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Human Rights, Culture and Media

Kate Nash

Introduction

Human rights are moral claims to justice. They are often, but not always coded in law. In this chapter, I discuss human rights as culture. Conceptualising human rights as culture brings the importance of media into view – whilst avoiding mediacentrism, and without oversimplifying the enormous difficulties of any campaign that aims to institutionalise human rights norms. Media are very little studied in relation to human rights – especially in comparison to the excellent range of work on humanitarianism. The fields of humanitarianism and human rights do overlap – most obviously around the value of 'humanity'. But there are also significant differences between them, historically and today (see Barnett and Weiss 2011). Very schematically, where justice is the overarching motif of human rights, the overarching motif of humanitarianism is charity. It is notable that even approaching human rights in cultural terms, anthropologists and sociologists have had little or nothing to say about the importance of media, while media scholars have not taken up research specifically and systematically on human rights (1). The neglect of media is no doubt due to the dominance of law and legal studies in the field of human rights, linked to the motif of justice, around which scholarship tends to be organised (even when theorists argue for the displacement of 'law on the books' as the final word on authoritatively defining human rights). In part, therefore, this chapter is an attempt to develop a conceptual framework to inform and to inspire more work on the study of media in relation to human rights.

To this end, I first summarise the understanding of human rights as culture that has been developed by anthropologists and sociologists. Then we go on to consider the role of media in relation to the cultural politics of human rights. The institutionalisation of human rights is often associated with cosmopolitanism, and yet so-called legacy media tends to be nationally organised and to represent the world through frames of 'banal nationalism'. Although there are exceptions, for the most part nationally organised and nationally oriented legacy media tends to work against cosmopolitanism and against universal respect for human rights. It is with transnational digital media that hopes for a more cosmopolitan future are raised. However, the most important condition for the realisation of human rights in practice remains the transformation of states. Transnational digital media also, therefore, has limitations and even disadvantages for realising respect for human rights. Possibilities for mediated cultural politics of human rights cannot be neatly captured in terms of progress from analogue to

digital, nor from national to cosmopolitan. What is most important is to situate the study of the mediated cultural politics of human rights at different scales and in relation to different forms of organisation in the context of a complex, fast-changing world.

Human rights as culture

It is practically universally agreed amongst social scientists that human rights are socially constructed (rather than God-given or reflecting an essential quality of humanity). Today the political contestation of human rights is focussed on making and interpreting law. This focus on law has somewhat obscured work by sociologists and anthropologists on other aspects of the realisation of human rights in practice, and has contributed to the neglect of the study of human rights by media studies scholars.

Through a social constructivist lens, sociologists and anthropologists human rights conceptualise human rights as ‘culture all the way down’: human rights as ideals and what they should look like in practice involve nothing more than agreements on relationships between organisations, groups and individuals that are more or less institutionalised in social structures. This does not mean human rights are uniquely a matter of ideas: the structures in which agreements over human rights are embedded always involve the entanglement of material and moral resources. It is for this reason that human rights and social justice are closely linked. What it does mean is that even material interests and capacities to exercise power and authority are formed historically, and they are therefore necessarily open to change. It also means that media is central to the realisation of human rights. ‘Construction’ is fundamentally a matter of communication: of meanings interpreted in interactions, whether face-to-face, or through media infrastructures; while ‘the social’, what William Sewell calls ‘the built environment’, involves the continual interpretation and re-interpretation of more or less established meanings across a variety of practices and places (Sewell 2005; see Couldry and Hepp 2017).

A principal way in which ‘culture’ is conceptualised as important to the realisation of human rights is in terms of the ‘culture of human rights’. Policy-makers and advocates often call for ‘culture of human rights’ (see Nash 2009). We can understand this call as linked to Hannah Arendt’s claim that the enjoyment of human rights supposes community within which ‘the right to rights’ is recognised (Arendt 1979). It supposes a community that supports the human rights of groups who might, and indeed very often have been defined as non-human or at least not fully human – out of hatred, convenience or ideological conviction. ‘Human rights culture’ covers a sense that what is needed to realize human rights is more than a bureaucratic state governed by the rule of law and well-organized and well-funded human rights organizations to bring states to account for human rights violations. What is needed is a change in ‘hearts and minds’, recognition of the value and importance of human rights throughout society, from state officials to TV viewers, voters and taxpayers. Committing human rights abuses must become unthinkable. At the very least there must be outrage when such abuses become public. Unless people feel real concern to respect and uphold human rights, if opportunities to cut corners, bypass regulation or to express hatred for those who are vulnerable are widely condoned, law that genuinely discourages abuses will either not be made, or it will quite simply be ineffective. ‘Human rights culture’ represents, therefore, a

