




Challenges of the Right to Fame and the Consequences of Its Violation in the Iranian Legal System

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The right to fame, though increasingly relevant in today's digital age, remains underdeveloped within Iran's legal framework. This article explores the challenges and consequences of violating the right to fame in Iran, where legal protections are primarily derived from defamation and privacy laws, lacking explicit recognition of fame as a protectable legal right. By employing a descriptive analysis method, the article examines the existing legal provisions, key cases, and the interaction between fame, media law, and freedom of expression in Iran. A comparative analysis with legal systems in the United States and the European Union reveals significant gaps in Iran's approach, particularly in addressing the economic and commercial exploitation of public personas. The study identifies legal loopholes, inconsistent enforcement, and the complexities introduced by the digital age as key challenges. Recommendations for reform include the formal recognition of fame as a distinct legal right, the introduction of specific legislation to regulate the commercial use of fame, and stronger enforcement mechanisms. The article concludes by emphasizing the need for comprehensive legal reforms to protect individuals from unauthorized exploitation of their fame, aligning Iran's legal system with international standards in an increasingly digital world.

Keywords: Right to fame, Iranian legal system, defamation, privacy law, digital media, right of publicity.

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1. Introduction

The right to fame can be understood as the legal protection of a person's public identity or reputation from unauthorized exploitation or defamation. In many legal systems, this right exists in tandem with the right to privacy. However, while privacy focuses on safeguarding personal, non-public aspects of an individual's life, the right to fame is concerned with the protection of one's public persona. Fame, in a legal sense, includes not only the control over the commercial use of one's image or name but also the defense against

defamatory actions that could damage one's public reputation (Alves & Gitahy, 2022). This distinction is critical in modern societies, where the lines between private and public personas are increasingly blurred, particularly in digital spaces.

In the Iranian legal system, the protection of the right to fame is a relatively new area of legal inquiry. Iran's legal system, influenced by both Islamic law (Sharia) and modern legal principles, does not yet have a fully developed framework for addressing the nuances of fame and reputation in the context of contemporary challenges like digital media and social networking



platforms. While defamation laws exist and offer some level of protection to individuals whose reputations are harmed, the specific right to control the commercial use of one's public persona is less clear. This gap becomes evident when examining how public figures or ordinary individuals face challenges in protecting their fame from unauthorized exploitation or defamatory statements, particularly online.

Globally, the right to fame has been widely discussed in various legal systems. In countries like the United States, the right to fame is closely linked to the "right of publicity," which allows individuals to control and commercialize their identity. This right has been the subject of numerous legal cases, often involving celebrities whose names or images have been used without permission in advertisements or other commercial ventures (Bryson et al., 2017). In contrast, European countries often approach the right to fame through the lens of privacy law, offering individuals broader protections against unauthorized use of their likeness or personal details. This comparative legal perspective is essential for understanding the challenges faced in Iran, where a clear, cohesive legal framework for fame is still evolving.

The rapid growth of digital platforms has added complexity to the protection of fame. Social media and digital content can quickly go viral, and individuals' images or names can be shared, commented on, or used for commercial purposes without their consent. In this environment, protecting one's public image has become more difficult. For example, while traditional media outlets were once the primary source of fame, today, individuals can achieve global recognition through social media platforms. This democratization of fame has led to an increase in legal disputes related to the unauthorized use of personal images or names, raising questions about the adequacy of current legal protections (Beeko, 2011). In Iran, the increasing use of social media has amplified these challenges. Public figures, activists, and even ordinary citizens find themselves thrust into the spotlight, often without adequate legal recourse to protect their public personas. While Iran has enacted defamation laws, the unique nature of digital defamation and unauthorized image use is not fully addressed in these statutes. The result is a legal vacuum in which individuals may struggle to defend their reputations or

control the commercial use of their image in the digital sphere (Shakiba et al., 2021).

The purpose of this study is to examine the legal challenges associated with the right to fame in the Iranian legal system. Specifically, it seeks to analyze the gaps in legal protections and explore the broader social, economic, and legal consequences of violating this right. By focusing on both legal theory and practical cases, the research aims to highlight the inadequacies in current Iranian legislation and to propose potential reforms that could strengthen the protection of individuals' public personas. Given the global nature of fame in the digital age, the study will also consider international perspectives, comparing Iran's legal approach to those of other countries. This comparative analysis will offer insights into how Iranian law might be developed to better safeguard the right to fame in the future.

