

BRINGING ACTORS BACK TO LIFE

THE ETHICS OF RECREATING DECEASED ACTORS WITH AI AND CGI

One of Hollywood's most treasured actors may soon appear on the big screen again. James Dean—star of classic films like *East of Eden*, *Rebel Without a Cause*, and *Giant*—epitomized sexy youthful rebellion for many teens coming of age in the 1950s and beyond. While comeback roles are not uncommon in the film industry, this one is garnering significant attention because James Dean died at the age of 24—in 1955.

In an interview with *The Hollywood Reporter*, Director Anton Ernst said that *Finding Jack* (based on Gareth Crocker's novel and adapted by Mari Sova), "tells the story of an American soldier... who, after losing his wife, travels to Vietnam and befriends a war dog that saves his life. Dean, who died before the start of the Vietnam War, will play a secondary lead in the film named Rogan" (Drury, 2019). Ernst, who is also the owner of the production company Magic City Films, explained that he and his co-Director Tati Golykh "searched high and low for the perfect character to portray the role of Rogan... and after months of research decided on James Dean" (Ernst quoted in Drury, 2019). Magic City Films obtained the rights to Dean's image from Dean's estate and CMG Worldwide—the intellectual property management company that has represented Dean's family for 38 years (Dimitropoulos, 2020). Magic City Films partnered with Canadian VFX banner Imagine Engine and South African VFX company MOI Worldwide to recreate Dean using footage/photos to construct a "'full body' CGI" performance with another actor's voice (Drury, 2019). However, Jason Donati—an animator, cinematographer, and professor at Northeastern University's College of Arts, Media and Design—says "digital twins" can also be created using artificial intelligence or deepfake technology, forms of "synthetic media powered by a high-tech deep learning method... that can learn to precisely mimic the set of data you feed them" (Donati quoted in Dimitropoulos, 2020). Indeed, Donati adds that this technology is "progressing at a furious pace [as] it's now sophisticated enough to fool both computers and the human eye, and authorities and tech companies are struggling to keep pace with it" (Donati quoted in Dimitropoulos, 2020).



Mark Roesler, CEO of CMG Worldwide, said that "[Dean's casting] opens up a whole new opportunity for many of our clients who are no longer with us" (Roesler quoted in Ritman, 2019). CMG Worldwide represents many stars—past and present—to "protect [their] clients' image and likeness and perpetuate their remarkable legacies" (CMG Worldwide). Indeed, CMG Worldwide represents over "1,700 entertainment, sports, music and historical personalities, including the likes of Burt Reynolds, Christopher Reeve, Ingrid Bergman, Neil Armstrong, Bette Davis and Jack Lemmon" to name a few (Ritman, 2019). As such, other deceased figures may be portrayed in upcoming films as well, "achieving a kind of immortality that would have been otherwise impossible, with careers that go on long after their lives have ended" (Velasquez, 2023). For example, Ernst told *The Hollywood Reporter* that their VFX "partners in South Africa are very excited

about this, as the technology would also be employed down the line to re-create historical icons such as Nelson Mandela to tell stories of cultural heritage significance” (Ernst quoted in Ritman, 2019). Similarly, CGI, AI, and deepfake technologies that can recreate the deceased could provide for “a world where historical figures are resurrected to appear in documentaries or educational materials” (Dimitropoulos, 2020).

While James Dean has posthumously appeared in various commercials (including those of Dolce & Gabbana, Allure Eyewear, H&M, and Jose Cuervo) and other deceased actors have appeared in movies through advanced technology (such as Paul Walker in *The Fast and Furious* franchise), *Finding Jack*’s announcement received a slew of negative reactions from notable Hollywood filmmakers, actors, and reporters alike (Drury, 2019). On one hand, backlash to *Finding Jack* revolved around a perceived lack of respect for the craft of acting, as well as questions about labor and payment for actors. For example, *Avengers* star Chris Evans argued: “This is awful. Maybe we can get a computer to paint us a new Picasso. Or write a couple new John Lennon tunes. The complete lack of understanding here is shameful” (Evans, 2019). Similarly, Dylan Sprouse of *The Suite Life of Zack and Cody* tweeted that Roesler’s comments should be read as “a new way to rob graves of dead icons and milk the masses for less!” (Sprouse, 2019). While the use of computer-generated portrayals might diminish the art of performance, it could also be used to deprive living actors of roles. Indeed, “many actors —particularly extras with less powerful legal representation— are concerned that studios will only pay them for one day’s work and then use their likenesses multiple times and across other movies” (Labuschagne, 2023). Donati warns that Hollywood workers could be further displaced by such a trend, “much like when the digital effects industry ‘replaced entire departments of people who used to create pyrotechnics and explosions’” (Donati quoted in Dimitropoulos, 2020).

