

This PDF includes a chapter from the following book:

# **Seeing Human Rights**

## **Video Activism as a Proxy Profession**

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### **OA Funding Provided By:**

The open access edition of this book was made possible by  
generous funding from Arcadia—a charitable fund of Lisbet  
Rausing and Peter Baldwin.

The title-level DOI for this work is:

[doi:10.7551/mitpress/12244.001.0001](https://doi.org/10.7551/mitpress/12244.001.0001)

## 2 The Salience of Video as a Human Rights Tool

Throughout the twentieth century—from the initial occasional use of film in the 1910s to the steady growth of video in the 1980s—audiovisual evidence has typically been produced by professional authorities, such as law enforcement agents and attorneys, for the purposes of a specific courtroom trial.<sup>1</sup> The use of amateur video recording in the trials of police officers charged with beating Rodney King is perhaps the most well-known case in the United States that precipitated a shift in the role and scope of visual evidence not only in the law but also across journalism, political advocacy, and human rights practice.

From the balcony of his apartment, George Holliday shot a video of Los Angeles Police Department officers beating Rodney King, an African American man, in 1991. The video was widely circulated on mainstream media channels; it led to street riots and brought the policemen to trial (in a district court in 1992 and then in a federal court in 1993 after the initial acquittals of the officers charged and the subsequent riots). The Rodney King incident is central to the founding of WITNESS, whose “About” webpage from 2001 summarized the power of video as a human rights tool: “The lasting impression of the Rodney King beating and the riots that ensued showed the emotional power of the visual: the videotaped images gave the incident impact and immediacy that words could not.” It is precisely this understanding that video communicates and holds emotions differently from written or verbal records that has undergirded its deployment in various activist projects over the decades. The history of video—far preceding George Holliday’s famous recording—is closely linked to democratizing impulses as well as to humanitarian, human rights, and social change discourses.

Video became a prominent activist tool during the social movements of the 1960s around the world.<sup>2</sup> Its early oppositional use in guerrilla television,<sup>3</sup> public-access media movements,<sup>4</sup> video art,<sup>5</sup> and alternative cinema set the tone for its entanglement with transformative language that continues today.<sup>6</sup> The current evocation of the phrase “video revolution” in connection with the proliferation of online video thus mirrors the video revolutions brought about by VCRs in the 1980s and by camcorders in the 1990s.<sup>7</sup> In this sense, Michael Newman argues, “video revolution is a phrase that has endured through decades of media history.”<sup>8</sup> His study of video sheds light on how the conflation of the technology, medium, format, and eventually moving images of any kind under the single term *video* has incorporated many interrelating and distinct video revolutions that have filled various political, artistic, and consumerist needs over the years.

This chapter addresses one iteration of digital video—human rights video activism—for its cultural significance and technological specificity. By discussing the assumptions that drive the import of visual imagery in political engagement, I situate human rights video activism within the rich and diverse cultural history of images for social change, where it has existed as an occupational craft relying on tactics to challenge injustice. I then identify the affordances of video as a unique form of knowledge that account for its rising usage across institutions, where it is becoming shaped by the dynamics of professionalism. Human rights collectives are borrowing differently from the visual-activism tradition and tapping into video’s ability to generate knowledge on its own. By adopting and developing different tactics and strategies, they are professionalizing video activism, helping shape video’s legitimacy as a human rights tool across institutional and legal decision-making contexts, and thus facilitating its ability to serve various policy functions.

### Cultural History of Video Activism

Visual imagery has long constituted a crucial element of endeavors to achieve social change with all of their democratizing, humanitarian, and human rights underpinnings. There are countless examples: political posters, drawings, and etchings about the abolition of slavery in England;<sup>9</sup> photographs of the US Civil War;<sup>10</sup> newsreels of the suffragettes;<sup>11</sup> antifascist posters in Mexico;<sup>12</sup> and socially conscious filmmaking in Russia,<sup>13</sup> to name

just a few. Video activism stems from this long-standing and wide-ranging cultural history.

### The Enduring Political Potency of Images

Today it is taken for granted that images matter politically,<sup>14</sup> but this recognition took a while to crystalize. Because “the study of political communication has often been framed by a narrative in which the image supplants the word,”<sup>15</sup> the development of visual culture as an interdisciplinary area of study has been central in giving images their due consideration. Revisionist research on political history in Europe, for example, addressed the long omission of the visual from studies in political history, documenting how the tradition of posters in England and France is just one acute reminder of how visuals inspired energetic political debates throughout the eighteenth and nineteenth centuries.<sup>16</sup> At times of low literacy rates, the democratizing potential of the visual was rooted in its broad appeal, most notably to those excluded from participation in mainstream politics. It is not surprising, then, that political authorities feared the power of the visual. The posters were so popular as a subject of public discussions on the streets that the French government censored any caricatures of political figures throughout various periods in the nineteenth century and during World War I.<sup>17</sup>

Images were also a central part of parliamentary debates in England on a range of topics, among them the abolition of slavery.<sup>18</sup> The British abolitionist movement is often considered to be the first grassroots human rights campaign, and Sharon Sliwinski shows how this early effort was “a thoroughly visual affair.” William Wilberforce’s second bill on the abolition of the slave trade in front of Parliament in 1792 was structured around the story of a fifteen-year-old girl beaten to death by a slave ship captain. The incident was captured in a hand-colored etching that was later circulated in London’s cafés and pubs. “Wilberforce had learned from his initial political failure,” states Sliwinski. “The first time around, he had relied upon a closely reasoned presentation of facts to persuade the Members of Parliament. The second time, he played directly to sentiment.”<sup>19</sup> This is an early example of a long-running pattern: images are deployed for their presumed political force, which draws largely from the emotions inspired by the visual encounters.

This pattern is also evident in the use of photographs in congressional debates about the US Civil War. For Vicky Goldberg, the first “living-room

war” was not Vietnam; it was the US Civil War, during which the public witnessed mass proliferation of visual imagery.<sup>20</sup> Photographs of prisoners in the Southern camps, known as the “living-skeletons images,” and multiple engravings of these photographs of atrocious treatment, were circulated in newspapers and discussed in Congress. Reports by a congressional committee featured photographs and written accounts to present findings about the conditions in these prisons. Goldberg illuminates how the images were strategically framed as evidence to show that prisoners were dying under terrible circumstances and that the South was intentionally killing them. These photographs also created the context for the Lieber Code of 1863, the first comprehensive attempt to codify norms of war conduct, which later became the basis for international human rights law.<sup>21</sup> The use of these photographs inevitably exceeded the purpose of mere evidentiary display, if such a thing ever existed. After all, the interplay between evidence and emotions is what turns images into particularly valuable tools for witnessing difficult events.