2. The Concept of the Right to Fame

The right to fame, often referred to as the right to publicity in some legal systems, is a legal concept that protects individuals from unauthorized commercial exploitation of their persona, including their name, image, likeness, and other identifiable attributes. This right has gained prominence in the modern era, particularly with the rise of mass media and digital platforms, where individuals' public personas can easily be used without consent. While traditionally associated with celebrities and public figures, the right to fame has expanded to include ordinary individuals whose image or reputation may hold commercial or social value (Akhtar, 2022).

In legal terms, the right to fame can be seen as a property right over one's public persona. This means that individuals have the legal authority to control how their identity is used by others, especially in commercial contexts. In this sense, the right to fame is closely related to intellectual property rights, where the individual's persona is treated as a form of intellectual property that can be owned, licensed, or transferred (Alves & Gitahy, 2022). This comparison underscores the economic value that fame can carry, making it essential to protect individuals from unauthorized use that could result in financial gain for others.

However, the right to fame differs significantly from other legal concepts such as the right to privacy. While the right to privacy is concerned with protecting

individuals from unwanted intrusions into their private lives, the right to fame focuses on the public use of a person's identity. Privacy laws aim to safeguard personal spaces, intimate details, and private communications, whereas fame laws protect the economic and reputational value of an individual's public persona (Akpuokwe, 2024). In this sense, an individual's fame can be commercialized and is often publicly accessible, unlike the right to privacy, which is concerned with limiting public exposure.

Another related legal concept is defamation, which involves protecting individuals from false statements that harm their reputation. While defamation laws prevent damage to a person's reputation through falsehoods, the right to fame ensures that an individual has control over how their image or identity is used, even if that use does not involve false statements. For instance, using someone's image in an advertisement without their consent might not necessarily harm their reputation but could still violate their right to fame because it involves unauthorized commercial exploitation (Babakhani & Miller, 2021). Therefore, while defamation and fame both relate to reputation, the right to fame specifically addresses the economic and commercial aspects of identity protection.

Historically, the right to fame has roots in defamation law, with its earliest manifestations linked to protecting individuals from slander and libel. As media technologies developed in the 20th century, the commercial value of celebrity identities became more pronounced, leading to legal battles over unauthorized uses of names and images in advertisements and endorsements (Bryson et al., 2017). In the United States, the right to publicity emerged as a distinct legal concept in the mid-20th century, particularly through cases involving Hollywood actors whose likenesses were used without permission in marketing materials. This shift from mere defamation to the economic protection of one's persona marked the formal development of the right to fame as we understand it today.

Globally, the right to fame has been recognized in varying degrees. In the United States, it has been codified in several state laws, such as California's statutory right of publicity, which allows individuals to control the commercial use of their identity. European countries, on the other hand, have approached the issue through privacy laws, where misuse of one's likeness without

consent can be framed as a violation of privacy rather than fame itself (Synodinou, 2014). However, even within European legal systems, the commercial aspect of identity protection has gained traction in recent years, particularly with the rise of social media influencers and the digital economy.

In Iran, the right to fame is still an emerging concept. Iranian law has traditionally focused on defamation and slander to protect individuals' reputations, but specific provisions regarding the unauthorized commercial use of a person's identity remain underdeveloped (Mirshekari, 2023). Iranian legal scholars have debated the extent to which Islamic law supports the concept of personal fame as a protectable right, given the emphasis on modesty and community rights in Islamic jurisprudence (Khozeimeh & Boulagh, 2016). Despite these cultural factors, the increasing global influence of media and commerce has necessitated a reevaluation of Iranian laws regarding fame, particularly as Iranian public figures and influencers grow in prominence on international platforms.

The contemporary view of the right to fame in Iran is heavily influenced by the global context. As Iranian society becomes more integrated with digital media, the commercial value of public personas, including actors, musicians, and even social media personalities, has risen. This shift has led to an increasing number of legal disputes over unauthorized uses of names and likenesses, particularly on social media platforms where content can easily go viral without the consent of the person depicted (Shohani et al., 2021). Legal practitioners in Iran are now considering how best to adapt existing frameworks to address these challenges, balancing cultural values with the need to protect individuals from economic exploitation.

In conclusion, the right to fame is a multifaceted legal concept that intersects with privacy, defamation, and intellectual property laws. Its importance has grown as public personas—whether of celebrities or ordinary individuals—have become commodities in the digital age. While global legal systems, particularly in the U.S. and Europe, have developed frameworks for protecting this right, Iran is still in the process of refining its laws to adequately address the complexities of fame. As the country continues to engage with the global digital economy, the development of a clear legal framework for the right to fame will be essential for protecting

individuals from unauthorized exploitation of their identities.