sense that human rights do not just concern structures and organizations: inter-subjective understandings of what human rights are and why they are valuable are also crucial to their realization.

On the other hand, although it alerts us to the importance of practices that support human rights outside the law and bureaucracy, conceptually ‘culture of human rights’ suffers from the drawbacks of ‘culture’ as such. As anthropologists of human rights especially have argued, ‘culture’ tends to form thinking around an old-fashioned, romantic idea that naturalises, fixes and unifies particular groups of people as sharing a worldview (Wilson 1997; Cowan et al 2001; Merry 2006) (2). ‘Culture’ is better thought of as a way of naming the complexity of flows of meanings in everyday life: sometimes taken for granted as ‘reality’; at other times confusing and uncertain, always contingent on context. Meanings are often taken for granted as ‘common-sense’, but they may always be interpreted differently depending on different perspectives – and different interpretations do not necessarily map onto groups: one individual may adopt different perspectives in different settings; and meanings are always changing, being adapted as new situations and new interpretations arise.

Thinking of ‘culture’ as pluralist and fluid is useful to the study of campaigns and projects intended to realise human rights in practice. What human rights are, who they are for, and how that is to be decided are highly contested everywhere in the world. Although human rights language is criticised as de-politicising, in fact human rights are invariably highly politicised (cf Douzinas 2000). Human rights almost always involve law, but it is generally law at the most abstract level – constitutional law, or international law – and as such the law itself is invariably contested in controversies over human rights: in terms of its content, the appropriateness of scale, and the correctness of legal procedures (see Gearty 2005). Human rights are not fixed or settled in terms of what they are, who they are for and how that is to be decided – either in law or in established practice. Definitions of human rights are in dispute, sometimes accompanied by violence, and always influenced by structures of authority – which raise questions of who is entitled to have the last word on what counts as a violation or an abuse of human rights (Nash 2009, 2015).

It is cultural politics, the contestation and the transformation of meanings and the structures in which those meanings are embedded, that is crucial to the realisation of human rights. There is no fail-safe means to make human rights effective in practice: they can only be secured through agreement, institutionalised through precarious and pluralist understandings, routinized as structures in which justice and equal treatment are valued. Cultural politics takes place to a large extent, though not uniquely, in and through media. However, media have been relatively little studied in relation to human rights. The aim of this chapter, therefore, is to lay out elements of a conceptual framework for the study of media and human rights, and to enable the future development of research in this area.

Globalisation and banal nationalism

Human rights are globalising. This may seem strange: human rights are universal - they are supposed to apply to all individuals as human beings; surely, then, they are *necessarily* global? Although universal in form, however, it is clear that human rights

are far from universal in practice. Human rights are globalising in that there is increasing emphasis on making them really work, and this calls conventional state borders into question.

Human rights are globalising in that discourses and institutions concerned with their realisation in practice are increasingly routinised transnationally. However, human rights are globalising in quite a particular way in relation to the state in comparison with other cross-border flows. Far from bypassing or weakening states, demands for human rights invariably engage state actors. Although rights attach to individuals, it is states that sign and ratify international human rights agreements. The vast majority of states have now committed themselves to precise and detailed international human rights agreements, which human rights activists then use to try to hold them to account. Human rights claims are ultimately directed to states as the only forms of social organization with the resources and legitimacy to guarantee human rights. Officials acting in the name of states assemble structures and concentrate resources in ways that make them exceptionally dangerous - well-equipped to benefit from torture, rape, and murder, and from turning funds that are ostensibly collected for public benefit through taxes and international aid to their own purposes. At the same time states are crucial to the realization of human rights in practice: they enable officials to exercise authority nationally and internationally that can make a positive impact on how people live within their territories and in other states too. States are at the same time the violators and the guarantors of human rights (see Nash 2015).

