Human Rights Through The Lens: A Study of the Institutionalization and Professionalization of Video Activism

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Abstract
This dissertation examines the institutional environments in which human rights video activism takes shape. Looking at how three leading human rights groups produce and use video—Amnesty International, Human Rights Watch and WITNESS—it tackles how institutional environments, as we know them, are changing through their adoption of video, and what this shift suggests about the status of visual knowledge and human rights activism today.

The dissertation argues that the visual knowledge provided by video and long claimed by activists has now attained legitimacy across the institutions central for human rights—journalism, the law and advocacy. These institutions are characterized by different professional logics and dynamics, but each of them has built its authority upon the power of words, sidelining the value of images. In the current moment, though, journalism, the law and advocacy are all turning to video as a way of offsetting a varied set of cultural, social, financial and technological challenges.

This turn to video is therefore providing an institutional locus that supports the emerging professionalization of video activism by human rights groups. Amnesty International, Human Rights Watch and WITNESS are developing tactics and strategies for video that play to the modalities of journalism, the law and advocacy as a way of better tapping into the channels through which human rights receive fuller recognition and restitution. Through video production, standards and training, they move video activism away from its long-held status as an occupational craft into a proxy profession that puts human rights videos into institutional service. As video's power as a human rights tool rests upon its ability to serve as a platform for voice, this dissertation also analyzes the effects of the proxy profession on the voice of video activism.

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HUMAN RIGHTS THROUGH THE LENS: A STUDY OF THE
INSTITUTIONALIZATION AND PROFESSIONALIZATION OF VIDEO ACTIVISM

Sandra Ristovska

A DISSERTATION
in
Communication

Presented to the Faculties of the University of Pennsylvania
in
Partial Fulfillment of the Requirements for the
Degree of Doctor of Philosophy

2016

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Marwan Kraidy, Anthony Shadid Chair in Global Media, Politics & Culture
Monroe Price, Adjunct Full Professor of Communication
Dedication

This dissertation is dedicated to my mother.
ACKNOWLEDGMENTS

The acknowledgements feel harder to write than the dissertation. They are part of the ritualistic form of the manuscript, taking only a page or two, but the gratitude is deeply felt, very personal and exceeds the capacity of words to communicate it. Knowing that these few pages cannot do justice to the people whose intellectual and emotional support has guided my Ph.D. journey, the following is my best effort to say thank you.

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ABSTRACT

HUMAN RIGHTS THROUGH THE LENS: A STUDY OF THE INSTITUTIONALIZATION AND PROFESSIONALIZATION OF VIDEO ACTIVISM

Sandra Ristovska
Barbie Zelizer

This dissertation examines the institutional environments in which human rights video activism takes shape. Looking at how three leading human rights groups produce and use video—Amnesty International, Human Rights Watch and WITNESS—it tackles how institutional environments, as we know them, are changing through their adoption of video, and what this shift suggests about the status of visual knowledge and human rights activism today.

The dissertation argues that the visual knowledge provided by video and long claimed by activists has now attained legitimacy across the institutions central for human rights—journalism, the law and advocacy. These institutions are characterized by different professional logics and dynamics, but each of them has built its authority upon the power of words, sidelining the value of images. In the current moment, though, journalism, the law and advocacy are all turning to video as a way of offsetting a varied set of cultural, social, financial and technological challenges.
This turn to video is therefore providing an institutional locus that supports the emerging professionalization of video activism by human rights groups. Amnesty International, Human Rights Watch and WITNESS are developing tactics and strategies for video that play to the modalities of journalism, the law and advocacy as a way of better tapping into the channels through which human rights receive fuller recognition and restitution. Through video production, standards and training, they move video activism away from its long-held status as an occupational craft into a proxy profession that puts human rights videos into institutional service. As video’s power as a human rights tool rests upon its ability to serve as a platform for voice, this dissertation also analyzes the effects of the proxy profession on the voice of video activism.
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Chapter 1. Human Rights Video Activism

“How do we know which videos are the right ones?” A fellow passenger on a flight from Skopje to New York City asked me this question over a year ago. Although she spoke about the challenges of navigating the avalanche of videos about antigovernment protests in Macedonia in May 2015, her query addressed broader issues about today’s media landscape, which is full of videos with meanings that are often unclear. Those videos are the topic of this dissertation.

The power dynamics that shape the images of the public domain have long been characterized by a lack of clarity. Tagg (1988) insisted that photography’s “status as technology varies with the power relations that invest it. Its nature as a practice depends on the institutions and agents which define it and set it to work…It is this field we must study, not photography as such” (p. 63). This dissertation is a direct response to Tagg’s call. It examines the institutional environments in which human rights video takes shape.

Videos—rarely credited, properly labeled or dated—are frequently produced, circulated and used for multiple purposes by the news media, activists, citizens, nongovernmental organizations, political parties, governments, even terrorist groups and perpetrators of violence. Some of these videos also end up being used in court. As a result, videos are often at the crossroads where the information work of various actors converges, offering an entry point from which to see events from the complicated scenes of their unfolding. Questions about reliability and legitimacy, such as the one asked by my fellow passenger, however, do not necessarily involve the site of the video itself. Instead, they involve the institutions that render video meaningful as well as their agents and practices. In addressing these institutional environments, this dissertation tackles
how, when and why visual meaning-making occurs and how it induces the moral, legal and political grounds upon which human rights claims receive recognition and restitution.

Visual imagery has long been at the heart of humanitarian and human rights activism. Recent political turbulence around the world has been venerated for its uses of video—including the Saffron Revolution in Myanmar (Burma), the Green Movement in Iran, the Arab Uprisings throughout the Middle East and the Black Lives Matter Movement in the US—reinforcing long-held, though not always articulated, beliefs in the power of video as a human rights tool. Commenting on the unfolding of the Arab Spring in Egypt, Jehane Noujaim, director of *The Square*, a documentary film on the topic, echoed a lasting hope that video has an ability to facilitate social change by bearing witness to injustice and violence:

[Ahmed] used that camera as a weapon to fight back and expose human rights abuses and oppression that he saw. Many times when he was on the front line, Ahmed was the only one there with a camera. The other protesters would form a circle around him and make sure he was protected. They would say to him, “Record, Ahmed! Record!” because it was so important for them that there was a witness, that what was happening was documented (as cited in Hawkes, 2014, para. 18).

Although the current proliferation of human rights videos stems from a rich history of visual activism, activist videos today feature prominently across institutional environments that have traditionally disregarded visual content as a form of legitimate evidence or a mode of information relay on its own. The unreliability of visual materials, their emotional resonance and the partisan underpinning of activist footage have been frequently invoked as grounds for dismissal. However, the extreme example of how the Islamic State’s videos take on a status of objective evidence instantly—with little discussion of their authorship or nature or of the circumstances of their production and
consumption (e.g., Harmsah, 2015)—best captures the unfolding turn to video as taken-for-granted material even in institutional contexts.

This dissertation unpacks how video is attaining a level of institutional legitimacy by tracing its unfolding role and shape in current human rights work. Examining how three leading human rights groups use video—Amnesty International (thereafter Amnesty), Human Rights Watch (thereafter HRW) and WITNESS—my dissertation charts the practices that are turning video into a central force for negotiating the institutional interplay across various platforms relevant to human rights. The following questions motivate this project: What are the circumstances that facilitate the emerging turn to human rights video in institutional environments? How are the cultural, legal and political institutions that legitimize human rights claims incorporating video? How is this turn to video impacting the relationship between human rights activists and institutional authorities? What are the assumptions embedded in the uses of video as a human rights tool? Whose expertise matters in rendering human rights videos meaningful and why? This dissertation tackles these questions in order to understand how institutional environments, as we know them, are changing through their adoption of video, and what this shift suggests about the status of visual knowledge and human rights activism today.

**Institutional Context for Video Activism**

Institutions, conceived by Western iterations of modernity as the pillar of social and political life, have not always been the most hospitable environments for visual human rights work. Instead, they privileged words over images as presumed vehicles of reason, systematic thinking and behavior, as modernity gave rise to an institutional
authority built around words. Although visuality, imagination and emotion relate in various ways to words, they were pushed to the background of institutional thinking (e.g., Marcus, 2002; Marcus, Neuman & MacKuen, 2000; Mnookin, 1998; Schudson, 1978; Thompson, 2007; Zelizer, 2010). It is not surprising, then, that histories of human rights highlight legal and political debates, formal frameworks and treaties (e.g., Ishay, 2010; Neier, 2012), often leaving aside the visual encounters, emotional responses and cultural underpinning embedded in human rights discourse (e.g., Hunt, 2007; Sliwinski, 2011).

Visual imagery has instead figured as an appendage to words, an illustration on the side or an afterthought in the institutional calculus that supports human rights in various ways. Each of the so-figured institutions promoted linear thinking, deductive reasoning and deliberation and nurtured professional expertise that drew from a set of tools, guiding principles and standards, which stood in contrast to visual practices. Journalism, today considered a vital social institution for publicizing human rights claims, for example, turns to images overwhelmingly in times of crises but fails to develop standards for their systematic treatment (Zelizer, 1998; 2010). As Zelizer (2010) argues, when “the verbal record underpinning journalists’ authority as arbiters of the real world takes precedence over its visual counterpart…accommodating a tool that works in other ways challenges longstanding notions of what journalism is for” (p. 3).

Similarly, the law, as a key institution that safeguards human rights as legally enforceable entitlements, presumes words are the primary vehicles for transporting its logic. Legal doctrines and practices have long dismissed images and banned cameras, treating them “as an alien, disruptive element in the courtroom” (Schwartz, 2009, p. 15). When used, the law insists that images need words to anchor their meaning in court.
Advocacy, widely regarded as fundamental in pushing forward human rights agendas, also has a conflicting relationship with visuals. For Lang (2013), “advocacy conjures images of experts who assess specific spheres of influence and target specific goals and institutions” (p. 91). Advocacy is central to both political decision-making platforms and civil society as a sphere of public debate. As such, advocacy belongs to a line of thinking rooted in a rational ideal or “a long tradition of political thought that makes plain speech—‘communication’—the center of democratic life” (Peters, 1993, p. 563). As visuals have been left out by the institutional projects of Western modernity, advocates have prioritized carefully crafted messages and documents when seeking to secure influence in institutional decision-making settings. When used, images have served merely as a tool for raising public awareness.

The institutional logic and professional practices associated with journalism, the law and advocacy, then, have each sidelined images, albeit in different ways and for different purposes. The linkage between institutions and a certain form of modernity lingers in the neglect shown by these institutional spaces in standardizing tools that work differently from words, making them complicit in downgrading the value of visual knowledge.

Advocacy, however, is also closely related to social activism—broadly conceived as a public assemblage of critical voices mobilized against social injustice. Though activism is thought to pursue broader social change agendas than advocacy, without necessarily confining itself to existing institutional frameworks (e.g., Lang, 2013), at times they blend together. When that occurs, their interlinking relies heavily on the purchase of the visual. Many examples exist. Humanitarian activism in the 1870s in
response to Ottoman atrocities in the Balkans and famine in Southern India rested on visual media (Twomey, 2012). Over a century ago, the campaign to end colonial brutalities in Congo at the turn of the 20th century first used the term “crimes against humanity,” utilizing photographs as indispensable evidentiary materials (Sliwinski, 2011). The campaign to raise awareness about and provide relief to the survivors of the Armenian genocide was organized around screenings of a film called Ravished Armenia, which were accompanied with a conversation with one survivor (Torchin, 2012).

Human rights groups like Amnesty, HRW and WITNESS are a product of the global human rights activism movement that has built upon the various traditions that shaped human rights. They are emblematic of the blending between advocacy and activism. Amnesty and HRW were both set up by lawyers in 1961 (in London) and 1978 (in New York City), respectively. They are thus considered human rights “group[s] based in a profession” (Neier, 2012, p. 234). As they expanded, they became open to a wide-range of staff profiles. WITNESS also has its roots in the law. It was set up by musician and human rights activist Peter Gabriel as part of the New York-based Lawyers Committee for Human Rights in 1992—though with few staffers who had legal backgrounds. It became an independent organization in 2001.

