

This PDF includes a chapter from the following book:

Seeing Human Rights

Video Activism as a Proxy Profession

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1 Seeing Human Rights: Institutions, Agents, and Practices

“How do we know which videos are the right ones?” A fellow passenger on a connecting flight from Skopje to New York City asked me this question some years ago. Although she spoke about the challenges of navigating the avalanche of videos about police brutality during antigovernment protests in Macedonia in May 2015, her query addressed broader issues about today’s media landscape, which is teeming with videos whose meanings are often unclear. Those videos are the topic of this book because they provide an important glimpse into possible human rights claims.

Videos capturing traumatic incidents—though not always properly credited, labeled, contextualized, or dated—are frequently produced, circulated across media platforms, and used for many purposes by journalists, activists, citizens, nongovernmental organizations (NGOs), governments, militaries, law enforcement agents, and even terrorist groups and other perpetrators of violence. Some of these videos end up being used in court. As a result, videos are often at the crossroads where the information work of various actors converges, offering a position from which to see events from the complicated scenes of their unfolding.

The power dynamics that shape the images of the public domain, however, have long been characterized by a lack of clarity. John Tagg insists that photography’s “status as technology varies with the power relations that invest it. Its nature as a practice depends on the institutions and agents which define it and set it to work. . . . It is this field we must study, not photography as such.”¹ This book takes up Tagg’s call in the context of human rights video. It examines the institutional environments in which video takes shape as well as the agents and practices that render it meaningful as a tool for human rights. I contend that questions about reliability

and legitimacy, such as the one asked by my fellow passenger, involve not just the site of the video itself but also the institutions with their agents and practices that set video to work as an evidentiary, policy, and advocacy material in a human rights context.

The following questions motivate this book: What are the circumstances that facilitate the emerging institutional and legal turn to human rights video? How and why are the journalistic, legal, and political institutions that help legitimize human rights claims incorporating video? How and to what end is this turn to video affecting the relationships among human rights activists and institutional authorities? How and under what circumstances does visual information shape institutional and legal decision making? Whose expertise matters in rendering human rights video meaningful and why? This book tackles these questions to understand how institutional and legal environments at the international level are changing through their adoption of video and what this shift suggests about the status of visual evidence and global human rights activism today.

In the chapters that follow, I show that the growing centrality of human rights video in different institutional and legal domains has created the need to professionalize video practices long claimed by activists as their own craft in the broader pursuit of justice. Following Tina Askanius's practice-based framework,² the term *human rights video activism* denotes a various set of practices that document and voice critique against global instantiations of civil, political, economic, cultural, environmental, and social injustice. Of central concern here is how, when, and why human rights collectives operate across journalistic, legal, and political settings, seeking to professionalize video activism so they can better leverage video's evidentiary, policy, and advocacy potential in serving human rights goals.

Human rights collectives is an umbrella term that refers to the diverse range of human rights groups and networks constituting today's global human rights movement: well-established organizations such as Amnesty International (Amnesty) and Human Rights Watch (HRW); mid- to small-size NGOs such as WITNESS, Videre est Credere, B'Tselem, and Syrian Archive; local activist groups and media collectives such as Coletivo Papo Reto in Brazil and Mosireen in Egypt; networks such as Video4Change; university-based centers, such as Forensic Architecture at Goldsmith University of London and the Human Rights Center (HRC) at the University of California,

Berkeley; and emerging partnerships between human rights organizations and universities around the world, as in the case of Amnesty's Digital Verification Corps program. Some of these collectives have long operated in the human rights research, campaigning, and advocacy fields. Others have emerged in response to growing needs around human rights video production, verification, preservation, and investigation that have resulted from the rise of smartphones and social media. Table 1.1 provides a brief overview of the different human rights collectives discussed in this book.

These human rights collectives seek to professionalize video activism through video production, verification standards, and training. These efforts, however, do not qualify as a traditional profession. They instead lead to what I call a *proxy profession* that strategically places video in institutional and legal service. This proxy profession is legitimized within the existing structures of NGOs, enabling human rights collectives to claim visual expertise and facilitating their role as a broker between publics and various institutions serving public needs. Positioned as such, the proxy profession ends up retaining some of the flexibility of video activism as a critical voice against injustice by giving up on the more radical potential and imaginative scope of video activism as a cultural practice that sustains important human rights dialogue even in the face of institutional and legal stalemate.