3. Legal Framework of the Right to Fame in Iran

The legal framework surrounding the right to fame in Iran is still developing, as the concept of fame protection does not yet have a fully codified status within the country's legal system. Iranian law, rooted in a combination of Islamic law (Sharia) and modern civil law, addresses several aspects of personal rights, but it does not explicitly define or protect the right to fame as a standalone legal right. Nevertheless, aspects of fame are indirectly protected under various provisions of Iranian civil, criminal, and constitutional law, particularly through defamation, privacy, and intellectual property laws (Mirshekari, 2023).

3.1. Civil and Criminal Legal Frameworks

In Iran, civil law offers some level of protection for individuals whose fame or reputation is exploited without their consent. Article 171 of the Iranian Constitution provides a general basis for protecting individuals from false accusations, libel, and defamation. This article states that if someone's reputation, dignity, or honor is damaged due to an unlawful action by a media outlet or other individuals, the person harmed has the right to seek compensation through civil litigation (Khozeimeh & Boulagh, 2016). While this provision primarily addresses defamation, it indirectly supports the protection of fame by offering a legal avenue for individuals to challenge unauthorized uses of their public persona that damage their reputation.

Criminal law in Iran also addresses issues related to defamation, particularly through the Islamic Penal Code. Defamation, slander, and libel are considered criminal offenses under Iranian law, and individuals can file criminal complaints if their reputation is harmed through false statements. Articles 697 and 698 of the Islamic Penal Code deal with defamation and provide for penalties, including imprisonment and fines, for those found guilty of damaging another person's reputation through false accusations or public statements (Shakiba et al., 2021). While these provisions primarily focus on defamatory actions, they do not directly address unauthorized commercial use of one's fame, such as

using someone's likeness in advertising without their consent.

3.2. Privacy and Media Law Interactions

The right to privacy, while distinct from the right to fame, often intersects with fame in the context of Iranian law. Privacy laws in Iran offer individuals protection from unwarranted public exposure, particularly in the media. Article 22 of the Iranian Constitution guarantees the protection of an individual's reputation, life, and property, explicitly addressing the need to safeguard individuals from unwarranted intrusions into their private lives (Rahbari, 2023). While this is primarily intended to protect personal privacy, it has been invoked in legal cases where individuals' public personas were exposed or exploited without their consent.

For example, in cases where personal photos or videos of public figures are leaked or published by media outlets without permission, the affected individuals may seek redress under privacy laws. However, this legal approach is more reactive than proactive, as it does not directly address the commercial exploitation of fame but rather focuses on protecting private life from undue exposure. This legal ambiguity leaves room for interpretation, particularly in cases where fame is leveraged for economic purposes, such as unauthorized advertisements or brand endorsements using a public figure's image (Shafiee, 2018).

In the context of media law, the relationship between the right to fame and freedom of expression is a delicate balance. Iranian media laws grant some degree of protection to individuals whose reputations or images are used without consent. However, freedom of expression, as outlined in Article 24 of the Iranian Constitution, allows the press and other media to publish content freely unless it violates public morality, Islamic principles, or harms others (Khorramabadi, 2023). This means that while media outlets are free to report on public figures, they are prohibited from using images, names, or likenesses for commercial gain without proper authorization. Violations of this can lead to legal action under privacy and media law, though the specific protections for fame are often limited to defamation claims rather than broader rights to control public persona.

3.3. *Legal Cases and Precedents*

There have been several cases in Iranian courts that have indirectly addressed the issue of fame protection. One notable case involved a prominent Iranian actor whose image was used in an advertising campaign without his consent. The actor sued the advertising company, claiming unauthorized use of his image for commercial purposes. The court ruled in favor of the actor, recognizing his right to control how his public persona was used, though the case was framed within the broader context of privacy and defamation laws (Mirshekari, 2023). This case set a precedent for future claims regarding unauthorized exploitation of fame, but it highlighted the need for clearer legal definitions and protections related to the commercial aspects of fame. Moreover, Iranian courts have occasionally dealt with cases involving social media influencers and public figures whose likenesses were used in digital campaigns without their consent. These cases often invoke defamation and privacy laws but stop short of fully recognizing fame as a protectable legal right. This reflects the broader challenge within the Iranian legal system: while the unauthorized use of public personas is recognized as problematic, there is no clear legislative framework explicitly addressing fame as a distinct legal right (Shafiee, 2018).

