
EVALUATING PARASOCIALISM IN FANDOM CULTURE AGAINST THE LAW: PROTECTING ACTORS FROM STALKING, PRIVACY INVASION, AND PERSONALITY RIGHTS VIOLATIONS IN THE DIGITAL AGE

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ABSTRACT

Over the years, the rapid expansion of the digital fandom has transformed engagement with actors into an overly personal and often intrusive relationship. Especially for Romance-driven shows and movies, which encourage the audience to emotionally connect and invest themselves in fictional relationships; however, this investment also blurs the distinction between characters and character performers. Using examples from shows like Canada's *Heated Rivalry*, the *Bridgerton* series, which is set in Regency London high society, and the very famous Amazon Prime show *The Summer I Turned Pretty*, alongside Indian film and OTT fandoms, this essay examines the legal implications of stalking, doxxing, privacy invasion, personality rights violations and deepfake misuse. It argues that while Indian courts have recognised and acknowledged privacy and personality rights across jurisdictions through various judicial decisions, the absence of a comprehensive statutory framework leaves performers vulnerable to digitally amplified harassment. Thus this essay proposes an overall pivot away from piecemeal solutions and towards an inclusive and pre-emptive framework in terms of: a Digital Personality Protection Act; tailored adjudicative mechanisms, a framework for algorithm platform liability; regulations for synthetically produced media, and anticipatory digital security with particular respect to protecting rights to personality while considering freedoms of speech and of artistic creation, as well as the legitimacy of fan participation, etc.

INTRODUCTION

With the integration of digital platforms in facilitating the promotion and broadcasting of series and movies, the relationship between celebrities and their audiences has been fundamentally altered for a long time now. Social media platforms, fan communities and algorithm-driven content have enabled fans to interact with actors more directly. While this shift has increased accessibility, strengthened audience engagement and contributed significantly to the commercial success of these entertainment productions, it can also create a sense of entitlement among the fans who begin to perceive the actors as extensions of their onscreen character rather than different and private individuals.

The recent rise in fandom cultures surrounding the romance-focused shows has highlighted this problem vividly. The Canadian show, *Heated Rivalry*, which gained significant online popularity in a short span of time, reportedly generated intense scrutiny of the lead actors from the fans. Online discussions and entertainment reporting have highlighted concerns about obsessive monitoring of the actors' social media activity, speculation about their personal relationships and even harassment directed at individuals closely associated with them. Previously, similar patterns have been observed with fandoms of the *Bridgerton* series, *The Summer I Turned Pretty*, *Heartstopper* and the recently released show, *Off-Campus*, where audiences have conflated fictional romantic pairings with the real lives of the actors involved.

Upon comparing the scenario with Indian celebrities who have faced similar challenges. Actors like Alia Bhatt, Amitabh Bachchan, Shah Rukh Khan and Anil Kapoor have confronted issues ranging from intrusive photography and unauthorised commercial use of their likenesses to online harassment and misuse of deepfakes. These few incidents reveal an underlying question: whether the existing Indian laws are adequately equipped to protect public figures from modern and digital forms of fan misconduct. This essay aims to explore the Indian Constitutional jurisprudence and other fragmented legal frameworks concerning this issue.

ROMANCE FANDOM DYNAMICS AND PARASOCIALITY

Romance narratives are uniquely capable of fostering parasocial relationships because they invite viewers to become emotionally invested in intimate character relationships. Horton and Wohl's foundational concept of parasocial interaction explains how audiences can develop onesided emotional bonds with media figures. In contemporary fandom culture, these bonds

are intensified by social media, where actors share aspects of their personal lives and interact directly with fans.

Romance shows such as *Bridgerton*, *The Summer I Turned Pretty* and *Heated Rivalry* encourage audiences to identify with fictional relationships and project emotional expectations onto the actors portraying those characters. “Shipping” culture, where fans advocate for real or imagined romantic pairings between the co-actors, can blur the boundary between fiction and reality. Fans may begin to perceive actors as morally responsible for sustaining the romantic narratives that exist only within the fictional text.