However, states as such are being transformed by international agreements - including on human rights. Globalisation is not dissolving states, and nor are they becoming irrelevant. Rather states are themselves globalising, or, it would be better to say, 'internationalising' in networks of global governance. States are adapting to manage flows of ideas, goods, services and people across their borders, becoming increasingly integrated into international networks that link them together in dense assemblages of shared norms and procedures connecting processes, institutions and actors. In relation to human rights, complex arrangements to regulate and monitor ever more detailed and specific regulations concerning human rights involve negotiations between states, IGOs (like the UN) and NGOs over the details of human rights abuses, and ~~over~~ how international agreements are to be interpreted and administered. Such arrangements increasingly 'disaggregate' states across borders, as government regulators, judges and legislators network with their counterparts from other states and with officials from IGOs to share information, harmonize regulation and develop ways of enforcing international law. Some of these changes involve a re-orientation of governments and judges in terms of scale: they become oriented towards what are constructed as global logics and away from historically shaped national logics. Saskia Sassen goes so far as to argue that the national state is being 'hollowed out' - becoming denationalized as state elites increasingly address domestic concerns through international networks and organizations (Sassen 2006; see also Castells 2008).

In theoretical terms, the globalisation of human rights is often associated with a cosmopolitan orientation. There is much discussion over the relationship between human rights as universal norms and the possibility of re-imagining social relations, identification and

belonging beyond the frameworks set by national institutions (see Anderson-Gold 2001; Levy and Sznaider 2006). In terms of humanitarianism and media, cosmopolitanism is associated with frames and stories that enable empathy with ‘distant suffering’ (Chouliaraki 2008). In terms of human rights, cosmopolitanism must also be linked to transformations of sovereignty, international institutions and law - with advocacy and organisations oriented towards justice as distinct from charity, with which humanitarianism is traditionally associated (Nash 2009). In both cases, cosmopolitanism concerns the construction of an ethical orientation and a feeling of belonging to humanity, beyond – or sometimes in addition to and at least on some crucial occasions, superseding – loyalties to nation and region (Appiah 2006).

It is well-established that national states benefitted historically from what is now called ‘mainstream’ or ‘legacy’ media – newspapers, radio, TV – which have contributed to ‘imagined communities’, framing events, issues, processes in terms of ‘national interest’ and the ‘national community’ represented by the state (Anderson 1991). Perhaps, with the internationalising state, new media frames are emerging, constructing issues as requiring institutions and solutions beyond the national state, and constructing solidarity with humanity as such rather than with particular national communities?

In fact, in mainstream media national frames are very much still in place, flagging what Michael Billig calls ‘banal nationalism’ on a daily basis (Billig 1995). ‘Banal nationalism’ is the routine, unremarked on framing of issues in terms of national interests and values. As Billig points out, banal nationalism is more powerful - because largely unremarked – than the xenophobia and zealous patriotism. One way in which the national framing of news about human rights violations manifests itself is through the under-reporting of abuses where they concern national authorities, or states with whom the national state is allied. For obvious reasons examples of under-reporting are quite difficult to establish – torture, for example, is rarely justified today (though sometimes it is), but is rather kept secret. Even where there is no official or unofficial censorship, however, just which violations of human rights are covered and how is nationally framed in mainstream media. A graphic and well-documented example is that of the under-reporting of torture by the US authorities at the height of the war against terror after 9/11. Doris Graber and Gregory Hoyik found that during this time, now very well-documented kidnapping, torture and disappearances on the part of the US and its allies were rarely mentioned in the mainstream media, and ‘torture’ was virtually never used of secret service and military agents – even after the photographs of Abu Ghraib became public. When Amnesty first broke the story of torture at Abu Ghraib in 2003, The New York Times ran the story with the headline, ‘Iraqi Detainees Claim Abuse by British and US Troops’. This is very tentative considering Amnesty’s authority, and it is interesting that ‘US troops’ are mentioned only after ‘British troops’, who thus appear to be leading the abuse. ‘Torture’ was far more likely to be reported as involving other states in the US media at this time, even in the liberal press, and very rarely the US military. Graber and Hoyik consider that the use of ‘torture’ to describe activities carried out by US forces was considered controversial, unpatriotic, or simply not very interesting to readers while the country was ‘at war with global terrorism’ (Graber and Hoyik 2009).