The centrality of images to the cultural manifestation of witnessing as a mode of ethical and political involvement rests on their capacity to generate emotional responses that can seemingly appeal to a larger sense of morality. In the Western tradition, the entanglement of morality with the act of seeing goes back to the Enlightenment philosophy of John Locke, David Hume, Jean-Jacques Rousseau, Adam Smith, and Immanuel Kant in the eighteenth century. For example, instead of defining seeing as a passive experience—a common understanding at the time—Kant argued that the significance of the French Revolution lay in its ability to generate passionate responses in its observers.<sup>22</sup> This engagement could drive people’s capacity to conceive universal ideals, such as democracy and human rights.<sup>23</sup> Western philosophy, then, elevated the spectator’s role, but not without consequences.

Karen Halttunen sheds light on how the conceptualization of ethics vis-à-vis spectatorship, along with the culture of sentimentality prominent at the time, made visual imagery instrumental for the development of Anglo-American humanitarianism between the seventeenth and nineteenth centuries.<sup>24</sup> In the process, she shows how the humanitarian campaigners’ regular use of pictorial depictions of flogging at the time—of African slaves as well as of soldiers, convicts, and mental patients—was an effort to provide a structuring relationship between the seemingly ethical citizen and the victim of violence who was marked as the Other, worthy of sympathy only from a distance.<sup>25</sup>

Images were also important for the emergence of the global human rights discourse as we know it today. The Universal Declaration of Human Rights was drafted in 1948 in the wake of the mass circulation of photographs depicting the horrors of the concentration camps during the Holocaust. A year later, the UN Educational, Scientific, and Cultural Organization (UNESCO) organized a traveling human rights exhibition to represent visually the significance of the declaration. Through the various ways photographs bore witness to human trauma, seeing was again at this time conceived as a moral act of the first order.<sup>26</sup> In this sense, Sliwinski contends, “universal human rights were conceived by spectators who with the aid of the photographic apparatus were compelled to judge that crimes against humanity were occurring to others.”<sup>27</sup>

The examples discussed so far speak about the long-standing political importance of images as a mode of information relay that is complementary to, but different from, words. They also demonstrate how different agents and practices have been vital in kindling the political energy of images as more than just representational devices. Treating images for their fuller epistemological value illuminates how visual politics has been centrally implicated in the complex development of ideals about democracy, humanitarianism, and human rights. It is not surprising, then, that various image-making collectives have also used the power of the visual for activist undertakings.

The interlinking of visual imagery with human rights concerns is evident in the work of Taller de Gráfica Popular (TGP, People’s Graphic Workshop), a print-art collective in Mexico led by Pablo O’Higgins, Leopoldo Méndez, and Luis Arenal. Developed in the aftermath of the Mexican Revolution of 1910, TGP used flyers and posters to empower the silenced voices of the Mexican workers and peasants and to engage local communities in conversations about global politics. The materials often announced workers’ strikes and antifascist conferences. As early as 1938, TGP produced multiple posters and held public lecture series at the Palacio de Bellas Artes in Mexico City that supported the Anti-Nazi League.

In 1943, TGP produced a series called *Libro negro del terror Nazi en Europa* (The black book of Nazi terror in Europe), which included the first known image of the Holocaust outside of Europe.<sup>28</sup> It was Méndez’s renowned linocut *Deportación a la muerte* (Deportation to death) that depicts the horrific moment of deportation to the concentration camps (in the foreground two Nazi soldiers are depicted as they are about to close a train wagon crowded

with people). Michael Ricker further notes that some of the posters warned against Francisco Franco's infiltrators in Mexico.<sup>29</sup> TGP's firm commitment to social justice was evident in its Declaration of Principles (1945): "TGP puts forth constant efforts to make its work beneficial to the progressive and democratic interests of the Mexican people, particularly in their struggles against the fascist reactions."<sup>30</sup>

Due to its ability to bridge sound and image, documentary film has also been burdened with hopes for inducing social change. In the 1920s, Dziga Vertov experimented with film form and content in Soviet Russia, believing that film had a potential to construct a new visual and social reality. With his group Kino-Eye, Vertov shot numerous documentaries in Russia about people's struggles in the civil war, their social problems, and everyday life.<sup>31</sup> Although the documentaries were used to support Soviet propaganda, the thinking underlying this mode of filmmaking illustrates an early effort to mobilize media for social change and to summon socially and politically aware publics through film.

Similarly, for the documentary group led by John Grierson in the United Kingdom in the 1930s—first at the Empire Marketing Board and then at the Government Post Office—documentary film was a vehicle for promoting social policy. For example, *Housing Problems* (Arthur Elton and Edgar Anstey, 1935) is a well-known film from this period about poor housing conditions in Britain. The Gas Light and Coke Company commissioned Grierson's film unit to produce this documentary and to advocate for the use of gas heat and light in modern housing.<sup>32</sup>

The work of TGP, Vertov's *Kino Pravda* newsreel series, and Grierson's documentary group are among many examples illuminating how collective commitments to visual practice as an orientation toward social change took shape around the world. Though different in their technological preference and cultural embeddedness, they all articulated the visual as a meeting point for activism, public dialogue, and policy change. The groups discussed appropriate social topics for visual engagement, the best way to tell a story visually, how to produce it, how to move audiences to take action, and how to circulate the content. They also lectured and published on how the visual arts could serve an instrumental social function. Vertov's Kino-Eye manifesto claimed that camera-mediated vision was capable of illuminating social realities invisible to the naked eye, and social responsibility was considered of the utmost importance for the relevance of documentary

film (for Grierson) and print art (for TGP) to society.<sup>33</sup> These efforts helped shape visual activism as an occupational craft and crystallized the social role of visual activists.

These collectives' views found deep resonance in what later became a media activism movement calling for "a new world image order."<sup>34</sup> The various ways that different groups around the world have taken up this call is a testament to how media activism broadly, and video activism specifically, can operate as an occupational craft that challenges those power configurations that threaten the dignity of individual and social life. Human rights—defined in their full scope as civil, political, economic, cultural, and social rights—have been at the heart of the media activism movement even if they have not always been labeled as such. Furthermore, the media activist craft has relied on a repertoire of tactics to expose injustice and to seek change. Creative, dispersed, fragmented, or organized, such tactics indicate schemas of action that activists develop to demand social change and human rights.<sup>35</sup> Visual practices are just one instantiation of this action.