Institutional Context for Human Rights Video Activism

Visual imagery is at the heart of humanitarian and human rights activism. Political turbulence around the world over the past two decades has been venerated for its use of video—including in the Saffron Revolution in Myanmar (Burma), the Green Movement in Iran, the Arab uprisings throughout the Middle East, and the Black Lives Matter movement in the United States—reinforcing long-held (though not always articulated) beliefs in the power of video as a human rights tool. Commenting on the unfolding of the Arab Spring in Egypt, Jehane Noujaim, director of *The Square* (2013), a documentary film on the topic, echoed a lasting hope that video has an ability to facilitate social change by bearing witness to injustice and violence: “[Ahmed Hassan] used that camera as a weapon to fight back and expose human rights abuses and oppression that he saw. Many times, when he was on the front line, Ahmed was the only one there with a camera.

Table 1.1

Human Rights Collectives: A Brief Overview

Name and Website (in alphabetical order)	Central Location and Founding Year	Primary Work
Amnesty International (www.amnesty.org)	London, 1961	a human rights organization engaged primarily in human rights research and campaigning around the world
B'Tselem (www.btselem.org)	Jerusalem, 1989	a human rights organization that uses video to document Israeli violations of Palestinian human rights and to end Israel's occupation
Digital Verification Corps program, Amnesty International (www.citizenevidence.org/2019/12/06/the-digital-verification-corps-amnesty-internationals-volunteers-for-the-age-of-social-media/)	No central location, 2016	a program between Amnesty International and seven universities (University of California, Berkeley, University of Cambridge, University of Essex, University of Hong Kong, Universidad Iberoamericana, University of Pretoria, and University of Toronto) that trains students to verify visual evidence of potential human rights violations from around the world and uses the students' work to support the reporting by Amnesty's research teams
Forensic Architecture (www.forensic-architecture.org)	Goldsmith University of London, 2010	a research agency that conducts spatial and media investigations of global human rights abuses, with and on behalf of communities affected by political violence, human rights organizations, international prosecutors, environmental justice groups, and news media
Human Rights Center (www.humanrights.berkeley.edu)	University of California, Berkeley, 1994	a research center that investigates war crimes and other violations of international humanitarian law and human rights and trains students and advocates to research, investigate, and document human rights violations using new tools and technologies

Table 1.1 (continued)

Name and Website (in alphabetical order)	Central Location and Founding Year	Primary Work
Human Rights Watch (www.hrw.org)	New York City, 1978	a human rights organization engaged primarily in human rights research and advocacy around the world
Syrian Archive (www.syrianarchive.org)	Berlin, 2014	a nonprofit organization seeking to support human rights investigators, advocates, and journalists in their efforts to document human rights violations in Syria through open-source tools and methodologies for collecting, preserving, verifying, and investigating visual documentation in conflict areas
TRIAL International (www.trialinternational.org)	Geneva, 2002	an NGO fighting impunity for international crimes and supporting human rights victims
Video4Change (www.video4change.org)	Founded in Indonesia, 2012	a consortium of organizations convened by WITNESS and EngageMedia that seeks to better leverage information and communication technologies for human rights, social justice, and environmental change through training, development of tools and resources, and the hosting of activist gatherings
Videre est Credere (www.videreonline.org)	London, 2008	a human rights organization that works directly with remote communities, equipping them with the technology and training to record visual evidence of human rights abuses
WITNESS (www.witness.org)	New York City, 1992	a human rights organization engaged primarily in advocacy, training, and development of tools and resources on how to use video to expose injustice

The other protesters would form a circle around him and make sure he was protected. They would say to him, 'Record, Ahmed! Record!' because it was so important for them that there was a witness, that what was happening was documented."³ Suffice it to say, this deeply felt imperative to record injustice is part of a longer visual tradition that precedes the video camera.

Although the proliferation of human rights videos stems from a rich history of visual activism, today activist videos feature prominently across institutional and legal environments that have traditionally disregarded such content as a form of legitimate evidence. The unreliability of visual materials, their emotional resonance, and the partisan underpinning of activist footage have been invoked as grounds for evidentiary dismissal. This classification of video, however, is starting to change. Consider, for example, how the Islamic State's videos have taken on the status of objective evidence instantly with little discussion of their authorship, nature, or the circumstances of their production and consumption.⁴ This extreme case perhaps best captures the unfolding turn to video as taken-for-granted material even in institutional contexts. This book scrutinizes this turn to video across different institutions related to human rights.

