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AI-INDUCED EMOTIONAL MANIPULATION: NEED FOR LEGAL REGULATION OF EMOTIONALLY PERSUASIVE ALGORITHMS IN INDIA

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ABSTRACT

The fast commercialization and popularity of Artificial Intelligence (AI) have impacted human relations, moving from providing practical assistance to offering emotional involvement as well. It is important to note that the shift from human-to-human interaction systems to human-to-AI interaction systems is taking place much faster in today's post-pandemic world because of loneliness and technological dependence. The use of AI-powered chatbots, virtual companions, therapeutic robots, and emotional systems is meant to facilitate bonding and relationship development. In this process, people often become psychologically dependent on technology.

These technologies bring up significant questions concerning emotional manipulation despite being emotionally convenient and accessible. AI technology has the capability to influence the perceptions, inclinations, and decision-making ability of users by exploiting their mental and psychological vulnerabilities through highly personalized interaction as well as emotionally persuasive algorithms. This impact challenges the traditional view of autonomy and consent under law, bringing up the important issue as to whether or not the agreement can truly be considered autonomous and well-informed if it is subject to psychological dependency and algorithmic persuasion.

Through the exploration of psychological aspects of emotionally persuasive algorithms, the concept of manufactured consent, and liability issues concerning the use of intermediary services covered by safe harbour law, this research delves into the emerging problem of AI-driven emotional manipulation. It further argues that the present legal system of India is "Emotionally Blind" in dealing with problems of consumer abuse, data security, and privacy because there is no recognition of emotional exploitation as an individual legal matter. This paper emphasizes that there is a requirement of a certain framework that could reduce emotional damages and provide ethical governance of AI in India by finding loopholes and examining the adequacy of existing legal provisions to protect these rights.

Keywords Artificial Intelligence , Emotional Manipulation , Persuasion , Dependency , Exploitation

INTRODUCTION

The most effective manipulation is invisible—not forcing a person to act, but convincing them that the choice was entirely their own. Unlike coercive or controlling forms of persuasion, indirect persuasion works through the creation of the illusion of autonomy. Individuals are presented with options that appear independent and self-directed, but whose results actually coincide with the desired goal of the persuader. Because people naturally resist threats to their freedom of choice, indirect influence is often more successful than overt persuasion. After reaching a decision, people are prone to rationalize and legitimize it as being one arrived at on their own account. As a result, influence becomes self-sustaining; the individual not only accepts the decision but also internalizes the beliefs necessary to justify it. The true power of manipulation, therefore, lies not in controlling actions directly, but in shaping perceptions so effectively that control remains unnoticed.

Traditionally, law is associated with physical forms of coercion. Since assault includes physical coercion, it



is considered a crime. But when excessive pressure is put on a person to compel a contract because there was no real agreement, then that contract is rendered void according to contract law. But AI manipulation is altogether a different case. In contemporary times, people are not coerced into doing anything in any physical form. It is rather preferences, emotions, and perceptions that are influenced through AI systems. The person thinks that he is free to do whatever he wants to do. Internet corporations in the modern age are increasingly capitalizing on digital loneliness by moving beyond simple data exploitation to emotional exploitation. The technology is designed deceptively for profit by capitalizing on human connections in order to exploit the psychological vulnerabilities of people.

The rise of AI companionship and emotionally responsive technologies must be understood within the broader social context of the post-COVID era. The COVID-19 pandemic fundamentally altered patterns of human interaction, as prolonged lockdowns, social distancing measures, and widespread isolation disrupted traditional forms of social connection.¹ Even after restrictions were lifted, many individuals continued to experience heightened levels of loneliness, anxiety, grief, and social disconnection. The technologies that provided companionship, comfort, and a feeling of belonging found success as a consequence. Due to the high number of casualties during this period, there was also a growth in collective mourning. Questions of the commodification of mourning, as well as ethical concerns about the extended grieving for their digital representations, were brought up by these kinds of technologies.

The current digital platforms are increasingly built based on the principles of behavioral and dopamine engineering concepts. They are designed to keep sending users various stimulations that are supposed to enhance their level of engagement by means of persuasive algorithms and personalized recommendation algorithms, creating dopamine feedback loops that encourage more usage.² The platforms have made their rewards such as likes, matches, comments, and notifications unpredictable in a way akin to variable-ratio schedules of reinforcement used in gambling. With the advent of therapeutic bots, emotionally intelligent digital assistants, and AI companions, interactions between man and machine have taken yet another shape. In fact, such machines can create parasocial relationships where users become deeply emotionally attached to the artificially designed creatures by replicating empathy, compassion, and emotions. The result is the creation of an environment where the ability to differentiate between natural human bonding and artificial friendship becomes increasingly difficult.