Although Amnesty, HRW and WITNESS are global human rights groups with organizational structures and origins in the legal profession, they tend to distance themselves from the NGO label. Amnesty considers itself “a global movement of more than 7 million people” who constitute its membership (“Who We Are,” 2016, para. 1). Its staffers identify themselves as activists, campaigners, advocates and researchers. HRW sees itself as “an independent, international organization that works as part of a vibrant
movement” (“Mission Statement,” 2016, para. 3), whose employees prefer the terms advocates and researchers. WITNESS says that it “trains and supports activists and citizens around the world” (“About,” 2016, para. 1), and its staff members call themselves activists. Due to these variations, I refer to these organizations primarily as human rights groups that draw upon the dynamics between activism and advocacy differently as they continue to grow and seek to shape the global human rights movement.

The variant shapes assumed by human rights groups play to the tenuous relationship with images on the part of journalism, the law and advocacy. However, at this time of cultural, social, financial and technological challenge, the visual knowledge provided by video appears to be gaining in relevance across these institutional environments and among these human rights groups. Videos shot by civilians, human rights activists and groups, for example, are becoming the key data of difficult news events. These videos, coupled with satellite data, provide the main, if not the only, mode of accessing the ongoing Syrian conflict. Not only journalists, but also politicians and human rights commissions, today heavily rely on this visual evidence. Human rights courts are also adapting evidentiary standards for video materials, while human rights groups believe that “video is becoming more and more the medium in…which issues are raised and discussed” (B. Wille, personal communication, June 25, 2015). The unfolding visual turn, then, is bringing about a subsequent institutionalization of video as a form of knowledge in its own right.

Institutions, though, are not stable phenomena, as scholars of new institutionalism in organizational analysis argue (Powell and DiMaggio, 1991). Instead, they are best
described as institutional configurations that are directly shaped by other institutions and environments. Institutions are thus part of a “linked ecology” (Abbott, 1988) and can be thought of as networked environments whose organizational arrangements imply standardized social patterns with qualities that are taken for granted. Rooted in cultural and historical circumstances, over time they attain a state of legitimacy, with institutionalization a key part of their legitimization (Powell & DiMaggio, 1991a; Jepperson, 1991).

To understand institutionalism, DiMaggio (1991) argues we should first explain the institutionalization and structuring of organizational fields—recognized areas of institutional life—and then describe the processes of institutional isomorphism—the points of convergence on which institutions face the same environmental circumstances. Professionalization—as a set of practices and standards through which a collective defines the scope and nature of its work—is not only key to survival in institutional environments, but it is also a source of isomorphic organizational change (e.g., DiMaggio & Powel, 1991b). In the current moment, human rights video activism draws from and is shaped by institutional environments like journalism, the law and advocacy, each of which build upon different professional codes and practices, hence different strategies to order knowledge.

De Certeau’s (1984) notions of strategies and tactics, then, provide a useful analytical lens to think about video activism and the new institutional moment. He defines strategies as the calculus of power relations delineated by place whose authority is established to generate a specific type of knowledge. Strategies denote systematic thinking and behavior according to formalized procedures, facilitating the rise of formal
knowledge. Institutions, then, employ strategies. Yet, video activism is a craft that speaks the language of tactics in that it is free from institutional and professional confines seen as “the strategies of modernity” (p. xxii). For De Certeau, tactics are time-bound, relative to a given situation, and they look to seize opportunities as a challenge to existing power relations and structures. In the struggle for social change and human rights, video activism relies heavily on tactics that interact with institutional environments and their respective professional dynamics.

This dissertation therefore aims to show how human rights video activism relates to the institutional and professional logic of journalism, the law and advocacy, examining it at a point in time in which they are all accommodating the power of video long claimed by activists as their own. Placing themselves as leaders in the global human rights movement, groups like Amnesty, HRW and WITNESS have incorporated and built upon a long tradition of video activism as they seek to shape the institutional dynamics through which human rights receive fuller recognition and restitution. This dissertation, then, maps the points of intersection across each of these settings to understand how, under which circumstances and to what ends activist videos attain a level of institutional legitimacy.

**The Salience of Video as a Human Rights Tool**

Despite the veneration of the emerging digital tools and platforms for their presumed democratizing and political potential, the history of video itself is closely linked to social change discourses. Video became a prominent activist tool during the social movements of the 1960s around the world (Downing, 2001; Fountain, 2007;
Harding, 2001). Its early oppositional uses in both journalism—such as guerrilla television (Boyle, 1985; 1992) and public access movements (Halleck, 2001)—and the visual arts—whether video art (Dieckmann, 1985; Furlong, 1985; Krauss, 1976) or alternative cinema (Newman, 2014)—set the tone for video’s entanglement with transformative language.

The current evocation of the phrase “video revolution” in connection to the proliferation of online video (Sasseen, 2012) thus mirrors the video revolutions brought about by VCRs in the 1980s (Newman, 2014) and camcorders in the 1990s (Ouellette, 1995). In this sense, Newman (2014) argues, “video revolution is a phrase that has endured through decades of media history” (p. 36). His study of video as a medium 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 answered varied political, artistic and consumerist needs over the years. Video, in Newman’s (2014) view, can therefore be understood “as a shifting constellation of ideas in popular imagination, including ideas about value, authenticity and legitimacy” (p. 3). Following him, this dissertation tackles the latest iteration of digital video not necessarily for its technological specificity, but for its cultural significance as a concept that has become synonymous with the moving image itself. The expansion of video across today’s multiple visual technologies, digital media formats and platforms is pushing it to the forefront of the public sphere, elevating the status of visual knowledge and intensifying demands for visual literacy.

The contemporary digital visual landscape, however, is imbued with an underlying activist logic of the past. Video-sharing websites, for example, build upon the
rationale of alternative online media spaces in the 1990s/early 2000s—among them Indymedia, Vision Machine and Undercurrents—where people could upload and download videos about issues ignored by mainstream media long before the advent of social media platforms such as YouTube and Vimeo. The dominant technologies and platforms today, then, carry out the functions that organized and alternative activist media used to perform on their own. Consequently, it has become much easier to place activist videos alongside other content.

When discussing the status of video—in all of its complexity—as an activist tool, it is important to highlight how this has been a key recurring theme throughout its cultural history. Tackling the shifting agents and circumstances that grant video its legitimacy and authenticity as a tool for social change is at the core of this study. To do so, I first situate video activism within the rich cultural history of images for social change, mapping out the assumptions that drive the import of visuals in political engagement. Then I discuss the circumstances that are raising the importance of video as a human rights tool.

**Historical Perspectives on Video Activism**

Mediated communication has always been implicated in activists’ endeavors. Etchings, engravings, posters, pamphlets, telephones, fax machines, photographs, radio, film, video and the Internet are part of a broad range of tools that activists have turned to in times of upheaval and have utilized to take a critical stance and to advocate for social change. In this sense, Kraidy (2016) argues, “creative insurgency consists of imaginatively crafted, self-consciously pleading messages intended to circulate broadly
and attract attention: forms in search of visibility” (p. 17). As raising visibility about stories of injustice is at the heart of activist work, specifically visual forms of communication evolve along with other media central to civic engagement.

Yet, “the study of political communication has often been framed by a narrative in which the image supplants the word” (Thompson, 2007, p. 209). To that end, revisionist research has been focused on accommodating the relevance of visual communication in 18th century political cultures in Europe, particularly England and France, addressing the long omission of the visual from studies in political history (Brewer, 1986; Crow, 1994; Hunt, 1984, Nicholson, 1996). The tradition of posters in England and France, for example, shows how visuals inspired energetic political debates. According to Thompson (2007), “posters were much part of the politics on the street, subject to public consumption and contestation, rather than the iconic agents of the passive politics of the living room” (p. 205). Indeed, they were so popular that the French government censored any caricatures of political figures throughout various periods in the 19th century and during World War I (Downing, 2001, p. 162). Posters were also a central part of parliamentary debates in England on a range of topics including the abolition of slavery (Thompson, 2007; Sliwinski, 2011).

Photographs, on the other hand, drove congressional debates about the American Civil War. For Vicki Goldberg (1991), the first “living-room war” was not Vietnam; it was during the American Civil War that the public sphere witnessed mass proliferation of visual imagery. Photographs of prisoners in the southern camps, known as the “living skeletons” images, as well as multiple engravings of these atrocious photographs, were widely circulated by American newspapers and discussed in Congress. Reports by a
congressional committee featured photographs along with written accounts to present findings about the conditions of southern prisons. Goldberg illuminates how these images were strategically framed as evidence to show prisoners who were dying under terrible circumstances and that the South was intentionally killing them.

The trappings of visuality also surface in writings about the European Revolutions. Kant, for example, refused the passivity of visual experience and saw the significance of the French Revolution in its ability to generate passionate responses in the eyes of its observers:

The revolution of a gifted people which we have seen unfolding in our day may succeed or miscarry, it may be filled with misery and atrocities to the point that a sensible man, were he boldly to hope to execute it successfully the second time would never resolve to make the experiment at such a cost—this revolution, I say, nonetheless finds in the hearts of all spectators (who are not engaged in this game themselves) a wishful participation that borders closely on enthusiasm, the very expression of which is fraught with danger; this sympathy, therefore can have no other cause than a moral predisposition of the human race (as cited in Sliwinski, 2011, p. 20).

The entanglement of Western notions of morality with the act of seeing goes back to the philosophy of Locke, Hume, Rousseau, Smith and Kant. Kathy Halttunen (1995) thus argues that the culture of sentimentality and the conceptualization of ethics vis-à-vis spectatorship made visual imagery instrumental in the development of humanitarian communication in the Anglo-American context between the 17th and 19th century. She examines the humanitarian campaigners’ regular use of pictorial depictions of flogging at
the time—of African slaves, soldiers, convicts and mental patients—as an effort to provide a structuring relationship between the ethical citizen and the victim of violence.\(^1\)

While Halttunen’s analysis is specific to the local circulation of pictorial pain, Sliwinski (2011) moves the discussion to global contexts. She examines the copper engravings of the catastrophic Lisbon earthquake in 1755 that circulated throughout the rest of Europe and argues that their importance rests in the precedent they set:

Not only did the representations of the quake initiate a lively, international debate about the nature of the human subject and its place in the world, but they also brought into consciousness a global empathy with the sufferings of distant strangers, a kind of tele-pathos derived in large part from the aesthetic encounter with this catastrophic event (p. 19).

Following Kant, she designates morality in the eyes of the observer and places public discourse at the heart of the emotional responses that visual encounters with suffering generate. It was the sight of agony, she claims, that shaped international dialogue about what it meant to be human and the nature of global empathy even before the concept of human rights emerged in global politics. In Sliwinski’s (2011) words, “the conception of rights did not emerge from the abstract articulation of an inalienable human dignity but rather from a particular visual encounter with atrocity” (p. 58). Indeed, the Universal Declaration of Human Rights (UDHR) was drafted in 1948 in the echo of the mass circulation of images depicting the horrors of the concentration camps. A year later, UNESCO organized a traveling Human Rights Exhibition to visually represent the significance of the UDHR. Through the various ways in which photographs attended to

\(^1\) It is worth noting that the underside of the efforts to link visuality with morality is the spectatorship of suffering that Halttunen discusses. This was promoted during the Middle Ages (e.g., Zelizer, 2010) and still challenges the production and consumption of traumatic images (e.g., Boltanski, 1999; Chouliaraki, 2006).
the act of bearing witness to trauma, seeing was again conceived as a moral act of the first order (Zelizer, 1998).

The interlinking of visual imagery with human rights concerns is also 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 prints often announced worker’s strikes and anti-fascist 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 outside of Europe of the Holocaust” (Craven, 2002, p. 67). This was Méndez’s renowned Deportación a la muerte (Deportation to Death), a linocut 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). Ricker (2002) noted that some of the posters also warned against Francisco Franco’s infiltrators in Mexico. TGP’s firm commitment to social justice was evident in their Declaration of Principles (1945), which stated: “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” (para. 2, personal translation).
Due to its ability to bridge sound and image, documentary film has also been burdened with hopes for social change. In the 1920s, Dziga Vertov was experimenting with film form and content in Soviet Russia, believing that film has a potential to construct a new visual and social reality. With his group Kino-Eye, Vertov shot numerous documentaries throughout Russia about people’s struggles in the civil war, their social problems and everyday life. Although 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 UK—first at the Empire Marketing Board and then at the Government Post Office—in the 1930s, documentary film was a vehicle for social policy.

