

Recreating historical figures on screen: the ethics of reshaping history through AI resurrections

DARIAH Annual Event
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Dr. Jorge Franganillo
<https://franganillo.es>



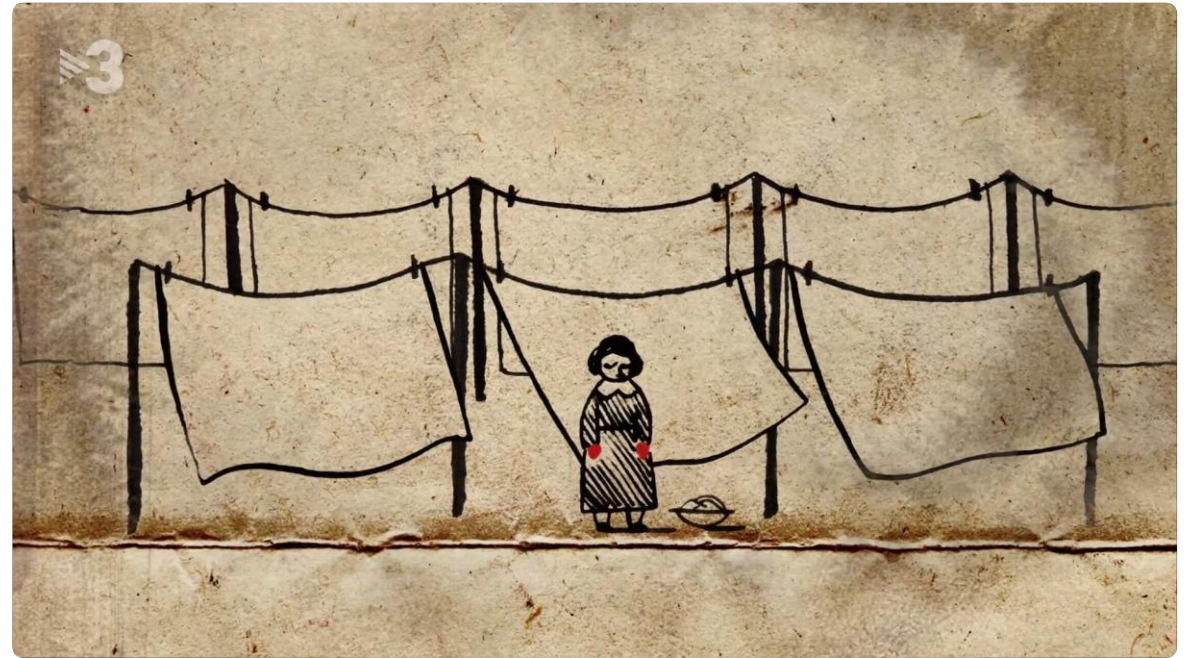
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Since much of the past was never captured on film, documentary filmmakers have long turned to re-enactments and animations to fill in the gaps.



Dramatic re-enactment in *Fräulein Stinnes fährt um die Welt* (Moeller, 2009)



Explanatory animation in *Els internats de la por* [= *The boarding schools of fear*] (Armengou & Belis, 2015)

Deepfake technology has enabled the rejuvenation and «resurrection» of real personalities and fictional characters for creative purposes.



Characters rejuvenated in *The Irishman* (Scorsese, 2019) and *Indiana Jones and the Dial of Destiny* (Mangold, 2023)



Deceased singer Lola Flores «resurrected» in a beer commercial (Ogilvy, 2021)



Impersonation of public figures in the daily infotainment show *El Intermedio* (laSexta)



Dalí Lives (campaign for two Dalí museums)

TV infotainment shows have been experimenting with deepfake technology to recreate deceased personalities for mock interviews and humorous scenarios.



Deepfake resurrections have become a regular feature in the segment «El otro barrio» [= «The Afterlife»] in the Spanish program *El Intermedio* (laSexta).

A voice is a core part of identity.