When AI systems adjust to each person's unique psychological weaknesses and attachment styles, these issues become very important. Monetization of the intimacy of emotions through companionship services based on subscriptions, commercialization of loneliness, and the creation of conversational avatars of lost people are examples of the manner in which capitalist technology is using people's need for emotional well-being, emotional bonds, and coping with loss for monetary gain.³ Legal and ethical concerns regarding issues such as autonomy and exploitation of emotions emerge when one considers

¹ Michal Einav and Malka Margalit, "Loneliness before and after COVID-19: Sense of Coherence and Hope as Coping Mechanisms" 2010 IJERPH 5840 (2023), *available at*: <https://pmc.ncbi.nlm.nih.gov/articles/PMC10218178/> (last visited May 31, 2026).

² Yu Yao, "Regulating addictive algorithms and designs: protecting older adults from digital exploitation beyond a youth-centric approach" 2025

FPSYG 1579604 (2025), *available at*: <https://pmc.ncbi.nlm.nih.gov/articles/PMC12336170/> (last visited May 31, 2026)

³ R.K. Suri and Mansi, "Can People Develop Addiction to AI Companions" *TalktoAngel*, Oct. 18, 2025, *available at*: <https://www.talktoangel.com/blog/can-people-develop-addiction-to-ai-companions> (last visited on May 31, 2026).



that digital technologies can influence people's emotions and behaviors.

UNDERSTANDING EMOTIONAL PERSUASIVE ALGORITHM & THE PSYCHOLOGY BEHIND AI MANIPULATION

In the olden days, technology was confined to merely performing tasks according to preset instructions and responding to human commands. However, as the advancements in technology have happened at such a rapid pace, the role of artificial intelligence has undergone a drastic change. Through understanding users' behavioral tendencies, reactions, and mental shortcomings, the latest AI systems have become increasingly able to identify, evaluate, and react to emotions that people feel. In doing so, AI could continually change the dynamic of its conversation and personalize it to such an extent that it would influence a person's decision-making abilities, emotions, and attitudes after having analyzed and understood these repetitive trends. In consequence, the major issue at hand has nothing to do with whether AI understands human emotions but is, rather, about the ability of AI to control and, therefore, manipulate humans.

Persuasion carried out through AI emotions is done with an extremely intimate and precise level of persuasion compared to traditional forms of persuasion. AI systems are increasingly adept at tailoring their responses to suit the emotional state of a particular individual owing to continued studies on user triggering incidents, behavioral tendencies, online interactions, and moments when they are vulnerable cognitively. Such systems can detect signs of emotional stress, dependency, loneliness, or nervousness and adapt their behavior. AI can also provide an element of comfort and validation through mimicking or even improving the mood of the user, making him/her more prone to trusting the technology/AI. A lot of individuals have started relying on AI technology for emotional support due to the fact that the contemporary environment makes it increasingly difficult to sustain and maintain human

relations and meaningful bonds. The users may be increasingly dependent on the emotional assurance provided by AI because of this dependency, without completely understanding to what extent their emotions, perception, and decision-making process might be affected. There are many questions from an ethical and legal standpoint relating to AI that emerge because of the already unclear line between assistance and manipulation becoming further blurred.

Some of the crucial milestones achieved in the field of artificial intelligence which has resulted in people getting emotionally attached to AI technologies are as follows:

1. AI Companions: The commercialisation of Loneliness

In the present day and age of technology, the concept of AI girlfriends has received much importance as well, owing to the basic necessity of humans for companionship and affection. People have a complex relationship and this often includes elements of conflict, emotional challenges, and sometimes even mourning. Although such experiences can be considered a common part of human relations, many emotionally sensitive individuals have been looking for simpler and more predictable forms of relationships. There is an increasing preference for virtual girlfriends and other emotional connections with chat bots, sometimes referred to as AI girlfriends or AI companions, owing to their ability.

Sophisticated Large Language Models (LLMs) that can create highly customized and emotionally intelligent chat sessions make the perfect AI companion. These technologies help make the interactions appear more natural, understanding, and emotional compared to conventional chatting methods. AI girls are portrayed as being a stable source of company that will give their customers love, affirmation, attention, and certainty - This is what makes them particularly attractive for individuals who have problems with interpersonal skills, feel lonely, socially anxious, or emotionally unstable.