Conceived by Western iterations of modernity as the pillar of social and political life, institutions such as journalism, the law, and political advocacy have not always been the most hospitable environments for visual human rights work. They have instead privileged words over images as presumed vehicles of reason, systematic thinking, and behavior as modernity gave rise to an institutional authority built around words. Although visuality, imagination, and emotion relate in various ways to words, they have typically been pushed to the background of institutional thinking.⁵ It is not surprising, then, that only in the past two decades have histories of human rights highlighted the visual encounters, emotional responses, and cultural underpinnings that are equally constitutive of and central to human rights discourse and practice.⁶

Though widely used, visual imagery has typically figured as an appendage to words, an illustration on the side, or an afterthought in the institutional calculus supporting human rights in various ways. The so-figured institutions have promoted linear thinking, deductive reasoning, and deliberation and nurtured professional expertise that draws from a set of tools, guiding principles, and standards anchored in the epistemological ethos of Western modernity. This ethos, however, has been unable to recuperate the

seeming tension between different modes of knowing: reason and emotion, judgment and imagination, word and image.⁷ As a result, to this day and in different domains, there exists a tension between institutional practices that rely heavily on images and institutional doctrines that have yet to accommodate systematic procedures for handling visual materials. Courts, for example, typically think of images as illustrative evidence that needs the words of witnesses to render it legally meaningful. Yet images are increasingly performing functions of substantive evidence despite the lack of clear standards that guide visual-information creation, processing, flow, access, and use across law and policy domains.⁸ The rise of human rights video cuts to the heart of this enduring institutional and legal tension.

Journalism, today considered a vital social institution for publicizing human rights claims, turns to images overwhelmingly in times of crises but often fails to develop standards for their systematic treatment.⁹ As Barbie Zelizer argues, when “the verbal record underpinning journalists’ authority as arbiters of the real world takes precedence over its visual counterpart . . . accommodating a tool that works in other ways challenges longstanding notions of what journalism is for.”¹⁰ This has led to an environment where, despite the trust that investigative journalists place in video recordings,¹¹ journalism is yet to grapple with how to handle such evidence methodically and ethically. Inconsistent labeling and sourcing, ignorance about rights and permissions, and a lack of dedicated staff to work with social media imagery are just some of the recent challenges around journalistic standards for video.¹²

Similarly, as a key institution that safeguards human rights as legally enforceable entitlements, the law presumes words are the primary vehicles for transporting its logic. According to Neal Feigenson and Christina Spiesel, the “law, like most other disciplines or practices that aspire to rationality, has tended to identify that rationality (and hence its virtue) with texts rather than pictures . . . to the point that it is often thought that thinking in words is the only kind of thinking there is.”¹³ As a result, clear legal standards guide every aspect of text and documents—even at the level of font choice and point size—but there is a lack of unified guidance to inform how video evidence is assessed under the law in criminal matters across jurisdictions.¹⁴

Political advocacy, widely regarded as fundamental in pushing forward human rights agendas, also has a conflicting relationship with visuals. For Sabine Lang, “advocacy conjures images of experts who assess specific spheres of influence and target specific goals and institutions.”¹⁵ Political

advocacy is central to both decision-making platforms and civil society as a sphere of public debate. As such, it belongs to a line of thinking rooted in a rational ideal or “a long tradition of political thought that makes plain speech—‘communication’—the center of democratic life.”¹⁶ As the institutional projects of Western modernity put aside the rigorous engagement with visuals as a way of knowing on an equal footing with words, political advocates frequently prioritized carefully crafted messages and documents when seeking to secure influence in institutional and legal decision-making settings. When used, images have been assumed to serve merely as a tool for raising public awareness.

The institutional logic and professional practices associated with journalism, the law, and political advocacy have therefore sidelined images in different ways and for different purposes. Premised on the epistemological ethos of Western modernity, these institutions have neglected the need to standardize tools that work differently than words do, downgrading the value of images as a unique mode of knowledge. Video is just the latest technology that amplifies the problems resulting from the lack of standards that account for the particularities of distinct forms of visual evidence.

As an institutional domain, however, political advocacy is also closely related to social activism—broadly conceived as a public assembly of critical voices mobilized against injustice. Although activism is thought to pursue broader social change agendas than political advocacy does, without necessarily confining itself to existing institutional frameworks,¹⁷ at times the two blend together. When that occurs, their interlinking relies heavily on the purchase of the visual. Many examples can be found. Humanitarian activism in the 1870s in response to Ottoman atrocities in the Balkans and to famine in southern India rested on visual media.¹⁸ The campaign to end colonial brutalities in Congo at the turn of the twentieth century first used the phrase “crimes against humanity” in 1890 and presented photographs as indispensable evidentiary materials in British Parliament in 1903.¹⁹ The campaign to raise awareness about and provide relief to the survivors of the Armenian genocide was organized around screenings of a film called *Ravished Armenia* (Oscar Apfel, 1919), which were accompanied by a conversation with a survivor.²⁰ This practice obviously continues today.