3.4. *The Need for Legal Reform*

As Iranian society becomes more integrated with global media, including the digital economy, the gaps in legal protections for fame have become more apparent. Public figures, celebrities, and even social media personalities in Iran increasingly find themselves in situations where their images or likenesses are used without consent, often for commercial gain. The current legal framework, which relies heavily on defamation and privacy protections, does not adequately address the economic value of fame or provide sufficient recourse for individuals seeking to protect their public personas from unauthorized exploitation (Shakiba et al., 2021). There is growing recognition among legal scholars and practitioners in Iran that reforms are needed to address these gaps. Specifically, many have called for the introduction of statutory protections for the right to fame, similar to the "right of publicity" in other countries. Such reforms would empower individuals to control how

their names, images, and likenesses are used, particularly in commercial contexts, without needing to rely solely on defamation or privacy claims (Mirshekari, 2023).

In conclusion, while the right to fame is not explicitly codified in Iranian law, existing legal provisions related to defamation, privacy, and media law provide some indirect protections. However, the increasing prominence of public personas in Iran, particularly through digital media, has highlighted the need for a more robust legal framework that specifically addresses fame and its commercial implications. As the country continues to engage with global media practices, legal reforms aimed at protecting individuals from unauthorized exploitation of their public personas will become increasingly important.

4. **Challenges to the Right to Fame in Iran**

Protecting the right to fame in Iran presents numerous challenges, primarily due to the absence of clear legal definitions, specific regulations, and the rapidly evolving nature of digital media. While certain aspects of fame are indirectly protected through privacy and defamation laws, the lack of a distinct legal framework addressing fame as an independent right creates significant gaps. As a result, individuals whose public personas are exploited without consent face numerous obstacles in seeking legal redress, especially in an era of digital and social media proliferation.

4.1. *Legal Loopholes and Gaps in Legislation*

One of the most pressing challenges to the right to fame in Iran is the absence of explicit legislation that directly addresses fame as a protectable legal right. Unlike in other jurisdictions, such as the United States, where the right of publicity allows individuals to control and commercialize their fame, Iranian law does not provide clear provisions for such control. Instead, legal protections for fame are derived from broader laws related to defamation, privacy, and intellectual property, which are often inadequate to cover the full scope of fame-related issues (Mirshekari, 2023).

The reliance on defamation and privacy laws creates legal loopholes that undermine effective protection. For instance, defamation laws in Iran primarily deal with the dissemination of false information that harms an

individual's reputation, but they do not cover situations where a person's image or name is used for commercial purposes without their consent, even if the information is truthful (Babakhani & Miller, 2021). Similarly, privacy laws focus on preventing unwanted intrusions into personal life, but they are not equipped to handle cases where the issue is the unauthorized commercial use of a public persona. This lack of clarity leads to inconsistent interpretations by courts and difficulties in enforcement, as there is no specific legal foundation upon which individuals can base claims related to fame.

Enforcement Challenges and Judicial Inconsistencies

Even when fame-related cases are brought before Iranian courts, enforcement of existing laws poses significant challenges. Judicial authorities in Iran often face difficulties in interpreting and applying laws related to defamation and privacy to fame-related disputes. This is largely because these laws were not originally designed to protect fame and, as a result, do not adequately address the economic exploitation of a person's public image (Shafiee, 2018). For example, while an individual may succeed in a defamation case, the damages awarded are often insufficient to account for the full commercial impact of the unauthorized use of their fame.

Inconsistencies in judicial rulings further complicate the protection of fame. Different courts may interpret the scope of defamation or privacy protections in varying ways, leading to unpredictable outcomes for plaintiffs seeking to protect their fame. In some cases, courts have ruled in favor of individuals whose images were used without permission in advertising campaigns, while in other cases, similar claims have been dismissed on the grounds that the use did not constitute defamation or a violation of privacy (Mirshekari, 2023). This lack of uniformity creates uncertainty for individuals seeking to protect their public personas, as the success of their claims depends heavily on the particular court or judge handling their case.

4.2. Lack of Specific Regulations

The absence of specific regulations addressing the right to fame means that Iranian legal practitioners often have to rely on piecemeal solutions drawn from various areas of law. This fragmented approach does not provide comprehensive protection and leaves many individuals without recourse in cases of unauthorized use of their

image or identity. For instance, while intellectual property laws may offer some protection for trademarked names or likenesses, these laws do not extend to non-commercial uses of a person's fame, such as unauthorized biographical content in the media or on social platforms (Shafiee, 2018). This gap in regulation is particularly problematic for social media influencers and public figures whose fame is largely built on digital platforms, where unauthorized use of their content can have widespread and long-lasting effects.

4.3. Impact of Social Media and the Digital Age

The rise of social media and digital platforms has amplified the challenges associated with protecting the right to fame in Iran. In the digital age, fame is no longer limited to celebrities; ordinary individuals can achieve fame through platforms like Instagram, YouTube, and TikTok. However, the rapid dissemination of content on these platforms makes it difficult to control how one's image or persona is used, especially when content is shared, reposted, or repurposed without consent (Shohani et al., 2021).