The work of Dziga Vertov’s Kino Pravda, John Grierson’s documentary group and TGP illuminates how collective commitments to visual practice as an orientation towards 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 social movements, public dialogue and policy change. The groups discussed what was an appropriate social topic 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 art 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, while social responsibility was considered utmost for the relevance of documentary film and print art to society, for Grierson and TGP, respectively. These efforts, then, helped
shape visual activism as an occupational craft and crystalized the social role of visual activists. The views of these collectives found deep resonance in what later became a media activism movement, calling for “a new world image order” (Zimmerman, 2000, p. 19).

UNESCO’s debate on The New World Information and Communication Order (NWICO) in the late 1970s/early 1980s and its controversial culmination in the McBride Report is often considered the origin-story of media activism (Halleck, 2002; Milan, 2013; Rodriguez, 2001). The report was a first policy attempt to articulate the imbalances in the communication flows between the Global North and Global South (as well as 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 McBride Report became the starting point for debates about the role of alternative, grassroots and citizen media (Rodriguez, 2001).

Guided by the premise that community empowerment through direct participation in the media system is fundamental to media democracy and a healthy body politic (Halleck, 2002), media activism took various shapes and forms—video activism, community (or citizen) media for social change, public access television, press freedom and cyber activism, among others. Since then, we have seen an expansion of the entanglement between global activist movements and visual media of various kinds. Furthermore, the assumption that the visual is a central vehicle for moral and political involvement due to its evidentiary and emotional qualities as well as its perceived authenticity remained a deeply engraved rationale for activist uses of images. Video
activism stems from this wide-ranging history of the utilization of visual media for social change and human rights.

The Multiple Manifestations of Video Activism

Video has been framed within liberating and democratizing impulses since the late 1950s. The rise of video was assumed to disrupt mainstream visuality or “to subvert the system that brought the Vietnam War home every night” (Furlong, 1985, p. 234). Just like the French New Wave was a reaction to Hollywood filmmaking, the video movement in the U.S. was in part a response to the dominance of commercial television (Boyle, 1986; 1992). Newman (2014) 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” (p. 21). In this sense, video—whether as a documentary, installation or performance—was initially conceived as a prominent tool for social change, blurring the distinctions between journalism, art and activism (Furlong, 1985; Boyle, 1992).

Harding (2001) and Fountain (2007) link the growth of video activism around the world with (1) the social, cultural and political movements of the 1960s/1970s, including the feminist movement, black activism, LGBT rights, anti-war protests, the student movements and various new left 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. Downing (2001) sees video activism developing simultaneously in so-called First and Third World Countries. According to him, video was “part of social
movements that were variously—and sometimes overlappingly—pro-labor, antinuclear and black, addressing people with AIDS and HIV, empowering low-income inner-city communities, and combating communalism in India” (p. 193).

On the non-Western front, Hamelink’s (1994) call for development initiatives to “move from strategies of giving voice to the voiceless to strategies by which people can speak for themselves” (p. 141) was in part answered by indigenous communities around the world who actively engaged in video production. Ginsburg, Abu-Lughod and Larkin (2002) call the indigenous media movement in Canada, Australia and New Zealand cultural activism “to underscore the sense of both political agency and cultural intervention that people bring to these efforts” (p. 8). Similarly, Aufderheide (2008) notes that video-making is a political project for indigenous groups in Brazil capable of creating “a public mobilized not to react on partisan lines but to react to configurations of power—corporate, governmental, political—that menace a culture’s quality of life” (p. 33). Numerous groups around the world have utilized video as part of their efforts to create social and cultural change in their local communities. The Self Employment Women’s Association (SEWA) in India, for example, has been working with video since the early 1980s to educate and empower poor (and often illiterate) women on socio-economic issues pertinent to their lives.

Over time, the global video activism movement split into two groups: guerilla television producers and community video advocates (Boyle, 1992). Radical Software and Guerrilla Television were the two magazines that served as a manifesto to the alternative television movement in the U.S., calling not only to open the medium for alternative voices and visions but also to radically disrupt the style of television.
Community video collectives, on the other hand, were interested in community organizing as a means of social change. Although some groups produced television programming, the primary goal was to show the work in the communities directly affected by the depicted issues. The Alternative Media Center (AMC) in New York City, founded by George Stoney and Red Burns—which set the grounds for the Interactive Telecommunications Program at the Tisch School at New York University—was one such collective, interested in using affordable and easily accessible video technologies to produce and distribute socially conscious documentaries. In addition to training activists in filmmaking for social change, the group also played a significant role in the formation of public access cable television along with other collectives that established community television networks, such as Paper Tiger Television and the Deep Dish Satellite Network.

Though it had democratic potential, public access television had limited financial resources to produce and distribute content. It is unsurprising, then, that the ability of the World Wide Web to serve as a platform for “free” storage and circulation of content was fully embraced by video activists in the late 1990s. The anti-globalization protests in Seattle during the WTO Ministerial Conference of 1999 set a new benchmark for the global video activism movement. The merger of cyber activist culture with video activism at the time foreshadowed many contemporary video practices. Video activists utilized the networked environment to create video archives, develop peer-to-peer file sharing sites and interactive interfaces as well as to support video collaborations across the globe (Edwards, 2004, p. 39).

The Independent Media Center, known as Indymedia, grew out of the protests in Seattle. Since then, it has operated in over 150 locations including Canada, Mexico,
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 alternative media spaces where people could upload and download videos for free, read reports, click on links to other materials and have access to the website at any time (see also Kidd, 2002). Other alternative media collectives at the time working under the ethos of open publishing and Creative Commons licensing included the New Global Vision Project, Vision Machine, Undercurrents and OneWorld TV. Human and civil rights concerns were at the heart of these collectives. The standards they set in participatory culture about the uses of affordable and accessible technologies, open access, easy display, sharing and commenting on video content seem commonplace today, but they were groundbreaking at the time.

The rise of camcorders in the 1990s came with hopes for a democratization of the mediascape. Yet, corporate media were able to contain these impulses within controlled spaces (Ouellette, 1995). Therefore, video activists kept carving alternative spaces to raise their voices against perceived social ills and injustice. Today, however, they often rely upon mainstream platforms that easily facilitate their needs (though not without consequences, see, for example, Fenton & Barassi, 2011). Looking back at earlier video activists’ efforts, then, shows how the transformations in the information landscape over the last decade helped make the underlying logic of the activist media culture part of today’s digital landscape. Far from turning everyone into an activist or an engaged citizen—viral videos continue to be trivial in a newsworthy or political sense—the unfolding technological changes helped naturalize the presence of activist content in the public sphere and on popular platforms. These developments—along with the turn to
video in journalism, the law and advocacy discussed at length in subsequent chapters—
signal a new benchmark in the history of video activism, which this dissertation
examines.

This history of video activism—though by no means exhaustive or representative
of its fuller geographical diversity—sheds light on four key assumptions that undergird
the utilization of video as a tool for human rights (understood in their fuller scope as
civil, political, economic, cultural and social rights). First, video is perceived to serve an
important social function. It can intervene in public dialogue on pressing cultural and
social issues. Implicit here is the centrality of public funding in the early rise of video, at
least in the U.S. As Gever (1985) states, “conceived and nurtured in the public sphere,
video would not survive without public patronage, public TV, or other public
institutions” (p. 241). The National Endowment for the Arts and Humanities, state arts
and humanities councils, the Corporation for Public Broadcasting, nonprofit media
centers and university programs were the first supporters of video projects. As video
became ubiquitous, the funding streams diversified. Needless to say, video now serves
numerous and varied interests and needs; yet, the long presumed social function of video
remains important for human rights activism.

Second, video assumes open and collective participation in media making. Its
power can draw from its ability to foster identities and to create a sense of community
and engaged citizenry. Video-making is a process through which diverse populations can
negotiate and assert their cultural identity in the public sphere (Deger, 2006; Ginsburg,
2002; Halleck, 2002; Prins, 2002). It can encourage “processes of identity deconstruction,
personal and group empowerment, demystification of mainstream media, reversal of
power roles, and increasing collective strength” (Rodriquez, 2001, p. 127). Video can thus structure democratic power not necessarily as voting and protests but as experiential learning and involvement. In this sense, Whiteman (2004) proposes a coalition model for evaluating the political impact of the documentary genre and by extension, activist filmmaking. This model takes into account the entire filmmaking process and moves beyond the focus on individual behavior, looking at the horizontal structures and networks that are affected by the issue at hand. It also considers the role of video in generating and nourishing alternative spheres of public discourse.

The third assumption follows from this observation—video is seen as a platform for alternative visuality and voice. According to Downing (2001),

video and film’s recapitulation and condensation of the separate strands of earlier media technologies—sound, print, animation, color, editing, imagery, artwork—give them particularly rich possibilities in assisting the constitution and development of alternative public spheres (p. 198).

Contrary to film, video has long been situated against the mainstream both in terms of aesthetics and content. Early experiments with video, for example, 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 cheaper technology, easier to handle and more readily available to diverse groups. These qualities have helped raise its status as an alternative to film and television. Video is thought of as an alternative platform also because it can be a vehicle for voices excluded from public dialogue. Video activism, for example, has been vital in raising awareness and generating discussions about disarmament and nuclear proliferation, environmental
dangers, homelessness, AIDS and various human rights issues, including indigenous rights. Video, then, can extend the spaces and discourses that promote democratic values.

Lastly, video is assumed to generate emotional responses, striving to carry on democratic models in line with Mouffe’s (2000) embrace 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” (p. 16). Privileging visuality, voice and emotional engagement as grounds for social critique, video activism seeks to position itself in sharp contrast to normative models of deliberative democracy. Instead, its users see democracy as a set of ongoing critical practices that people endorse in their daily lives.

To summarize, in their aspirational and idealized forms, activist undertakings have multidimensional goals and are a direct response to the perceived failures of cultural, social, journalistic, economic, political and/or legal mechanisms to protect the rights of citizens. In this context, activism is a corrective to the system that shapes social life. As information is the backbone of activism, communication tactics have been among the strongest and oldest activist weapons. The persistence of specifically visual modes of communication in activists’ endeavors speaks to the long assumed centrality of the visual in providing grounds upon which public critique emerges.

For Boltanski and Chiapello (2005), “the formulation of critique presupposes a bad experience prompting protest, whether it is personally endured by critics or they are roused by the fate of others. Without this prior emotional—almost sentimental—reaction, no critique can take off” (p. 36). Activism, when operating as a critical force, 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 platform for alternative voice and vision that can communicate indignation as part of a larger critical framework. Unlike film, though, with which it shares some qualities as an audiovisual medium, video is more practical (e.g. cheaper and easier to use), and it seems more immediate because it does not need to be developed or processed.

This overview illustrates how efforts to use visuals for social good have always been shaped by technological developments, patterns of cultural belonging, political commitments and aesthetic visions. Whether we conceptualize activism as a project with political intentions, an ongoing intervention in public dialogue or a call for direct action (Bogre, 2012), the cultural history of visual media reminds us of 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 and impacting social change. This persistent interlinking of the visual with ethics and politics since the 17th century demonstrates the often-understated relevance of visual imagery to traditional notions about good communication and civic engagement. It also shows how despite being recent in technological terms, the current iterations of video are a cultural extension of wide-ranging and longstanding visual practices.

As activists were also among the first to use video, they were able to imprint upon it cultural expectations that video is a technology and a medium of social upheaval and transformation. Implicit here is an understanding of video as an indispensable human rights tool. This function draws from video’s ability to bring together the appeal of visual
evidence and the power of personal testimony with a sense of immediacy and authenticity. This, in turn, can mobilize passions towards political involvement that promotes and protects human rights values. As a result, the gravitational pull towards visuality, the long entanglement of video with activism and the wide availability of technologies and platforms that enable relatively inexpensive and easy gathering, storage, display and distribution of content have together made video a particularly valuable tool for human rights.