Faking it without clear disclosure
constitutes information manipulation.



In *Roadrunner* (Neville, 2021), AI was used to clone Anthony Bourdain's voice and make him «speak» a few words he had written but never recorded.



Entertainment

Anthony Bourdain's ex-wife says she didn't say he'd be okay with recreating his voice for documentary

"I certainly was NOT the one who said Tony would have been cool with that," Ottavia Busia said of the film director's statements.



By [Nick Romano](#) | July 16, 2021 at 10:20 AM EDT



Anthony Bourdain's ex-wife Ottavia Busia has seen reports of the *Roadrunner* documentary crew using A.I. software to recreate Bourdain's voice in the film, and she doesn't seem too happy about it – at least not with what the director was suggesting.

Using look-alikes of personalities in soft news and infotainment shows has sparked debate.

Is it ethical to create such convincing doubles?



In *Hôtel du temps* [= *Time Hotel*] (France 3), an artificially rejuvenated Thierry Ardisson asks a «resurrected» Dalida about nothing less than her suicide!

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Oct 12, 2021 5:40

Princess Diana and Other Late Celebrities Revived Through AI in French Interview Series *Hôtel du Temps*

By Elsa Keslassy

Mediawan

[Thierry Ardisson](#), a famous French TV journalist, host and producer known for roasting some of the biggest stars and political figures in modern history, has teamed up with Mediawan's 3ème Oeil Productions to resuscitate late icons in *Hôtel du Temps*.

Pioneering the use of an artificial intelligence-generated tool called FaceRetriever, *Hôtel du Temps* has allowed Ardisson to fulfil his wildest dream: Travel back in time and bring back legendary figures, including [Princess Diana](#), French actor Jean Gabin, comedian Coluche, singer Dalida and former French president Francois Mitterand.

He interviews them in his favorite Parisian palace, the Hotel Meurice. Represented by [Mediawan Rights](#), *Hôtel du Temps* has been commissioned by French public broadcaster France Televisions' France 3 channel for primetime.

Consent, authenticity and transparency are key aspects to ensure ethical and respectful digital resurrections.



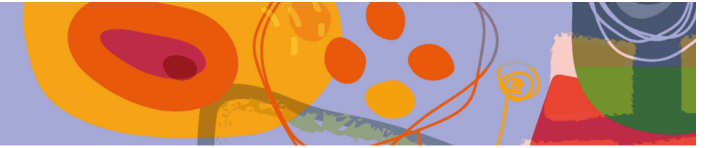
The World of Pepe Rubianes (Solá, 2024) was undertaken with the explicit permission and active involvement of Rubianes' family, who insisted on a careful and high-quality, respectful recreation.

Pepe Rubianes' writings and poems have been read by an AI-generated voice modeled after his own.

Through on-screen notices and credits, the production was transparent with the viewers about the use of AI.



Because legislation often lags behind rapid technological advancements, many organizations are proactively self-regulating by developing their own guidelines and codes of best practice.