### Diverse Media Activism Streams

UNESCO's debate on the New World Information and Communication Order in the late 1970s and early 1980s and its culmination in the controversial MacBride Report, *Many Voices One World*, is often considered the origin story of media activism.<sup>36</sup> The report was a first policy attempt to articulate the imbalances in the communication flows between the Global North and Global South (and within the Global South) and to argue for international media democracy reforms. As a result of its broad concerns with the redistribution of communication power, the MacBride Report became the starting point for debates about the role of what was variously labeled as radical, alternative, grassroots, tactical, and citizen media.<sup>37</sup>

Guided by the premise that community empowerment through direct participation in the media system is fundamental to media democracy and a healthy body politic,<sup>38</sup> media activism took various shapes and forms: video activism, media for social change, public-access television, independent press freedom, and cyber activism, among others. Since then, there has been an expansion in the entanglement between global activist movements and visual media in their multiple manifestations.

Video specifically has been framed within liberating and democratizing impulses since the late 1950s. The rise of video in the United States



was assumed to disrupt mainstream visuality or “to subvert the system that brought the Vietnam War home every night.”<sup>39</sup> Just as the French New Wave was a reaction to Hollywood filmmaking, the video movement in the United States was in part a response to the dominance of commercial television.<sup>40</sup> Newman argues that until the late 1990s, “in popular imagination, video was figured as the revolutionary solution to . . . the sense of television’s economic and ideological power over its audiences and the society it was understood to be shaping.”<sup>41</sup> In this sense, video—documentary, installation, and performance—was initially conceived as a prominent tool for social change, blurring the distinctions between journalism, art, and activism.<sup>42</sup>

Thomas Harding and Alan Fountain link the growth of video activism around the world with (1) the social movements of the 1960s and 1970s, including the feminist movement, Black activism, LGBTQ rights, labor movements, antiwar protests, antinuclear organizing, and student movements; (2) the failure of mainstream media to provide appropriate coverage of oppositional movements; (3) aspirations to democratize participation in the media space; and (4) an increased availability and affordability of video cameras.<sup>43</sup> John Downing sees video activism developing simultaneously in so-called First and Third World countries, whether “empowering low-income inner-city communities” in the United States or “combating communalism in India.”<sup>44</sup> The Self Employed Women’s Association in India, for example, has been working with video since the early 1980s to educate and empower poor (and often illiterate) women on socioeconomic issues pertinent to their lives.

On the non-Western front, Cees Hamelink’s call for development initiatives to “move from strategies of giving voice to the voiceless to strategies by which people can speak for themselves” was answered in part by Indigenous communities around the world, who actively engaged in video production.<sup>45</sup> The Indigenous media movements in the Americas, Canada, Australia, and New Zealand thus underscore important cultural and political agency.<sup>46</sup> For example, video making has been a political project in Brazil that helps mobilize publics to react to various corporate and state interests that violate Indigenous rights and ways of living.<sup>47</sup>

In the United States, the video activism movement also took the identity of guerrilla television producers and community video advocates.<sup>48</sup> *Radical Software* and *Guerrilla Television* were the two magazines that served as manifestos for alternative television, calling to open the medium for alternative

voices and visions that radically disrupt the style of corporate television. Community video advocates were interested in community organizing as a means for social change. Their primary goal was to show the videos in and to the communities directly affected by the depicted issues.

The Alternative Media Center in New York City, founded by George Stoney and Red Burns and setting the grounds for the Interactive Telecommunications Program at the Tisch School at New York University, is an important collective for this history. It promoted the use of affordable and easily accessible video technologies to produce and distribute socially conscious documentaries. In addition to training activists in video making for social change, the group also played a significant role in forming public-access cable television—a noncommercial system where the general public, media collectives, and activist groups could create content to be shown on cable television channels. Other collectives also established community television networks, such as the noteworthy Paper Tiger Television and Deep Dish Satellite Network, which were central to the public-access media movement in the United States.<sup>49</sup>

Although public-access television had democratic potential, it suffered from limited financial resources to produce and distribute content at scale. It is not surprising, then, that in the late 1990s video activists fully embraced the web's ability to serve as a platform for seemingly free storage and circulation of content. The antiglobalization protests in Seattle during the World Trade Organization Ministerial Conference in 1999 set a new benchmark for the global video activism movement. The merger of cyberactivist culture and video activism foreshadowed many contemporary video practices. Activists used the networked environment to create video archives, develop peer-to-peer file-sharing sites and interactive interfaces, and support video collaborations around the world.<sup>50</sup>

The Independent Media Center, known as Indymedia, grew out of the protests in Seattle and became a vital media platform for the global justice movement.<sup>51</sup> Since then, it has operated in more than 150 locations, including Canada, Mexico, the Czech Republic, Belgium, and South Africa. It evolved into a global network of activists and journalists reporting on stories ignored by corporate media. It was among the first innovative digital-media spaces where people could upload and download videos, read reports, click links to other materials, and have access to the website at any time. Other digital-media collectives working under the ethos of open

publishing and Creative Commons licensing at the time included the New Global Vision Project, Vision Machine, Undercurrents, and OneWorld TV.

As Dorothy Kidd documents, the participatory ethos embraced by the global justice movement, the student and New Left movements of the 1960s, as well as the Zapatistas in the 1990s can be traced forward to more recent social movements such as Occupy, whose vision of direct democracy has been enacted through democratic communications.<sup>52</sup> The standards that Indymedia and other activist groups set in participatory culture about the use of affordable and accessible technologies, open access, and easy display, sharing, and commenting on video content seem common today, but they were groundbreaking at the time.