On the other hand, many criticized the ethical implications of Dean’s recreation based on concerns about active consent. For example, sci-fi screenwriter Ava Lock tweeted that “James Dean will be resurrected by CGI, a technology that he never knew existed. Roll that around in your head awhile. Talk about exploitation. How can you consent to something you don’t know about?” (Lock, 2019). Likewise, *Thelma & Louise* star Susan Sarandon “warn[ed] that AI could make [actors] ‘say and do things [they] have no choice about’” (Sarandon quoted in Velasquez, 2023). Even if Dean consented to some use of his image and likeness while he was still alive, he could not have predicted that filmmakers would be able to fully reconstruct his image in such a way because the technology was not developed until decades after his untimely death. According to Labuschagne, “there are also major questions over the nature of the acts that the likenesses will perform — like having a serious actor star in an over-the-top comedy or a conservative one appearing in gratuitous sex scenes” (Labuschagne, 2023). In all of these ways, Dean’s control over his own image could be deeply and irrevocably violated. Velasquez notes that “A few celebrities, such as Robin Williams, were able to use a will to limit the use of their likeness after death, but that limit expires after 25 years” (Velasquez, 2023).

In response to the negative feedback, *Finding Jack* Directors Ernst and Golykh defended their decision to cast Dean. Ernst told *The Hollywood Reporter* that he was “saddened” and “confused.” “We don’t really understand it. We never intended for this to be a marketing gimmick... We do not intend to let his fans down” (Ernst quoted in Drury, 2019 and Garza, 2022). Ernst argues that “visual effects is a tool” that has been used in plenty of other projects involving deceased actors, such as to “help finish production in the case of an untimely death,” like the case of Carrie Fisher in the *Star Wars* franchise (Drury, 2019). While he admits that there may be a fine line between preserving a star’s legacy and exploiting the deceased, Ernst says “the line should be... always honor[ing] the deceased’s wishes and try[ing] to act in a way that is honorable and full of dignity” (Ernst quoted in Drury, 2019). Indeed, recreating stars like Dean create a poignancy in answering

the question of “what might have been for an artistic genius whose life was cut short?” (Dimitropoulos, 2020). In doing so, Ernst and Golykh have been careful to receive approval and “positive feedback” from Dean’s family, who “view this as his fourth movie, a movie he never got to make” (Ernst quoted in Drury, 2019).

Though *Finding Jack* was originally aimed to release on Veteran’s Day 2020, the project was eventually cancelled, possibly due to complications arising from the global COVID-19 pandemic (Drury, 2019 and Dimitropoulos, 2023). However, James Dean may yet appear on contemporary screens. Travis Cloyd, a virtual-reality filmmaker and the CEO of immersive media agency WorldwideXR, told *BBC* that Dean will star in a new sci-fi film titled *Back to Eden* – “an out of this world visit to find truth lead[ing] to a journey across America” (Cloyd quoted in Dimitropoulos, 2020 and Velasquez, 2023). Like Magic City Films before it, Worldwide XR has partnered with CMG Worldwide and received consent from Dean’s family. However, unlike the *Finding Jack* project, Cloyd says that *Back to Eden* will “cast James Dean in a secondary role as himself... James Dean, ‘digital human,’ will play the James Dean character” (Dimitropoulos, 2020). He is also excited about the potential for “Dean 2.0 (as he calls it)” to play “multiple characters and roles in traditional 2D cinema, virtual reality, and gaming” (Cloyd quoted in Dimitropoulos, 2020).