The wide adoption of video by activists also helped promote video activism as an occupational craft. Building upon the legacies of visual politics endorsed by early humanitarian campaigns and the work of groups such as TGP, Kino Pravda and Grierson’s documentary unit, video activists have been employing a repertoire of tactics to advocate for social change and human rights. Creative, dispersed, fragmented or organized, tactics indicate *schemas of action* (De Certeau, 1984). Through tactics, video activists expose injustice and seek change. How these tactics evolve as video is attaining institutional legitimacy and as human rights groups embrace video activism is the subject of the following chapters.

**Methodology**

To understand the status of visual knowledge and human rights activism today, my methodological approach borrows from ethnography to study how three leading human rights groups use video: Amnesty, HRW and WITNESS. Primarily an anthropological practice and episteme, ethnography has been operationalized as a holistic method that incorporates *experiencing* through fieldwork and participant observation,
enquiring through extensive interviewing—ranging from structured to informal interviews—and examining the different kinds of work produced by the groups that the researcher studies (Walcott, 2008). The notion of thick description (Geertz, 1973), an interpretative mechanism for studying social phenomena through a cultural prism, has been the reign of ethnographic engagement. In a global networked society (Castells, 1996), however, social phenomena are at once pervasive and dispersed. The partiality of any perspective is therefore visible. Anthropologists have responded by revisiting what ethnography can do in the context of the contemporary media landscape.

Jackson’s (2013) provocative concept of thin description calls for a “flat ethnography, where you slice into a world from different perspectives, scales, registers, and angles—all distinctively useful, valid and worthy of considerations” (p. 16). Moving away from assumptions that ethnography can—or should—provide a complete account embedded in the concept of thickness, thin description, for Jackson, privileges dialogue. It engages intellectually with the vernacular of the communities and phenomena it seeks to understand and considers the complexities of current information flows. The advent of digital platforms and social media, for example, has given ample opportunity for conversations across the academy and various subjects of scholarly pursuits. As a result, there is no natural endpoint for fieldwork because the online sphere illuminates the ongoing self-theorizing generated by the communities one studies. Thin, therefore, does not mean less substantial; instead, it usefully and fruitfully acknowledges the relativity and partiality that the notion of thick description elides. This methodological commitment, then, urges the researcher to be engaged in an active conversation with those who have stakes in the topic.
The ethos of thin description was, in part, foreshadowed by the critical interventions of Riles (2006). In her view, globalizing processes generate networks of institutions, knowledge practices and multiple artifacts; in turn, researchers often share the interests, passions and challenges of the subjects they pursue. In this way, scholarly engagement, although speaking from a different position, is inevitably part of an enduring and direct dialogue with other knowledge producers. Ethnography therefore can only speak from “inside out” the information networks it seeks to understand (Riles, 2000). I argue that this methodological orientation provides a point of access into the complex entanglement between video and human rights from within the heart of the institutional networks that propel human rights claims into the public sphere.

I borrowed this ethnographic sensibility to study the institutional environments in which human rights video activism takes shape. My methodology incorporated: visits to several central offices in which HRW, Amnesty and WITNESS operate in New York, Washington DC and Brussels, semi-structured in-person and occasional phone or Skype interviews with key staffers (media and video advocacy personnel, communication staffers, researchers and legal advisors), informal conversations (often at conferences that I attended or presented alongside staff members from these human rights groups) and textual analysis of both human rights videos and the range of documents these groups produce.

I completed a total of 30 semi-structured interviews, each ranging between 60 and 90 minutes, with 10 human rights staffers per group. The interview questions were broad and open-ended, allowing participants to choose how to tackle them. Often, questions emerged by following the online conversations and watching the latest video projects. In
general, the questions combined personal narratives (e.g., how the interviewee became interested in video and human rights work) and topical questions that focused on the groups’ approaches to video activism.

I used the Spradley Model for qualitative interviews as elaborated by Madison (2012) as a guide for formulating my questions. I thus attended to: (1) descriptive information (e.g., the overall process for producing human rights videos, the interviewee’s personal experiences with video production), (2) structural questions (e.g., explaining the decisions as to which human rights stories are amenable to video and why) and (3) contrast questions (e.g., the similarities and differences between video and other forms of media advocacy).

In addition, I interviewed four news and legal professionals who have worked with these human rights groups in different capacities, such as former staffers at Storyful—the first social media newsroom specializing in online verification—and members of the European Journalism Centre and the International Bar Association. All interviews were conducted between 2012 and 2016. Some staffers were interviewed on multiple occasions. A sample of interview questions is included in Appendix 1, and a list of interviewees is included in Appendix 2. The interviews were transcribed and analyzed by looking for recurring themes.

I have also followed the social media accounts of all three groups over the last three years, and I have subscribed to their mailing lists and YouTube channels. This has enabled me to stay informed about the latest videos, tools, advocacy projects, news coverage and internal writing on issues pertinent to my dissertation project. Informal discussions on social media and at conferences, at times, helped me clarify data gathered
through interviewing. I also watched and analyzed a total of 300 human rights videos—each averaging five minutes in length—that were produced by Amnesty, HRW and WITNESS over the last ten years. I paid close attention to the aesthetic and rhetorical framing of the human rights story. Whenever information was available, I also read how the video was used in advocacy efforts on the group’s website and followed up on it during the interviews.

The selection of groups echoes Tsui’s (2010) distinction between adaptive and transformative newsrooms in a sense that I chose to focus on human rights groups whose work has been shaped by new technologies differently. WITNESS was founded upon the premise that video-making can contribute to social change. HRW and Amnesty, the oldest and the most recognizable international human rights groups, on the other hand, have adapted to the new digital environment, turning to video more recently. Looking at WITNESS’s transformation over time alongside Amnesty and HRW’s internal discussions about the affordances of video provided variegated perspectives about the underlying ideals, norms and practices through which activist videos get inscribed into human rights discourses and the subsequent consequences of this development.

My examination of video activism was also supplemented with fieldwork at the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague, The Netherlands in January (16-31) and April (15-22), 2015. There, I observed three trial sessions of former General Ratko Mladic and a status conference with former Bosnian Serb political leader Radovan Karadzic. In addition, I toured one of the courtrooms with the audiovisual supervisor at this court, and I obtained permission to interview seven professionals—prosecuting attorneys as well as staff at the archival, evidence and
audiovisual courtroom production units. Upon receiving this approval, I was able to quote these individuals in this dissertation. I also did archival research of the video evidence collection and the trial transcripts, and I followed live online broadcasts of 10 trial sessions. The ICTY, as the first human rights court of its kind and one that fully integrated visual practices, provided a generative case study through which to understand the visual turn in the law. Fieldwork, personal interviews, informal conversations, online observations and analysis of various documents and videos at Amnesty, HRW, WITNESS and the ICTY, then, informed the research and findings of this dissertation.

The Organization of the Dissertation

Zelizer (1998) argues that the link between technological, political and moral mandates is central to which violations the public sees and remembers. Following her, I suggest that the undergoing changes in journalism, the law and advocacy have together created the institutional circumstances that place video at the heart of global crises and human rights discourses. Technological advancements and cultural, social and economic changes are elevating the public recognition of video as a tool for human rights, while the pronounced adoption of video in journalism, the law and advocacy is forming an institutional locus that legitimizes visual knowledge. How human rights groups shape video activism to play to this new status of visual knowledge in these institutional environments is the subject of this dissertation, which proceeds in four parts.

Chapter 2, “Human Rights Video in Journalism,” examines the relationship between journalists, human rights groups, activists and citizens in global crisis reporting in connection to video. It scrutinizes the tactics of human rights groups, looking at how
they develop guiding mechanisms and tools for video activism by accommodating the needs and parameters of journalism.

Chapter 3, “Human Rights Video in the Courtroom,” uses the ICTY as a case study to scrutinize how the visual turn in the law has created new possibilities for human rights work. It maps the tactics of human rights groups when they organize their video work to play to the authority now given to the evidentiary potential of videos in the courtroom.

Chapter 4, “Human Rights Video in Advocacy,” tackles how human rights groups utilize video to summon publics and political stakeholders as key audiences for their videos. It discusses both the role of video in advocacy and how these groups produce and use human rights videos in their advocacy efforts.

Chapter 5, “The Proxy Profession,” argues that by developing standards, tools and practices for video, human rights groups are seeking to professionalize video activism as a survival strategy in a new institutional context brought on by the unfolding turn to video in journalism, the law and advocacy. Their aspirations to professionalism lead to a proxy profession that has a direct consequence on the acoustic and visual dimensions of human rights videos, which this chapter examines.
Chapter 2. Human Rights Video in Journalism

The proliferation of visual technologies and platforms has propelled images to the forefront of the current information environment, bringing a profound visual turn in journalism. The increasing reliance on visuals has been pronounced in crisis coverage, especially international news, where the boundaries and integrity of journalism are constantly brought to question as journalists, citizens, human rights groups and activists all partake in the production and circulation of news. Thus, visual media are often centrally implicated when the paths of different actors cross in the information landscape. Journalists rely on images shot by civilians to produce the first round of reporting during emergencies or when they are unable to cover an event from the scene of its unfolding. Activists often risk their lives to capture images so they can place their stories on the international news agenda. Human rights groups produce videos of interest to news outlets, and they participate in the development of verification measures for online images. This unfolding relationship between journalists, human rights groups, activists and citizens in global crisis reporting is at the core of this chapter.

I situate the current visual turn in journalism as reflective of ongoing economic, technological, cultural and social transformations that question existing financial models, established journalistic tools and platforms, modes of information relay and normative assumptions about appropriate models for journalistic work. At the same time, human rights groups have seen each of journalism’s struggles as an opportunity to tap more prominently into the culture of journalism. Not only has video been centrally implicated in this development, but also the different attitudes towards visuals on the part of these two communities have further facilitated the relationship that has ensued. In charting the
growing prevalence of video at the crossroads of newswork and activism, this chapter shows why and how human rights groups have permeated journalism. I argue that video is now providing authoritative cues for the evolving information work of human rights groups that develop video tactics by looking to journalism, shaping standards and verification measures for unfolding visual practices. In doing so, they seek to position themselves as visual experts, brokering between citizens and journalists in international emergency coverage.

**Journalism’s Challenges, Human Rights Opportunities**

A series of economic, technological, cultural, social and political forces presently challenges journalism. Decreasing financial resources, rapid technological advancements, lack of public trust, scandals and deviations from ethical standards and professional norms characterize the field. Human rights groups have become a visible part of this changing news landscape to offset, in part, the deficiencies raised by the current set of circumstances. They are using the transformations and present challenges in journalism as a fortuitous moment, becoming not only sources for the news media but also active agents of news.

The interplay between contemporary journalism and human rights activism is especially evident in the visual field. As video migrates to the forefront of journalism, it illuminates some of the tensions that the Western project of modernity has tried to contain in the background: the malleability of journalism’s authority, the fragility of impartial reporting as journalism’s gold standard as well as the lurking presence of
opinion, emotion and imagination in the news. In this process, video also brings to focus some of activism’s strengths: the questioning of authority, the purchase of visuality, emotional appeals and personal storytelling. As visual practices cut across journalism’s core challenges, the new shaping of video by human rights groups is becoming a legitimizing mechanism that delegates them the right to speak in the name of public interests alongside bona fide journalists.

Amnesty, HRW and WITNESS are not only shaping tactics for video activism in ways that better place their work as news segments, but they are also responding to journalism’s growing need for visual news by developing verification tools and standards for citizen journalism. As a result, they are positioning themselves as visual experts who claim epistemological and interpretative control over various images of global injustice. In large part, this centers on wavering reputational status and trust, uneven financial support, technological processes, differing responses to visuals and normative expectations about models of information relay.

**Reputation and Trust**

While the media have seen a decline in their reputation due to the consequences of rapidly diminishing financial resources (McChesney & Nichols, 2010; McChesney & Pickard, 2011), the coverage of the wars in Afghanistan and Iraq (Bennett, Lawrence & Livingston, 2007; Patterson, 2013; Tunstall, 2007), various journalism scandals and an inability to reconcile professional identity in light of technological progress, the reputation of civil society groups has grown over the years (Castells, 2008; Lang, 2013).
Human rights groups, for example, are keen to mention that they are perceived as more trustworthy than news media. One communication director told me “we have loyal followers who are going to trust us more that they trust some of the media outlets that they might have gone to in the past” (E. Daly, personal communication, August 18, 2015). The Edelman Trust Barometer (2014) finds the civil society sector as more trusted than governments and media over the last seven years.