Corporate social media platforms are arguably imbued with this underlying activist logic of the past. Yet even as activists from around the world have migrated to platforms such as Facebook and YouTube, these platforms are becoming less hospitable to activist content. Zeynep Tufekci argues that terms-of-service agreements and black-box algorithms reflect a mix of commercial, legal, and ideological choices made by each particular corporate platform that can silence activist voices.<sup>53</sup> The examples are numerous. In September 2020, Facebook suspended the accounts of more than 200 Indigenous activists protesting the construction of the Coastal GasLink pipeline in Canada that would cut through the Wet'suwet'en Nation's territory.<sup>54</sup> In May 2020, Syrian Archive discovered that more than 350,000 videos had disappeared from YouTube, including videos of aerial attacks, protests, and destruction of civilian homes in Syria. The rate of content takedowns at YouTube has increased by 20 percent from the previous year.<sup>55</sup> The frequency of these actions impacts human rights activism and the preservation of what could be potentially valuable video evidence in human rights investigation and litigation. This development is important because the International Criminal Court and internationally mandated investigations do not have the legal power to compel evidence from private companies outside their jurisdiction.<sup>56</sup> This is why, as discussed in chapter 1, human rights collectives like Amnesty, Berkeley's HRC, HRW, Syrian Archive, and WITNESS have started advocating for policy changes and best practices that preserve online content that is of potential use as evidence. Meanwhile, human rights activists on the ground are learning how to navigate the challenges of the corporate online environment.

### Video Activism as a Set of Values

This cultural history—though by no means exhaustive or representative of video activism’s full geographical diversity—helps situate video activism within the long-standing political use of images and as part of the diverse media activism streams manifesting globally. In other words, this brief overview sheds light on the enduring belief that there is something powerful about the infusion of the visual with ethics and politics, which activists can tap into as part of their fights for social change and human rights. In this context, video activism has embraced four key values that characterize it as an occupational craft. This interrelated set of values also underpins the visual practices of various human rights collectives today.

First, video activism has been perceived to serve an important public function, intervening in public dialogue on pressing cultural, social, economic, environmental, and political issues. Second, video activism has assumed open and collective participation in media making. Whether fostering identities, creating a sense of community, or aiding engaged citizenry, video has developed a strength that rests in the collectives that produce and use it. Third, video has been thought of as an activist platform for alternative vision and voice. And fourth, video activism has strived for democratic engagement where emotions matter.

The public function of video activism is illustrated well with the vested belief that video can intervene in discussions of utmost societal importance. The availability of public funding for video projects historically helped bring forth this notion in the United States. For Martha Gever, video, “conceived and nurtured in the public sphere, . . . would not [have] survive[d] without public patronage, public TV, or other public institutions.”<sup>57</sup> The National Endowment for the Arts, the National Endowment for the Humanities, state arts and humanities councils, nonprofit media centers, and university programs were the first supporters of video projects. As video became ubiquitous, the funding streams diversified. Yet even as video now serves numerous interests and needs, its long-presumed public function remains significant for human rights activism.

Human rights collectives have embraced video’s presumed public function. For example, Amnesty’s Digital Verification Corps program and Citizen Evidence Lab, discussed further in chapter 3, are public initiatives dedicated to video-verification training, skills, and resources. In the words of the

program's manager Sam Dubberley, "We see [the program and lab] as a public good. We want [them] to be a public good that can benefit human rights and journalism going forward."<sup>58</sup> Amnesty has seven university partners for video-verification student training, echoing the assumed role of public universities in nurturing video's capacity to contribute to societal good.

Over the past several years, HRW has undergone a significant shift in organizational thinking, trying to reach broader publics, not just journalists, policy makers, and other institutional stakeholders—discussed further in chapter 5. The newly established HRW Public Engagement and Campaigning Unit is a direct result of this change, and video is front and center in these efforts. "How do you do something without a video? There's no report that gets released now that doesn't have a video attached to it. I don't think we've ever done a campaign without a video or at least a motion graphics," said Liba Beyer, campaign director at HRW.<sup>59</sup> The underlying logic is that video can serve public interests in promoting human rights values better than other communication tools can.

Video activism is also a collective endeavor. Participating in video production has often been understood as a process through which diverse populations negotiate and assert their cultural identity in the public sphere.<sup>60</sup> According to Clemencia Rodríguez, video making can facilitate "processes of identity deconstruction, personal and group empowerment, demystification of mainstream media, reversal of power roles, and increasing collective strength."<sup>61</sup> Video can thus structure democratic power not just as voting and protests but also as experiential learning and involvement. In this spirit, David Whiteman proposes a coalition model for evaluating the political impact of the documentary genre and, by extension, of video activism.<sup>62</sup> His model takes into account the entire video-making process and moves beyond the focus on individual behavior to look instead at the horizontal structures and networks affected by the issue at hand. Video's strength is in the collective, which gets transformed as part of the broader processes of production and distribution.

When asked why WITNESS defines video as a democratic tool, a former staffer responded, "Because it is a tool that is participatory,"<sup>63</sup> thus echoing the long history of video activism. Similarly, Oren Yakobovich, a cofounder of Videre est Credere, contends that "the most effective way to create a social change is to work within the community."<sup>64</sup> His group has been working with and supporting activists around the world in predominantly

rural areas on how to use video for human rights. Contrary to other human rights collectives, most of Videre's work is undercover, or not disclosed publicly, for security reasons, with activists using custom-made hidden cameras to document rights violations. Even in this clandestine context, the community involved is seen as the key ingredient to video's political impact.

Forensic Architecture is also relevant to this discussion. It has been a pioneer in open-source investigations since its founding in 2010 as a research agency at Goldsmiths University of London. Its investigative work involves videos, satellite imagery, three-dimensional scans, nanotechnology, and other material objects to detect *violence at the threshold of visibility*.<sup>65</sup> Much of that work is centered on gathering and verifying videos and other open-source data to deconstruct scenes of violence. Although many of these videos are shot by individual people on their cell phones, the collective remains vital even as its role is changing. Eyal Weizman, the organization's founder, argues that "verification relates to truth not as a noun or as an essence, but as a practice, one that is contingent, collective, and poly-perspectival."<sup>66</sup> Typically, verification has been associated with scientific and political authorities.<sup>67</sup> Forensic Architecture tactically opens it up as a practice that accommodates "seemingly incompatible institutions and forms of knowledge" in the collective pursuit of human rights truths.<sup>68</sup> Forensic Architecture's human rights investigations incorporate activist tactics and institutional strategies that bridge the domains of art and science to conduct media and spatial analysis, to develop three-dimensional architectural models, and to collect eyewitness testimonies. Even as video practices evolve, collective participation remains at the center of what constitutes video's perceived power as a human rights tool.