This character-actor conflation creates conditions for boundary-crossing behaviour. Fans may scrutinise actors’ interviews and social-media posts. And personal relations for support of favoured fantasies. In its darkest manifestations, this level of intrusion may devolve into harassment of the significant others, family, and friends of individuals-especially of celebrities who may appear to interfere with their personal or public personas, fitting the fantasists’ desires. Online communication exacerbates those tendencies through the use of content algorithms that prefer emotional “buzz”; in so doing, those interactions may promote their own use.

Video commentary, reaction pieces, and speculative writing of a fan can achieve worldwide audiences by encouraging its obsessive iteration.

The recent rapid increase in public attention accorded to *Heated Rivalry* serves as one contemporary example of those dynamics; online fan groups, reportedly, have increasingly focused on the live actors themselves, rather than the show. Though, of course, not all celebrity engagement amounts to obsessive surveillance, forgoing admiration and mutual concern for the performer to encroach upon the territory of her personal space may signal how such a process of development threatens to intrude on her self-determination and privacy.

CASE EXAMPLES AND TYPICAL BEHAVIOURS

Fandoms of International Shows: Fandoms surrounding *Bridgerton* and *The Summer I Turned Pretty* have attracted discussions over the internet regarding the actors/individuals involved with these shows. Here, the fans sometimes crossed boundaries while trying to predict how personal lives, sexual orientations or conversations between actors would be. Performing in a

show can put the actors under extreme pressure, and fans, at times, may cross lines and intrude to extract such private information. Intense Fan Rivalry has also been linked with intensive online surveillance of lead actors involved. It was noticed that as actors rose to fame, their fanbases increased and they were kept under close surveillance. In certain cases, the conversations between fans also sometimes involve friends or family, relatives, and rumoured partners of the actors in discussion, which is clear from how the fandoms involve those people. In other international series like Heartstopper, the actors are being judged based on their personal identities and relationships. In shows like Stranger Things and related movies, it has been seen that all young actors who participate in it are under constant pressure from a huge fandom. However, it has become evident that it is not just one show, but even the structure of digital fandoms creates this kind of pressure. Indian Film & OTT fandoms have been victims for a long period, and digital platforms have just increased the scale. Shah Rukh Khan has always had mobs of his fans waiting outside his house, which raises questions regarding his privacy even in his residence. Both Anushka Sharma both public actors have mentioned their discomfort at the constant coverage of their child, who is a completely unrelated person, but still considered an addition to their public lives. Alia Bhatt recently spoke about the violation of her right to privacy by photographers, photographing her at her doorstep, to suggest that her private space also deserves to be respected.

Common Problematic Behaviours:

- **Stalking and Surveillance:** Fans may repeatedly monitor actors' movements, track travel information, analyse social media interactions or wait outside filming locations, hotels or even residences.
- **Doxxing:** Publishing addresses, phone numbers, family details, or other personal information can expose actors and their relatives to serious safety risks.
- **Harassment of loved ones:** Partners, friends and family members may become targets of online abuse when fans perceive them as interfering with preferred fictional or imagined relationships.
- **Moral Purity Campaigns:** Fans may revive past behaviour, including actions from adolescence or early adulthood, and demand disproportionate professional consequences.

- Deepfakes and fabricated intimate material: AI-generated videos, images or audio recordings can falsely depict actors in sexual or compromising situations, causing reputational and psychological harm.

LEGAL ANALYSIS: WHY THE CURRENT INDIAN LEGAL FRAMEWORK IS ILL-EQUIPPED

A. Constitutional Privacy: A strong foundation but an inadequate remedy

The constitutional basis for protecting the actors against intrusive fandom lies in the right to privacy under Article 21, as recognised in the Puttaswamy case. The Supreme Court has affirmed that privacy encompasses dignity, informational autonomy, and decisional freedom, extending protection even to public figures. Earlier, in the R. Rajagopal case, it was recognised that celebrities do not relinquish all privacy merely because they occupy the public eye. Consequently, the publication of home addresses, travel details, medical information, or harassment of family members cannot be justified on the ground of public curiosity. However, constitutional jurisprudence is inherently reactive. Victims must approach constitutional courts after harm has already occurred, making privacy rights ill-equipped to prevent the instantaneous and irreversible spread of digital harassment or AI-generated content.