Human rights collectives are a product of the global human rights activism movement; by some accounts, they have even been considered the driving force that sustains the movement.²¹ They are thus emblematic of the

blending of political advocacy and activism. Amnesty, HRW, and WITNESS illustrate this blending well. Both Amnesty and HRW were set up by lawyers in 1961 (in London) and 1978 (in New York City), respectively. They are thus considered human rights “group[s] based in a profession.”²² As they expanded, they became open to a wide range of staff profiles.

Amnesty considers itself “the world’s largest grassroots human rights organization,” “a global movement of over 7 million people” who constitute its membership.²³ Its team consists of human rights campaigners, advocates, researchers, activists, and communication professionals whose mission is to “investigate and expose abuses, educate, and mobilize the public.”²⁴ Amnesty won the Nobel Peace Prize in 1977, an important milestone for the global recognition of the human rights movement. Public campaigning continues to be central to Amnesty even as the organization has expanded the range of work it does.

HRW began as Helsinki Watch to investigate human rights abuses in countries that were signatories of the Helsinki Accords of 1975 to shore up détente between the Soviet Union and the West. Contrary to Amnesty’s focus on public campaigns, HRW has traditionally been involved in research and direct advocacy with governments, diplomats, and United Nations (UN) officials, to name a few. It has also diversified its work, which has recently included efforts for public engagement. HRW considers itself “an independent, international organization that works as part of a vibrant movement,”²⁵ whose 450 staffers from seventy nationalities identify as country experts, researchers, lawyers, advocates, and journalists.

WITNESS also has roots in the law. It was set up by the musician and human rights activist Peter Gabriel as part of the New York–based Lawyers’ Committee for Human Rights in 1992. It became an independent organization in 2001, seeking to “train and support activists and citizens around the world” on how to harness the power of video for human rights. Although its work has evolved over time, WITNESS is different from both HRW and Amnesty in that it does not conduct regular human rights investigations. WITNESS instead “believe[s] [that], with the right tools, networks, and guidance, anyone, anywhere, can use video and technology to defend human rights. Anyone can be a witness.”²⁶ The staffers—human rights activists and advocates—seek to build and strengthen this witnessing capacity.

Amnesty, HRW, and WITNESS draw differently on the dynamics between political advocacy and activism as they grow and seek to shape the global

human rights movement. Together with other human rights collectives, they have embraced video as an important human rights tool, which is gaining in institutional and legal relevance at this time of cultural, social, and political challenges.

Increasing global anxieties fuel deep concerns about the future of international norms and human rights frameworks. Governments that question the legitimacy of international institutions safeguarding human rights continue to commit arbitrary and cruel actions. Elections are marred even in Western democracies, where xenophobia is on the rise, and freedom of expression and press freedom are challenged. Information disorders proliferate around the world. States actively manipulate and distort facts, while attacks against any institutional authorities who produce and support facts are booming. Human rights are increasingly invoked as a rhetoric to denounce the validity of human rights claims.²⁷ Global conflicts in which civilians become targeted proliferate, resulting in massive displacement of populations. According to the UN Refugee Agency, the number of people fleeing war, persecution, conflict, and natural disasters exceeded 70 million in 2018.²⁸ These unfolding concerns, coupled with specific issues related to refugees and displaced persons, have important consequences for global human rights practice. Imaginative thinking may be crucial to reposition human rights issues in light of the present challenges and to address the growing need for new tactics and strategies for human rights investigation, reporting, and advocacy.²⁹

Traditional institutional sources and their professional expertise may no longer be readily available when human rights investigations are conducted, and such sources may be completely absent when efforts are made to document displaced populations, who pose numerous logistical problems arising from the context and from the cross-jurisdictional nature of the decision-making involved.³⁰ When Syria and Myanmar, for example, closed their borders to journalists and international investigative bodies, online videos and commercial satellite images became the main mode of accessing the crises in these countries. This turn to images is a significant change from institutionalized practices consisting of on-the-ground investigation and collection of eyewitness testimonies by professional authorities. To document abuses related to the refugees fleeing Syria and Myanmar, different human rights actors have instead developed and adopted new open-source investigation methodologies that tap into the evidentiary

potential of online video.³¹ In other words, human rights practice today necessitates new ways of thinking about what constitutes evidence, how to go about evidence-gathering processes, and how to present the resulting evidence and the arguments it supports convincingly in ways that can affect change.