Social media has also blurred the lines between personal and public personas, complicating the application of existing privacy laws. Public figures who share aspects of their personal lives on social platforms often find that their images or identities are used by others for commercial or non-commercial purposes without their consent. For instance, social media influencers in Iran have reported instances where their images were used in advertisements or promotional content by brands without permission, yet they face difficulties in pursuing legal action due to the lack of specific fame-related regulations (Mirshekari, 2023). Additionally, the viral nature of digital content means that unauthorized uses of an individual's fame can spread quickly and become difficult to remove or control, further exacerbating the harm.

Celebrity culture, which has grown significantly in Iran despite cultural and legal restrictions, also complicates the protection of fame. Public figures, particularly in the entertainment industry, are frequently subject to unauthorized use of their images and names, often for commercial purposes. However, the lack of a clear legal framework for protecting their fame means that these individuals must rely on defamation or intellectual

property claims, which do not always offer adequate redress (Shakiba et al., 2021).

The digital age has also made enforcement of fame-related claims more difficult, as social media platforms and online content are often beyond the jurisdiction of Iranian courts. Even when a ruling is made in favor of an individual whose fame has been exploited, enforcing that ruling—especially in cases involving international platforms or users located outside of Iran—presents significant logistical and legal challenges. This lack of effective enforcement mechanisms further undermines the ability of individuals to protect their fame in the digital era.

4.4. Cultural Factors and Social Norms

Cultural factors in Iran also play a role in complicating the protection of fame. The country's legal system, which is heavily influenced by Islamic principles, places a strong emphasis on modesty and the collective good, which can sometimes conflict with the individualistic nature of fame protection (Rahbari, 2023). This tension is evident in the legal treatment of public figures, particularly women, whose fame may be subject to additional scrutiny based on cultural norms surrounding gender and public behavior. For example, female celebrities and influencers in Iran often face greater challenges in protecting their public personas due to societal expectations of modesty, which can make it more difficult for them to assert claims of unauthorized fame exploitation (Shakiba et al., 2021).

In conclusion, protecting the right to fame in Iran faces significant legal, social, and technological challenges. The lack of specific regulations, enforcement issues, and the complexities introduced by social media and celebrity culture all contribute to the difficulty individuals face in safeguarding their public personas. To address these challenges, comprehensive legal reforms that explicitly define and protect the right to fame are essential, particularly in the context of the digital age, where the rapid spread of content makes fame more vulnerable to unauthorized exploitation.

5. Consequences of Violating the Right to Fame

Violations of the right to fame in Iran can lead to significant legal, social, psychological, and economic consequences for the individuals affected. While the legal

framework surrounding fame remains underdeveloped, certain laws provide some recourse for victims of defamation, misrepresentation, or unauthorized commercial use of their fame. In addition to legal penalties, individuals whose fame is exploited often face emotional distress and damage to their social standing, alongside the potential loss of economic opportunities, including earnings, endorsements, and career advancement.

5.1. Legal Consequences

In the Iranian legal system, the violation of an individual's fame is most commonly addressed through defamation and privacy laws. The Islamic Penal Code, particularly Articles 697 and 698, outlines penalties for defamation and slander, which can be applicable when false statements are made that damage a person's reputation. These penalties include imprisonment and fines for those found guilty of defamation (Shakiba et al., 2021). However, the legal consequences for unauthorized commercial use of an individual's fame are less clear due to the absence of specific legislation addressing the right to fame as an independent legal right.

In cases where an individual's image or likeness is used without permission in a commercial context, Iranian courts may rely on broader intellectual property and defamation laws to award damages. Victims may be entitled to compensation for the harm done to their reputation, although these awards are typically based on the damage to one's dignity rather than the commercial value of their fame (Mirshekari, 2023). This limitation is problematic in cases where the violation is primarily economic, such as the unauthorized use of a celebrity's likeness in advertisements, where the damage is not necessarily reputational but financial. Despite these limitations, courts have occasionally awarded compensation for unauthorized fame use, setting a precedent for future cases, though such outcomes remain inconsistent (Babakhani & Miller, 2021).

The lack of specific fame-related laws also means that enforcement of penalties can be inconsistent. Victims of fame exploitation often face difficulties in proving the extent of the damage or in securing adequate compensation for the economic value of their fame. This challenge is compounded by the fact that many fame-related violations occur in digital spaces, where the

spread of unauthorized content can be difficult to control, and perpetrators may be located outside Iran, making legal enforcement even more complicated (Mirshekari, 2023).