B. Personality Rights: Judicial Recognition without Legislative Certainty

Unlike jurisdictions such as California, India has not enacted a comprehensive statute recognising the right of publicity or personality rights. Instead, protection has evolved through various judicial decisions such as the ICC Development case.¹ DM Entertainment case², among others. These decisions recognise that an individual's name, image, voice, likeness, and distinctive identity possess commercial and proprietary value deserving legal protection.

However, this jurisprudence has largely developed in cases involving commercial misappropriation or false endorsement. Modern fandom often exploits an actor's identity for non-commercial purposes through AI-generated romantic videos, fabricated intimate images, manipulated interviews, or obsessive fan edits. Such misuse may inflict serious psychological and reputational harm despite generating no commercial profit. Consequently, India's

¹ 2003 (26) PTC 245 Del

² 2010 (45) PTC 393 (Del)

personality rights inadequately address the realities of digital fandom, highlighting the need for statutory recognition of a broader digital personality right that protects both the economic and dignitary interests of performers.

C. Artificial Intelligence and Deepfakes: A Regulatory Vacuum

The rise of generative artificial intelligence has transformed the nature of celebrity-related harm. Traditional privacy law regulates the disclosure of personal information, whereas AI creates entirely fabricated content capable of appearing authentic. Deepfakes, voice cloning, synthetic interviews, and digitally generated intimate content enable an individual's identity to be replicated without consent, blurring the distinction between truth and fabrication. Existing Indian law contains no dedicated legislation regulating AI-generated identity misuse, forcing victims to rely on fragmented remedies under constitutional law, criminal law, copyright law, and the Information Technology Act.

This fragmented framework is conceptually inadequate because AI-related harms rarely fit neatly within a single legal category. A single deepfake may simultaneously violate privacy, personality rights, reputation, and dignity while also amounting to cyber harassment. Unlike the European Union AI Act, which imposes transparency obligations for AI-generated content and regulates high-risk AI systems, India continues to address AI misuse through statutes enacted long before generative AI became mainstream. The absence of legal definitions for digital replicas, synthetic identities, or AI-assisted impersonation leaves significant uncertainty regarding liability, enforcement and available remedies.

D. Copyright Law: Protecting Works but not Identities

The Copyright Act, 1957 protects original creative works such as films, photographs, audiovisual recordings and scripts. However, copyright safeguards the expression embodied in a work rather than the identity of the performer appearing in it. Consequently, an AI-generated image or video that merely imitates an actor's face or voice without reproducing an existing copyrighted work may evade copyright liability despite causing substantial reputational and commercial harm.

This limitation is particularly relevant in fandom culture, where AI-generated edits, fabricated romantic scenes, and manipulated performances are increasingly circulated across digital

platforms. While unauthorised reproduction of film clips may infringe copyright, synthetic content created independently through machine learning often falls outside its scope. Copyright law therefore cannot adequately regulate AI-enabled exploitation of an individual's digital identity, reinforcing the necessity of an independent statutory regime governing personality rights.

E. Criminal Law, Doxxing and Digital Stalking

The Bharatiya Nyaya Sanhita, 2023 criminalises stalking, intimidation, and related offences, while provisions of the IT Act address certain forms of privacy violation and identity theft. Nevertheless, these provisions were drafted with conventional interpersonal misconduct in mind rather than decentralised digital harassment.

Modern fandom frequently manifests through coordinated online behaviour, including tracking actors and movements, publishing personal information, analysing social-media interactions, targeting family members, and generating AI-assisted misinformation. Such conduct often occurs across thousands of anonymous accounts, making attribution of criminal liability exceptionally difficult. Furthermore, India presently lacks a dedicated anti-doxxing statute despite the publication of residential addresses, travel itineraries, or family details posing serious threats to the physical safety of performers. The law therefore remains poorly equipped to address algorithmically amplified harassment undertaken by digital communities rather than individual offenders.