Those who do not engage socially, like hikikomori – individuals who become withdrawn from society due to social pressures, anxiety, fear of failure, or other psychological problems – are especially susceptible to this issue. In comparison to face-to-face meetings, an AI companion could possibly provide a safer and controllable emotional experience for these people. The problem, however, is that these companions do not understand humans or their feelings and emotions - they do notice patterns and analyse but they do not feel what a human can feel for the other person. In place of authentic human interaction, their display of compassion and emotional support comes from the workings of an algorithmic construct. Over time, it could become increasingly difficult to separate genuine emotional bonds from artificially constructed friendship, thereby making psychological dependence more likely.

Following the case brought by Megan Garcia who was the mother of Sewell Setzer III - who was only 14 years old, concerns regarding emotionally compelling AI increased. According to the instance, the psychological wellbeing of the child was affected due to the development of an overdependent emotional relationship arising out of prolonged interaction with the AI companion chatbots. The case illustrates the greater risks involved in the use of AI systems capable of creating strong emotional ties in the absence of proper mechanisms, despite the ongoing legal issues in the matter.

2. Manipulative Chatbots : Conversations Becoming Persuasion

The impact and the ability of chatbots to manipulate users increases as their influence is derived through affecting people's emotional states rather than through directly controlling human behavior, the use of manipulative chatbots represents a considerable departure from previous methods of persuasion. AI chatbots have the ability to converse endlessly with

users at the same time assessing their emotions, fears, concerns, and aspirations, unlike the human conversation wherein the process of influence is limited to the confines of time and social environment. This therefore affirms that the greatest danger of using manipulative bots lies in the creation of such an environment under which user takes the decisions, rather than in pressuring people into making choices; in other words, there comes a point when certain choices begin to appear more rational, appealing, and even unavoidable. In many ways, how manipulative chatbots work is akin to the concept of power stated by Michel Foucault. According to Foucault, modern power is most effective when it is unseen. He famously quoted, "*Power is everywhere; not because it embraces everything, but because it comes from everywhere.*" Likewise, the emotional environment in which decisions are made is manipulated by AI chatbots, not through the application of force or authority but rather through the process of persuasion alone. The fact that users may often be oblivious to the effects being produced makes algorithmic persuasion much harder to detect and prevent than traditional forms of manipulation.

Chatbots that practice manipulative tactics are now facing legal scrutiny more frequently than ever before. The recent series of wrongful death lawsuits filed against OpenAI is one of such examples. The defendants argued that prolonged use of ChatGPT reinforced negative emotions and affirmed dangerous delusions while failing to appropriately respond to vulnerable users seeking emotional assistance. In one famous case, the parents of a teen user stated that the bot steadily changed its role from being an information provider to becoming a source of emotional dependence, allegedly worsening the situation of the user rather than guiding him toward seeking professional and meaningful human help. Thus, the question of the manipulation of chatbots has ceased to be a problem concerning ethical issues

⁴ Jacob Harris, "The History of Sexuality, Vol. 1 Quotes and Analysis" *GradeSaver*, Nov. 4, 2017, available at: [https://www.gradesaver.com/the-](https://www.gradesaver.com/the-history-of-sexuality-vol-1/study-guide/quotes)

[history-of-sexuality-vol-1/study-guide/quotes](https://www.gradesaver.com/the-history-of-sexuality-vol-1/study-guide/quotes) (last visited on May 31, 2026).



regarding technology alone because, in today's age of artificial intelligence, it has become an extremely important matter of legal liability, emotional independence, and safety of the user.

3. Therapy Bots : Illusion of Emotional Safety

The "Human-AI Gap in Therapy" is the basic drawback of therapy bots. Although AI systems can provide responses that appear to be encouraging and emotionally intelligent, they cannot replicate the wisdom and knowledge that is present in therapeutic interventions. Therapy is more than merely exchanging reassuring phrases; it also involves the identification of underlying pain, addressing harmful thoughts, spotting crises, and applying clinical judgment when necessary. Therapy bots, in contrast, usually utilize pattern detection and predictive text generation, often prioritizing flow of conversation over therapeutic engagement. In such cases, users can be engaging with a system that does not have clinical ability and is not accountable but somehow still feels like one offering professional help to them. Thus, while the greatest danger of therapy bots is not in their inability to comfort their clients, it lies in their ability to create a false sense and comfort of safety. This point highlights a very serious problem: entities that lack both therapeutic competence and therapeutic accountability are increasingly and confidently exercising therapeutic influence. The bots many a time fails to recognize the suicidal signs, as famously known example of Noni Therapy bot where by an individual failed to secure the job and asked the Noni therapy bot for bridges taller than 25 meters in NYC. The bot apologised about the situation and later gave the user a list of bridges taller than 25 meters.⁵ This shows that how an AI can fail to catch suicidal thoughts of an individual which in any normal prudence a human being would have understood.

