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Is Paparazzi an unethical Business?

Abstract:

Pictures are powerful means of communication. According to a Chinese proverb "A picture equals thousand words". Picture stand alone and jumps the barriers of illiteracy even illiterates understands the pictures.

Pictures are much more than simple record they speak to the best and most generous part of our human nature the desire to share- and communicate with others. Pictures express joy, sorrow, wonder and sympathy every human can find a place in photography.

Today where everyone has endless access to mobiles with inbuilt cameras and easy to operate digital technology. Photography what was once a hobby has today became a daily chore. The photographers in their bid to grab attention forget the responsibility to the social cultural morale of the community. Today photography as come to promote commercial prosperity in the name of paparazzi. This paper critically looks into the paparazzi and its impact on privacy and legal aspect.

Paparazzi: History and Definition

Paparazzi are photographers who tirelessly hunt celebrities, public figures and their families for the opportunity to photograph them in candid, unflattering and at times compromising moments.

The word "paparazzi" is derived from a character in the film "La Dolce Vita" by Fellini. The character, a photographer named paparazzo, derived from an Italian dialect, means a particularly annoying noisesimilar to a buzzing mosquito.

The worldwide obsession with celebrities spawns one of the most fascinating and feared by-products of Paparazzi. What began as simple "street photography" is now a high-stakes game of cat and mouse that plays out in the everyday lives of the paparazzi's celebrity-prey.

As our societies voracious hunger for celebrity snapshots grows, so do the prices of these photos and the risks paparazzi take to get them? Many ethical, legal and privacy issues arise out of this questionable business.

Modus-operandi

At the most basic level, paparazzi hang out on the streets and in public places waiting for an opportunity to photograph a star. In public, the paparazzi can snap away unhindered by laws. But for a paparazzo who wants to make the big bucks, this method is far too inefficient. Paparazzi must make sure they are in the right place at the right time to get the shot.

Paparazzi work a lot like private detectives. Each paparazzo keeps a network of informers to help keep tabs on celebrity targets. These informers can be people who work in businesses frequented by celebrities, such as restaurants, shops or salons. The paparazzo often pays for this information. In many cases, people who work for the star might be bribed to divulge the whereabouts of their employer.

Paparazzi also work with autograph hunters. Autograph hunters basically stalk celebrities, approach them in public places and ask for their autographs. They make their living by selling these autographs to fans and resellers. Paparazzi pay the autograph hunters for information on the celebrity's whereabouts.

As an added bonus, when the autograph hunter stops the celebrity on the street, the paparazzo gets the opportunity to take the shot. The key for the paparazzo is to get the information and get the photograph before other paparazzi do.

But hunting stars is just one aspect of this highly competitive industry. Once the paparazzo knows where the target is, there are various tactics he or she may use to get a photograph.

Tactics

The tactics of the paparazzi centres on one principle: Get a shot by any means necessary. In more extreme cases, some paparazzi have taken photographs from rooftops or treetops. They have shot private events from rented helicopters or boats. In some cases, if the event is in a sealed building, paparazzi have staged fire alarms or bomb threats to cause an evacuation of the building that forces their subjects onto the streets.

Privacy laws

We do not have specific laws on Paparazzi but a few IPC sections like 499, 500, 501 and 502 give adequate protection from such breach of privacy.

Section 503

Criminal intimidation.—Whoever threatens another with any injury to his person, reputation or property, or to the person or reputation of any one in whom that person is interested, with intent to cause alarm to that person, or to cause that person to do any act which he is not legally bound to do, or to omit to do any act which that person is legally entitled to do, as the means of avoiding the execution of such threat, commits criminal intimidation.

Section 319

Whoever causes bodily pain, disease or infirmity to any person is said to cause hurt.

Section 321

Whoever does any act with the intention of thereby causing hurt to any person, or with the knowledge that he is likely thereby to cause hurt to any person, and does thereby cause hurt to any person, is said "voluntarily to cause hurt".

Section 336

Whoever does any act so rashly or negligently as to endanger human life or the personal safety of others, shall be punished with imprisonment of either description for a term which may extend to three months or with fine which may extend to two hundred and fifty rupees, or with both.

Section 354C: Voyeurism

Any man who watches, or captures the image of a woman engaging in a private act in circumstances where she would usually have the expectation of not being observed either by the perpetrator or by any other person at the behest of the perpetrator or disseminates such image shall be punished on first conviction with imprisonment of either description for a term which shall not be less than one year, but which may extend to three years, and shall also be liable to fine, and be punished on a second or subsequent conviction, with imprisonment of either description for a term which shall not be less than three years, but which may extend to seven years, and shall also be liable to fine.

Section 354D: Stalking

(1) Any man who—

Follows a woman and contacts, or attempts to contact such woman to foster personal interaction repeatedly despite a clear indication of disinterest by such woman; or

Monitors the use by a woman of the internet, email or any other form of electronic communication, commits the offence of stalking;

(2) Whoever commits the offence of stalking shall be punished on first conviction with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; and be punished on a second or subsequent conviction, with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine.

Paparazzi laws

In 1997 Princess Diana died as a result of a fatal car crash during a high-speed paparazzi chase. This led to a number of laws in both England and America relating to the paparazzi.

In England, any photographer who pursues Catherine, Duchess of Cambridge in the same manner as Princess Diana would face civil liability. In fact, by the time she wed Prince William, she had already won several civil cases for paparazzi privacy breaches.

Across the pond in California, paparazzi are legally prohibited from trespassing on private property, or using telephoto lenses to survey private property and pursuing targets in cars.