Directly related to video investigation as a collective human rights practice is the emergence of open-source verification as a form of both citizen science and data activism. This development is evident in Amnesty's Decoders Project. Scott Edwards of Amnesty's Crisis Response Team distinguishes between crowdsourcing—wherein the public volunteers information over a digital platform—and social computing—wherein Amnesty sends out a request for a specific verification task to hundreds of volunteers.<sup>69</sup> Input is used when it is confirmed statistically or through consensus within the network or both. Decode Darfur is one such project carried out in 2016, with 28,600 volunteers helping Amnesty map villages in Darfur attacked by the Sudanese government and its allied militias. In his analysis of three

Decoders projects, Jonathan Gray shows how Amnesty is fostering a space “for the collective articulation of experience and emotion, not just the instrumental production of evidence.”<sup>70</sup> Echoing the values of video activism, such projects demonstrate how the strength remains in the collective that works with video and other data to uncover human rights violations.

From an activist perspective, related to video’s public function and collective potency is its ability to generate and nourish alternative spheres of public discourse. Video has long been situated against the mainstream in terms of both aesthetics and content. In terms of aesthetics, early experiments with video discarded the look of cinema, refused the perceived authoritative narration in television, embraced hand-held video making, and strived for raw immediacy. In addition, video has always been a relatively cheaper technology, easier to handle, and more readily available to diverse groups. In terms of content, it has been thought of as an activist platform, facilitating the articulation of voices excluded from public dialogue. Video activism has historically been a way to claim voice in order to raise awareness and generate discussions about wide-ranging issues ignored by the mainstream—disarmament, environmental crises, homelessness, AIDS, LGBTQ, Black and Indigenous rights, to list just a few. Video has thus been seen as an activist tool that can extend the spaces and discourses that promote democratic and human rights values.

Madeline Bair, formerly Media Lab manager at WITNESS, attests to what is now a widely accepted notion that video “is becoming democratized because of greater access to cameras, because of greater access to [the] internet, and because of the ability for anyone with video to upload it on YouTube or Facebook if they have access to the internet.”<sup>71</sup> The greater availability of raw footage online has facilitated the rise of open-source human rights investigations. Robert Trafford, a researcher at Forensic Architecture, sees open-source video as an equally seminal or defining moment for human rights practice today as the rise of witness testimonies in the post-World War II moment. “We [at Forensic Architecture] think about open-source evidence . . . [as] a response to the mediatization of conflict.”<sup>72</sup> The more videos there are of the same incident, the more ground-level perspectives there are to help establish relations between those present at the scene. In other words, the multiplicity of video voices aids the deconstruction of histories of violence. Forensic Architecture has also actively sought to extend the spaces for human rights practice, presenting its work in the media,

courts, truth commissions, art galleries, and museums. In the process, this collective reintegrates the science and aesthetics of human rights facts—established through open-source analysis—into important contexts from which they routinely get separated.<sup>73</sup> The subjective and situated perspectives provided by multiple videos of a particular scene of violence are analyzed and corroborated using artistic and scientific techniques in an open and transparent manner that documents the process of producing human rights facts.

Video's function as a platform for alternative voice and vision reverberates in the work of other human rights collectives as well. Syrian Archive is a Berlin-based collective of activists and archivists who work on open-source human rights investigations in Syria. The work centers around the collection, verification, documentation, and analysis of online imagery from the Syrian conflict uploaded on social media platforms. Key here are Syrian Archive's efforts to preserve the otherwise ephemeral quality of these human rights videos by storing the footage in ways that could aid future judicial processes for justice and accountability in the region.<sup>74</sup> Video archiving indeed has a long presence in the activist community as a practice that preserves voices excluded from institutional archives and histories, as in the notable cases from the feminist, LGBTQ, and AIDS movements.<sup>75</sup>

In addition to its public, collective, and alternative functions discussed thus far, activist video has promoted democratic models in line with Chantal Mouffe's notion of passionate engagement. In her view, "the prime task of democratic politics is not to eliminate passions from the sphere of the public, in order to render a rational consensus possible, but to mobilize those passions towards democratic designs."<sup>76</sup> Privileging visuality, voice, and emotional engagement as grounds for social critique, video activism has positioned itself in sharp contrast to normative models of deliberative democracy. Its users have instead envisioned democracy and rights as a set of ongoing critical practices that people endorse in their daily lives.

Various human rights collectives have increasingly embraced video's entanglement with the emotions. Emma Daly, communications director at HRW, walked me through the video *You Have the Right to Remain Silent—California Bill Strengthens Miranda for Kids* from 2016 as a successful example of video advocacy. HRW's team organized a screening of this video for politicians to get the necessary votes to pass a California Senate bill requiring consultation with a lawyer before anyone younger than eighteen can waive



their Miranda rights and be questioned. The key component of the five-minute video is footage of a police interrogation of a thirteen-year-old boy.

In one memorable moment, a police officer tells the boy, “Right now you’re just a big, f\*\*\*\*\* liar. A big, cold-blooded killer.” In a different segment, the same officer tells the boy, “Your mom was just telling me about your three sisters. You know, she’s telling me about your dad, how he’s schizophrenic, and she was telling me about your problems.” Although the boy’s face is pixelated for privacy protection, the viewer can see him leaning toward the table, covering his head and crying out loud (figure 2.1).

In another scene, the boy tells his mother as she walks into the interrogation room, “I’m gonna be straight up with you; I wasn’t there.” In a crying voice, he continues, “They told me that if I don’t say that I did it that they were going to tell the judge that I’m a cold-blooded killer, and I’m gonna get more time.” The footage is contextualized with testimony from the mother as well as expert testimonies from an HRW senior advocate, a law professor, and a former probation chief, all of whom explain how police can use psychologically coercive techniques with children to detrimental consequences. In this case, the boy confessed to a murder he did not commit and spent three years in prison until a court reversed the decision. The tactical interplay between the emotions and policy-relevant information is



**Figure 2.1**

Screenshot, *You Have the Right to Remain Silent—California Bill Strengthens Miranda for Kids*, HRW, August 17, 2016, <https://www.hrw.org/news/2016/08/18/us-california-bill-protect-youth-miranda-rights#>.

what turns this video into such a compelling case for human rights advocacy. The video footage of the police interrogation exceeds the functions of an evidentiary display. It brings emotions to institutional decision making in order to get a law sponsored by HRW passed.

This cultural history of video activism illuminates how human rights activist undertakings in their aspirational and idealized forms have multidimensional goals and are a direct response to the perceived failures of cultural, social, journalistic, economic, political, and legal mechanisms to bring justice to the world. In this context, video activism operates as a corrective to the system that shapes social life. Human rights concerns—even if not always called by this name—linger throughout this history.