The general perception in the human rights community is that it took years of hard work to build public trust. Caroll Bogert (personal communication, May 6, 2014) described how HRW acquired its reputation over time, remembering the difficulties to secure media coverage in the aftermath of 9/11:

New York Times still won’t use the term torture…They’ve been called on that by the Ombudsman, and there has been an interesting exchange over the years in which they’ve been challenged. But, they won’t relent. I think that also damaged people’s reputations. It was a very lonely time, I remember, on September 13th probably, maybe September 12th, [when] we put out a statement about September 11th, saying that it was a terrible loss of life, and [that] it’s a crime against humanity. That’s the term for it in human rights terms, not terrorist acts…and [that] the U.S. should take care in its response to also abide in proportionality by laws of war, which was an incredibly mild thing to have said comparing with what the U.S. did. I remember being called at home by an American diplomat who [was] absolutely enraged…[and] told me ‘what are you, deaf, how could you say something like that in times like this?’ We were very very isolated. And we were saying from the beginning Guantanamo [was] a disaster. That was so unpopular. It was really hard. Those were really tough days, and we kind of lost the media. There wasn’t very much of that kind of a perspective. That maybe contributes a little bit to [journalism’s] credibility problem.

Explicit in her statement is a comparison with the news media: both journalists and human rights groups are storytellers of current affairs, but media’s comfortable relations with powerful elites can sometimes fail them in maintaining trustworthiness. Human
rights groups, then, tactically promote their work by plainly situating it against the failures of journalism.

Transparency is considered a key variable for building public trust:

News outlets are perceived to be in the pocket of this magnate or that magnate, you know, pushing their business interests. It’s understandable why people feel like “I’m not getting an accurate picture”…The point is we all have our interests, it’s just about being able to recognize where your news sources are coming from or what their agenda is…It becomes ever more important to be really clear about where that’s coming from, who’s funding it and what their agenda is (E. Daly, personal communication, August 18, 2015).

Journalism has long tried to conceal some of its biases under the veil of professionalism.

Human rights groups, on the other hand, insist that investigative work can benefit from the open disclosure of one’s biases.

We’re pretty transparent about what we do. We are criticizing governments to try to make them change. We’re clear about the agenda that we have. I remember a journalist saying to me a few years ago, “I don’t know why you would want to be thought of as being like a journalist because the work that you do is of much higher caliber than most journalism” (E. Daly, personal communication, August 18, 2015).

The current rise of the presumably trustworthy information work of human rights groups, then, is partly driven by the media’s troubles in maintaining their authority to report on current affairs.

**Uneven Financial Resources**

Uneven financial resources characterize journalism and prominent human rights groups like Amnesty and HRW. The story of the economic transformation of traditional journalism in Western societies is familiar by now: shrinking financial resources have caused not only a loss of jobs, but also cuts in live coverage, story length, original content
and international news. The State of the News Media 2015 Report (Pew Research, 2015) reveals that cutbacks in the newsroom put the newspaper industry below 37,000 full-time journalists, a record low in the US since 1978. The coverage of live events on cable television—dependent upon a crew and correspondent—is down by 30%, and story lengths are almost half of their average in 2007 (Pew Research, 2013). Needless to say, the role of the foreign correspondent is challenged by a lack of funding and competitive sources of information (Hamilton, 2009; Kumar, 2011). Freelancers, stringers, fixers, minders and translators, often untrained and unsupported, replace or support the work of professional journalists in global news coverage (Hannerz, 2004; Keller, 2013; Murrell, 2015). As there are fewer resources for global news content and more opportunities for different actors to engage in information work, the boundaries of journalism are blurred. The melding of journalism’s contours has become particularly salient in the visual field, where financial challenges coincide with a growing demand for images, mandating journalists “to produce more images with less funding” (Gursel, 2012, p. 81).

Leading human rights groups, whose resources are on the rise, have found it easier to partake in the production of news. While there are less foreign correspondents working at major news organizations, the number of researchers at HRW, for example, is larger than the corps of foreign correspondents at The New York Times and The Washington Post combined (Bogert, 2009; 2011). HRW has 400 full-time staff members and a $73 million annual budget. Amnesty’s annual budget is $88 million and its employees include 130 full-time researchers and 500 supportive staff (Powers, 2015a). Although a smaller group, WITNESS has been also growing, reaching $4.9 million and 28 core staff members.
Unlike journalism, financial growth has enabled human rights groups to operate, investigate and/or develop programming in numerous countries around the world, offsetting a diminishing journalism presence in international reporting. Hence, many human rights groups have turned journalism’s challenges into an opportunity to place human rights investigations as the focal point of on-the-ground media reporting on global crises. According to the Multimedia Director at HRW, the media “have less money to send foreign correspondents all over the world to cover things, so it’s a big bonus for us that we are able to give them materials they can use” (P. Bairin, personal communication, June 16, 2015). It is not so surprising, for example, that human rights groups today enjoy wider publicity in the mainstream media than they did at earlier times. *The New York Times* referred to a story by HRW roughly every other day in 2010, while Amnesty ranks next to HRW in its overall citations (Powers, 2014). Research also finds that less resourceful news outlets are more likely to cite human rights and humanitarian organizations in their reporting (Powers, 2015b). In the words of one staffer, “We used to joke [that] you can always tell a newspaper is going to [go] bankrupt because they start quoting us every day” (C. Bogert, personal communication, May 6, 2014).

To take advantage of the gap in international news coverage, human rights groups have diversified their media strategies (McPherson, 2014; Orgad & Seu, 2014; Powers, 2015a). Powers (2015b) finds media savviness more important than resources as a variable driving the prevalence of these groups in the news. Video has been among the key forces shaping this development. “As the news media declined and they have fewer resources, they do look to other reliable sources of information. And, if human rights pictures provide them with reliable stuff, they can cite us instead of going there
themselves” (C. Bogert, personal communication, May 6, 2014). In this sense, the turn to video on the part of HRW and Amnesty has been accompanied by a conscious decision to increase their prominence in the news.

It doesn’t matter what kind of medium you are. You’re a digital outlet and you need video. If you are a broadcaster, you need it. If you are print, you also need it because you have to fill your news website with stories that in your rapidly diminished newsroom [you] couldn’t possible cover. So, we’re trying to give them as many different types of content as we can that are going to be useful (E. Daly, personal communication, August 18, 2015).

Human rights groups have seen the decline in international news as an opportunity to package their stories in desirable media formats, allowing them to speak publicly on issues central to their work. Needless to say, media coverage is not their end goal, but journalism constitutes an important platform for advocacy and recognition.

Human rights groups use news media as a vehicle through which they reach both policy makers and citizens. In the words of two staffers: “We often depend on journalists to get our work out to policy makers” (E. Daly, personal communication, August 18, 2015); “At times, the media can be a very useful tool for getting stories that we’re trying to tell out in the public” (D. Eyre, personal communication, August 14, 2015). When the news media broadcast human rights work, they also validate it as credible information, increasing the visibility of the human rights group. By providing a platform for name recognition, the media are also valuable for fundraising. A staff member told me how media coverage helps Amnesty simultaneously accomplish three of its goals: “not only do we achieve the ‘this is a human rights abuse we’re trying to expose’…[but] it also gets us mentioned and raises our profile in a very crowded marketplace, and people might think it is the worthy cause to donate to” (P. Woolwich, personal communication,
September 15, 2015). News media coverage, then, is important for the acclamation of human rights work.

To boost their news coverage, HRW and Amnesty, both human rights groups that transitioned from print to digital (just like journalism), have been increasingly utilizing video as the primary means by which to feature their work in the news. According to Carroll Bogert (personal communication, May 6, 2014) of HRW,

The mainstream media often lack the resources to go and do the kind of investigations that we do. CNN’s Christiane Amanpour runs a big segment on the Central African Republic—all of the video came from us, all of it. CNN did a story about Buenaventura in Colombia the other day, all of the video came from us, not a part of it, all of it. Now what does that mean? It doesn’t mean necessarily they aren’t interested in the story because they ran the story. They don’t have the capacity to do all the reporting.

Video grants human rights groups greater access to the mainstream media. “Often, you’ll find that video gets more traffic than the press release” (E. Daly, personal communication, August 18, 2015). Amnesty staff expressed similar sentiments:

Quite a lot of what you see—where you’ve got Amnesty mentioned on TV news or website news like Vice—quite a lot of what you see actually is footage that we’ve gathered, that we then passed on to the broadcasters so that they would cover the story. By covering it, we want people to get involved with the issue not just get involved with Amnesty (P. Ellerton, personal communication, August 12, 2015).

Video thus serves a twofold purpose: by filling the gap in international news, it brings both the human rights story and the voice of human rights groups to the mainstream media. In doing so, it validates their work, and it assists them with fundraising. Video, then, provides authoritative cues for the information work of human rights groups, complicating the markers that have long delineated who belongs in journalism and who does not.
The active participation of citizens and activists in the current media environment is also casting doubt on long existing boundaries within journalism. A human rights video activist at WITNESS told me:

I wanted to report on international human rights issues. Because of the declining funding for journalism, those issues have been covered less and less by the mainstream media, and yet, they have been taken up by activists and by video activists, by community media collectives and citizen journalists (M. Bair, personal communication, July 2, 2015).

As more actors take on the role of reporters in mainstream news, human rights groups have further diversified their tactics to remain relevant in this space. WITNESS, for example, is gradually moving away from video production to advocacy around best practices in video usage. It has developed a video curriculum, training citizens and activists how to capture videos that may best fit journalistic requirements. By embracing video as a central vehicle for news visibility, then, human rights groups are mastering visual modes of information gathering and news relay. This is especially important at times when the dominant understanding is that “video is not just an illustration on the side; it’s not an optional thing or additional material; it’s really the material itself” (P. Bairin, personal communication, June 16, 2015)

**Visual Technology**

The differing responses by journalists and human rights workers towards changing technology, particularly visual technology, also helps foster the centrality of human rights groups in doing journalistic work. The advent of mobile phones with built-in cameras and easy Internet or Bluetooth connectivity and the proliferation of social
media platforms constitute new means for gathering information and distributing content. According to Rottwilm (2014), “social journalism and the ever-increasing amounts of audience information held by news organizations are redefining the very category of news-worthiness, as well as how journalists write, display, present and follow up their stories” (p. 16). In this landscape, mobile devices have become a routinized means to document presence and endorse claims to reportorial authority in journalism (Zelizer, 2016, in press).

These technological developments are centrally implicated in the visual turn in journalism. Even the algorithms of social media platforms like Facebook—an increasingly significant source of incoming traffic to news websites—favor video (Peterson, 2014). The former news editor at Storyful thus told me: “if you get a news article linked to a video, then, that gives you much greater chance of your story being seen” (M. Browne, personal communication, July 21, 2015). It is not surprising, then, that “when you ask industry strategists where news is going, they talk about three things: mobile, video and scale” (M. Browne, personal communication, July 21, 2015). The growing centrality of video in journalism, however, questions established practices, tools and modes of information relay: in other words, it challenges the presumed parameters under which journalism operates.

The enduring precedence of words over images “has buttressed a default understanding of news as primarily rational information relay that uses words as its main vehicle and implicitly frames images as contaminating, blurring, or at the very best offsetting journalism’s reliance on straight reason” (Zelizer, 2010, p. 6). Journalists have long been reluctant to embrace the accruements of various visual technologies, and the
current rise of video is no exception. The unfolding media moment, however, positions international news in the midst of a crowd-sourced video revolution, making visuality “one of the most dominant news values of our time” (Anden-Papadopoulos & Pantti, 2011, p. 10). Images therefore are no longer just a supplement to the written or verbal record; they are becoming an essential tool for gathering evidence and a mode of information relay on their own terms. As one journalist told me, “images were sometimes seen as a kind of fluff around the story, but now, increasingly, you might see that an image or a video becomes the defining moment of a story, and often that video is an eyewitness video” (G. Sheridan, personal communication, June 30, 2015).