F. Intermediary Liability: Reactive Enforcement in an Algorithmic Age

The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 impose due diligence obligations upon intermediaries and require unlawful content to be removed following notice or actual knowledge. However, this notice-and-takedown model reflects a reactive approach to digital regulation.

AI-generated content spreads through recommendation algorithms capable of reaching millions of users within hours. By the time a platform receives notice and removes the original content, identical material may have been replicated across numerous websites and social media platforms. This creates a fundamental temporal mismatch between technological dissemination and legal enforcement. Additionally, cross-border hosting, anonymous users,

and jurisdictional limitations further reduce the effectiveness of existing intermediary liability mechanisms.

G. Comparative Perspective and the Need for Reform

Comparative developments demonstrate that India is increasingly lagging behind emerging international standards. The European Union AI Act introduces transparency obligations for synthetic media and regulates high-risk AI systems. Several American jurisdictions recognise expansive publicity rights extending to digital replicas and cloned voices, while South Korea has strengthened criminal sanctions against digitally manipulated sexual content and coordinated cyber harassment.

By contrast, Indian law continues to rely on fragmented judicial innovation rather than legislative certainty. Existing constitutional protections, personality rights, jurisprudence, criminal law, copyright law, and information technology regulations collectively provide only piecemeal protection. They neither recognise digital identity as an autonomous legal interest nor adequately address AI-assisted impersonation, deepfakes, coordinated fan harassment or cross-platform dissemination.

Accordingly, India should move beyond incremental judicial development towards a comprehensive Digital Personality Protection framework that statutorily recognises ownership over one's digital likeness, voice, biometric identity, and AI-replicable attributes. Such legislation should provide expedited injunctive relief, stronger intermediary obligations, specialised remedies for AI-generated misuse, and targeted regulation of doxxing and digital stalking, while carefully preserving legitimate fan expression, parody, artistic creativity, and freedom of speech. This would enable Indian law to respond not merely to traditional celebrity exploitation but to the emerging realities of the algorithm-driven entertainment ecosystem.

IMPACT ON CREATIVE EXPRESSION, PROFESSIONAL AUTONOMY AND THE ENTERTAINMENT INDUSTRY

The consequences of invasive fandom extend far beyond immediate emotional distress or isolated instances of online harassment. Persistent stalking, doxxing, coordinated abuse, and the circulation of AI-generated or manipulated content can have profound psychological, professional, and economic consequences for actors. Constant surveillance by fan communities

often compels performers to significantly reduce their public engagement by limiting interviews, restricting social media activity, disabling comments, avoiding fan interactions, or withdrawing from promotional campaigns altogether. While such measures may be necessary for personal safety and mental well-being, they simultaneously weaken audience engagement, disrupt carefully planned marketing strategies, and diminish the promotional value that studios and streaming platforms increasingly rely upon in the digital age. Production houses may also incur substantial additional costs for enhanced security, digital reputation management, legal intervention, and crisis communication.

The impact extends equally to the creative process. Romance dramas, in particular, thrive on the emotional investment of audiences and the chemistry between lead actors. However, when fictional relationships are relentlessly projected onto real-life performers, creative decisions become susceptible to external pressures generated by toxic fandoms. Writers and producers may consciously avoid unconventional pairings, inter-racial or LGBTQ+ narratives, controversial storylines, or recasting decisions due to the fear of coordinated online backlash. Actors themselves may become hesitant to accept romance-centred roles, participate in promotional interviews, or publicly interact with co-stars if such interactions are likely to trigger invasive speculation regarding their personal relationships. Consequently, artistic choices become increasingly shaped not by creative vision but by the anticipated reactions of highly vocal digital fan communities, producing a chilling effect on creative freedom and limiting diversity in storytelling.

The commercial implications are equally significant. Contemporary entertainment increasingly depends upon an actor's digital presence as part of the overall value of a production. Social media engagement, promotional tours, fan conventions, and interactive marketing campaigns have become integral components of audience outreach. When actors are forced to retreat from public platforms due to sustained harassment or privacy concerns, studios lose valuable promotional opportunities while brands may become reluctant to associate with individuals embroiled in persistent online controversy, irrespective of whether the allegations have any factual basis. Thus, reputational harm arising from toxic fandoms may directly affect endorsements, future casting opportunities, and long-term career sustainability.