As information is the backbone of human rights activism, communication tactics have been among the strongest and oldest activist weapons: “the art of the weak.”<sup>77</sup> The persistence of specifically visual modes of communication speaks to the long-assumed centrality of the visual in providing the grounds on which public critique emerges. For Luc Boltanski and Eve Chiapello, “the formulation of critique presupposes a bad experience prompting protest, whether it is personally endured by critics or . . . roused by the fate of others. This is what we call the source of indignation. Without this prior emotional—almost sentimental—reaction, no critique can take off.”<sup>78</sup> They identify two levels in the expression of any critique: the domain of the emotions, which can never be silenced, and the domain of theories, arguments, and reflections, which voice and translate indignation into critical frameworks that signpost pathways for social change. When operating as a critical force, activism seeks to connect the personal and emotional experience with human rights values broadly conceived to sustain struggles for public good. Video has endured as an important activist tool precisely because it has been understood as a unique public and collective platform for alternative voice and vision that can communicate indignation as part of a larger critical framework.

This brief overview underscores how efforts to use visuals for human rights and social change have always been shaped by technological developments, patterns of cultural belonging, political commitments, aesthetic visions, and practical necessities. Whether we conceptualize visual activism as a project with political intentions, an ongoing intervention in public dialogue, or a call for direct action,<sup>79</sup> this brief cultural history highlights how visual communication in its various permutations has been given the

burden of forming or restoring democratic principles, mobilizing publics, providing evidence, generating moral response through emotional engagement, affecting social change, and advocating for human dignity. This persistent interlinking of the visual with ethics and politics since the seventeenth century demonstrates the often understated relevance of visual imagery to traditional notions of good communication and civic engagement. It also shows how the different iterations of video are a cultural extension of wide-ranging and long-standing visual practices. Because activists were among the first to use video in this context, they helped form cultural expectations that video is a technology and a medium of social upheaval and transformation that generates knowledge on its own terms.

### **Video as a Unique Form of Knowledge**

The second half of the nineteenth century saw a profound change in the materiality of communication. According to Friedrich Kittler, the various instantiations of writing as the dominant medium of communication were supplemented by technologically driven systems of writing: the phonograph and the cinematograph brought novel ways of experiencing sound and sight. These new forms of media transformed thinking about information storage and transmission because both the phonograph and the cinematograph were far more unselective description devices than writing.<sup>80</sup> Following Kittler, Amit Pinchevski contends that these new devices could capture “the intentional together with the unintentional, the data and the noise, indiscriminately as they come.”<sup>81</sup> In other words, for Kittler and Pinchevski, modern technological media and psychoanalysis have comparable logics through their capacity to inscribe deliberate and unintended traces of the past: the psychic has been informed by the technical. The phonograph, for example, could capture speech as well as the silences and pauses that inform psychoanalytic theories.

Pinchevski extends this reasoning to video, arguing that the technological apparatus of this electronic medium—its simultaneous inscription of sound and moving images—rendered trauma and testimony meaningful within scholarship and practice in psychoanalysis and the humanities in the latter half of the twentieth century. According to him, “It is only with an audiovisual medium capable of capturing and reproducing evidence of

the fleeting unconscious that a discourse concerned with the unarticulated traumatic past becomes intelligible."<sup>82</sup> By means of Kittler's definition of recording, processing, and transmission as the three elementary functions of media, Pinchevski contends that trauma theory is centrally connected to how video performs these media tasks. The difficulties of bearing witness experienced by Holocaust survivors were captured on videotapes that clinicians, historians, and literary scholars could repeatedly watch and analyze.

In other words, the affordances of video as a technology—its ability to record, process, and transmit cognitive, affective, and sensory information that may not be available to store otherwise—make it a unique mode of knowledge. Video can record what exceeds human perception in the moment and transfer it across time and place. Here Walter Benjamin provides an important historical context. For him, the transformation of art through technological reproducibility facilitated different experiences. Photography and film, for example, transformed human perception. These new cultural forms had unique affordances ripe for political engagement.<sup>83</sup> The ubiquity and affordability of video today take Benjamin's arguments even further.

Through its electronic infrastructure, video has been able to provide a distinct knowledge of particular value for developing theories about trauma and testimony. This knowledge has also been of central importance to human rights practice, where it is assumed that video's communicative power rests on its ability to hold emotions differently from words. When asked whether there is anything unique about video, a senior program manager at WITNESS iterated a common response. For Priscila Neri, video is "able to literally bring the voice of that person who is directly affected [by a human rights violation] face to face, in a way, with the judge or with the judges [or the policy makers]. [This] is something that photography can't do, for example, and is something that other mediums can't do as effectively because we're hearing the person's voice, we're seeing the person's face. I have a colleague who always says, 'Video puts human in human rights,' if it's done ethically."<sup>84</sup>

Video's role at the Fortunoff Video Archive for Holocaust Testimonies at Yale—which Pinchevski examines—reverberates in Neri's statement. Implicit in her reflection is the idea that expression, tone, gesture, emotions, and silence, which inevitably accompany any testimonial act, matter as much as the content of the speech.<sup>85</sup> Video can also help create witnessing publics for

human rights testimonies even in policy-making settings. It is appreciated as a record that inscribes indiscriminate traces of a human rights testimony that demands to be heard and seen in its full complexity—which is key to video’s perceived transformative power as a human rights tool.

The digital infrastructure of the current iteration of video brings about additional possibilities for information storage and transmission. As a digital medium, video today can be considered alongside bulk data-collection technologies because it records indiscriminately not only light and sound but also metadata: data about the digital file itself, such as date, time, and GPS coordinates of the place of recording.<sup>86</sup> Video as data can be and is increasingly used in surveillance programs, but it can also be of immense value to human rights practice. When available, the metadata are helpful for open-source investigations because they help establish the authenticity of the video. Human rights collectives have been working on smartphone apps that strengthen the reliability of human rights videos by boosting the capture of metadata such as velocity information and surrounding Wi-Fi networks, among other data, as in the case of WITNESS’s Proof Mode and the International Bar Association’s eyeWitness to Atrocities apps discussed in chapter 4. Video is therefore a technology that affords the concurrent processing of audio, moving images, and metadata, which makes it a unique mode of knowledge production that is gaining in relevance across institutions and among human rights collectives.