Videos captured by bystanders, accidental witnesses and activists (even terrorist groups and perpetrators of violence)—what I refer to as “eyewitness videos” in line with Wardle (2015) and Mortensen (2015)—lend journalism a sense of immediacy and proximity, often performing the eyewitness function in newswork. In many cases, these videos have become a standardized feature in the news, signaling presence during the instantaneous coverage of breaking news or events otherwise inaccessible to journalists’ on-site witnessing. In preferring the term “eyewitness video” to other choices (e.g., citizen video, user-generated content or amateur images), I follow a line of scholarship that theorizes the co-implication of technology and the professional, political and institutional ambiguity associated with these materials (Al-Ghazzi, 2014; Mortensen, 2015). The attribute “eyewitness” also captures the centrality of non-journalist involvement in journalism’s claim to authority in current affairs (Zelizer, 2016, in press).

Since 9/11, the London bombings in 2005 and the Iranian Revolution in 2009, three commonly used reference points for the rise of the so-called citizen journalism,
eyewitness videos have often either assisted the first round of information gathering by journalists or offered evidence that bolstered, challenged or disrupted the official framing of events. For Sameer Padania (personal communication, July 28, 2015) of the Open Society Foundation, formerly at WITNESS,

Five years ago, if you saw a piece of grainy citizen shot video on the news, it was an anomaly. They would apologize...they would flag it [up as an issue]...now, it's just totally normal. You see citizen video all the time. It’s completely central to the news gathering process. [By now, i]t has become its own business.

The routine reliance on visuals in journalism is especially pronounced in crisis coverage, where eyewitness images become the key data of difficult news events. It is during emergencies—a war, protest, accident or natural disaster—that eyewitness footage can offer the first round of reporting before journalists arrive on the scene, if at all. Zelizer (2007) therefore has claimed that citizen journalism, like other developments in journalism, “has allowed the news media to claim they ‘have been there’ as witnesses of events that they have not witnessed” (p. 425).

The implications of the visual turn in journalism are twofold: eyewitness videos become the new agenda setters, and they become the standard means through which the eyewitness function of journalism is performed during emergencies. The turn to visuals in times of crises, however, is a longstanding news pattern and so is the reluctant response to their primacy (Zelizer, 1998; 2010). The legacy of antagonism between images and words shadowed the arrival of the wirephoto in 1935, leaving journalists unable to consolidate “a profession under pressure” as the need for visuals in the coverage of World War II rose above journalism’s ability to standardize image usage

A look back in time is important because it suggests how the current lack of standards and systematic approach to eyewitness images is not as new as it initially appears to be. The missed opportunity to think through the complexities of visual tools at the beginning of the 20th century and failure to reconcile the tension between images and words in a productive manner since has meant that technological advancements in the visual field continue to outstrip journalists’ ability to grasp and adopt visual innovations systematically. This is especially evident at times when new technologies promise to bear witness to events inaccessible through established journalistic tools and practices. In that sense, just as World War II normalized the use of photography, the Syrian conflict crystalized the routine utilization of eyewitness video.

Human rights groups insist that citizens felt a duty to take on the role of journalists because no one else was there to bear witness: “the Syrian government prohibited and prevented international presence in the country, so the people there had to take on the role of journalists” (R. Althaibani, personal communication, August 7, 2015). On the other hand, the deeply engraved journalistic role of bearing witness to unfolding events eased journalists’ discomfort about using the available eyewitness content. Wardle, Dubberley and Brown (2014) found that the ongoing Syrian crisis turned the utilization of eyewitness visuals into a standard feature of news out of necessity:

While the innate power of some of the UGC from Syria might have pervaded the news no matter what, the limitations placed on journalists to enter the country or move around freely in this case forced even the most reluctant of journalists and editors to use UGC—because it was impossible to tell the story otherwise (p. 4).
Despite the turn to eyewitness video, though, no standards developed for its use. Eyewitness images are regularly configured in news without proper description, credit and fact-checking (Wardle et al., 2014). As the Eyewitness Media Hub (2015) says, “It’s a Wild West out there” (para. 1). News managers are unacquainted with the complexities involved with using and verifying eyewitness videos. Moreover, national newsrooms rely primarily on footage from news agencies, which also fail to handle eyewitness video consistently. As a result, newsrooms are often even unaware that they are using this kind of video (Pantti, 2015; Wardle et al., 2014). The former Innovation Director at Storyful summarized these challenges:

Television news and newspapers have yet to grapple with the implications of A) how to monitor this stuff every day because there’s a lot of it, B) how to prioritize it editorially and C) how to then distribute it or tell a story around the content itself (G. Sheridan, personal communication, June 30, 2015).

Issues around labeling and crediting eyewitness images today have also created new challenges: the need to navigate the ever-growing repository of online videos through standardized editorial procedures, the increasing demand for technical skills to assess videos and the need to balance professional journalism standards with the emerging aesthetics and ethics of the unfolding shape of eyewitness reporting.

These responses to visual technologies, however, are a repeat performance in journalism (Zelizer, 1995a). Although manifested differently, discourses of resistance within the journalistic community characterized the rise of photography (Zelizer, 1995a; 1995b; 1998) and newsreels (Doherty, 2013), the ascent of TV (Zelizer, 1992) and the advent of so-called citizen journalism (Anden-Papadopoulos & Pantti, 2013a). Seen as inferior to words, each visual tool was perceived as a threat to the esteemed, fact-based
and impartial journalistic mode of storytelling. Thus, the four central moments related to images in news were turned into challenges for journalists, rearranging boundary markers and questioning previous notions about professional membership. Eventually, each moment expanded the professional definition of journalism to accommodate for the newly created roles central to newsmaking. In the context of eyewitness images today, human rights groups are emerging as visual experts who do journalism alongside entrepreneurial news agencies such as Storyful—that established a business model around the utilization and verification of online video in 2012—as well as more recent journalistic initiatives like the First Draft Coalition founded in 2015.

Just like any other visuals, the meaning of eyewitness images is fluid. It accommodates a wide-range of interests, and it changes as the image moves across different platforms. Produced outside of traditional news structures, eyewitness images cut across the top-down and bottom-up currents in the mediatization of conflict (Mortensen, 2015), adding further layers of complexity. Considered most valuable in times of crises, eyewitness videos are important for another reason: they overlap with activist spaces. The conflict in Syria, for example, sheds light on the interplay between activism and reporting, a distinction often blurred in the co-optation of eyewitness images to bear witness to events without journalistic presence (Anden-Papadopoulos & Pantti, 2013b; Khamis, Gold & Vaughn, 2012; Lynch, Freelon & Aday, 2014; Reporters without Borders, 2012). In the words of a reporter at Reuters, “activist videos have really formed a foundation of the reporting that comes out of that story” (as cited in Wardle & Dubberley, 2014, section 6.3, para. 1).
The ubiquity of eyewitness video, then, has brought activist publics into a direct conversation with mainstream journalism. Contrary to journalists, though, human rights activists have long claimed a level of mastery over the evidentiary and conceptual qualities of images. As the previous chapter discussed, the utilization of images as tools of both evidence gathering and activism goes back to the turn of the 20th century and the use of photography to document and end colonial brutalities in Congo (Sliwinski, 2011) or film to stop the Armenian genocide (Torchin, 2012). And it continues to the present day.

Human rights groups purposefully borrow and build on this tradition of visual human rights activism. They think of eyewitness video as a valuable tool: it is just “like any other form of evidence really,” as a former staff member at Amnesty told me (D. Eyre, personal communication, August 14, 2015). Similarly, another staffer stated:

Human Rights Watch has always had an omnivorous approach to research and data gathering, so whenever there was an available video, it would have always been used and absorbed whenever possible...The obvious fact is that citizen journalism has always existed. It has simply been transformed with the new technology. But, this is not a qualitative change. It is a quantitative one in the diversity, the capacity and the frequency of materials (J. Lyons, personal communication, August 13, 2015).

Situating eyewitness images as part of the latest iteration of evolving visual practices, both Amnesty and HRW were quick to expand the responsibilities of their satellite image analysts and crisis response units to accommodate for the relevance of eyewitness video to human rights work. Amnesty even started training its new staff in video assessment skills, believing that you will not have in a few years from now traditional human rights researcher who only does interviews and then somebody like me who verifies YouTube videos...they will have to learn this skill because if they don’t have that skill, then,
they are not employable. It’s as simple as that (C. Koettl, personal communication, July 20, 2015).

By embracing evolving video assessment skills, human rights groups have taken on a prominent role in today’s highly visual information environment, claiming expertise deemed relevant to contemporary journalism.

WITNESS, in particular, considers itself among the leading groups who took the role of eyewitness video seriously, a belief deeply engraved in the organization’s founding story: George Holiday’s amateur recording of the police brutality against Rodney King. This incident also epitomizes the different views towards eyewitness visuals on the part of journalists and human rights activists. Although the Holiday tape was central to the widely covered news story—performing the eyewitness function for journalists who were absent from the scene of the incident—it did not alter journalism’s thinking about the status of images. Instead, eyewitness images were mostly relegated to the realm of entertainment and tabloids.

According to one journalist at the time, eyewitness images were sensationalist, valuable in local news only when depicting “fires, car crashes and other minor disasters” (Cobb, 1995, p. A1). Popular shows, such as ABC’s America’s Funniest Home Videos or NBC’s Unresolved Mysteries were quickly labeled “pseudo-news shows… sensationalizing TV news, with more emphasis on moral disorder and a leaning toward the subjective” (Walker, 1991, para. 3). Channel 4’s 1993 documentary “Video, Vigilantes and Voyeurism” framed eyewitness videos good for ratings. A staffer at the Poynter Institute for Media Studies worried: “It’s hard enough for journalists to monitor
the work of other journalists, but when you add to that the work of amateurs, the situation becomes impossible” (as cited in Cobb, 1995, p. A1).

WITNESS, on the other hand, interpreted the Holiday tape as a game changer for human rights practices. Since then, it has sought to develop and maintain verification and ethical standards for eyewitness videos. It built the human rights channel The Hub as a repository of online human rights videos in 2007, not long after the launch of YouTube in 2005. The goal was to advocate “for a new global standard for human rights video online” (Alberdingk-Thijm, 2010, para. 5). According to The Hub’s manager at the time,

> It is very clear now that we were doing journalism... We were trying to gather video from around the world, wherever it came from, and then place [a] meta-data frame around it. We needed that meta-data to reflect the kind of human rights values and challenges that we were trying to wrestle with at the time. We were [among] the first people to do this. Nobody had ever done it before. Most people told us that we were either irresponsible or going to fail terribly... We were juggling a lot of [factors] around that, trying to understand how this kind of video could be used. Most people were pretty dismissive of it (S. Padania, personal communication, July 28, 2015).

As traffic gravitated more towards YouTube, WITNESS was quick to partner with Storyful and curate verified eyewitness media on the Human Rights Channel on YouTube in 2012. Declaring itself a pioneer in approaching eyewitness video with methodological rigor and ethical sensibility, WITNESS has positioned itself among the key groups who shape standards for unfolding forms and uses of video. This specialty is considered of uppermost importance to navigate the thriving visual information online. Staffers see their ability to provide guidance and to participate in conversations about the role and shape of news images as important because “citizen video is becoming a necessity for [journalists] as it has always been [part] of our focus” (M. Hargrave, personal communication, June 2, 2015).
In summary, the ascendancy of eyewitness video has thrown into sharp relief pressing questions about evolving visual news norms to which journalists have been slow to respond. This, in turn, has opened new opportunities for human rights groups to tap into the culture of journalism through the shaping of video activism and eyewitness reporting in ways that seem to fit the parameters of journalism. Human rights groups not only produce videos that appear in news, but they also develop measures and advocate for best practices in eyewitness video usage, both for investigative purposes and as a mode of news relay.

**Normative Expectations**

As actors who have traditionally been excluded from journalism partake in the production and dissemination of news, questions about the role of journalism in society emerge yet again. “Multimedia is heavily influencing the journalistic ideology” (Rottwilm, 2014, p. 14). Enduring attempts to separate news from opinion, facts from perspective, reasoning from imagination, deliberation from emotional engagement are turned on their head as news is increasingly shaped by emotional and subjective modes of storytelling (e.g., Blaagaard, 2013; Chouliaraki, 2013a; Cottle, 2013). Images are central in those efforts.

