

**Disrupting the disruption: a key role for academics in the protection
of freedom of expression**

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KEY NOTE SPEECH

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Many warm thanks to the organisers of the academic conference on safety of journalists, UNESCO and Cherian George from Hong Kong Baptist University, for inviting me to deliver this keynote speech.

I have not been present at UNESCO world press freedom day celebration for a few years now. This academic side of the conference is new to me, and only in its second edition altogether. I think it is a wonderful development, which could play a fundamental role in furthering the goals of the world press conference.

I would like to spend some time this afternoon reflecting on the role of the academic sector and of academics in the protection of freedom of expression, and of journalists safety, in this free speech community of ours.

-- I --

TWO DECADES OF AN INCREDIBLY VIOLENT ERA

Let me first begin by stating the obvious:

We are living violent days in a violent world.

What constituted localized, small or larger, armed violence and escalating political violence at the beginning of the decade have now and quickly morphed into full-blown warfare, most often regional or international in nature and involving many parties.

There is a growing list of countries beset by mass atrocities, including Syria, Yemen, Central African Republic, South Sudan, Afghanistan, Somalia, Iraq.

After nearly two decades of relative constancy in the number of countries at conflict, with the 2000s analysed as the decade least conflict-ridden since the 1970s¹, the last five years or so have seen a higher number of internationalized conflicts and increase in the occurrence of mass atrocities

Altogether, these have resulted in a 3.5 time increase in deaths-related conflicts since 2010, with 180,000 deaths in 2016². Interlinked with the multiplication of full-blown front lines is the geographical expansion of “terrorism” and an increase in terrorism-related death (by 61% since 2013)³.

Among its most tragic consequences? The largest movement of people in recent memory – refugees, migrants, IDPs on the move again, seeking a peaceful or better life, away from conflicts in Syria, Iraq, Afghanistan, political repression in Eritrea, poverty in West Africa⁴. Thousands dying an awful death in the waters of the Mediterranean or on desert lands. Thousands more surviving only to be met with indifference, intolerance and xenophobia, fed by the **politics of fear**⁵ - **today's** dominant driver in democracies - both old and new.

That too a narrative of violence

-- II --

But this did not happen overnight – quite far from it.

9/11: From that moment on, it was *security*, rather than human rights, that became the algorithm de rigueur: “Insidious and powerful, this has taken hold of policies and institutions and captured the minds and hearts of many in the process⁶.”

Many threads of our innocence were shredded after that:

- In 2013, when Edward Snowden revealed the extent to which rights has been betrayed: the rights to privacy, family life, free speech, freedom of the press had been trumped and without recourse to any proper, effective or trustworthy oversight mechanism.
- This exposé came hot on the heels of revelations about democratic governments’ complicity in extraordinary rendition and acts of torture. It

¹ Lotta Themne’r & Peter Wallensteen, Armed Conflicts, 1946–2012, Journal of Peace Research, 50(4) 509–521, 2013

² Global Peace Index 2015. According to Global Peace Index, The world has become slightly less peaceful over the last 8 years, deteriorating by 2.4 % even though over the last 60 years the world has overall become more peaceful. (p.46)

³ Ibid. According to Global Terrorism Index 2015, since the beginning of the 21st century, there has been over a nine-fold increase in the number of deaths from terrorism, rising from 3,329 in 2000 to 32,685 in 2014

⁴ Global trends, Forced Displacement 2016

⁵ Human Rights Watch 2016 Annual Report

⁶ Agnes Callamard, “Decoding the New Security System” in Huffington Post, 22 August 2013

also coincided with the emergence of ISIS displaying grotesque use of extreme violence, grounded on an equally grotesque worldview – grotesque but somehow gaining quickly in popularity amongst the disenfranchised and others. Displaying too the failings of counter-terrorism strategies.

- Further evidence that the US “global war” doctrine continued apace was seen in their drone program, blurring the distinction between counter-terrorism on one hand and the conduct of warfare on the other.
- In January 2015, further shredding of our innocence with the attack on Charlie Hebdo which demonstrated the outreach of terrorist groups, the blurring of conflicts and peace, of democracies and non-democracies –

One more indicator of the globalisation of the threats to freedom of expression and freedom of the media; **our interdependence.**

It is not just about solidarity beyond borders.

It is about understanding that we are, all, at some deep level, so intertwined in our human madness - from climate change to conflicts to mass atrocities - that we are all inevitably *one and the same*.

But this is not an understanding that comes so easily. That, I see as a role for the academics – not just them, but certainly for them too. For Scientific inquiries. For facts-based inquiries into this interdependence; how it plays out from the local to the international level; what it means, practically and at policy level, for our actions.

-- III --

Interdependence is the most positive aspect of the moments we are living.

A far less positive is the current substantial reduction in the multilateral strength, outreach and jurisdictional authority of the human rights framework.

This is probably the most dramatic human right story of the post WWII decades. It is not only that civil liberties in countries involved in war are being suppressed domestically, as they have been during all periods of war, although that too is deplorable.

It is that at best, the normative framework is being re-invented.

At worse, it is the very idea of human rights that is being questioned and rejected and with it the very idea of a common humanity

Both scenarios have a few things in common:

- Security, not human security but national security, as the central and all encompassing framework;
- The extensive application of a doctrine of global war, including domestically;
- The militarisation of policing and of anti-terrorism;
- The blurring between real and potential “combatants,” between combatants and non-combatants; an ever extensive understanding of the “enemy;”
- It is also the very notion of a common humanity that is undermined or set aside: migrants and refugees, the poor, the indigenous community. Divisions and normative differences between citizens and non-citizens, between them and us.