Human rights collectives are proactive in this area, utilizing videos shot by civilians, activists, and other actors as key data of difficult events. Yet widely accepted evidentiary standards for visual media either vary by legal jurisdictions or are simply nonexistent. Syrian Archive, therefore, has worked with the International Criminal Court (ICC); the UN Office of the High Commissioner for Human Rights; the International, Impartial, and Independent Mechanism on international crimes committed in Syria; the Institute for War, Holocaust, and Genocide Studies; HRW; WITNESS; and other institutions and organizations to standardize verification and archival methods for visual evidence that may one day be used in court.³² Video, then, is increasingly used as a practical solution to emerging problems, but its adoption demands evidentiary and workflow considerations in areas of long-standing institutional and legal neglect. New institutional dynamics are therefore emerging to tackle the role and scope of human rights video today.

Grassroots activists, a range of eyewitnesses who document unfolding incidents of violence, human rights collectives, journalists, governmental agencies, international courts, international investigative bodies, and corporate social media platforms are becoming part of a linked ecology surrounding visual human rights content that exists alongside other forms of contemporary media activism and social movement media.³³ In other words, there are multivalent networks of interaction between different institutions, media platforms, activists, and human rights collectives. What develops from this interaction is an institutional blending that can best be described under the sociological rubric of new institutionalism,³⁴ wherein institutions converge and transform as a result of facing similar environmental circumstances—in this case the increasing role of video as a unique form of evidence and material for policy making.

The lens of new institutionalism is relevant because it conceives of institutions as evolving configurations (rather than as stable phenomena) that are directly shaped by other institutions and environments. Institutions are thus part of a linked ecology—networked environments whose organizational arrangements imply standardized social patterns with qualities that

are taken for granted.³⁵ Rooted in cultural and historical circumstances, institutions attain over time a state of legitimacy, with institutionalization as a key part of this process.³⁶

To understand new institutionalism in today's human rights context, it is important to describe the processes of institutional blending driven by video and to scrutinize their effects on the agents and practices that set video to work as a human rights tool. This is critical because the increasing evidentiary, policy, and advocacy importance of human rights video is altering the workflows and practices of human rights collectives as well as of the journalists, legal professionals, and political advocates working in spaces that overlap with human rights activism. Consider the following examples.

In a pioneering effort, the *New York Times* established the Visual Investigations Unit in 2017, which has reported on (among other events) police violence during protests in Hong Kong, airstrikes on a detention center in Libya, and bombing in Yemen, all based on video footage circulated online and corroborated with other materials. Malachy Browne, a senior story producer, believes that open-source analysis, the unit's bread and butter, is becoming a new genre of journalism for which there is an overall lack of skilled personnel.³⁷ Christoph Koettl, a former image analyst at Amnesty, now works for this team, signaling both a radical departure from traditional hiring practices in journalism and a new linkage between journalism and the human rights community. This linkage is further amplified by the collaborations between this news unit and several human rights collectives, such as Amnesty and Forensic Architecture.

The ICC's first verdict, handed down in *Prosecutor v. Thomas Lubanga Dyilo* (ICC-01/04-0106) in 2012, relied on video footage to corroborate aspects of witness testimony about soldiers' age, helping secure Thomas Lubanga's fourteen-year sentence for his role in recruiting and using child soldiers in Congo. A former WITNESS member provided the prosecution with some of this footage, which was used early in the legal process to urge the court to investigate Lubanga's crimes.³⁸ This example illuminates the important interplay between different human rights collectives and the law around visual evidence. Members of these human rights collectives also sit on the ICC's Technology Advisory Board, which consults with the court on new technologies and emerging forms of evidence, including video.

The various reports by the UN Independent International Commission of Inquiry on Syria include satellite imagery and video obtained through social

media as key evidentiary tools to establish the Syrian government's usage of barrel bombs and chemical weapons against civilians.³⁹ Video footage collected, verified, and preserved by various human rights collectives has been important in this context, indicating institutional blending with political advocacy areas around visual standards and investigations. It is not surprising, then, that human rights collectives now believe that "video is becoming more and more the medium in . . . which issues are raised and discussed."⁴⁰

The foregoing examples are illustrative of how undergoing transformations across journalism, the law, and political advocacy in spaces overlapping with human rights activism have together created the new institutional circumstances that put video at the heart of global human rights policy making. In the process, human rights collectives are emerging as visual experts, providing analysis, research, training, guidance, and tools for activists and different institutional and legal authorities. These human rights collectives claim visual expertise by incorporating, building on, and even modifying the long tradition of video activism as they seek to shape the institutional and legal dynamics through which human rights claims receive fuller recognition and restitution. In other words, human rights collectives aspire to professionalize human rights video activism in ways that relate to the institutional and professional logics of journalism, the law, and political advocacy that are now accommodating (differently) the power of video long claimed by activists as their own.