The trajectory of actors associated with rapidly popular productions such as *Heated Rivalry* demonstrates how overnight international fame, fuelled by algorithm-driven platforms, can

quickly transform professional success into relentless public surveillance. Reports of obsessive monitoring of the actors' personal interactions, intense scrutiny of their relationships, and online attacks directed towards individuals associated with them illustrate how the discourse surrounding a production can become dominated by speculation rather than artistic merit. Similar patterns have emerged in the fandoms of *Bridgerton*, *The Summer I Turned Pretty*, and *Heartstopper*, where actors have faced intrusive questioning, shipping culture, and online policing of their personal lives. In such environments, performers cease to be evaluated primarily for their artistic abilities and instead become subjects of continuous public observation, reducing their personal autonomy and blurring the distinction between their professional identities and private lives.

Beyond individual actors, these developments carry broader implications for the entertainment industry and cultural production. If success in romance-oriented productions consistently exposes performers to invasive harassment, AI-generated exploitation, and threats to their personal safety, talented actors may increasingly avoid such projects altogether. This could discourage producers from investing in innovative storytelling, undermine audience trust in digital fan communities, and foster a culture where algorithmic popularity is prioritised over artistic excellence. Ultimately, unchecked parasocial behaviour not only jeopardises the dignity and safety of individual performers but also threatens the long-term creative and commercial sustainability of the entertainment industry itself.

RECOMMENDATIONS FOR A FUTURE-ORIENTED REGULATORY FRAMEWORK

- The fast amalgamation of artificial intelligence, social media, and celebrity culture needs a preventive rather than merely corrective regulatory structure. India should establish a specialised legal system, for example, a tribunal that acknowledges the particular vulnerabilities brought about by digital fandom and synthetic media while upholding lawful artistic and expressive freedoms, as opposed to solely depending on dispersed constitutional remedies and judicial creativity.
- Enacting the DPDP Act, which would establish personality rights as an independent statutory right instead of relying upon judicial development, would be a substantial improvement. The legislation should acknowledge an individual's digital persona, including their face, voice, biometric traits, mannerisms, signature expressions, and

AI-replicable attributes as a legally protected interest, in contrast to current jurisprudence, which mainly tackles commercial exploitation. Regardless of whether the misuse is commercial or non-commercial, the Act should provide a “right against synthetic replication” that forbids the production or distribution of AI-generated replicas that fraudulently represent an individual without informed consent. The current divide between privacy, personality rights and developing AI technologies would be closed by such laws.

- A specialised Digital Personality Protection Tribunal with nationwide jurisdiction should be established by Parliament in recognition of the urgent need to address digital harms. The Tribunal should have the power to issue emergency injunctions, preservation orders, and platform specific takedown directives within 48 hours of receiving a verified complaint involving deepfakes, coordinated doxxing, impersonation, or AI-generated intimate content in contrast to traditional civil litigation which frequently takes months or years. In addition to lessening the workload for constitutional courts, a specialised forum would aid in the establishment of coherent jurisprudence regarding digital identity and personality rights.
- Rather than depending exclusively on harsh criminal penalties, India ought to implement a tiered platform accountability structure. Algorithmic risk assessments for recommendation systems that consistently magnify organised harassment, stalking campaigns, or manipulative synthetic media should be mandated by law for digital intermediaries. Statutory penalties should rise in proportion to the extent of dissemination when platforms do not exercise reasonable diligence in spite of numerous reports. As a result, the regulatory focus is now on the algorithmic mechanisms that facilitate virality rather than individual pieces of information.
- A statutory “Digital Safety order” based on the protective injunctions found in domestic abuse cases would be an additional novelty. In addition to prohibiting frequent online contact or coordinated surveillance, such an order can forbid specific persons or organised internet groups from disclosing the actor’s residential information, live location, trip itinerary, or family information. A violation of the order would result in both civil and criminal penalties, giving victims a preventive remedy instead of only compensation after harm has already occurred.