Banal nationalism is also evident in controversies over human rights in the mainstream media. In my research on the cultural politics of human rights in the US and UK, I have

looked at how controversies erupt when issues of human rights are brought into national policy-making (in the UK because of membership of the Council of Europe) and national courts (more commonly in the UK, very rarely in the US). In such controversies, the mainstream media tends to be divided. In the UK the popular press and in the US right-wing TV channels (like Fox News) take up extreme patriotism against international human rights law. Right-wing constructions of human rights are very marked in the UK, where the popular media has been leading a concerted campaign against European human rights law, creating a strong sense of ‘us’ deserving national citizens, and ‘them’, undeserving migrants taking advantage of their protection within the national state (Nash 2009, 2016). On the other hand, liberal newspapers tend to be pro-human rights. Interestingly, however, pro-human rights arguments and opinions are just as likely as anti- to be framed in terms of national sentiments – of pride and shame. In the US, media opposition to the Bush administration’s treatment of Guantanamo detainees, incarcerated without charge, without legal representation, and without trial, was far more likely to be in the name of American pride and shame than in terms of international standards of human rights: the outrage was fuelled by the view that America is a nation of laws, and that Americans should not become the bad guys in the global war on terror (Nash 2009: 90-2).

In summary, states are internationalising, including through human rights agreements that are increasingly precise, detailed and delegated to court-like proceedings in the case of conflicts, but at the same time mainstream media largely represents the state as national, as predominantly in the service of national citizens. In some contexts, where there is state censorship and tight, authoritarian control, obviously journalists can only follow a government’s official line. And on some occasions national frames are addressed to mobilise citizens in support of respect for human rights – as in the example noted above, of some media coverage of Guantanamo in the US. Most commonly, however, even in the absence of actual censorship, it seems that national frames work against citizens knowing, and perhaps even wanting to know, about human rights abuses by our own states.

Transnational solidarity and advocacy through digital media

The notion of ‘human rights culture’ references the ‘soft power’ of persuasion, of constructing values that gain attention and legitimacy, thus establishing human rights virtues as common-sense. In this respect, the concept has something in common with that of ‘mediated publicness’ as a democratic space, or (in Habermas’s theory revised as a result of critiques from feminists and others) a series of spaces through which information, ideas and arguments circulate, are contested, challenged, altered and refined, in order eventually to have impact on policy and law-makers acting in the general interest (Habermas 1997; Fraser 1990, 2014). If ‘mediated publicness’ is still largely carried by mainstream or legacy media, which collects together different views for debate and holds (or perhaps *held* until the era of digital media) the possibility of emerging consensus for the nation and the state, it is in the more dispersed networks of digital media that hope for a cosmopolitan future now lies.

Hope for transnational solidarity lies in the distinctive technological capabilities of digital media. First, the internet is no respecter of national borders: it seems (censorship notwithstanding, and it can often be avoided using digital technology) to enable the flow of

information that bypasses gatekeepers in mainstream media who collude, consciously or unconsciously, with elite human rights abusers. Second, digital media enable ‘bottom up’ communication, capturing and monitoring violations as they happen, and the mobilisation of public opinion and protest movements in and beyond particular places as a response to those violations. As Sam Gregory, director of the NGO Witness, which helps activists and citizens to get film and photos of human rights violations seen online, puts it: through digital media, ‘the local accesses the global, but on its own terms’ (Gregory 2006: 201). Sending information, and creating connections without regard to state borders, participants in online forums share experiences and knowledge about human rights violations and try to engage others to help them get justice. As such, in practical terms, they are effectively re-imagining a more cosmopolitan political community, one in which it is common humanity that counts, beyond the limits of national states.