Human Rights Video Activism as a Proxy Profession

Professionalization, a set of practices and standards through which a collective defines the scope and nature of its work, is key to survival in institutional environments. As video attains institutional and legal legitimacy, it becomes a form of knowledge that professions must address in an organized fashion. The growing need for systematic use, verification measures, evidentiary standards, and interpretative schema for human rights video moves across journalism, the law, and political advocacy, whose authority has long had a conflicting relationship with visual imagery. Human rights collectives have seen this visual turn as a prosperous moment, adapting and shaping the values and practices central to video activism in ways that propose solutions to current institutional and legal challenges with video as a distinct form of knowledge.

To survive in institutional environments, however, human rights collectives cannot sustain video activism in its familiar form as an occupational craft. Institutions privilege professionalism as a way of ordering knowledge so they can shape social life, political life, and action systematically. As Eliot Freidson writes, “Knowledge cannot be connected to power without becoming embodied in concrete human beings who in turn must be sustained by organized institutions.”⁴¹ Western modernity gave rise to professions as entities that safeguard such knowledge. Journalism, the law, and political advocacy are institutions that enshrine various types of specialized knowledge, whose agents agree, however differently, on basic ideals and principles about how they create and apply that knowledge—a key aspect of professions.

Human rights collectives practice a form of video activism that competes for authority over knowledge and expertise via the professional powers connected to these institutions. Building on a tradition of video activism as an occupational craft that has operated outside of these institutional currents, human rights collectives claim an organizational home for video activism, shaping it so that it might better work within the institutional paradigms and professional logics of journalism, the law, and political advocacy. In this manifestation, human rights video activism is no longer characterized by the familiar streams of occupational artistry. It is shaped instead by professional dynamics.

Michel de Certeau’s notions of strategies and tactics provide a useful analytical lens to think about the professionalization of human rights video activism.⁴² He defines *strategies* as the calculus of power relations delineated by place, whose authority is established to generate a specific kind of knowledge. Strategies denote systematic thinking and behavior according to official procedures, which thus facilitate the rise of formal knowledge. Institutions usually employ strategies. Video activism, in contrast, has typically been a craft that speaks the language of tactics in that it is free from institutional and professional confines. For de Certeau, *tactics* are time bound, relative to a given situation, and look to seize opportunities as a challenge to existing power relations and structures. To craft videos for social change, activists have relied on tactics where creativity, intuition, imagination, and emotion are mobilized to draw attention to the perceived failures in the workings of institutions that are supposed to preserve democratic and human rights values. These tactics draw from practical knowledge and experience rather than formalized thinking and consistent methods.

In a pragmatic move, human rights collectives diversify the tactics of video activism, but they also create strategies to standardize visual practices so that video can better serve evidentiary, policy, and advocacy functions. In other words, they seek to professionalize human rights video activism so they can position themselves as viable agents of the knowledge provided by video. The aspirations to professionalism occur in line with Meg McLagan's analysis that "contemporary activism is marked not simply by a continual evolution of political strategies, but more important[ly], by the production of multiple modalities and forms of politics, each adapted to a particular context and audience."⁴³ The professionalization of video activism is trying to mimic the modalities of journalism, the law, and political advocacy as human rights collectives develop ways to play in these spaces. It is therefore an outward-looking effort that does not display the traditional traits of a profession: autonomy, specialized education, licensing procedures, competence tests, certification, and codes of conduct.⁴⁴ It instead involves an ideological orientation about what to do and what to avoid based on the targeted institutional or legal audiences for human rights video content. As a result, human rights collectives create a proxy profession that mediates between activist voices and institutional spaces.

Consider the following example: An eyewitness video, about thirty seconds long, is shot in Providencia favela in Rio de Janeiro in September 2015. It shows three police officers planting evidence on the body of a boy whom the viewer is told they have just killed. The scene is shot from what appears to be the window of an apartment on a higher floor because the camera is pointed down toward the officers, who are not aware they are being filmed. The video seems to be shot on a cell phone, and two female voices provide narrative cues for what transpires.

Female Voice A: He's planting it.

[One of the police officers puts the gun in the dead boy's hand and fires it.]

Female Voice A: No. They're firing. He's still talking to the kid.

[The police officer fires the gun again from the hand of the dead boy. Two of the officers move, clearing the view of the dead boy's head.]

Female Voice B: You're kidding!

[The police officer hands the gun to one of the other officers.]

Female Voice A: There, he's handing over the gun.