ARTICLE

<https://doi.org/10.1057/s41599-024-04204-w>

OPEN

Digital replicas and democracy: issues raised by the Hollywood actors' strike

Asuka Yamazaki  ^{1✉}

Recent years have seen artificial intelligence (AI) technologies from large companies increasingly privatize people's data, creating asymmetrical and undemocratic economic relations. Specifically, generative AI disseminates false information, distorts perceptions, and transforms the free and critical cultural public sphere into one that is privatized and undemocratic. This study examines the major Screen Actors Guild-American Federation of Television and Radio Artists strike in Hollywood in May 2023, focusing on the issues raised against actors' digital replicas from a democratic perspective. The introduction of this technology, aiming to enhance the audience's immersive experience, reinforces the cultural imperialistic and neoliberal hierarchical relation between companies and actors. Moreover, this study explains how digital replicas relegate actors to a subjugated state, damage their image, and demote them to the periphery of filmmaking, thereby resulting in undemocratic problems that deprive them of their subjectivity and creativity. The main findings are as follows: (1) Actors' data, embedded in the data capitalism structure, are used to generate their digital replicas, thus causing economic and structural inequalities. Video companies' monopolization and unapproved use of such data lead to the loss of these actors' freedom and humanity. (2) Unauthorized digital replicas of actors through deepfakes globally damage their public image and social authority, and such false body representation has negative cultural and ontological effects on them. (3) The use of digital replicas excludes actors from the filmmaking process, eliminating their interaction and creativity in relation to other creators and audiences and preventing their participation in the critical and cultural public sphere of cinema. As humans and generative AI continue to coexist, using digital replicas with actors' legal consent is important as it ensures their independence and expressive potential. This will develop a democratic film industry that enhances the interactive cinema-media cultural public sphere.

ARTS & ENTERTAINMENTS

California passes AI laws to curb election deepfakes, protect actors

The bills signed by Gov. Gavin Newsom (D) come amid concerns over the use of AI in the run-up to the presidential vote and its threat to actors' livelihoods.

3 min



California Gov. Gavin Newsom (D). (Joe Lambert for The Washington Post)

By [Kelsey Ables](#) and [Gerrit De Vynck](#)
September 18, 2024 at 5:04 a.m. EDT

California Gov. Gavin Newsom (D) signed into law a raft of artificial intelligence bills Tuesday, aimed at curbing the effects of deepfakes during elections and protecting Hollywood performers from their likenesses being replicated by AI without their consent.

There is growing worry about deepfakes circulating during the 2024 campaign, and concerns over Hollywood's use of artificial intelligence were a prominent part of last year's historic actors strike. California is home to "32 of the world's 50 leading AI companies, high-impact research and education institutions," according to Newsom's office, forcing his government to balance the public's welfare with the ambitions of a rapidly evolving industry.

Pioneering Californian law (AB 1836, 2024) requires approval for AI recreations, but broader AI regulations often leave gaps concerning the recreation of deceased individuals.

Shaping Europe's digital future

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AI Act

The AI Act is the first-ever legal framework on AI, which addresses the risks of AI and positions Europe to play a leading role globally.

The [AI Act](#) (Regulation (EU) 2024/1689 laying down harmonised rules on artificial intelligence) is the first-ever comprehensive legal framework on AI worldwide. The aim of the rules is to foster trustworthy AI in Europe.

The AI Act sets out a clear set of risk-based rules for AI developers and deployers regarding specific uses of AI. The AI Act is part of a wider package of policy measures to support the development of trustworthy AI, which also includes the [AI Innovation Package](#), the launch of [AI Factories](#) and the [Coordinated Plan on AI](#). Together, these measures guarantee safety, fundamental rights and human-centric AI, and strengthen uptake, investment and innovation in AI across the EU.

To facilitate the transition to the new regulatory framework, the Commission has launched the [AI Pact](#), a voluntary initiative that seeks to support the future implementation, engage with stakeholders and invite AI providers and deployers from Europe and beyond to comply with the key obligations of the AI Act ahead of time.

Why do we need rules on AI?

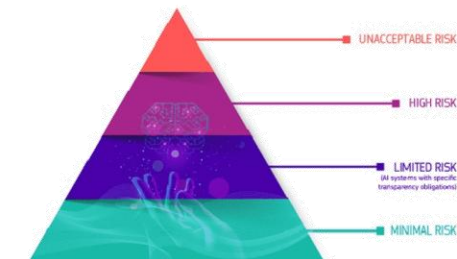
The AI Act ensures that Europeans can trust what AI has to offer. While most AI systems pose limited to no risk and can contribute to solving many societal challenges, certain AI systems create risks that we must address to avoid undesirable outcomes.

For example, it is often not possible to find out why an AI system has made a decision or prediction and taken a particular action. So, it may become difficult to assess whether someone has been unfairly disadvantaged, such as in a hiring decision or in an application for a public benefit scheme.