5.2. *Social and Psychological Impacts*

The social and psychological impacts of fame violations can be profound, particularly for individuals whose reputations are central to their careers or public image. Unauthorized use of a person's name, likeness, or persona can lead to damage to their social standing, especially when the violation involves misrepresentation or defamatory content. Public figures, celebrities, and social media influencers who rely on their public image for professional and personal success may experience significant social fallout when their fame is exploited without consent (Babakhani & Miller, 2021). In many cases, violations of fame lead to emotional distress, particularly when the unauthorized use of a person's image is connected to negative or inappropriate contexts. For example, if a public figure's image is used in an advertisement or media campaign that contradicts their personal values or public persona, they may suffer embarrassment, reputational harm, and loss of credibility (Shakiba et al., 2021). This emotional toll is often exacerbated by the public nature of fame, as violations of fame are typically visible to large audiences, increasing the potential for widespread reputational damage.

Psychological consequences such as anxiety, depression, and stress are also common among victims of fame exploitation. These individuals may struggle with feelings of helplessness or a lack of control over their public image, particularly in cases where the unauthorized use of their fame is repeated or pervasive across media platforms. The public scrutiny that often accompanies fame violations can lead to a sense of isolation or fear of further exploitation, especially in the highly public and often volatile environment of social media (Shohani et al., 2021).

5.3. *Economic Consequences*

Perhaps one of the most significant consequences of violating the right to fame is the potential economic loss that can result from unauthorized use. Fame, particularly for celebrities, public figures, and social media

influencers, often holds substantial commercial value. Individuals whose public personas are used without consent may lose out on financial opportunities, such as endorsements, sponsorship deals, or other career-related earnings. For example, a celebrity whose image is used in an unauthorized advertisement may lose the opportunity to enter into a legitimate endorsement deal with another company, resulting in lost income (Mirshekari, 2023).

The economic consequences of fame violations extend beyond lost endorsements. Individuals may also suffer damage to their professional reputations, making it more difficult to secure future business opportunities or advance their careers. In highly competitive industries, such as entertainment, sports, and social media, maintaining a carefully curated public image is crucial for success. When that image is misused or associated with unauthorized commercial ventures, it can undermine an individual's marketability and lead to long-term economic harm (Shakiba et al., 2021).

For social media influencers, whose entire careers may be built on their online personas, the economic consequences of fame violations can be particularly severe. Unauthorized use of an influencer's content, name, or likeness can devalue their brand and diminish their ability to attract followers or secure paid partnerships. In an environment where personal branding is central to financial success, fame violations can lead to substantial financial losses, with limited legal recourse for recovering those losses in Iran's current legal system (Shohani et al., 2021).

In conclusion, the consequences of violating the right to fame in Iran are multi-faceted, affecting victims legally, socially, psychologically, and economically. While current legal provisions provide some protection, the absence of specific fame-related legislation limits the effectiveness of these protections, particularly in cases involving the commercial exploitation of fame. The social and psychological impacts of fame violations, including reputational damage and emotional distress, are compounded by the public nature of fame and the challenges associated with controlling unauthorized content in the digital age. Economically, fame violations can lead to significant financial losses, particularly for individuals whose careers depend on their public personas. Comprehensive legal reforms are needed to address these challenges and ensure better protection

for individuals whose fame is exploited without their consent.

6. Comparative Analysis: International Perspectives

The right to fame, often referred to as the right of publicity or personality rights in other jurisdictions, is more explicitly defined and protected in several countries compared to Iran. In nations such as the United States and those in the European Union, legal frameworks have evolved to specifically address the commercial exploitation of a person's image, likeness, or persona. These international approaches provide valuable insights into how the right to fame can be more comprehensively protected and regulated, offering potential lessons for reforming Iran's legal system.

6.1. *The United States: Right of Publicity*

In the United States, the right to fame is most commonly addressed under the concept of the "right of publicity." This right gives individuals, particularly celebrities, the legal ability to control the commercial use of their identity, including their name, image, likeness, and even voice. The right of publicity is recognized both as a common law right and, in some states, as a statutory right. For example, California and New York, two states with a significant number of public figures, have robust legal protections that allow individuals to seek compensation and damages if their identity is used without consent in commercial contexts (Bryson et al., 2017).

One landmark case illustrating the U.S. approach is *Zacchini v. Scripps-Howard Broadcasting Co.* (1977), where the U.S. Supreme Court ruled that the unauthorized broadcast of an entertainer's performance violated his right of publicity. The Court emphasized that the right of publicity protects individuals from economic harm caused by the unauthorized use of their performances or identities (Solaiman, 2016). This case set a precedent for future claims, establishing that individuals have an economic interest in controlling how their identity is used, a concept largely missing in Iranian law.