This video was shot by a bystander who was forced to go into hiding for fear of retaliation. It was preserved by members of the Papo Reto activist collective in Brazil, which works on exposing police misconduct in Rio's favelas. Papo Reto collaborates with and is trained by WITNESS on best practices in video activism and standards for legal evidence. The same eyewitness video was also part of a report and subsequent HRW advocacy campaign on police violence in Brazil in 2016 (figure 1.1).

Because such videos are powerful, public moments of testimony, they inevitably provoke intense struggles over the right to their meaning. Through the proxy profession, human rights collectives are better positioned than activists and citizens on the ground to legitimize such videos' capacity to produce institutionally meaningful human rights claims. The proxy profession thus shapes video activism strategically as an institutionally embedded mechanism for change. By representing activist voices and citizen concerns across institutions, the proxy profession makes vital contributions to protecting human rights in the world. Yet there is a difference between the possibility to give voice and to claim voice, a difference that shapes how, if at all, a particular voice is listened to across institutions. This book shows that the proxy profession's orientation toward institutional and legal legitimacy



Figure 1.1

Screenshot, eyewitness video from *Unlawful Police Killings Undermine Law Enforcement in Brazil*, HRW, July 7, 2016, <https://www.hrw.org/video-photos/video/2016/07/07/unlawful-police-killings-undermine-law-enforcement-brazil>.

makes it less able to provide structural solutions to long-standing political questions about whose voices matter, whose voices are heard, and why. These questions remain significant because activists and bystanders on the ground continue to risk their lives to document abuse and to express their fundamental human right to communicate even in circumstances of life and death.

Another example illustrates the proxy profession's broker role in an information policy context. In a groundbreaking case, the ICC issued an arrest warrant in August 2017 for Mahmoud Mustafa Busayf al-Werfalli, an alleged commander in Libya accused of having committed or ordered thirty-three murders in Benghazi. The warrant was largely based on social media videos. It listed seven incidents of extrajudicial murders documented on video footage uploaded to Facebook, which was used as direct evidence linking al-Werfalli to the crimes. Facebook, however, quickly took down the graphic video for violation of its terms-of-service agreement. Removals like this have become a rather common practice among social media companies. In the push for social media content regulation with respect to terrorist propaganda, potentially important evidentiary materials for human rights work are also disappearing,⁴⁵ but the public has little insight into the corporate decision making and the black-box algorithms involved.

With their videos being taken down, activists around the world are increasingly seeing the consequences of the bargain they made more than a decade ago when deciding to rely heavily on corporate platforms.⁴⁶ Meanwhile, human rights collectives are positioning themselves at the forefront of efforts for visual-information policy in this context. For example, Dia Kayyali, a WITNESS staffer who leads the tech and advocacy program that consults with social media companies, testified in front of the European Union (EU) Parliament on social media content removal in March 2019. Syrian Archive has been documenting the removal of content, urging YouTube to restore the videos that the group has identified as verified materials documenting human rights violations in Syria. Berkeley's HRC has been drafting possible solutions for social media archiving, and Amnesty now has a specialized staff position for advocating with tech companies in Silicon Valley. Through the emerging legitimacy of the proxy profession, these human rights collectives are able to act as representatives of public voices in front of corporate social media companies and relevant institutions of internet governance. However, due to the non-disclosure agreements they have to

sign with tech companies, the public and the human rights activists on the ground have little insight into these discussions.

As the foregoing examples demonstrate, the proxy profession can offer a pragmatic solution to broaden the reach of human rights voices across institutions. By virtue of its orientation toward institutional and legal leverage, however, the proxy profession might also end up representing, mediating, filtering, or even silencing those voices. The chapters that follow thus highlight how the new shaping of human rights video activism as a proxy profession has bearing on the role and scope of human rights voices, on the institutional status of video evidence, and on the power of human rights as a global moral grammar for justice.

Methodology and Outline of Chapters

This book spans more than seven years of qualitative research consisting of interviews, site visits, and textual analysis of videos, organizational documents, training guides, and court trial transcripts. I conducted a total of sixty in-person, phone, and online interviews (e.g., email, Jitsu, Skype, and WhatsApp) with human rights staffers, journalists, and legal professionals working within or alongside human rights spaces. The interviews consisted of broad and open-ended questions about the role and scope of video in human rights work, and each interview ranged between sixty and ninety minutes. More specifically, the book relies on forty interviews with human rights researchers, campaigners, advocates, and communications experts from Amnesty, HRW, and WITNESS, conducted mostly in-person in London, Brussels, Washington, DC, and New York City. To better understand the broader human rights landscape, I conducted ten supplementary phone and online interviews with key research, advocacy, and training personnel from other human rights collectives—Syrian Archive, Forensic Architecture, and Berkeley’s HRC—as well as with journalists working in this human rights space (see table 1.2 for the relevant organizations in which these journalists are embedded). I also analyzed more than 400 online human rights videos produced by these human rights collectives for the purposes of research, advocacy, campaigning, and training alongside annual organizational reports, organizational publications, and training guides.