However, many criticize the law as having little in the way of teeth to back up its threats of liability. As a result, supermarket tabloids and shows like TMZ remain as popular as ever, relying, in large part, on their paparazzi driven images of celebrities at their worst or most provocative.

In the United States, photographs that are taken for editorial use in a public place generally enjoy Constitutional protection under the right of free speech. This right is not without limit, though. Generally, courts have recognized that certain matters enjoy a right of privacy or are against public policy for other reasons, and not protected by the first amendment. For example:

1. Police crime scenes. Not only could the subject matter be disturbing to the families of victims, but the images could interfere with investigations and, ultimately, the right to a fair trial of anyone accused of the crime.

2. Photographs taken in public restrooms or shooting up the skirts of unsuspecting women. These photographs violate a person's right to privacy, even though taken in a public place, because there is a certain expectation of privacy even in these situations and any other ruling would lead to absurd results (like cameras in every bathroom).

3. Secured areas. Photography is not permitted in areas where matters of national security could be compromised. Consequently, photography in many government facilities is prohibited, and violations could be prosecuted as treason.

The list goes on, but as you can see, there are many instances where the otherwise nearly absolute right of free speech is contradicted in some unique way.

Even editorial photographs can come under scrutiny when a caption is added if the photo caption implies something false or libellous about the person in the picture.

Case Study

. The best example is the example of Princess Diana. The final, haunting photo of Princess Diana, taken on the night she died, shows her sitting with her boyfriend Dodi Fayed in the back of a Mercedes car as it roars away from the rear entrance of the Paris Ritz Hotel, heading for the couple's secret love-nest near the Champs-Elysees persistently followed by the paparazzi and on the way hit a road divider ending her life. The car increased its speed to escape from paparazzi and caused the accident. It shows how Paparazzo at times intentionally provoke stars and force them to act irrationally to get a good photo.

Throwing false alarms is just the tip of the iceberg when it comes to the illegal methods used to get a photo.

A paparazzo intentionally had a car accident with Catherine Zeta-Jones at force her out of her car. Actor Sean Penn was intentionally provoked many times into physical confrontations to get photos and create lawsuits.

Paparazzi posed as Michael Douglas's family members to gain access to the hospital where his son was born.

Paparazzi Price

Paparazzi sell their photos to the highest bidder. Depending on the quality, subject and situation, photos can go for anywhere between a few hundred dollars to several thousand dollars. The celebrity-photograph business is highly competitive and risky to both life and limb. Very few photographers make their fortune as paparazzi: Often, it costs more to get the shot than they'll make selling the photo.

Paparazzi and Technology

Wireless video cameras, tiny in size, completely hidden are becoming a regular staple of the paparazzi arsenal. Paparazzi can either wear the cameras or plant them to capture celebrities unaware. The tiny cameras sport increasingly powerful transmitters that broadcast digital video to receivers.

The recent episode where Shahid Kapur and Kareena Kapoor were caught in a private moment by a hidden camera by a journalist makes one wonder... Has paparazzi finally arrived in India?

Journalists make the lives of celebrities a living hell even in India. The black eye that Sanjay Dutt gave to a nosy journalist in a hotel lobby for prying a tad bit too much has not earned him any points with the community. The reasons for these journalists not being giving the harsh term paparazzi in India could be because, no legal action is taken against these journalists, the celebrities take in their stride, or probably our celebrities just know how to play it safe. Most analysts agree that journalists must remain sensitive to issues such as fairness, balance and accuracy.

The stand that holds Paparazzi and investigative journalism together is the Right to privacy. There are two sides to this argument, we can either justify our stand or redefine our ethics.

After all we are the eyes, ears and mouth of the masses. We have to tell them about the lives their role models lead. We have to reveal to them that they are flesh and blood like you and me, but can't this be done in a dignified manner... do they have to be splashed in full public view...well! These are the questions we have to repeatedly ask and find ethical answers to them.

Inferences

In our concluding segment, let us answer the simple question. Should paparazzi be banned? Well! Paparazzi should not be banned, it is their livelihood. Many paparazzi have a passion for the art of photography and this is their livelihood.

They are out there doing their jobs just like any other person. Most paparazzi make an average of 100 lakhs a year. Exclusive and hard to come by shots of a celebrity can get many times more.

Paparazzi's expenses can be enormous. Some of these elusive photographers have to hire drivers, helicopters, and even yachts to be able to be in the right place at the right time to get the once-in-a-lifetime shot.

A well known paparazzo, Miles Diggs, discussed in a short video his personal obstacles he must overcome to get to that rewarding pay day. In the video he talks about what a bad rap his occupation gets. He started off as a freshman at NYU majoring in photography until one photo of Taylor Swift he captured changed his life. Now he is a well known paparazzi reputable amongst his peers and celebrities.

Within each occupation there are the good and bad people. Diggs is one of the many respectful paparazzi who know how to talk to the celebrities and create relationships.

Of course there are also the disrespectful and invasive ones but that does not mean the whole community is terrible. Besides even if they were all bad, people will still view their images.

Most people read the tabloids and scroll through TMZ for entertainment even when they believe paparazzi are invading celebrity's lives. There is no denying that this is an artform since a picture is worth a thousand words and even 5 figures. Ultimately, paparazzi should not be banned for pursuing their passion and getting money to support them and their families.

Celebrities are humans who deserve to do their job without getting photographed every second and deserve privacy. Even though celebrities are famous for doing their job as an actor/actress/ singer/model they deserve to have privacy because they are human beings who want to do some normal things and have fun without people taking photos of them everywhere they go. Not all celebrities want to be photographed or be stalked.