However, it is also clear that the internet is no utopia. In fact, increasingly, states are learning how to make use of it: for surveillance (the secret monitoring of emails on a massive scale by the US and its allies that Edward Snowden uncovered has been made legal now in many countries of the world); and in the worst cases, for searching out and finding dissidents and activists. In Thailand, just to give one example, since the military coup of 2014 the junta has been targeting online bloggers and users of Facebook and Twitter, imprisoning scores of people and hounding others into exile (Human Rights Watch 2017). In Egypt, since the revolution of 2011, the government has actually tried to impose harsher penalties for online ‘speech crimes’ than for those that are committed offline (PoKempner 2017). More subtly, states are also engaging in ‘information wars’ on the internet to confuse, harass and alienate online activists. In Egypt, opponents of the revolution even created their own petition and collected what they said were millions of signatures against the elected Muslim Brotherhood-led government. Soon afterwards the Egyptian military took over the state. According to Zeynep Tufekci, such tactics are especially effective in highly polarised societies, like Turkey and Russia (Tufekci 2014). ‘Cyber-bubbles’ - created by our preferences for information and ideas that suit already our existing political and ethical commitments and facilitated by algorithms of which we are largely unaware - are a problem in digital media. In other words, polarisation is not only a context for the effective manipulation of digital media, it is also in part a product of digital media as such.

In addition, transnational appeals for solidarity with respect to human rights violations are very often urgent, the people making them are in immediate danger, and the sharing of experiences and information comes with the hope that audiences will do something to help. They are primarily about urgent action, and only secondarily about building more cosmopolitan political communities. It is clear, however, that information as such, whatever it costs to those who manage to share it and however unwelcome it may be to those it exposes, changes nothing. For information to have urgent impact, it has to be packaged and used strategically. Information has to be framed rhetorically in ways that have resonance with particular audiences, and it has to be addressed to audiences that can contribute to effectively changing structures through which violators operate and escape accountability.

The best-established theoretical framework for mapping how change is brought about through mobilisation around human rights is the study of transnational advocacy networks, developed by Margaret Keck and Katherine Sikkink. Keck and Sikkink maintain that just

as states are being 'stretched' through the globalization of human rights, so human rights organizations, even those that operate *within* states, are now invariably linked into transnational networks. Indeed, such organizations may survive only because of the way they are supported across national borders. Commonly, domestic human rights organizations bypass their own repressive states and search out international allies - INGOs and/or representatives of state actors that are powerfully positioned in networks of global governance – bringing pressure to bear on state elites from above and below. It is argued that where such campaigns are successful, eventually state elites alter their behaviour to comply with international human rights norms (Keck and Sikkink 1998; see also Khagram, Riker and Sikkink 2002).

Keck's and Sikkink's theory of transnational activist networks, and their case studies, predate the internet and digital media. In fact, Keck and Sikkink are barely concerned with the media at all. What they do demonstrate is the importance of making use of information strategically to address state elites. Media is important to address elites indirectly, through the formation of public opinion within the country in which violations are taking place (and this can be more effective where public opinion is linked to the force of votes in free and fair elections); and also in other states to which violators are connected in networks of global governance. Media is also important to convey information that can put pressure on those elites directly, by making them accountable in face-to-face meetings in networks of global governance that include representatives of NGOs and IGOs, lawyers, judges, bureaucrats and politicians in other governments. Even amongst elites as such, however, 'information' is not just data: it has to be framed to make an impression on those responsible for human rights violations, to impress on them that initiating or supporting violence is not only morally wrong but that it is also in their own interests to observe international human rights standards (3).