Although existing legislation provides some protection, it is insufficient to address the specific challenges AI systems may bring.

A risk-based approach

The AI Act defines 4 levels of risk for AI systems:



The Archival Producers Alliance's recommendations focus on:

1. prioritizing primary sources over AI-generated content;
2. maintaining transparency with audiences about any AI use;
3. carefully considering all legal implications;
4. addressing ethical considerations, especially around consent and the respectful portrayal of historical memory.

GenAI Best Practices Tool Kit

April 2025

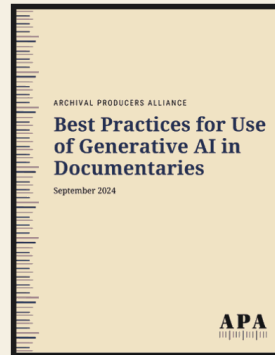
The APA GenAI Tool Kit is a companion to APA's report, Best Practices for Use of Generative AI in Documentaries. Each tool offers tips and resources for non-fiction media makers who are considering using GenAI in their productions.

Table of Contents

1. Ten Questions Before You Start
2. Transparency Tips
3. GenAI Tracker / Cue Sheet
4. Workflow Tips
5. Crediting Suggestions
6. External Resources

Please share this document freely, and reach out with any suggestions.

**For the latest version of the Tool Kit please visit the [APA website](#).



APA Archival Producers Alliance
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ARCHIVAL PRODUCERS ALLIANCE

Best Practices for Use of Generative AI in Documentaries

September 2024

APA
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Media outlets are developing guidelines for the responsible use of generative AI and synthetic content creation.

Editorial Guidelines

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9.1 Using Generative AI to create content

Generative AI should not be used to directly create news content published or broadcast by BBC News/Nations, current affairs or factual journalism unless it is the subject of the content and its use is illustrative. Exemptions, such as in the creation of graphics, may be considered subject to a piloting process.

Using AI tools to create media may be otherwise considered where their use does not challenge the editorial meaning of the content, distort the meaning of events, alter the impact of genuine material or otherwise materially mislead audiences.

Examples of acceptable use might include creating a synthesised voice to deliver text based content, where it does not seek to replicate the voice of another individual, or a 'deepfake' face used to preserve anonymity in a documentary.

News, current affairs and factual journalism video and still images must not be manipulated beyond a sympathetic crop and minor adjustments to brightness and contrast.

Any generative AI options provided in editing software such as –but not only– 'generative fill', that allows the addition or removal of content in images or video, should only be employed where their use would not materially mislead audiences.

Whenever these techniques are used they should be signalled to the audience in an appropriate manner.

Collaboration example: Spain
(University of Barcelona + 3Cat)

Key focus for AI recreation of people:

- **Transparency:**
 - Clear audience notification (AI content)
 - Justify news/report use
- **Consent:**
 - Essential for voice/image
 - Heirs' approval (for deceased)
 - Historical (no consent possible):
accuracy, respect, justification (APA)
- **Editorial responsibility:**
 - Prevent deception/falsehoods
 - No faking actions/speech (w/o consent)
- **Dignity and respect:**
 - Accurate and respectful portrayal
 - Avoid bias/stereotypes



AI and historical storytelling: challenges and responsibilities

- **Bridging gaps.** AI offers new realism where film records lack; builds on traditional methods (archives, re-enactments).
- **Honesty is key.** Viewers must know if content is AI-generated (vs. historical record), an established ethical principle.
- **Ethical «revivals».** When direct consent is impossible, AI use must genuinely enrich the narrative, avoiding distortion.
 - Requires case-by-case ethical assessment (context, impact).
- **Maturing technology.** Moving from fascination with AI capabilities to a nuanced understanding of its potential and limits.
- **Our challenge:** thoughtful integration.
Use AI to illuminate the past while upholding ethical duties.



Thank you!

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