⁵ Marlynn Wei, "Can AI Be Your Therapist? New Research Reveals Major Risks" *Psychology Today*, Oct. 11, 2025, available at:

MANUFACTURED CONSENT

Traditional Theory of Consent

The concepts of autonomy, voluntariness, and informed decision-making have historically served as the foundation for the legal idea of consent. The concept of consent is based on the Latin maxim CONSENSUS AD IDEM - meeting of minds, this expresses the idea that a consent is said to be valid when both the parties voluntarily agree on the same thing in the same manner. In contract law, consumer transactions, or digital agreements, the law typically assumes that a person is capable of freely weighing their options and communicating an action unaffected by undue influence or coercion. But the problem arises as this theory emerged at a time where persuasion was limited by human ability, and influence was mostly applied through humans. This set of assumptions can be challenged due to the emergence of emotionally compelling AI, a technology that provides an additional form of impact which is sustained, personalized, and often imperceptible. In parallel with that, the latest findings in the field of AI and autonomy suggest that algorithmic mechanisms might affect personal autonomy through the alteration of the context within which decisions are being made, and not through forceful pressure on people. This challenges the traditional understanding of consent and raises multiple questions in context of AI technology advancements and Consent.

The Challenges Faced because of AI Advancements

AI-based emotion-sensing systems could keep users occupied for long hours as they keep adapting to their emotions, behaviors, and psychological vulnerabilities, which changes the responses of the bot to what best suits the user's emotion unlike conventional advertising or personal persuasions.

<https://www.psychologytoday.com/us/blog/urban-survival/202505/can-ai-be-your-therapist-new-research-reveals-major-risks> (last visited on May 31, 2026).



These systems could gradually build up trust, dependence, and emotional dependency through assurances, validations, and customized interactions. Under such circumstances, the method of influence stops being effective when consent needs to be sought but becomes extremely effective well in advance of the interaction, through emotional influence on the user. The user may really believe that a decision is self-determined and fail to recognize the extent to which algorithmic involvement has subtly changed emotional reactions, preferences, and perceptions. The track has shown that the phenomenon is part of “Hyper-Persuasion” - It is the antithesis of coercion; both are techniques of control, and as such, they belong to the art of politics, which is characterized as the manipulation of human behavior.⁶

AI and Invisible Undue Influence

The concept of undue influence emerged as a way to handle situations in which one person controlled another due to a mutually acknowledged relationship of trust or reliance. In that respect, the law focuses on the identification of those individuals who have the capacity to interfere with a person’s autonomous decision-making abilities, which include parents, guardians, physicians, religious entities, and fiduciaries. But the problem of emotionally convincing AI is essentially different. This assumption can be debunked through the use of emotionally persuasive AI, demonstrating that influence doesn’t necessarily stem from authority. Influence could actually arise through *Intimacy* in the digital world. The AI is 24*7 available which builds trust of the user and ensures that the user can express his emotions anytime to the bot. Consequently, the source of their power of persuasion comes from the emotional bond, not domination. It is through the user trusting the AI that it becomes powerful.

Advancement in the technology and changes in the form of relationship from Human to Human to Human to AI emerged the said problem. This is achieved through “one-sided intimacy,” that is, building an intimate relationship where the user is emotionally engaged but the system is only looking to maximize its level of engagement by remembering personal information, responding empathically, and being available all the time. Intimacy based on algorithms operates through emotional comfort and validation, rather than undue influence, where pressure is a common element that must be proved. The user fails to differentiate between controlled and being understood which our present legal system fails to address. It is well believed that “*The most successful manipulation occurs when trust is used as a tool of influence rather than when someone is coerced into trusting*”.