Probably Keck's and Sikkink's most compelling examples of successful human rights campaigns come from Latin America, following the military coups of the 1970s in Argentina and Chile. In the case of Argentina, which fell to a military junta in 1976, they chart how Amnesty International acted as a conduit for information between domestic NGOs that documented disappearances 'on the ground', and international actors, including members of the Carter Administration in the US, and of governments in France, Italy and Sweden, and in the UN and the Inter-American Commission on Human Rights. In 1978, after the visit of the Inter-American Commission to Argentina, the military began winding down its machinery for torture and disappearances. It seems that there were two main dimensions of this campaign that led, within the relatively short space of two years, to the Argentinian government revising its policies on disappearing opponents to the regime. Firstly, the government legitimated itself in terms of safeguarding 'Western and Christian civilisation', and the values of human rights were well-established in Latin America in principle, if not in practice. At least some of the military leaders overseeing disappearances and torture were, therefore, relatively susceptible to 'naming and shaming', to moral pressure to end the violent attacks on civilians. Secondly, the junta was vulnerable to pressure particularly from their long-standing ally in the region, the United States, especially when the US Congress finally decided to cut off military assistance to Argentina – again in 1978 (Keck and Sikkink 1998: chapter 3).

What is the relevance of Keck's and Sikkink's theory of transnational advocacy networks framework for studying information in the age of digital media? As we have already noted, digital media seems to offer new opportunities for transnational networking and for representing the 'local to the global' – even if digital media platforms can themselves be turned into resources of surveillance, repression and misinformation. It is clear that social media platforms and smartphones facilitate organisation, and crucially enable activists to bypass censorship to get information, images and ideas out to potential supporters within and beyond national borders. Digital media did contribute to the multiple uprisings of the Arab Spring, for example – even if precisely to what extent is still at issue (see Lynch 2011). On the other hand, what is also clear is that many of the difficulties of actually realising democracy and respect for human rights remain in place, while new obstacles have arisen, whether by design or as unintended consequences of events and changes in national and international politics and in media itself. The possibilities of building transnational solidarity to institutionalise human rights norms require attention to the contexts of activism as well as to the affordances and practices of mobilising through digital media.

The first important point to note here is that which campaigns attract attention and enable governments to be effectively lobbied is not solely a matter of principles of justice – as Keck and Sikkink seem to suggest. This is a point that, like transnational advocacy networks, predates digital media. Clifford Bob (2005) has argued that which campaigns are taken up by INGOs that have the capacities to apply pressure on publics, states and IGOs to influence states violating human rights is at least as much a matter of competition as of principle. How do some issues come to be taken up? How are particular campaigns put together, selecting from all the cases of suffering injustices in the world that exist at any given time – most of which are never transnationalised? Bob suggests that INGOs like Amnesty and Human Rights Watch pick up some campaigns and not others for a variety of reasons. Some have to do with the campaign itself – for example, that it has a charismatic leader, who speaks English and is well-networked internationally: Aung San Suu Kyi in Burma, the Dalai Lama of Tibet, Ken Saro-Wiwa in Nigeria. Above all, a campaign that is taken up will fit clearly with an organisation's existing commitments. It is far easier, for example, for Amnesty and Human Rights Watch to support campaigns against violent repression by state authorities – covered by civil and political rights - than against the structural violence of poverty and deprivation in which corruption and super-exploitation of people and resources are key – covered by economic, social and cultural rights. For many critics of human rights, it is this emphasis on spectacular violence that leads the human rights agenda away from social justice issues with which respect for any human rights in practice is inextricably entwined (see Moyn 2018). The fashionability of a cause, its attractiveness to donors and supporters of human rights INGOs, also plays a role in whether and how it is taken up. In addition, and perhaps even more damaging than the uneven attention that is given to injustices, is the way that building transnational advocacy networks can distort campaigns on the ground. Bob argues that this was the outcome for the Ogoni people led by Ken Saro-Wiwa, who was able to gain the support of Amnesty in the mid-1990s only once the Nigerian state began to deploy extreme violence against them. The original demands of the Ogoni people for political autonomy within Nigeria were largely met with indifference by INGOs – too complex and too unspectacular to gain the world's attention. Bob suggests that the strategy to 'transnationalise' contributed to the violence – including torture, rape and mass killing – given that Saro-Wiwa knew the danger to activists and villagers from the dictatorship of President General Abacha. Moreover, the Ogonis' original demand for autonomy was downplayed in Saro-Wiwa's campaign in favour of a

focus on the environmental destruction and human rights violations being carried out by the multinational oil company Shell supported by private security firms and the Nigerian military. The high-profile court case later brought against Shell in New York, and the connection that was made in the campaign between human rights and environmentalism, are celebrated today, while the political demands of the Ogoni people are largely forgotten (Bob 2005).