In contrast to Iran, where fame is indirectly protected through defamation and privacy laws, the U.S. system explicitly treats fame as an economic asset. This allows public figures to license their identity and pursue legal

remedies when it is misused. The clear recognition of the commercial value of a public persona under U.S. law provides a more comprehensive legal framework for protecting the right to fame than what currently exists in Iran (Mirshekari, 2023).

6.2. *European Union: Personality Rights and Privacy Protections*

In the European Union, the right to fame is often protected through a combination of privacy laws and personality rights, though the approach varies from country to country. In many EU nations, the legal protection of fame is rooted in broader privacy protections, with the unauthorized commercial use of a person's image or identity being treated as a violation of personal privacy. For instance, the European Court of Human Rights (ECHR) has ruled on numerous occasions that an individual's image is part of their private life, and its unauthorized use can be a violation of Article 8 of the European Convention on Human Rights, which guarantees the right to respect for private and family life (Jovičić, 2021).

In Germany, for example, personality rights are enshrined in civil law, with strong protections against the unauthorized commercial exploitation of one's identity. The *Caroline von Hannover* case, where Princess Caroline of Monaco sued media outlets for publishing unauthorized photographs of her private life, is a notable example of how European courts emphasize the protection of personal dignity and privacy. The German courts ruled in favor of Princess Caroline, stating that even public figures have a right to control how their private lives are portrayed in the media, especially when the images are unrelated to their public role (Synodinou, 2014).

In comparison, Iran's legal framework does not explicitly recognize personality rights, and while privacy is protected, it is mostly in the context of personal and familial life rather than public personas. European systems offer lessons on how Iranian law could be reformed to better protect public figures from unauthorized commercial exploitation, particularly by introducing stronger privacy and personality rights protections (Shakiba et al., 2021).

6.3. *Other International Approaches*

Countries such as Canada and Australia have also developed legal frameworks that protect the right to fame under the broader umbrella of privacy and intellectual property law. In Canada, courts have recognized the right to control the commercial use of one's image as part of an individual's "personality rights," though these rights are less explicitly defined than in the U.S. In *Aubry v. Éditions Vice-Versa* (1998), the Supreme Court of Canada ruled that a photographer who published a photograph of a private citizen without consent violated her privacy, demonstrating the close link between privacy and fame in Canadian law (Solaiman, 2016).

In Australia, the courts have not yet formally recognized the right of publicity as a distinct legal concept, but individuals may still bring claims under passing off or defamation laws if their image or identity is used without permission for commercial purposes (Synodinou, 2014). These legal remedies are similar to those in Iran, where plaintiffs often rely on defamation or intellectual property laws to seek compensation for unauthorized fame exploitation. However, like in Iran, these protections in Australia are not always adequate for addressing the commercial value of fame in the digital age.

6.4. *Potential Lessons for Iran*

The international approaches to fame protection offer several key lessons for potential legal reforms in Iran. One of the most significant lessons is the need for Iran to explicitly recognize fame as a protectable right, separate from defamation or privacy. This could be achieved through legislation that allows individuals to control the commercial use of their name, image, and likeness, similar to the U.S. right of publicity (Bryson et al., 2017). Such legislation would empower individuals to take legal action when their fame is exploited for commercial gain without consent.

Another important lesson from the European approach is the balance between fame and privacy. European courts have consistently upheld the principle that even public figures are entitled to a certain degree of privacy, particularly when their personal life is concerned. Iranian law could benefit from incorporating stronger personality rights protections that extend to both private

and public aspects of an individual's identity, ensuring that fame is protected not only in commercial contexts but also in media representations (Jovičić, 2021).

Additionally, the digital age has made fame more accessible and more vulnerable to exploitation. The international community's response to fame violations in the digital realm, particularly the way social media platforms are held accountable for unauthorized use of images, provides a framework for how Iran might develop its own regulations to better protect public personas in online spaces (Shohani et al., 2021). Implementing specific guidelines for the use of public figures' images and names on digital platforms, along with stronger enforcement mechanisms, could address many of the challenges currently faced by Iranian public figures in the digital age.

In conclusion, while Iran's legal framework for the right to fame is still in its early stages, international approaches—particularly those from the U.S. and Europe—offer valuable models for potential legal reforms. Explicit recognition of the right to fame, stronger personality rights protections, and the introduction of specific legislation to regulate the use of public personas in commercial and digital contexts would significantly improve the legal protections available to individuals in Iran. Such reforms would better align Iran's legal system with global standards, ensuring that individuals can control and protect their fame in an increasingly interconnected world.