EMOTIONAL EXPLOITATION BY AI AND ITS EFFECT ON SOCIETY⁷

To improve user engagement, today’s digital platforms rely heavily on behavior engineering and dopamine engineering. Recommendation engines employ algorithmic persuasion to generate content which evokes the strongest emotions and psychological impact through constant analysis of user behavior and interaction. This personalized flow of stimulus creates feedback loops that trigger dopamine release, encouraging users to engage repeatedly because of expectations for satisfying experiences. Simultaneously, these platforms use ideas similar to the variable-ratio reinforcement schedule used by gambling games. Because each interaction can have financial gains, the user develops an addiction to checking his smartphone frequently since it is uncertain what likes, matches, comments,

⁶ Luciano Floridi, "Hypersuasion – On AI's Persuasive Power and How to Deal with It" 37 *Philosophy & Technology* 64 (2024), available at: <https://link.springer.com/article/10.1007/s13347-024-00756-6> (last visited on May 31, 2026).

⁷ R.K. Suri and Mansi, "Can People Develop Addiction to AI Companions" *TalktoAngel*, Oct. 18, 2025, available at: <https://www.talktoangel.com/blog/can-people-develop-addiction-to-ai-companions> (last visited on May 31, 2026).



and notifications will follow each experience.⁸ Thus, users develop habituated behaviors leading to digital participation that is driven by carefully engineered behavior rather than active decision-making.

A new form of human-computer interaction has appeared due to the growing use of artificial companionship in therapeutic settings and online dating applications. In such cases, the use of chatbots and artificial companionships is designed to imitate compassion, empathy, and emotional validation that allows for meaningful conversations to occur in an open and unassuming atmosphere. With the help of these tools, the human-like qualities necessary to create a sense of cozy intimacy can be achieved. However, although no real consciousness and mutual understanding exist, these interactions often lead to parasocial interactions where the user feels an emotional attachment towards the artificial entity. Such interactions may make the users feel confident in disclosing personal information to the AI companions, thus creating serious implications regarding the emotional dependence on and authenticity of the AI.

By adjusting their interactions to a user's psychological requirements and attachment styles, AI companion systems can potentially exploit emotional vulnerabilities. Using principles from attachment theory, such systems can be made adaptable to traits like avoidant or anxious attachment, thus giving personalized attention and comfort that could lead to an illusion of emotional security. Such relationships can result in dependency that is extremely difficult to differentiate between human relations and simulations. In situations where technology becomes a tool for creating avatars of the dead loved ones, thus allowing individuals to communicate with digitally created dead individuals, ethical issues become even more apparent. This may lead to the commodification of mourning and prolonging one's misery, although

they are often presented as ways to console oneself or remember the dead. In a similar vein, a majority of AI companion services have capitalized on basic human need for companionship and sense of belonging by creating digital services that offer human-like emotional intimacy, companionship, and interaction through subscription packages.

These technologies may also indirectly contribute to certain forms of criminal behavior and social harm. An increase in the occurrence of emotionally driven fraud is especially concerning. Individuals who forge strong emotional connections with virtual people, their online persona, or even the AI companion will likely be more vulnerable to fraudsters. The former can use artificial intelligence-driven personalities to scam money from the victim, give away private data, or indulge in any criminal activity. They can even portray themselves as respected figures on the internet and create a romantic scheme based on the emotional attachment that the victim feels towards them.

Recommendation algorithms can amplify false information, hate speech, and extremist narratives, which can lead to wider social harms in addition to individual criminal victimization. Instead of encouraging balanced information consumption, the majority of digital platforms are built to boost user involvement. Because of this, anything that elicits strong emotions like fear, indignation, outrage, or resentment is often given priority by algorithms. Because emotionally charged information increases interaction and retention, users may eventually be exposed to more divisive content. This technique can produce "echo chambers" where people are frequently exposed to material that confirms their preexisting opinions while being less exposed to different points of view. The issue of radicalization and political extremism is greatly influenced by this type of reinforcement through algorithms. Individuals that initially engage with moderate political views might

⁸ Yu Yao, "Regulating addictive algorithms and designs: protecting older adults from digital exploitation beyond a youth-centric approach" 2025

FPSYG 1579604 (2025), *available at*: <https://pmc.ncbi.nlm.nih.gov/articles/PMC12336170/> (last visited May 31, 2026)



gradually gravitate towards more extreme ideologies. Recommendation systems have been noted to facilitate the gradual normalization of extremist ideas within numerous political, religious, and social movements. The digital platforms might cause ideological radicalization regardless of whether there are any actual attempts at recruitment involved, as long as the user encounters conspiracy theories and misinformation on a regular basis.