The second limitation of Keck's and Sikkink's theoretical framework is specific to digital media. It seems that the kinds of networks that are constructed through digital media today are less oriented towards advocacy and more towards building solidarity for its own sake. Much of the excitement around digital media is that it enables forms of organisation that are even less hierarchical than the transnational advocacy networks theorised by Keck and Sikkink – which are themselves relatively 'flat' compared to the formal hierarchies of states and IGOs. The leaderlessness of movements involved in the Arab Spring, and also in the earlier 'coloured' revolutions and the Occupy movement, has often been noted (Brysk 2013; Tufekci 2014). Clearly, one of the important affordances of social media is that it enables large numbers of people to be informed and mobilised at once, without the need for formal leaders or bureaucratic, hierarchical organisations like parties or NGOs. In all these cases, transnational solidarity was also very much in evidence, with information and images transmitted across borders on Facebook, Twitter and web postings. On the other hand, digital media also contributes to the weaknesses of such forms of organising. As critics of 'digital optimism' have argued, it can be difficult for leaderless movements to sustain real commitment to activism if mass mobilisations fail – though it can also be difficult even to know that this is the case given the ease with which we can support movements at a distance, a phenomenon captured by the term 'clicktivism'. In addition, in the absence of formal leadership, it is unclear who has either the capacity or the legitimacy to negotiate with elites, to make demands on behalf of the movement and to win commitments to meet those demands to which state leaders can then be held accountable. In the case of the Gezi Park movement in Istanbul in 2013, Zenep Tufekci argues that the lack of a strategic plan and of legitimate representatives to lead negotiations with the government in Ankara resulted in confusion and disagreements amongst protesters, which was taken advantage of by the police to disband the camp by force. In elections that followed soon afterwards, the socially conservative party won comfortably, despite widespread support for protestors online (Tufekci 2014).

Finally, then, we return to the point that it is state structures that facilitate human rights abuses and enable governments to escape accountability in terms of the international agreements to observe human rights to which they are supposedly committed. It is these structures that are extremely difficult to change. Keck and Sikkink have shown that information, disseminated through transnational advocacy networks and framed in terms of human rights violations, did play a role in changing state structures in Argentina and Chile in the 1970s and 80s. However, US economic power and political and military support for right-wing leaders in Latin America were also important. It is not so clear, then, what role information plays in contexts in which leaders do not respond to moral pressure from human rights organisations and Northwestern states, and where leaders do not fear economic sanctions or military pressure from the US (whether from so called 'humanitarian interventions' or the withdrawal of the benefits of alliance, support and arms supplies). In relation to the Arab Spring, for example, the states addressed by revolutionaries have what Marc Lynch calls 'well-established resilience' because of access to oil and other rents, over-developed security forces and long-standing strategies of dividing and co-opting opposition.

The role of the US in the region is also highly complex and riven with tensions linked to the security agenda and the ‘global war against terror’, access to oil, and at the same time commitment to democracy promotion and economic liberalisation (Lynch 2011; Kitchen 2012). Furthermore, it is unclear whether the language of human rights will retain as much credibility as it has had internationally since the 1990s and the end of the Cold War now that Russia and China are rising as world powers to rival the US (Hopgood 2013). At best, democratization and institutionalising respect for human rights takes years, even decades to achieve, and requires fundamental restructuring of states and civil societies. Transnational advocacy networks, and the role of media within them, are only ever a part of such fundamental changes.