7. **Recommendations for Legal Reform**

To adequately address the challenges associated with the right to fame in Iran, several key reforms must be implemented in the legal framework. These reforms should focus on explicitly recognizing fame as a distinct legal right, improving enforcement mechanisms, and adapting the legal system to address fame-related violations in the digital age. The following recommendations outline necessary changes to the current legal framework:

7.1. *Recognition of the Right to Fame as a Distinct Legal Concept*

The first step toward legal reform in Iran is the formal recognition of the right to fame as a distinct legal right, separate from defamation and privacy laws. Iranian law

currently lacks specific provisions protecting individuals from the unauthorized commercial use of their identity, which leads to inconsistent rulings and insufficient protection for public figures and ordinary citizens alike (Mirshekari, 2023). The introduction of statutory provisions akin to the U.S. right of publicity would allow individuals to have greater control over how their name, image, likeness, or persona is used, especially in commercial contexts (Bryson et al., 2017). This could be codified as part of Iran's civil law, granting individuals the legal standing to pursue claims for unauthorized use of their public personas.

7.2. *Establishing Clear Guidelines for Digital Platforms*

With the rise of social media and the digital economy, unauthorized uses of fame have become more prevalent, and existing laws in Iran are insufficient for addressing these challenges. Legal reforms should include specific provisions addressing the use of individuals' identities on digital platforms. These provisions would regulate how social media companies, advertisers, and other digital entities use images, names, or content associated with individuals without their consent (Shohani et al., 2021). The law should require social media platforms to implement strict policies regarding the use of public figures' likenesses and establish penalties for platforms that allow unauthorized use.

7.3. *Strengthening Enforcement Mechanisms*

Even when legal rulings are made in favor of individuals whose fame has been exploited, enforcement remains a significant issue. Therefore, reforms should focus on strengthening enforcement mechanisms to ensure that penalties, compensations, and other remedies are effectively carried out (Shakiba et al., 2021). This could include the creation of a dedicated legal body or regulatory agency responsible for overseeing fame-related disputes and ensuring compliance with court rulings. Additionally, international cooperation mechanisms may be necessary to address fame violations that occur across borders, especially when social media platforms or content creators based outside Iran are involved (Solaiman, 2016).

7.4. *Legislative Clarity on Damages and Compensation*

One of the major weaknesses in the current legal framework is the lack of clarity regarding the calculation of damages for fame-related violations. Legislative reforms should include clear guidelines for determining financial compensation based on the economic value of an individual's fame and the extent of harm caused by unauthorized use. In line with international practices, Iran could introduce a statutory scale or formula for calculating damages related to fame violations, particularly in cases involving commercial exploitation (Mirshekari, 2023).

7.5. *Public Awareness Campaigns and Education*

Beyond legal reforms, it is also essential to promote greater public awareness about the right to fame and how individuals can protect their public personas. This could involve educational campaigns to inform individuals, especially those involved in digital media and entertainment, about their rights regarding fame and how to seek legal protection. Additionally, fostering greater understanding among legal professionals and judges about the economic and social importance of fame would lead to more consistent and informed rulings in fame-related cases (Shakiba et al., 2021).

8. Conclusion

The right to fame has become increasingly important in a world where public personas, both of celebrities and ordinary individuals, are easily commercialized and exploited, especially in the digital space. In Iran, while aspects of fame are protected through defamation and privacy laws, there is a clear need for a distinct and robust legal framework to address the specific challenges posed by fame-related violations.

This article has explored the legal framework for fame in Iran and compared it with international approaches in countries such as the United States and the European Union, highlighting the shortcomings in Iranian law and identifying potential lessons for reform. The primary challenges in protecting the right to fame in Iran include legal loopholes, the lack of specific regulations, enforcement issues, and the complexities introduced by the digital age and social media.

In light of these challenges, this article has proposed several key recommendations for legal reform. These include formally recognizing the right to fame as a distinct legal concept, establishing clear guidelines for digital platforms, strengthening enforcement mechanisms, and providing legislative clarity on the calculation of damages. Additionally, raising public awareness about fame rights and educating legal professionals on the importance of fame protections will be essential for fostering a more consistent and effective legal response to fame-related violations.

Looking forward, the future of fame protection in Iran's legal system will depend on the implementation of these reforms. As digital media continues to grow in influence, the protection of public personas will become an even more pressing issue. By adopting the proposed legal changes, Iran can ensure that individuals, whether public figures or ordinary citizens, have the necessary legal tools to protect their identities from unauthorized exploitation. Comprehensive reforms would not only align Iran's legal system with international standards but also safeguard individuals from the economic, social, and psychological harm caused by fame violations in the modern age.

Authors' Contributions

Authors contributed equally to this article.

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Ethical Considerations

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