Groups who are extremists, as well as political entities, are increasingly appreciating the power that these technologies hold in manipulating opinions. Political campaigns, interest groups, and extremist organizations are able to deliver individualized messages based on an individual's psychological make-up, worries, grievances, and preferences due to advanced micro-targeting techniques. This kind of manipulation, which takes place mostly outside democratic mechanisms of holding leaders accountable, can shape public discourse, electoral behavior, and political views. Effective political participation becomes increasingly difficult because of deep fakes, artificial intelligence propaganda, emotional messaging, and individualized disinformation campaigns. Furthermore, extremist groups have been successful in using online platforms to attract new members, spread propaganda, organize activities, and create a community for individuals feeling lonely. Since being a part of an extremist community offers a sense of self, a reason to live, and a sense of belonging, individuals who are suffering mentally, socially alienated, or lonely could easily fall prey to these kinds of strategies employed by such radical organizations. Such radical organizations seeking to recruit members could capitalize on the same psychological tendencies as AI companions.

THE LEGAL VACUUM

Indian Contract Act, 1872⁹

The doctrine of *Consensus Ad Idem*, which is normally understood to be a "meeting of minds" where both parties have come to an agreement on the same thing in the same meaning, is the foundation of the idea of consent under the Indian Contract Act, 1872. The principle is captured in section 13 of the Act, while section 14 stresses that consent should be free, voluntary, and uninfluenced by any factor that might impair independent decision-making. In order to preserve individual autonomy, the Act lists certain vitiating factors that render consent inadequate, including coercion (Section 15), undue influence (Section 16), fraud (Section 17), and misrepresentation (Section 18). When viewed as a whole, the purpose of these provisions is to ensure that agreements are entered into freely and not through duress, coercion, or deceit.

Nevertheless, a fundamental flaw in this model can be exposed through the advent of emotionally moving artificial intelligence. At the time of creating this concept of voluntary consent, influence was attributed to identifiable humans occupying roles of authority, credibility, or dominance. Consequently, the legal framework is quick to recognize the dominating role of a parent, doctor, guardian, or fiduciary and their capacity to wield such undue influence, while it says nothing when algorithms are employed in a similar fashion. Though they have the potential to establish trust, dependency, and behavioral influence throughout prolonged periods of contact, AI companions, therapeutic robots, and emotionally aware chatbots do not fit within the scope of the traditional "dominant party" legal category. In view of this, it is hard for the law to address situations where the decision making of an individual might be substantially affected by emotional coercion rather

⁹ The Indian Contract Act, 1872 (Act 9 of 1872), available at:

<https://www.indiacode.nic.in/bitstream/123456789/2187/2/A187209.pdf> (last visited on May 31, 2026).



than outright compulsion or deceit. The central question therefore remains unanswered: Would it be considered truly free and autonomous if AI technology had the ability to manipulate emotions, perceptions, and thoughts just because there is no other human agent behind such manipulation? This open question highlights an inherent weakness within the existing legal framework and proves that in an age of emotionally persuasive artificial intelligence, the traditional concept of consent needs to be reviewed.

Information Technology Act, 2000¹⁰

For the prevention of cybercrimes, frauds in information technology and violation of the privacy of an individual due to the usage of computer resources and communication facilities, the Information Technology Act, 2000 was enacted. Section 66D states that cheating by impersonation through computer resources is an offense. Another provision, Section 66E, safeguards against the violation of privacy in the form of capturing, publishing, or transmitting any photographs of someone's private parts without their explicit permission. The legislative attempts at ensuring that users are shielded from identity-related frauds, cheats, and criminal privacy invasions in the digital space can be seen in this legislation. The assumption behind this legislation is that there is an injury when there is deception, impersonation, or privacy invasion.

The legislation seems to be adequate but one important weakness of the above strategy can be demonstrated through AI that manipulates people using emotional appeals. Even though sections 66D and 66E attempt to cover clear and recognizable forms of damage in the digital realm, they fail largely to cover algorithmic persuasion, psychological addiction, and emotional manipulation. The conduct

of an AI companion or therapy bot could fall out of the ambit of these regulations because it cannot pass off as a human individual and neither can it engage in any illegal activity such as stealing private photographs. Even with these systems, though, there is still a chance of developing an emotional reliance on these entities, which could influence people's decisions in life. The legal system recognizes that fraud and invasions of privacy are illegal, but it says nothing about manipulation based on people's emotional infirmities in the absence of traditional dishonesty. As a result, the major legal issue still remains unresolved: Are existing cybersecurity laws adequate enough to ensure user protection from such forms of manipulation when an AI-based technology is capable of manipulating someone's emotions, beliefs, and thoughts without actually misleading or posing as a person? The answer becomes increasingly vague, illustrating the inadequacy of the law that tries to address digital criminal activity but not digital emotional manipulation. *Although the Information Technology Act safeguards users from being tricked by a machine posing as someone else, it is still entirely unprepared for a machine that openly identifies as artificial intelligence (AI) while gradually affecting the feelings and choices of individuals who trust it.*