What we are seeing, then, is a tension between journalism’s gatekeeping and advocacy paradigms, which has been at the heart of U.S. journalism since the American War of Independence (Janowitz, 1975). The view that journalists need to take a stance when covering injustice has taken on various names over the years: “journalism of
attachment” (Bell, 1997), “peace journalism” (Galtung, Jacobsen & Brand-Jacobsen, 2002), “committed journalism” (Marthoz, 1999), and “human rights journalism” (Shaw, 2012). Underpinning this call is a critique of objectivity, “the supreme deity” (Mindich, 2000, p. 1) of journalism, understood to be reinforcing the status quo and enabling the moral failures of societies, particularly Western democracies.

The advocacy model has acquired new momentum through the global rise of civic journalism as “the product of a growing consciousness among civic groups about the importance of media in the construction of public problems, and the need to approach the press as a tactical ally” (Waisbord, 2009, p. 375). Social movements, activist groups and nongovernmental organizations have been fundamental to this development. As advocacy still holds tight in journalism, rises as a set of viable tactics for news visibility among civil society and blends with the various permutations of eyewitness reporting, journalists continue to struggle sustaining their legitimacy as authoritative and impartial storytellers.

Meanwhile, human rights groups like HRW, Amnesty and WITNESS embrace advocacy journalism as a vehicle for human rights agendas and as a platform to influence policy reform. Pierre Bairin (personal communication, June 16, 2015) worked for CNN for 20 years as a field producer reporting on conflicts and breaking news: “I was always in the field covering wars and stuff and I got tired of risking my life to do a stupid show…[Making] the end product something really worthwhile is more interesting.” The head of the audio-visual team at Amnesty expressed similar sentiments:

I worked for 35, 36 years in broadcast television journalism and worked for ABC news, for the BBC, Channel 4 and lots of other people…making documentaries or rather hard-hitting investigations. Only two stories I’ve ever done in that role have ever affected any change whatsoever. Using video in an organization like
Amnesty International can affect change every day (P. Woolwich, personal communication, September 15, 2015).

The activist ethos and the growing resources of global human rights groups allow former journalists to utilize their skills while devoting more time to tell stories with clear advocacy goals, which are perceived as more impactful than news. As another former journalist told me:

I was in Bosnia, which was a defining experience for a lot of journalists in my generation. And it was the place where, I think, a lot of us really felt...that because of us there, they really can’t [say] that we didn’t know. No political leader can [say] he really didn’t know what was happening in ways they did in previous conflicts, which was also a lie. But in this case, it was clear that everybody knew what was happening. So, we can proudly say that, but to what end...there was a long line between the stories and the action that was finally taken, and, I guess, I wanted to shorten that line (E. Daly, personal communication, August 18, 2015).

The rise of advocacy journalism among human rights groups is implicated in their recruitment of former journalists (e.g., Cooper, 2011; Grayson, 2014). The heads of the multimedia/audio-visual units and the communication/media directors at both HRW and Amnesty, the archivist and senior news editor at Amnesty and two of HRW’s six executives, among others, are all former journalists. Even the job titles suggest blending with journalism, as exemplified by the title, “senior news editor.” WITNESS has also followed suit, hiring four former journalists on its team. Sameer Padania (personal communication, July 28, 2015) remembers being surprised that the job description for the person replacing him at WITNESS incorporated journalism because he had thought of journalism and human rights work as two distinct sets of practices. This trend suggests a significant change from even a decade ago, when legal professionals were the most desirable profile for human rights workers (e.g., T. Hassan, personal communication,
June 27, 2016). As human rights groups grow, they appropriate and develop new skills and tactics to remain relevant as collectives that fight for human rights.

The distaste for advocacy in journalism and the new hiring trends in the human rights community have both helped human rights groups—whose information work is on the rise—claim a home for advocacy journalism. They embrace it as part of their mission “to bear witness in order to change” (E. Daly, personal communication, August 18, 2015) and through the skills that former journalists bring when packaging human rights work as news segments. The tension between the gatekeeping and advocacy models, then, not only resurfaces, but it comes even more to a head around visuals, which themselves introduce additional layers of anxiety into the core of journalistic identity.

To summarize, the current set of circumstances in journalism has moved visuals from being an afterthought in news production to the center of practice, complicating a centuries-old resistance to acknowledge the status and role of visuals in news. The rise of video thus embodies a contradiction: it simultaneously emerges as a solution and a problem for journalists. Because human rights groups have embraced the primacy of video, they are getting a firmer foothold in journalism.

With shifting concerns that the media underreport human rights stories due to a lack of accompanying audio-visual materials (International Council on Human Rights Policy, 2002) or growing anxieties over the ability of media to properly assess and use online videos with a human rights focus (Sasseen, 2012), the video work of human rights groups has become prominent in journalism. HRW even won a Peabody Award in 2012 for its multimedia reporting. News visibility is seen as a legitimizing mechanism that also
assists in fundraising efforts. In response to the Peabody Award, Carroll Bogert (personal communication, May 6, 2014) told me:

I think it really validated what we do…that we are meeting the highest standards of journalism…it makes journalists more comfortable [to] use our stuff, and…it makes the public more comfortable…it makes people feel more comfortable with our information as legitimate…it’s prestigious in the field of journalism and definitely in terms of getting funding. I can say to funders like “We won [the] Peabody award.”

Even WITNESS, which does not produce its own videos for news consumption, tracks and lists press coverage as one of its accomplishments in its final reports.

Having established the information work of human rights groups and the primacy of video at the crossroads of newswork and activism, the following section scrutinizes the tactics that help Amnesty, HRW and WITNESS model journalistic practice. I argue that this emerging shaping of video activism by human rights groups exposes the limits of the professional model of journalism in accommodating the unfolding complexities of global news coverage.

**Human Rights Groups as Journalists**

Human rights groups explicitly compare their methodological commitments to those of journalists. “We share a lot of the DNA of journalists…We’re trying to get as close to the truth as we can. We’re trying to build up as comprehensive a picture of what happened as possible, but often we have the resources to go further” (E. Daly, personal communication, August 18, 2015). Moreover, they position their work on par with bona fide journalism:
We enter the field with open minds and open notebooks without preconceived judgments or conclusions about who is responsible or how bad things are... We may have some leads, but really, we listen and we collect information in a neutral way... we also present the information in a fair way. We are accurate in what we say, but then we don’t stop there... we just spend more time, and we interview more people, and the investigation is more in depth...[though] we really look only at a very specific basket of issues... it’s a lot of the same issues as journalism because really the best journalism is about the abuse of power (C. Bogert, personal communication, May 6, 2014).

The advocacy stance has typically been seen as contaminating impartial news reporting. Driven by Western iterations of modernity, professionalism in journalism has insisted on objective, neutral and balanced reporting to safeguard journalism practices, qualifying advocacy as something to be avoided under all circumstances. Human rights groups maintain that they enter the field with the same objectivity and rigor as journalists, conducting investigations that compete with the best of news reporting. In doing so, they claim to model professional practices in journalism. However, they proudly say the difference from journalism is in the time spent in the field and in the delivery of content, which embraces an activist stance by proposing what can be done.

Human rights groups, then, strategically compare their work with journalism. Being able to lay claim to journalism’s methods is a way of rhetorically validating their information work. It is also an entry point from which to assert the necessity of their skills in offsetting the deficiencies of journalism in keeping the public informed on international affairs. Declaring that human rights groups are able to disseminate news content on par with journalism lends their work “an aura of legitimacy,” one of journalism’s key facets (Schudson, 2011, p. 19). The advocacy journalism professed by human rights groups, thus, seeks to present itself as a vital force that helps the public make sense of global suffering at times when journalists are struggling to do so. In other
words, human rights groups are developing tactics to better place their work as news segments.

Although human rights encompasses a wide spectrum of issues, the ones that get most publicized are typically those framed around war, conflict, physical violence and abuses of power. These issues speak to the core of journalists’ own aspirations when defining their professional identity. Hartley (2000) identified the preferred professional ideology of journalists as one of violence: “The good journalistic watchdog fights for stories that someone doesn’t want told; the best stories are those that expose violence and corruption concealed within seemingly respectable institutions, from tin-pot dictatorship to children’s home” (p. 40). Similarly, the image that human rights groups have promoted about themselves is one of a fighter for human freedom and dignity, who sheds light on the darkness in which abuse and violence happen. A former investigative journalist now at Amnesty drew this parallel: “standing up for the underdog, the individual against the rich and powerful people, holding people to account, challenging power, doing it for the benefit of ordinary people who don’t have a voice” (P. Woolwich, personal communication, September 15, 2015). The ability of human rights groups to assert a public authority on global instantiations of violence, then, can be seen as an attempt to raise their profile as critical figures who bring people’s voices on human suffering into the public realm.

As the unfolding shape of human rights work speaks to the heart of journalism’s identity, it is worth asking how human rights groups place their work as news stories. Press releases, dispatches and news briefs have been a large part of the efforts “to operate systematically in the vacuum left by commercial media” (Bogert, 2011, p. 30; see also
Powers, 2014). However, human rights groups that operate solely on the written word are perceived to be at a loss as they are missing an opportunity to fully tap into the channels through which public opinion is formed. Andrew Stroehlein (personal communication, November 27, 2013) of HRW told me that information accompanied by a visual piece is more likely to attract public attention and to be shared by journalists: “you’ve just got to build up the visuals.” A staffer at Amnesty echoed that view: “There are way more people who will watch a five minute video than [people who] will read a fifty-page report” (P. Ellerton, personal communication, August 12, 2015). At the same time, video also meets journalism’s needs for international news content. Therefore, the pronounced turn to video in the human rights community and the shaping of video activism in ways that appear to blend with news is an active choice.

To better understand how human rights groups permeate journalism’s visual practices, I tackle their video tactics. In what follows, I scrutinize four main practices that are prevalent: producing videos, assessing video evidence, promoting verification measures and training activists and citizens.

**Video Production**

The tactics for video production vary by group. Both HRW and Amnesty have multimedia newsrooms in charge of video production, which involves stand-alone products and clip reels that can be broadcast by news organizations. HRW’s Media Center and Amnesty’s Asset Bank are online sites, which serve as a repository of images, audio and video files that news organizations can use. Amnesty’s audio-visual unit is in
charge of all forms of videos that the organization produces—from news segments to campaign and fundraising videos. HRW, on the other hand, has recently split its multimedia unit into news (short video projects) and advocacy (longer pieces with cinematic qualities). Both groups believe that video increases the coverage they get in mainstream media. Thus, they adapt and modify the practices long central to video activism in ways that seem to directly respond to journalism’s needs for international news content. The visibility of human rights videos increases when it addresses journalism’s demands for content that journalists are unable to otherwise provide.

Having recognized the growing centrality of video in the current information environment, HRW modified its tactics from providing clip reels to news agencies to producing original videos. At first, it selected, on average, 12-14 issues to address through video. The worry was that video production would take away from funds allotted to field research and investigations. As a result, HRW sometimes needed to secure grants for its video work. In 2014, for example, it turned to Kickstarter to raise necessary funds for one of its projects. However, soon afterwards, it decided to allocate special funds for video production as part of its annual budget, implementing a new internal policy, which mandates that every report needs to be accompanied by a video. This means that HRW now produces about 70-80 videos per year, which often get translated in local languages.

Journalism’s need for video content is centrally implicated in this shift:

In the most basic way, TV won’t cover your story without video…but now you added the fact that everybody wants video, so you’re more likely to get print coverage if you can provide video…It’s filling a hole that’s being created. People now expect video more and more (E. Daly, personal communication, August 18, 2015).
The new policy not only illuminates the elevated status of video within HRW, but it also highlights how this group regards video as a valuable asset for its goals: “anything that’s visual works better” (P. Bairin, personal communication, June 16, 2015). This reiterates the assumptions that video accounts for the greater prevalence and prominence of HRW in target news outlets that staff members noted in my interviews.

As a result, HRW places a great emphasis on producing videos that look like stand-alone news segments. The core philosophy, according to Carroll Bogert (personal communication, May 6, 2014), is that everything HRW produces for the media “should look as much as possible like journalism.” This human rights group approaches video with the same rigor as its reports, aiming for the kind of quality that appears to fit the parameters of journalism:

[The] videos need to have [the] same qualities [as the written reports]. They need to be exclusive in some ways, either because we are offering something…nobody has seen before—like the interviews we did with defectors from the Syrian army…before anybody had spoken with those people…—or because we want [our] videos to be seen and respected by journalists. How do you do that? Stylistically, [they] must be like a news piece. We just show the evidence [which] has exclusive quality either because the element is exclusive—first time you see it—or because we curated a series of existing public videos that are not exclusive but…we curate this existing material and present it in a new way…You need to do something new in a kind of newsworthy way (P. Bairin, personal communication, June 16, 2015).

