



The Role of Law in Defining the Duties of the Curator in Iran

Azam Safipour   PhD in Art Research, Tarbiat Modares University, Tehran, Iran.

Maryam Namin University of Applied Science and Technology, Cultural and Artistic Unit, Department of Painting.

Elahe Bayat University of Applied Science and Technology, Cultural and Artistic Unit, Department of Painting.

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Abstract

Curatorship, as one of the influential roles within the contemporary art system, has expanded in Iran in recent years; however, the legal status and scope of curatorial duties have not yet been clearly and formally defined. The absence of specific legal and institutional frameworks has led to ambiguity in responsibilities, professional conflicts, and weakened relationships among artists, curators, and exhibition institutions. The main issue of this research is to examine the role of law in clarifying the duties of the curator in Iran and the consequences arising from the lack of clear regulations in this field. The study aims to analyze the position of law in defining and explaining curatorial responsibilities and, drawing upon theoretical sources, international research, and field data obtained from semi-structured interviews with Iranian artists, to propose solutions for the precise and professional definition of this role. The principal research question asks to what extent codified laws and existing supervisory mechanisms in Iran contribute to clarifying the duties, quality, and quantity of curatorial activities, and what consequences the absence or weakness of such laws has had on the professional performance of curators and their relationships with other actors in the art field. This applied research adopts a qualitative, descriptive–analytical approach. Data were collected through document analysis, review of theoretical resources, comparative case studies, and semi-structured interviews with two active visual artists. Findings indicate that enhancing the status of the curator in Iran requires the drafting of binding regulations, the establishment of a licensing system, and the creation of an independent supervisory authority. Such measures would elevate curatorial practice from a personal and experimental activity to a structured, professional, and legal framework. This transformation could contribute significantly to the development of the profession and to the advancement of contemporary art in Iran.

Keywords: Curator, Professional Responsibility, Curatorial Ethics, Professionalization of Art, Artists' Rights, Contemporary Iranian Art.

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Introduction

The role of the curator has become increasingly influential within the contemporary art system, both globally and in Iran. Originally derived from the Latin verb *curare* (to care for), the curator has evolved from a mere keeper of aristocratic collections into a multifaceted professional responsible for ideation, selection, interpretation, project management, and mediating between art and its audience. In many developed art systems, the curator's position is clearly defined within legal and institutional frameworks, supported by formal contracts and professional codes of ethics, which enhance transparency, institutional trust, and cultural capital. However, despite the rapid expansion of curatorial activities in Iran since the 2000s (1380s Persian calendar), this profession remains largely unregulated. The primary problem addressed by this research is the lack of a clear legal status for curators in Iran's contemporary art system. Most collaborations between artists and curators are based on oral agreements or informal arrangements, leading to professional misunderstandings, conflicts of interest, ethical disputes—such as claims over intellectual property and authorship—and a decline in exhibition quality. This study aims to analyze the role of law in defining curatorial duties in Iran and to propose practical solutions for establishing a professional and legal framework. The main research question asks: To what extent do existing codified laws and supervisory mechanisms in Iran define the duties, quality, and quantity of curatorial activities, and what are the consequences of the absence or weakness of such laws on curatorial performance and relationships with other art world actors? By drawing on theoretical literature, international research, and empirical data from interviews with Iranian visual artists, this study seeks to highlight the urgent need for binding regulations, a licensing system, and an independent supervisory body to transition curatorial practice from a personal, experimental activity to a structured, professional, and accountable profession.

Methodology

This research is applied in purpose and qualitative in nature, employing a descriptive-analytical approach with thematic analysis. Data were collected through two primary methods: a review of existing legal documents, theoretical sources, and comparative international studies (including works by Bishop, George, Jones, and Chen); and semi-structured, in-depth interviews conducted with two practicing Iranian visual artists who had direct experience collaborating with curators in independent exhibitions and Tehran galleries. Participants were selected through purposive sampling based on their professional history and direct curatorial collaboration. Each interview lasted approximately 45 minutes. The data were analyzed following the six-phase thematic analysis framework of Braun and Clarke (2006): (1) familiarization with data, (2) open coding, (3) generating initial themes, (4) reviewing themes, (5) defining and naming themes, and (6) writing the final narrative. To ensure validity and trustworthiness, three strategies were used: peer review (feedback from two curatorial experts), comparison with theoretical literature, and member checking (participants reviewed the summarized findings). The interpretive approach focused on understanding the lived experience of artists regarding the lack of legal and ethical structures in curatorial relations.