The book is supplemented with ten in-person, phone, and written interviews with legal professionals (e.g., attorneys, case managers, archivists,

Table 1.2

Innovative Journalism Overlapping with Human Rights Spaces: A Brief Overview

Organization Name and Website (in alphabetical order)	Central Location and Founding Year	Primary Work
Bellingcat (www.bellingcat.com)	Amsterdam, 2014	an international investigative collective of researchers and citizen journalists using open-source tools and methods
European Journalism Centre (www.ejc.net)	Maastricht, Netherlands, 1992	a nonprofit institute for innovations in journalism, working on grants, events, training, and media development projects
First Draft (www.firstdraftnews.org)	London, New York City, and Sydney, 2015	a nonprofit that works on techniques, tools, and training to tackle today's information disorders
Storyful (www.storyful.com)	Dublin, 2010	the first global social news agency involved in the verification of user-generated content; it was purchased by News Corps in 2013
Visual Investigations Unit at the <i>New York Times</i> (www.nytimes.com/video/investigations)	New York City, 2017	a unit at the <i>New York Times</i> that conducts open-source investigations and presents them to the public in a video format

audiovisual technicians, and technology advisers) working for the ICC and the International Criminal Tribunal for the former Yugoslavia (ICTY). Some of these interviews were completed during two visits at the ICTY in The Hague in January and April 2015. As part of these visits, I also toured one of the courtrooms with the audiovisual supervisor, observed trial sessions with former general Ratko Mladić, and attended a status conference regarding former Bosnian Serb political leader Radovan Karadžić. Last, I analyzed the transcripts of international criminal court trials involving video evidence at the ICTY and the ICC alongside the video evidence used in each case. This legal research formed the basis for chapter 4.

The book proceeds as follows. Chapter 2 situates the salience of video as a human rights tool within the rich global history of visual activism as an occupational craft that relies on diverse tactics to advocate for social change. This chapter also identifies the affordances of video as a unique form of knowledge that professions must address. It argues that the institutionalization of video across journalism, the law, and political advocacy has supported aspirations to professionalize video activism through strategies and tactics that are facilitating the capacity of human rights video to serve distinct policy functions.

Chapter 3 examines the unfolding relationship between journalists, human rights collectives, activists, and citizens in global-crisis reporting in connection with video. It argues that human rights collectives are adopting activist tactics and journalist strategies for video by turning journalism's challenges into opportunities for human rights work. In the process, they broker arrangements between citizens, activists, and journalists in international emergency coverage.

Chapter 4 uses the ICTY as a main case study, shedding light on how the visual turn in the law has created new possibilities for human rights work. It demonstrates how human rights collectives are borrowing different activist tactics and legal strategies to organize their video work in ways that play to the authority now given to the evidentiary potential of video in court, as in the case of the ICC. The chapter argues that video is becoming a crucial tool for meaning making in human rights courts and that the work of human rights collectives is important to its evidentiary shaping.

Chapter 5 addresses how Amnesty, HRW, and WITNESS use video to summon publics and political stakeholders as key audiences by adopting advocacy and marketing strategies for video production and distribution. It argues that the rise of video brings forward the complicated notion that *feeling is believing*, which cuts right to the heart of long-standing assumptions about the parameters under which deliberative democracy works. The strategic shaping of video for political advocacy, however, risks instrumentalizing emotions and paralyzing possibilities for thinking anew on how to better engage broader constituencies for public good.

Chapter 6 argues that key to video's centrality as a tool for human rights is its ability to facilitate voice acoustically and visually in unbounded fashion. It documents how, when, and why the proxy profession employs voice tactically and strategically to fight for human rights. In doing so, it

contends that video's ultimate potential for social change remains a deeply political question implicated in how human rights activism negotiates with institutional logics, professional dynamics, market streams, and geopolitical arrangements to make human rights voices matter.

Together, these chapters highlight the powerful, complicated, and at times problematic dynamics that arise with the new manifestation of human rights video activism as a proxy profession. Even in a digital landscape characterized by the often venerated democratized processes of image production and cultures of circulation, where creative forms of digital activism and social movement media flourish, the broader media–law–society relations continue to provide an important context for examining the power and limitation of human rights video.