When an American president attacks the very foundations of US democracy: its quasi-sacred first amendment –

Engages in an open battle with the so-called mainstream Media, undermining them and their role at every turn,

And in the process making us questioning the very notion of truth, and the validity of everything,

When this happens, we must know that the world of norms and politics has been turned upside down.

We are living moments of intense disruption

There is a sense of a world at an historical junction – at history’s cross roads.

The post-WWII international system and the principles upon which it is predicated (peace, security, human rights) seem under increasing duress and its demise no longer something that could only be envisaged as part of a science fiction novel.

-- IV --

Such moments require bold inquiries and bold proposals. And this I see as a fundamental role for the academic world. It is not that others cannot do it too. But they may not be able to do it as well.

Some have too much invested in the old framework of seeing things and doing things: it is harder to see outside. Most institutions are built around the framing of challenges and responses to them. When these change, they cannot change so quickly. Some never do as a

matter of fact.

Others are so heavily invested in the disruption as part of their business model that they may not be willing to engage with its darker dimensions; unwilling or unable to name them and change them because ultimately they are what bring the revenues.

So we need an independence and freshness of views, away from both the established framing, AND from the vested interests in the disruption.

The moments that we are living are requesting ***disruptive inquiries and proposals***.

You need to disrupt the established framing AND you need to disrupt the disruption.

Nothing should be so sacred it cannot be questioned.

In a world of change, it cannot just be “business as usual”

Of course, this is an anathema given the topic that we are all studying. What I mean though is that such moments whose historical meaning include some break with the past, and a move towards an uncertain future – such moments require on our part to be prepared to be bold and indeed disruptive

It may or does require challenging the framing, the language, the institutions, the people etc. Not for the sake of being disruptive. But for the sake of looking for and identifying the meaning of the moments, including for freedom of expression, for the Media, the use of violence, and other forms of extra-judicial interventions,

It may require challenging some of the dogma, the *sacred cows* which us, activists, old and new corporate actors, may tend to rely upon far too extensively, unquestionably.

This I see as a fundamental role for the academic world – pushing the policy makers, the activists, the Media, the Platforms outside our comfort zone

And when it is done well, it opens up a whole new world – of norms, of actions, of policies

For instance:

In my opinion, one of the most important developments over the last few years, in our free speech/free media world, has been in the field of on-line harassment and bullying, particularly as it has targeted women, but not only.

Why do I say so?

Such a work was and is courageous. It has demanded to challenge and question a range of dogmas related to the on-line world, including that:

- Internet was only as good as the behaviors of the people on-line allowed it to be;

- That not all behaviors had to be tolerated in order to found the brave new world of borderless communication
- That there is violence and insecurity on-line
- That Internet founding principles or dogmas could be questioned and challenged – including their possible inherent misogyny
- That women and men had not fought the normality of violence against women for centuries to tolerate it the minute it gravitated to the on-line world
- That censorship had many dimensions and profiles, and many censors
- That the silencing of women as active on-line actors amounts to censorship and violence
- That it is possible to defend freedom of expression on-line AND fight and counter on-line harassment

The work, conducted by many organisations and academics in the global south has allied policy proposals with sound scientific research, documenting on-line harassment of women, including women journalists and defenders. It has been action research and policy research altogether.

It has required engaging with, dialogues, negotiation with a range of actors, not just states – but also corporate actors, running the on-line world

And the work goes on and will continue to surprise us and challenge us.

-- V --

Practically, what does this all mean?

1. Be your own free agents; set the research agenda, the searching questions;
2. Question the research framing suggested by the milieu – generously, kindly – but question; suggest your own;
3. Remember that policy research should be a process predicated first and foremost on the best conceptual and scientific methodology – policies development occur at the end of such a process; not initially;
4. Be tough: you will be told, repeatedly, *“this is not practical, what are the policy implications?”* – Well, yes, it is best if at the end of your inquisitive purpose, you can identify the practical and policy implications for us. But it is not a requirement. And if there are no immediate practical implications out of your finding, so be it. The findings still matter. The implications may be identified later.
5. Be prepared to be unpopular, un-liked;
6. We need you to be all of that – we may not like it; but trust me, we need it. Don’t give us what we think we want or need. Give us what your scientific and academic training is telling you need to be questioned.

-- VI --

To end this speech, allow me to bring one aspect of the narrative of the current moments that may be overlooked. One aspect that deserve academic inquiries and research.

It is the narrative of resilience and the narrative of resistance.

For instance, in the US, debates over the soul and values of America have turned increasingly louder and sour, taking to the Streets around the country.

To Donald Trump motto “Making America Great Again”, thousands of protesters have opposed “This is what America looks like: No Fear, No Hate, No Wall, No Ban”.

To Donald Trump Muslim ban, the Courts, judges and lawyers have opposed the rule of law and fundamental principles.

And it is working.

Not just in the US by the way. At Columbia University where I work, we monitor global jurisprudential trends around the world. We have found, around the world, judges, courts, lawyers prepared to protect freedom of expression against arbitrary actions or abuse of power. In Africa courts and judges, with the support of national and international lawyers, have emerged as formidable actors – of both resilience and resistance.

Some decades ago US Justice Louis D. Brandeis observed that “Sunlight is said to be the best of disinfectants; electric light the most efficient policeman.”

Shine your light of scrutiny, of fact finding, of knowledge production and dissemination – impartial and true – shine your light in the places of darkness, where power’s abusers flourish, where power’s corruption seeks to hide.

Shine a light on the man-made root causes of human suffering so that we may seek more clearly our way to preventing that suffering.

Insist together – as indeed does the UDHR at articles 26 and 27 – on your right to shine that light.

For it is there and then that we see where that light can lead – to freedom of expression respected, protected and enjoyed for and by all.