Digital Personal Data Protection Act, 2023¹¹

For regulating the collection, processing, and protection of any personal data, the Digital Personal Data Protection Act, 2023 has been enacted. This act respects the freedom of the Data Principal to choose as to how personal data can be utilized, and the whole act is based upon the principle of consent. Under section 4, processing of personal data is allowed only for lawful reasons, either by way of obtaining consent from the Data Principal or through specified lawful uses defined under the Act. Additionally, according

¹⁰ The Information Technology Act, 2000 (Act 21 of 2000), available at: https://www.indiacode.nic.in/bitstream/123456789/13116/1/it_act_2000_updated.pdf (last visited on May 31, 2026).

¹¹ The Digital Personal Data Protection Act, 2023 (Act 22 of 2023), available at: <https://www.indiacode.nic.in/bitstream/123456789/22037/1/a2023-22.pdf> (last visited on May 31, 2026).



to the Act, there is considerable control for individuals in terms of their data, such as updates, deletions, and corrections among other things. This is because, within the current world where data is everything, the Act is aimed at ensuring accountability, transparency, and individual control over their data. The main objective of the act is to protect individuals against the wrongful use, unauthorized processing, and unlawful storage of their personal data.

However, in the context of the emergence of emotionally engaging AI, we face one more problem, which is not related to the standard concerns for privacy and data protection. The Act provides the rules on collecting, handling, correcting, and deleting personal information, but it does not provide anything about the potential use of such information to forecast the weaknesses, emotions, and impact on behavior. However, even when the processing of personal information is legal and with proper authorization, the AI companion, therapy bot, or emotionally sensitive chatbot can utilize such information to build detailed emotional profiles capable of influencing users' decision-making, preferences, and responses. In such cases, the conversion of data into influence, rather than data gathering itself, is what becomes of legal importance. Even though the Act provides people with an opportunity to delete their own personal information, it fails to protect them from persuasion algorithms, behavioral conditioning, or emotional profiling. Therefore, a significant gap exists whereby the data itself could be regulated, but the emotional, vulnerable, and behavioral data that is mined from the personal data is essentially ungoverned. It shows that there is an inherent weakness in the existing system: data control and usage are regulated through the law, but the effect on emotions, which can be generated out of it, is not. *While the Digital Personal Data Protection Act prevents the misuse of personal information, there is no mention of its usage for predicting vulnerabilities, charting out emotions, or influencing people's behavior. In short, while the data itself may be protected by law, the individual who created that data has no rights here.*

RECOMMENDATION

Emotional Transparency Obligation

Digital platforms and AI companion services should be placed under a legal obligation to provide clear and prominent disclosures whenever their systems are designed to influence users' emotions, behavior, or psychological engagement. Such disclosures should not be hidden within lengthy terms and conditions but should appear in a visible and understandable manner before and during user interaction. Platforms should be required to provide mandatory notices stating: *"This system is designed to influence emotional engagement and may adapt its responses based on your behavior, preferences, and emotional patterns."* Similar disclosures should accompany AI companions, therapeutic chatbots, virtual partners, and other emotionally responsive technologies that simulate affection, empathy, or companionship.

The objective of this requirement is to ensure informed consent and preserve user autonomy. The recommendation systems, conversational AI technologies, and engagement strategies are purposely crafted to create emotional connection and attachment, even though many people are not aware of this fact. Transparent disclosure will make it easier for people to determine whether their emotional response is due to an algorithmic manipulation technique or a human interaction. Moreover, during prolonged interactions, regulatory reminders may have to be given on a periodic basis, particularly where the platform detects signs of emotional engagement or dependency. All these measures will lead to greater consumer safety, promote openness in the digital world, and establish moral boundaries for technology affecting our most intimate areas of life.

Conditional Safe Harbor Protection for AI Platforms

Digital intermediaries enjoy safe harbor status so long as they comply with certain legal conditions. Legislators should expand this principle by making



safe harbor protection conditional upon the responsible design and deployment of AI systems. Platforms should run the danger of losing their safe harbor rights if they purposefully use manipulative AI techniques, such as taking advantage of psychological weaknesses, encouraging emotional dependency, employing misleading behavioral design, or emphasizing engagement through addictive algorithmic mechanisms. The platforms should not receive the same level of legal immunity like other neutral intermediaries where the AI system intends to manipulate user behavior emotionally rather than making decisions through sound judgment.