Studying media and the cultural politics of human rights

In the twenty-first century the cultural politics of human rights are far more complex than they were in the 1970s. Human rights may increasingly be cited in digital media, and even mainstream media (Balabovna 2015: 1-2). There is certainly more law and regulation designed to safeguard human rights through international and even national and local organisations. At the same time, however, human rights are increasingly politicised. Human rights are not just inherently contestable; as soon as the possibility is raised that they may be used genuinely to rearrange structures of material interest and capacities to exercise power, human rights are invariably contested. There are now far more ongoing campaigns against human rights violations than in the 1970s, far greater numbers of organisations concerned with human rights, and far more information that is widely available. However, it is hard to feel secure in the idea that there has been progress in making human rights work in 2018 (cf Sikkink 2017). It is especially hard because it seems that the situations in which these violations are occurring are even more complex and intractable today. We have only to consider the example of Egypt, where there were human rights violations throughout the Mubarak regime, which lasted thirty years, a brief period of revolution in which digital media featured prominently, followed by a military coup and a regime that is even more repressive and violent. Or conflict situations like that of central Africa, which has been going on for over twenty years, in which militia groups, apparently supported by the Rwandan and Ugandan governments, continue to terrorise civilians through rape, kidnapping, and extreme violence in the Democratic Republic of Congo. Or the multiple human rights abuses to which refugees fleeing North Africa and the Middle East are subject, whilst in 2016 the European Union entered into an agreement with the Turkish state – a state that imprisoned tens of thousands of suspected opponents after a failed coup in 2015 – to send those who make it to Greece, where they should be entitled to claim asylum, back to Turkey.

The difficulties of realising human rights in practice given existing structures make it very hard to discern a direction of travel, far less to be sure of progress towards a more cosmopolitan world in which global justice replaces national frameworks as the horizon of politics. The difficulties of realising human rights in practice also make for a very demanding research agenda in media studies.

Firstly, it is important to study the mediated cultural politics of human rights as both strategic and expressive (see Stammers 1999). Mediated cultural politics are strategic in that organisations, groups and individuals make use of the language of human rights as a means to

an end: to make demands, usually of elites, to challenge injustice and to change law and policy in practice, to bring about a restructuring of states, sometimes of economies (especially where social and economic rights are at issue), sometimes of civil societies (where racism and sexism are at issue, for example). At the same time, the cultural politics of human rights is expressive: in making those demands new norms and values are being constructed, which challenge existing identities and ways of life. Hearts and minds must be altered in mediated cultural politics if human rights are to be respected and realised in practice.

Secondly, human rights campaigns are complex in time and space. They actively address people at multiple scales, from the local, ‘grassroots’, to the national and very often the transnational and international. Successful human rights campaigns are scalable – they move between different levels as situations develop. They also generally take a very long time to achieve any results, with crises and urgent appeals, dead-ends, unexpected events, and new opportunities opening up along the way. Here we might consider the struggles against apartheid in South Africa, which was first raised at the UN by the government of India in 1946, and only finally dismantled as a legal system in 1994 – after much suffering, bloodshed, and shifts in international and national balances of power and economic interests along the way.

Finally, media is only ever one element of what brings about change in struggles for the realisation of human rights; it is only ever part of what makes state elites vulnerable to pressure, and what enables the transformation of norms through which violations of human rights are legitimated. The possible effects, direct and indirect, of media must be studied in relation to changes in structured balances of power and projects amongst domestic and international elites that are very hard to predict. And the effects of media can only be understood alongside an appreciation of wider cultural framings within which representations of human rights may or may not have resonance. In other words, the study of mediated cultural politics of human rights must be situated in the context of the political sociology of a complex, globalising world – a demanding research agenda indeed.

Notes

1. The inter-disciplinary work on media, human rights campaigns and movements for human rights on which I draw in this chapter does not constitute a systematic body of research. Ekaterina Balabovna’s *The Media and Human Rights*, published in 2015, is the only book length treatment of the relationship between media and human rights, and while it summarises some very interesting examples, it seems to confirm that work that has been done so far is rather under-theorised.
2. It is this definition of ‘culture’ that is invoked in debates over cultural relativism – too complex and widely discussed to go into here (see Cowan et al. 2001, Merry 2006). What is important to note for our purposes here is that it is a definition of culture to which anthropologists and sociologists do not subscribe today – though it still has purchase in everyday life in many settings at different levels, notably where international definitions of human rights are at issue.

3. In many cases, of course, human rights organizations are not successful and state elites continue either to deny, ignore, or, occasionally, to offer justifications for the human rights violations for which they are responsible, while ordinary people are also often willing to ignore what they know to be happening (Cohen 2001; Hafner-Burton 2007).

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