust legal and ethical frameworks that address the specific challenges posed by AI in the context of historical representation, ensuring that its use supports rather than subverts the integrity of historical knowledge.

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