While Cloyd faces similar scrutiny as Ernst and Golykh, he too defends his decision for similar reasons. He further argues that “an explosion of new jobs will balance out those lost [because] digital casting would bring new work in 3D facial scanning, new roles for voice actors, and new jobs for body doubles, who would perform the actual role and movements that the script demands” (Cloyd quoted in Dimitropoulos, 2020). Ultimately, the directors of both *Finding Jack* and *Back to Eden* believe that audiences should focus on a film’s message, storytelling, and artists’ representation, and trust that they are committed to taking “every precaution to ensure that [Dean’s] legacy as one of the most epic film stars to date is kept firmly intact” (Ernst quoted in Drury, 2019). Since *Finding Jack* has been shelved and *Back to Eden* is still in production, ethical questions surrounding Dean’s posthumous recreation are far from settled. And since CGI, AI, and deepfake technology only continue to advance, we are likely to see more ethical dilemmas regarding other stars beyond James Dean in the near future.

Discussion Questions:

1. Who should have the final say over the use of a deceased person’s image and likeness?
2. Is there a way to implement CGI, AI, and/or deepfake reconstruction of a deceased person ethically?
3. Do you think that one of the James Dean projects (*Finding Jack* or *Back to Eden*) is more/less ethical than the other? Why?
4. What are the important factors that distinguish James Dean’s case from those of actors like Carrie Fisher or Paul Walker? What about other examples of recreating deceased cultural icons, such as Hologram versions of deceased musicians (e.g., Buddy Holly or Michael Jackson)?
5. Construct a code of ethics for using CGI versions of deceased—or living—actors. What sort of principles would be in it?

Further Information:

CMG Worldwide. Accessed April 13, 2024. Available at: <https://www.cmgworldwide.com/>

Dimitropoulos, Stav. "A new film with a dead star? Thanks to CGI and deepfake technology, it's possible." *Experience*. October 28, 2020. Available at: <https://expmag.com/2020/10/a-new-film-with-a-dead-star-thanks-to-cgi-and-deepfake-technology-its-possible/>

Dimitropoulos, Stav. "James Dean may be resurrected for a new film, decades after he died." *Fortune*. September 30, 2021. Available at: <https://fortune.com/2021/09/30/james-dean-cgi-new-movie-nft/>

Drury, Sharareh, "Director of New James Dean Movie Speaks Out Over Backlash to Star's 'Casting.'" *Hollywood Reporter*. November 7, 2019. Available at: <https://www.hollywoodreporter.com/news/director-new-james-dean-movie-speaks-backlash-stars-casting-1253232>

Evans, Chris. Tweet. November 6, 2019. Available at: https://twitter.com/ChrisEvans/status/1192137540842733568?ref_src=twsrc%5Etfw

Garza, Joe. "How Hollywood Really Felt About James Dean's CGI Resurrection in Finding Jack." *Grunge*. September 1, 2022. Available at: <https://www.grunge.com/990187/how-hollywood-really-felt-about-james-deans-cgi-resurrection-in-finding-jack/>

Labuschagne, Hanno. "AI-generated James Dean appearing in new movie 68 years after actor's death." *My Broad Band*. Available at: <https://mybroadband.co.za/news/broadcasting/504822-ai-generated-james-dean-appearing-in-new-movie-68-years-after-actors-death.html>

Lock, Ava. Tweet. November 6, 2019. Available at: https://twitter.com/avaunlocked/status/1192123275708551168?ref_src=twsrc%5Etfw

Ritman, Alex, "James Dean Reborn in CGI for Vietnam War Action-Drama (Exclusive)." *Hollywood Reporter*. November 6, 2019. Available at: <https://www.hollywoodreporter.com/news/afm-james-dean-reborn-cgi-vietnam-war-action-drama-1252703>

Sprouse, Dylan. Tweet. November 6, 2019. Available at: <https://twitter.com/dylansprouse/status/1192193876993417217>

Velasquez, S. J. "How AI is bringing film stars back from the dead." *BBC*. July 18, 2023. Available at: <https://www.bbc.com/future/article/20230718-how-ai-is-bringing-film-stars-back-from-the-dead>

Authors:

Kat Williams, Matthew Aufiero, & Scott R. Stroud, Ph.D.
Media Ethics Initiative
Center for Media Engagement
University of Texas at Austin
October 2, 2024

Image by Austrian National Library on [Unsplash](#)

This case was supported by funding from the John S. and James L. Knight Foundation. It can be used in unmodified PDF form in classroom or educational settings. For use in publications such as textbooks, readers, and other works, please contact the [Center for Media Engagement](#).

This work is licensed under **CC BY-NC-SA 4.0** 