Trafford told me, “My working life at Forensic Architecture has been a process of finding out that there is always more in a video than you think there is. . . . There is always a phenomenal wealth of information within a video, and that goes not only to what is within the frame but [to] how the frame moves.”<sup>87</sup> Video affords simultaneous recording, storage, and transmission of visual data, sound, placement, movement, perspective, and metadata, which is crucial for its unfolding role and scope in human rights investigations. This is why there is an understanding that video captures information that may be overlooked at first viewing but is essential to deconstructing scenes of violence.

Forensic Architecture, for example, analyzed footage from multiple closed-circuit television (CCTV) cameras and police audio recordings to deconstruct the killing of Pavlos Fyssas in Greece in 2013 by the neo-Nazi political party Golden Dawn, which had representation in the government and silent

police support. Since the 1980s, Golden Dawn has been committing various acts of violence against migrants, ethnic minorities, and political opponents, but these acts have rarely been investigated by the government. In the case of Fyssas, his family commissioned Forensic Architecture to reconstruct the murder based on materials available to the Greek court. As part of the investigation, Forensic Architecture synchronized footage from multiple CCTV cameras in the vicinity of the crime scene and plotted the movement of people and vehicles between frames in a three-dimensional model (figure 2.2).

Forensic Architecture was in this way able to establish that members of Greece's elite special police forces were present at the scene of the murder and failed to intervene. The investigation itself was recorded on video and presented at several public exhibits and the Athens Court of Appeal. The example illustrates how human rights video is becoming legitimized as a unique mode of knowledge across institutional and legal contexts, which in turn drives video's capacity to serve diverse policy functions.



**Figure 2.2**

CCTV footage analysis, *The Murder of Pavlos Fyssas*, Forensic Architecture, September 21, 2018, <https://forensic-architecture.org/investigation/the-murder-of-pavlos-fyssas>.

## The Policy Functions of Human Rights Video

Human rights collectives describe video as a powerful tool for communication and investigation. They claim that video provides a deeper insight into the realities on the ground, that it gives the feeling of context, and that it conveys meaning in ways words alone would be unable to do. By embracing the values of video activism, human rights collectives have put video to different uses in policy making. Human rights videos thus serve numerous policy functions: setting an agenda; providing medium and content for policy debate; serving as legal evidence; facilitating legal argument; serving as a forensic tool and record; supporting the legal process; providing a means of legal education; and establishing communications that influence how people understand the nature of rights.

Online video footage from Syria has played an important agenda-setting role across the news media, triggering UN investigations, congressional hearings in the United States, and parliamentary discussions in the European Union. Human rights collectives and their investigative work have figured prominently in this development. For example, for a report titled *Eyes on Aleppo*, Syrian Archive analyzed 1,748 videos from social media documenting potential human rights violations in Aleppo between July and December 2016.<sup>88</sup> The visual data set supports findings by Bellingcat, Amnesty, and the Independent International Commission of Inquiry on Syria. HRW reports on coordinated chemical attacks in Aleppo also cited online videos preserved and verified by Syrian Archive.<sup>89</sup>

Human rights video can provide a medium and content for policy debates. As mentioned earlier, HRW used footage from coercive police interrogation for its advocacy video *You Have the Right to Remain Silent*, screening it to state senators to ensure that a bill would pass to guarantee that no one younger than eighteen could waive their Miranda rights without the presence of a lawyer in California. In another effort, HRW organized a campaign with twenty other organizations in the fall of 2018 around a short video urging the Greek government to transfer asylum seekers from the Aegean Islands to a more appropriate winter location on the mainland. HRW did successful microtargeting on social media over the course of a week during the convening of EU heads of states.<sup>90</sup>

Video is important for policy making because it can serve as legal evidence and facilitate legal arguments. Both of these functions were important

in a case in front of the ICC in 2016, *Prosecutor v. Ahmed Al Faqi Al Mahdi* (ICC-01/12-01/15), involving crimes against cultural heritage. The investigators incorporated satellite images from Google Earth, YouTube videos, and other open-source information, turning *Al Mahdi* into the first international criminal case to rely heavily on such materials.<sup>91</sup> Situ Research, a design studio in New York City, helped create an interactive digital platform “to facilitate the organization, analysis and presentation of evidence documenting the destruction of cultural heritage in Timbuktu, Mali.”<sup>92</sup> The platform comprised videos that were used for their evidentiary role. In line with the standard set for the use of video evidence at the ICTY, because there was no indication of fraud, the prosecution did not take any extra steps to verify the footage other than ascertaining the date, time, and location.<sup>93</sup> Such use shows the elevated role of video in legal contexts. The interactive digital platform also assisted legal argumentation in the courtroom. Lindsay Freeman of the ICC’s Technology Advisory Board explains that “because they [the judges] were dealing with so many different locations, the interactive platform presentation assisted [them] in seeing what occurred at each and every one of the relevant locations.”<sup>94</sup> The platform, then, was not shown for evidentiary purposes per se, but it was deemed relevant for constructing legal arguments.

Video can also support the legal process, when, for example, witnesses testify via video link in court, a practice in use at the ICTY. In addition, digital video can serve as a forensic tool and record when an analysis is performed on the video itself (e.g., geolocation, call sequences, visual augmentation). Forensic Architecture’s analysis of the CCTV footage used in court in Greece is just one example of how video can perform the function of forensic evidence.

Human rights collectives have also turned to video to provide a means of legal education and communications that influence how people understand the nature of rights. Amnesty, HRW, and WITNESS, for example, have been investing in various “know your rights” videos. These short videos range from a broad overview of what human rights are to more specific topics such as immigration rights. WITNESS has produced training videos on how to document encounters with police and Immigration and Customs Enforcement agents in the United States. It has also partnered with the American Civil Liberties Union on “know your rights” training, with WITNESS leading the video component, which includes risk assessment and



digital security for community members and video-evidence protocols for lawyers.<sup>95</sup>

The institutionalization of video as a distinct mode of knowledge across journalistic, legal, and political advocacy domains drives human rights video's ability to perform multiple policy functions. To survive in these environments, however, human rights video needs to be connected to professional power and authority. Human rights collectives are thus seeking to professionalize human rights video activism by developing tactics and strategies to play into institutional and legal settings while embracing the values long associated with video activism.