- Legislation should henceforth require content provenance and authenticity criteria for highreach digital platforms; given the increasing sophistication of generative AI, AI-generated or significantly AI-modified audiovisual content that features identifiable people should have visible disclosure labels identifying synthetic creation and machine-readable provenance metadata. This would greatly lessen the legitimacy and viral dissemination of fake content, which would help judges, investigators, journalists, and the general public discern between real content and manipulated media, even though it would not completely eradicate malignant deepfakes.
- By using Digital Risk Management Protocols as a component of production governance, the entertainment sector must also go beyond traditional security measures. Production companies should carry out digital risk assessments before release, assess the possibility of targeted harassment against cast members, maintain private filming schedules, create cybersecurity response teams, and offer performers legal and psychological support in cases of coordinated online abuse, much like they would with workplace safety or data protection compliance. These commitments ought to be included in all contracts between streaming services, talent agencies and production companies.
- And finally, the regulation change should acknowledge that not every fan activity calls for legal action. As a result, Parliament needs to establish a Safe Harbour for Legitimate Fan Expression that specifically safeguards scholarly discourse, parody, critique, commentary, transformative fan art and non-deceptive fan fiction. Instead, actions with malicious intent, economic exploitation, credible risks to safety, organised harassment, synthetic impersonation, or significant invasion of privacy should be the focus of the legal threshold. The constitutional provision of free speech would be upheld by such a calibrated strategy, which would guarantee that the state only steps in when fan interaction turns into legally cognizable harm. The constitutional right to free speech would be upheld by such a calibrated strategy, which would also guarantee that the state only steps in when fan interaction turns into legally actionable harm.
- When all of it is considered together, these reforms represent a shift from reactive enforcement towards anticipatory governance, a model in which the law protects digital identity before irreparable harm occurs rather than merely compensating victims after

the damage has become irreversible. In an entertainment ecosystem increasingly shaped by artificial intelligence and algorithm-driven fandom, safeguarding an actor's digital identity must become as fundamental as protecting their physical person. This evolution would not only strengthen celebrity rights but also establish a balanced legal framework capable of fostering innovation, artistic freedom, and responsible digital participation.

CONCLUSION

Parasocialism in a fandom is an inevitable consequence of the increasingly interactive nature of the modern forms of entertainment. Digital platforms have transitioned audiences from passive consumers into active participants who shape the trajectory of the entertainment pieces through fan communities, edits, commentary and other forms of online engagement. Such participation is not only culturally valuable but has now become an integral part of determining the commercial success of films, television series and streaming platforms. However, the same digital ecosystem that enables fan engagement also facilitates the breeding grounds for unprecedented forms of intrusion. When admiration evolves into stalking, doxxing, coordinated harassment, AI-generated impersonation, deepfake pornography or relentless scrutiny of performers and their families, the issue ceases to be one related to the fandom alone and becomes one of legal accountability, personal autonomy and constitutional protection.

India's existing legal frameworks, although provides for certain protections like privacy, dignity, and autonomy through constitutional provisions, along with the judiciary's gradual development in delivering precedents in this regard, remain fragmented across all domains of law, none of which specifically address the realities of algorithm-driven fandom and synthetic media. The emergence of generative AI has fundamentally altered the nature of legal injuries by enabling the generation of convincing yet entirely false or fabricated digital identities, highlighting the significant gaps in existing doctrines that continue to focus on disclosure of information rather than the manipulation of the identity itself. The law must therefore evolve from merely protecting the interests of such an individual to recognising their digital persona as an extension of their constitutional dignity.

Finally, the challenge is not to regulate fandom behaviour but to establish the principled legal boundaries that distinguish genuine admiration, criticism, parody and transformative expression from conduct that infringes upon privacy, safety and personal autonomy of individuals. As entertainment increasingly now exists within an algorithmically mediated

technological ecosystem, the law must likewise transition from a reactive system of post-harm remedies to a prevention-driven framework that safeguards identity itself. Only then legal system effectively preserves both the creative vitality of the entertainment industry and the fundamental rights of the individuals who bring its stories to life.