



"PAPARAZZI A THREAT TO STARDOM SECRECY"

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ABSTRACT

This piece of research work is meant for or is targeted to the society which gets swayed away by the information that they receive from the media or being more specific from the paparazzo who for the purpose of getting rewarded with monetary consideration chases the celebrities in order to reveal something tanga and spicy which is yet a secret for the society or community at large. This work also discusses the rights available to such celebrity victims as well as the ways by following which the paparazzo's can be avoided. It tries to minimize the conflict whether paparazzo's are a boon to the celebrities or vice versa.

KEYWORDS : Secrecy, Paparazzi, Privacy, Media Law

INTRODUCTION:

Celebrities are very much like us and lead a normal life like we do but due to their profession their life seems to be a glamorous one. Although they showcase to have a glittered life but in reality every celebrity doesn't lead a luxurious and tinsel life. The common phobia that exists within the people regarding such celebrities is that that job is a illiterate one and all that it requires is acting which is considered to be a very easy task but compared to that their earning is very high. However not all celebrities earn a lump sum amount, many are monthly salaried as well but due to their fashionable look and artificial glow which they carry throughout on screen people mistaken them to have a life equivalent to the glow on their face. In order to confirm the above assumptions, they usually remain curious to know the inside stories of such celebrities which in turn increases the demand for such page 3 information's. In order to reveal the mysterious silver lining difference between the celebrities on-screen and off-screen life the media or the freelance photographers go to any extent and many a times showcase various situations wrongly by misrepresenting them which affects the life and privacy of the celebrities greatly.

Revealing The Secret Life Of Celebs:

Just a look through the magazines and newspapers spicy information on the celebrities and the world assumes to know everything about the celebrities but no one really knows the truth behind the walls, since everyone has secrets. However the celebrity secrets are highly in demand. Hollywood or Bollywood it's all about the money, whichever news or picture is capable of getting jaw dropping reactions its obviously sold at high rates. May it be revealing the sex secrets of Ranveer Singh or Sunny Leone , may it be divorce news of Hrithik or Malaika Arora or their new partners , such news have always topped the list. In order to get such spicy and tanga news paparazzi bombard in the lives of the celebrities without even taking note of the situation they are in, which in turn hampers their privacy. If we talk of Hollywood, Justin Beiber, Taylor Swift and Kim Kardashian have always been on top of such news. Recently Nick Jonas and Priyanka Chopras marriage as well as a marriage taking place in the Ambanis Family has gathered attention like never before.

Gaining Access To The Private Flights Of Celebs:

Due to the unnecessary paparazzi flashes and the masses trudging to the entrance gates of the commercial airports while the celebrities travel, many airports have come up with VIP terminals (example: Dubai, London Heathrow, Frankfurt) where luxury car, private security, private suite etc facilities can be availed by annual membership by the celebrities in order to

avoid the paparazzi. However through the global booking sources which seems to have security flaws, the paparazzo's are now able to access the private flight itineraries of celebrities which is considered to be a security threat to airlines as well.

Inviting Paparazzi Attention:

Not always the paparazzo's are after the celebrities but sometimes the debutants or other non popular actors usually call for paparazzi attention in order to gain publicity, since such attention is considered to be beneficial only till the paparazzi reaches your bedroom. The famous Indian Rakhi Sawant is always know for doing so she does publicity stunts in front of the cameras so as to drag attention. Its somehow taken for granted because it is considered to be a part and parcel of the celebrity life so no one takes the privacy issues of the celebrities seriously.

Celebrity Rights And Media:

"In the present generation the concept of celebrity rights has become much more contextual and relevant because of the following reasons:

- Increasing popularity of the media thus creating more celebrities
- Faster and easier global communication through the Internet.

Celebrity rights limits the purview of the fundamental Rights enshrined in the article 19 of the Constitution of India."

"In California In 1997 congress passed federal legislation known as the "Protection from Personal Intrusion Act" which aimed at curbing the dangerous paparazzi behaviors by making it a crime to "persistently physically follow or chase a victim in circumstances where the victim has a reasonable expectation of privacy and has taken reasonable steps to insure that privacy, for the purpose of capturing by a camera or sound recording instrument of any type a visual image, sound recording or other physical impression of the victim for profit in or affecting interstate or foreign commerce." This has been followed by a number of bills passed in California including the California Vehicular Code in 2010 which elevates the penalties for any person who violates various safe driving laws with the intention to capture any type of visual image, sound recording or other physical impression of another person for a commercial purpose."

In U.S the law of publicity is closely linked to the concept of privacy. In Robertson v. Rochester Folding Box, New York (1902) Mrs. Robertson was the first to invoke this right before a

New York Court complaining that the defendant company has used her likeness as a decoration for flour bags and used them for commercial advertising. The court however rejected the claim.

Privacy Rights Of Celebrities:

Since, the celebrities have a popular image in the society, people generally tend to personalize them as their friends and become curious about every personal aspect of their lives ranging from their personal affairs in lives to something as trivial as to the clothes that they wear, the cosmetics that they apply, the places they visit. However, the celebrities don't know the public and hence there is no natural exchange of information. Therefore, the celebrities try to control their personal information since the disclosure of the same might put them in a situation of embarrassment, humiliation and thus make them feel insecure.

One of the most popular judicial opinions has been given in the case of Barber vs. Times Inc wherein a photographer took pictures of Dorthy Barber giving a pregnancy delivery to a baby boy. Ms. Barber had filed a suit of "Invasion of Privacy" against Time inc. for unauthorized and forceful entry in to her hospital room and for photographing her despite her protests. It is a constitutional question to determine whether the appellant had the right to publish the article in question in accordance with its constitutional rights of freedom of expression and of the press. Ms. Barber was successful in her suit and the court while awarding damages of 3000\$ opined:-

In publishing details of private matters, the media may report accurately and yet - at least on some occasions - may be found liable for damages. Lawsuits for defamation will not stand where the media have accurately reported the truth, but the media nevertheless could lose an action for invasion of privacy based on similar facts situations. In such instances the truth sometimes hurts."

Therefore, in this case also we see that there has been a remedy available to the celebrities either in the form of an action of "invasion of privacy" or in the form of assertion of the fundamental right of "Right to Privacy" as a part of Article 21 of the constitution."

Reasons For Recognizing Publicity As A Statutory Property Right:

- i) Nowadays publicity involves immense amounts of money and the public image of a celebrity is of tremendous value. Recognizing this valuable asset as a property would mean that the same would be subject of taxation as a capital asset just like any other intellectual property.
- ii) This gives economic incentive to the public for carrying out socially enriching activities.
- iii) The celebrities are adequately rewarded for their moral claim over any money flowing from their fame which they have crafted by putting in enough time and effort."

Influence On The Society:

In the past few decades the society is growing increasingly obsessed with the actors and actresses and are also getting attracted to the way they are portraying themselves and also the products or other items of clothing, accessories, etc. that they endorse. Therefore if a wrong message is being portrayed by the paparazzos of the influential personality or celebrity it backfires the celebrity and his or her reputation diminishes in fraction of seconds due to the social media.

CONCLUSION:

India is lacking behind in regard to publicity rights as neither is there a considerable body of case laws nor statutes governing, image or publicity rights of individuals. Therefore it is very necessary to enact related specific legislations that

could help in minimizing the problem to great extent. Moreover it can be seen that paparazzi have been more helpful than being troublesome because they are the once whose publicity gives new dimensions to the rising stars and changes their life overnight. It's very rare that these paparazzi and their skills backfire and when this happens there should be a proper forum to discuss and resolve the matter.

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