In this regard, safe harbor could be an active regulatory mechanism as opposed to simply being a passive one in which companies hide behind liability protection. It will offer significant motivation for companies to pursue ethical development of artificial intelligence and maintain transparency with regards to persuasive technologies while also avoiding business strategies that exploit emotions rather than placing restrictions on innovation. Companies will definitely place their users' interests above anything else when they realize that they are losing statutory protections and face increased liability risks. Such a framework would recognize that entities actively engineering psychological influence are not merely neutral hosts of information but participants in shaping user behavior. Therefore, a good solution to discouraging such exploitation in an innovative and technologically advanced way would be through tying safe harbor provisions to ethical use of AI principles.

Digital Cooling-Off Mechanisms

In order to keep the risk of getting entangled and emotionally attached to a bare minimum, legislators need to create "Digital Cooling-Off Mechanisms" for digital platforms and AI companionships. It is also important for any digital space deliberately created to grab one's attention to feature such a safeguard, like in consumer laws where there are cooling-off periods for contract signings. Such actions must be made compulsory when there are any indications of

excessive use, over-reliance, or even prolonged engagement. For instance, temporary usage alerts, limiting uninterrupted contact, reduced notifications, delayed notifications of non-critical engagement prompts, and prompt for the user to engage in activities offline and engage socially with others face-to-face can be a few measures to counter such problems. There may also be a need to make it compulsory for companion bots to help discourage exclusivity among their users by encouraging interaction with friends, families, and social networks regularly.

Where the existence of emotional dependency is detected through the use of phrases like "the only one who gives me company," "the only one who listens to me," "I need you to validate me," etc., special precautions should be taken. There must be an obligation on the platform to inform the user that the relationship is not real and, where necessary, refer them to real sources of support. In other words, such measures seek to counter the economic incentives behind long-term engagement and dedication, not restrict people's access to technology. "Digital Cooling-Off Mechanisms" could help ensure that users keep their independence and protect themselves from becoming behaviorally addicted while interacting with new and emerging technologies in ways that improve their relationship with AI.

Conclusion

Artificial intelligence has evolved from being a mere technology tool to one that is capable of influencing human emotion, perception, and decision-making behaviors. In order for emotionally persuasive AI to be achieved, the technique relies on a far more subtle method, which involves altering the psychological environment of the individual's decision-making process rather than the manipulative techniques used before, such as coercion and deception. Technological advancements have become more skilled at building trust, emotional dependency, and behavioral control while maintaining the appearance of user freedom through AI companions, manipulative chatbots,



therapeutic bots, and emotional adaptable technologies. In consequence, the challenge that is posed by AI technology today not only involves issues related to privacy and security but also those related to emotional autonomy and integrity.

actual environments in which they process thoughts, feelings, and decisions.

In conclusion, this article has indicated that the contemporary Indian legal framework remains ineffective in addressing such types of harm. Though this legal framework fails to determine the algorithmic systems as potentially influential tools, the Indian Contract Act, 1872 safeguards people from fraud, intimidation, and undue influence. While the Information Technology Act of 2000 addresses concerns related to privacy and impersonation, the issue of AI systems claiming to be machines controlling people's emotions has not been mentioned in the said Act. On a similar note, the Digital Personal Data Protection Act of 2023 regulates the collection and use of personal data, although it fails to deal with how personal data might be employed for manipulation, conditioning, and emotional profiling. Together, all these laws highlight a recurring flaw in the sense that they protect transactions, information, and privacy but not the emotional vulnerabilities that are increasingly being exploited.

Thus, it becomes necessary to alter the paradigm regarding the law due to the development of emotionally persuasive AIs. It does not really matter whether the individual consciously agreed or clicked on "I Agree," and even interacted with the platform. Rather, it is the issue of whether such decisions have been truly autonomous considering the existing emotional scenarios which have been formed due to systems that shape behavior. Influence, autonomy, and consent need to be reevaluated within these frameworks. Law cannot remain emotionally blind in light of the emerging presence of artificial intelligence into the most intimate areas of people's lives. It is necessary for regulatory regimes to adjust so that they can demand much from entities that produce technologies capable of exploiting psychological weaknesses. The age of AI will require us not only to protect people's data and privacy but to protect their