### The Professionalization of Human Rights Video Activism

The secularization of knowledge promoted by Western permutations of modernity gave rise to a type of formal specialized knowledge characterized by rationalization and distinct from everyday tacit knowledge. As one instantiation of this kind of modernity, professionalization provides agents of formal knowledge with a livelihood and access to social power.<sup>96</sup> Silvio Waisbord defines "professionalization as a process by which occupations claim jurisdiction over a field of practice."<sup>97</sup> The path toward professionalism, states Philip Elliott, is a process "through which the knowledge available to society is developed and used in the performance of specialized tasks."<sup>98</sup> Professionalization therefore facilitates both the emergence of an occupational practice that receives monetary compensation and the formation of a set of specialized knowledge and skills through which the occupation attains social recognition and status.

The title *profession* is a changing historical concept whose origin Eliot Freidson locates in the industrial nations influenced by Anglo-American institutions.<sup>99</sup> Modern professionalism developed as a direct consequence of Western industrialization and urban growth.<sup>100</sup> In the nineteenth century, professionalism was a way for the newly formed middle-class occupations to claim recognition on the level of the previously regarded gentlemanly status and to secure a place in the economy.<sup>101</sup>

Although professionalization indicates autonomy in the development and application of formal knowledge, the rise of professions has depended in part on the market economy.<sup>102</sup> Professionalization is a logic that needs institutions to provide economic support for and to enable the occupational

control of work.<sup>103</sup> It is a cultural phenomenon rooted in capitalist economic philosophy.<sup>104</sup> The emergence of professional authority through the development of standards, procedures, certification, and ethical codes of behavior upholds the occupational practices that underlie that authority and its claim to knowledge in an institutional context.

Social movements of the 1960s posed serious challenges to institutions and their professions in the context of capitalism. The critique of this system condemned institutional hierarchies, called for professional autonomy, and denounced the division of labor as alienating and constraining.<sup>105</sup> Rather than undermining the system, however, these movements gave new flavor to capitalism and the institutions sustaining it. Boltanski and Chiapello show how the critique was partially answered and incorporated in a new spirit of capitalism that now emphasizes flexibility, mobility, engagement, and innovation. They claim that in this process “the ‘peculiarity of human beings’ has changed: reason in the 1960s versus feelings, emotion and creativity in the 1990s.”<sup>106</sup>

These new institutional circumstances have urged professions to adapt to the new spirit of capitalism. A university degree or a professional license, for example, is a minimum but not sufficient criterion for employment. Communication skills, creativity, empathy, and the ability to work on multiple projects simultaneously are frequently listed under desired qualifications. On one hand, this development suggests how professions employ strategies and tactics to survive in institutional contexts on a fundamental level. Michel de Certeau argues that scientific rationality is constructed on a strategic model par excellence.<sup>107</sup> Computer scientists, for example, learn to apply these strategies in their work, but when they seek out employment, they turn to tactics that enable them to claim and apply the new sets of qualities desired for the job. On the other hand, this development shows how rationalization is no longer the sole structuring mechanism of formal knowledge. The so-called irrational qualities that Western modernity discarded, such as emotion, intuition, and imagination, are now gaining social currency and generating the possibilities to professionalize and institutionalize differently various forms of knowledge than were previously available, among them video.

Visual forms of knowledge production, with their appeal to emotion, imagination, and memory, have long been central to humanitarian and human rights activism, as discussed in this chapter. Human rights collectives

situate themselves as part of this global human rights activist tradition. Through their NGO status, they are well positioned to claim the knowledge provided by video as their own, establishing and promoting visual proficiency and skills that are pertinent today. The employment opportunities provided through the organizational structures of these collectives sustain human rights video activism economically and provide a place from which to assert responsibility for video as a unique form of knowledge. The professionalization of human rights video activism is therefore a way of claiming control over the use of video as a human rights tool across policy-relevant contexts.

Professionalism is a dynamic process that can be facilitated by institutional changes that demand functional specialization.<sup>108</sup> As institutions evolve and interact, they need professionals to address emerging sets of specified problems. Advocating for social change and achieving human rights have always been a part of video activism. However, the development of ideals and practices delineating how human rights video can count as formal knowledge is facilitated by a new institutional moment: journalistic, judicial, and political advocacy domains have turned to video on their own out of necessity and are seeking to expand their professional projects to accommodate it. Human rights collectives describe the perceived need for their skills and services by explicitly referencing this development:

If you think about a protest situation—which is how we began working on this issue in Brazil—at the creation point [of the video], you could have the mainstream media . . . you could have citizen witnesses, media activists, accidental witnesses, a whole host of different profiles, which bring with them specific challenges and strengths. Then, at the second stage—What do you do with that footage? How do you store it? Who do you send it to?—there [is] another host of profiles. You have media channels that could broadcast the footage. You have lawyers and judges who could interpret the footage. You have archivists who could store it. So we mapped all of that, and we have specific partners who represent all of these stakeholders, and what we are trying to offer is the specific support that the specific partner needs.<sup>109</sup>

This observation suggests that the professionalization of human rights video activism is seen as a critical intervention in the broad human rights landscape, ensuring that the status, importance, and benefits of the knowledge provided by video are being used for public good.

For Magali Larson, professionalism “must gain support from strategic social and political groups.”<sup>110</sup> The points of convergence among journalistic,

judicial, and political advocacy contexts in connection to human rights video—addressed in the subsequent chapters—have created the complicated and multivalent institutional locus supporting the professionalization of human rights video activism. In other words, the new institutionalism resulting from the unfolding prominence of human rights video provides strategic basis for the professionalization efforts. By developing tactics and strategies that give rise to methodologies and standards for video production, investigation, and verification, human rights collectives lead the efforts to professionalize the practices central to video activism. They thus place themselves as visual specialists at times when these skills are needed across the institutional calculus that renders human rights claims legitimate. Amnesty, HRW, WITNESS, and other human rights collectives not only produce and analyze videos but also train others, contributing to an increasing specialization and diversification of practices in video making for human rights and social change.

Freidson describes professions as phenomenological in character.<sup>111</sup> Any claim to professionalism includes normative ideals and evaluative judgments, yet professions cannot be explained normatively. He maintains that they are best understood by looking at how particular occupations aspire to professionalism: what activities they undertake and to what consequences. In the subsequent chapters, I describe the strategies and tactics through which human rights collectives delineate their visual work as sufficiently specialized and distinct from long-standing modes of video making. I argue that the aspiration to professionalism is a way of coexisting better within and alongside the institutional and legal environments that have now recognized the value of video. These efforts result in a proxy profession that legitimizes the capacity of human rights video to serve diverse policy functions while brokering activist and public voices in journalism, the law, and political advocacy.