Discussion

1. The Crisis of Professional Ethics and Claims of Authorship

One of the most prominent themes extracted from the interviews was the “crisis of professional ethics in curatorship.” Artists reported instances where curators claimed ownership of the artists' ideas or written statements (artist statements). For example, one respondent stated, “The curator claimed the idea belonged to them and even used my text as their own.” This finding aligns with Meng Shi Chen's (2021) concept of “curatorial ethics,” which emphasizes revealing hidden voices without violating the poetic independence of art. The absence of a binding ethical code in Iran allows such ambiguities to flourish, undermining the artist's moral rights and creative autonomy.

2. Legal and Regulatory Void

The second major theme was the “legal and regulatory void.” Artists consistently noted the absence of formal contracts, clear laws, or any supervisory body. One participant remarked, “A contract should have been in place from the beginning,” and “I felt there was no specific law or supervision.” This mirrors the concerns raised by Jones (2016) in *Art Law*, where formal written agreements are deemed essential for clarifying consignment terms, commission rates, copyright, shipping liabilities, and dispute resolution. In Iran, even existing intellectual property laws (e.g., the 1969 Protection of Authors, Writers, and Artists Act) define only the “creator” (artist) but do not address the intermediary role of the curator. Consequently,

most curatorial collaborations operate on informal, trust-based arrangements that are fragile and prone to conflict.

3. The Need for Professionalization and Qualification Licensing

Artists strongly emphasized that curators must be “professionally selected” and hold “official licenses.” This theme—“the need for professionalization of the curator’s position”—reflects a demand for structured training, competency assessment, and credentialing. In the absence of institutional gatekeeping, individuals with no formal curatorial education or ethical training can claim the title, leading to mismanagement, exploitation, and poor exhibition quality. Establishing a professional association under the supervision of the Ministry of Culture and Islamic Guidance, in collaboration with national museums and art universities, could provide licensing, continuing education, and a registry of qualified curators.

4. Consequences of Ineffective Collaboration

The “consequences of ineffective collaboration” emerged as a distinct thematic cluster. Artists reported abandoning projects, facing personal disputes, losing trust, and discontinuing exhibitions due to unethical or unprofessional curatorial behavior. One participant stated, “Because of ethical problems, I ended the collaboration and continued alone.” These outcomes resonate with George’s (2015) discussion of professional responsibilities, where lack of accountability mechanisms leads to project failure and breakdown of mutual confidence. The ripple effects include damage to the artist’s career, financial loss, and a general climate of suspicion within the art community.

5. Artists’ Proposed Solutions

Finally, artists proposed concrete remedies, emphasizing mutual respect, written contracts, ethical oversight, and a licensing system. This “artists’ proposed solutions” theme demonstrates a mature, constructive attitude. They called for a formal “cultural contract” that goes beyond financial terms to define interpretive authority, display methods, and limits of curatorial intervention. Claire Bishop’s (2007) notion of a “dialogical curator”—one who respects the artist’s voice and maintains transparent communication—was echoed in the data. The absence of such a formalized framework in Iran reduces professional ethics to non-binding recommendations, leaving both parties vulnerable.

6. Bridging Ethics and Law: The Need for an Intermediary Institution

Comparative analysis with the National Assembly of State Arts Agencies (2017) model suggests that a dedicated intermediary institution is required to draft binding professional regulations, arbitrate disputes, and certify curators. In Iran, no legal article explicitly defines the curator’s role. The gap between an ethical charter (non-enforceable) and legal obligation (enforceable) can only be bridged by an independent supervisory body. Such an institution would also standardize curatorial fees, which currently have no international or local benchmark, and would prevent conflicts arising from ambiguous financial arrangements and mismatched expectations.

Conclusion

This study concludes that the curatorial profession in Iran, despite its practical expansion, lacks a coherent legal, institutional, and supervisory foundation. Thematic analysis of artists’ lived experiences revealed that the absence of binding laws, formal contracts, and a professional licensing system has led to ethical crises, disputes over intellectual ownership, diminished trust, and ineffective collaborations. These issues are interconnected: legal void weakens professional ethics, which in turn fosters relational breakdowns between artists and curators. Iran’s curatorial field is at a critical juncture of “institutional identity formation.” To transition from informal, personality-based arrangements to a regulated, accountable profession, several actions are necessary: amending intellectual property laws to include curatorial duties; drafting a mandatory professional code of ethics; requiring written contracts for all curatorial collaborations; establishing a licensing and supervisory body under the Ministry of Culture; and introducing academic and professional training in curatorial ethics, art law, and exhibition management. Without such measures, the potential of curatorship to contribute to a sustainable, high-quality contemporary art system in Iran will remain unfulfilled. Future research should include comparative studies with regional legal frameworks, incorporate the perspectives of curators and gallery directors, and assess the impact of standard contracts on exhibition outcomes.