The focus on exclusivity illuminates how human rights groups learn to speak the language of journalists. Paying attention to exclusive footage is part of their tactics through which they not only tell a story of injustice, but they do so by playing to the standards of journalism. Exclusivity, then, is a guiding principle for video production because it helps human rights groups reach the news media.
The audio-visual [AV] team at Amnesty operates with relatively limited monetary and human resources, so it produces less video content than HRW. It still provides footage to news organizations on a regular basis either through their videos or through the mobile footage recorded by the research teams during investigations. Amnesty equally places emphasis on distinctive footage:

The pictures have to be arresting as well as relevant. We’re always looking for footage that hasn’t been seen before. We don’t want to tell a story rehashing footage from CBS or AP. We want to be able to tell a story by using compelling and unique footage (P. Ellerton, personal communication, August 12, 2015).

The determinant for which stories are turned into video projects is not necessarily the severity of the human rights violation but the perceived newsworthiness of the available material. Paul Woolwich (personal communication, September 15, 2015), the head of the audio-visual unit (AV), instructs his team to look for “fresh stories.”

I say to people in the AV team as they go out to other countries on mission...[that] if they find themselves standing next to a news crew, they’re in the wrong place...We are only of value in new terms, apart from when reports come out, in the area where we might come across something that is newsworthy mainly because the more established news gatherers are not there.

Human rights groups perceive the task to either visualize an unknown story of injustice or paint a new light on a familiar story central to their video tactics.

Personally, if I see another refugee living in a tent in Syria, you know, I will turn away. There is a lot of compassion fatigue. We had seen it all before, heard it all before, and we have an attention span of a gnat. You need to attract people to stories and find a different way of telling the familiar in a way that might engage them. So, instead of just interviewing endless victims of torture who all basically say the same thing: “How they stuck needles under my fingers or they waterboarded me, you know, they hung me up by my toe nails.” All horrendous, of course, but after you’ve heard those sorts of stories, it’s very difficult to have the same sort of empathy that you would the first time someone had told you the story. So, you have to start thinking in totally lateral ways about the issue and how to engage people in it. So, you might say, for example, let’s not talk to the
tortured, let’s go and interview the wives of the torturers (P. Woolwich, personal communication, September 15, 2015).

The focus on exclusivity shows how human rights groups select stories based on assumptions about audiences, taking on pragmatic positions vis-à-vis traumatic occurrences. It is not about the authenticity of the violation or the testimony per se as it is about its perceived news value—has it been seen or heard before. In doing so, human rights groups illuminate an aspect of sensationalism, a key contradiction in news epistemology (Barnhurst, 2015) from which journalists have long tried to hide. For Barnhurst (2015), “the sensational lurks everywhere in efforts to make ‘news’ from what occurs” (p. 7), but modern news has dismissed it as a solely tabloid manifestation. A look at the human rights groups’ quest for “newsworthy” stories that play through the mainstream media and the ease with which journalists seem to respond to this content both signal that sensationalism is at the heart of how news engages its viewers: even hard news is interwoven with moral and emotional judgment.

Attempts to maintain control over how journalists use human rights footage not only encompass the packaging of video as a news spot, but also the restrictions on the kind of footage that news agencies can use. HRW, for example, provides finished videos along with a shot list with clips.

We don’t want [journalists] to go “Oh we need some shots of Syria, let’s go and see if Human Rights Watch has some street scenes of Damascus.” We aren’t going to have that. We’re only going to have very specific [material]…because we are not a footage agency…We don’t want people to use our footage to tell another story…It’s all free, they can steal it, but to tell our story and not something else…We want them to use only stuff that’s important, so we give them less…You’re in control [of] what they are going to use by giving them less choices (P. Bairin, personal communication, June 16, 2015).
Short lengths are thus preferred because tightly packed videos or clips are perceived to better reinforce HRW’s stance on an issue and allow it to maintain its authority over the content.

As video tactics are often flexible and improvisational, the aesthetic features of the videos differ. This is especially evident in Amnesty’s approach to video. The tactics are “often my own, what’s described as a feeling in the water...I will decide on the basis of what we have: is it strong, is it newsworthy, could it affect change if we gave it time and space,” its AV head told me (P. Woolwich, personal communication, September 15, 2015). HRW, on the other hand, insists that its videos should always look “like a news piece” (P. Bairin, personal communication, June 16, 2015), so it produces short videos, normally around five minutes. Both HRW and Amnesty’s videos that are aimed at news outlets fall in two general categories: (1) original content, which usually features testimonies of victims of human rights abuse, interviews with field researchers and other supplementary evidentiary information and (2) curatorial content comprised of a compilation of contextualized eyewitness videos, survivors’ and researchers’ testimonies.

HRW’s widely cited report on Syria’s torture centers, for example, was released with a video, *Syria’s Torture Centers Revealed*, in July 2012. It includes a series of sketches that demonstrate the torture techniques in addition to personal testimonies of tortured individuals and defectors from the Syrian army who have never been heard in public prior to the HRW’s video. A former detainee testifies in dark so that his identity can be concealed. Only a backlight distinguishes him from the black background. He also describes the horrific pain in distorted voice for full anonymity (Image 2.1). A drawing of a torture scene (Image 2.2) shows up on the screen as he explains:
Shabeh is a technique when you are hung by your arms and suspended in the air. Of course it’s painful. It degrades our humanity. But they have no respect for human beings. They beat us and said, “You want freedom? You want democracy? Here is your freedom. Here is your democracy.”

Another torture victim also gives an account of his traumatic experiences. He is framed in a medium shot that only shows his hands. A staffer from HRW provides information that contextualizes the testimonies. A simple Google search illuminates the widespread use of this video (or segments of it) by numerous media outlets, including CNN (“Torture Allegedly Widespread,” 2012), NPR (“Torture Centers,” 2012), Spiegel (“Krieg in Syrien,” 2012), and news agencies like AFP (“Former Detainees Reveal,” 2012).

Curatorial videos combine original content with eyewitness footage. Amnesty, for example, released two videos on Boko Haram’s atrocities in Nigeria in April and June of 2015. Both videos showcase victims’ testimonies, which are also situated within a broader socio-political context through the information provided by Amnesty researchers and a voice-over narrator. *Boko Haram’s Female Fighters* includes eyewitness videos shot by the perpetrators of violence themselves. It features statements by a researcher...
recorded against Amnesty’s poster along with a testimony read by an actress as a way to protect the identity of the victim (Image 2.3).


Stars on their Shoulders, Blood on their Hands: Nigerian Military War Crimes is a video that features eyewitness footage of extrajudicial military killings. Reconstructed interviews along with a voice-over narration and statements by Amnesty staff render the graphic footage meaningful. According to a former Nigerian field researcher who worked on these projects, the “videos were picked up by international and domestic media organizations. So, when they were covering the launch of these reports, they would often lead with footage from the press release and from these videos” (D. Eyre, personal communication, August 14, 2015).

The value of eyewitness footage is twofold. On the one hand, when conducting field investigations, human rights groups encounter evidentiary images and videos that have not been broadcast before or even uploaded online. This helps them provide exclusive materials to news media. In the words of Philippa Ellerton (personal communication, August 12, 2015) of Amnesty:

The more compelling stuff that we want to use and look after is the user generated content because this is the stuff that [our field researchers] receive first hand. This
is the material that I’ve always been keen to look after, to get into the archives, to make sure we can record everything about it.

On the other hand, human rights groups also curate existing eyewitness videos from social media platforms. By navigating the information overflow online, they select and render content meaningful when they embed it as part of a larger investigation.

HRW, for example, curated a series of graphic eyewitness footage shot by LGBT hate groups in Russia while engaging in horrific acts of torture. One of the eyewitness videos—far less violent than the others—shows police officers detaining LGBT activists who have been previously attacked. The footage is intercut with close-up shots of activists who testify to the systematic hate crimes against this population that are committed both by citizens and police forces. Gleb Latnik speaks about the police’s unwillingness to investigate these human rights violations:

I was punched in the forehead, and the bruises descended under my eyes. There was a lot of swelling, one eye didn’t open at all. And when I went to the police to submit a claim, the officers at the station just said, “That’s all right, you’re gay so it’s normal that you were attached. Why would you need to submit a complaint against someone? That’s how it goes.

Released right before the start of the Sochi Olympics, the video, Russia: Gay Men Beaten on Camera, was widely covered in the news media and reached over 4.5 million views on YouTube. Its newsworthiness rested upon the presentation of the eyewitness material as investigative work and the tactical release that seized the public attention on the Sochi Olympics as an opportunity to raise global awareness about this human rights issue. The international news media broadcast this video widely.

These examples illustrate how curation has ensued as an important component of the media work of human rights groups. “Out of this huge amount of information that’s
going through YouTube and other channels, we are one of the organizations that can sort of filter it and determine what’s legitimate,” the social media advocacy director of HRW told me (A. Stroehlein, personal communication, November 27, 2013). By embracing curation, human rights groups take on the redactional function of journalism, which Hartley (2000) predicted at the turn of the century.

As more people exercise their ability to participate directly in the information landscape, “the journalist can develop a new role as one who cuts through the crap,” and “such editorial practices [could] determine what is understood to be true, and what policies and beliefs should follow from that” (Hartley, 2000, p. 43-44). Hartley, however, saw this role exceeding the representative democratic function, moving journalism away from its preferred focus on “violence” to the realm of the everyday. Human rights groups have embraced a redactional responsibility precisely in the context of violence, sorting through the abundance of online visual information with a human rights focus, telling us what is relevant, how it matters and what can be done in response. This is part of their repertoire of tactics as they seek to expand the spaces where human rights stories can be seen and heard. As their curatorial videos are featured on mainstream media, embedded in human rights campaigns or used in targeted advocacy efforts to institutional stakeholders, human rights groups are taking on and expanding a role that has typically been perceived unique to journalists. The redactional role, then, helps them emerge as another representative communicative body that speaks in the name of public interest alongside journalists.

To summarize, human rights groups tactically present their information work as video news segments as a way of gaining more frequent distribution by the news media.
As this content seems to offset journalism’s decreasing ability to provide global coverage, journalists are more comfortable using it than ever before. This unfolding borrowing from video activism on the part of human rights groups that produce videos as news speaks to the core tensions of news epistemology: partisanship, sensationalism and struggles over truth-telling (Barnhurst, 2015). Aligning itself with a particular kind of modernity, journalism, at least in the Western context, has sought to distance itself from these inherent contradictions under the pretense of professionalism. Human rights groups, on the other hand, claim an objective methodological orientation paired with an unapologetic framing of videos within a social change agenda as they present exclusive and unexpected content.

This new development, then, suggests that journalists are no longer in sole control over what they consider to be their professional work boundaries. The increasing incorporation of human rights videos to fill the gap in global news reporting indicates that human rights groups actively question journalism’s contours, turning journalism’s contradictory impulses on their head. Moreover, by embracing both the representative and redactorial function of journalism as democracy’s fourth estate, human rights groups are asserting their public authority to speak on behalf of citizens regarding global injustice.
Assessment of Video Evidence

Video has become not only a primary storytelling device but also important evidentiary material unveiling human rights violations around the world. According to the Emergencies Division Director at HRW:

one of the most interesting developments in conflict zones is the rise of citizen journalism...It presents tremendous opportunity for human rights activists but it also presents very unique challenges because the only way you can use this material is [to] actually verify its content—when you can strip away the political motivations that sometimes motivate people to take these videos, but sometimes also to manipulate them (Holley, 2015, n.p.).

Both HRW and Amnesty have developed investigative skills that incorporate eyewitness videos along with on-the-ground research, testimonies and satellite images to corroborate evidence and uncover human rights offenses. Highly regarded reports, such as the investigations of the Syrian government’s use of chemical weapons (Human Rights Watch, 2014) and Boko Haram atrocities in Nigeria (Amnesty International, 2015), depended on eyewitness footage as an essential tool for gathering evidence. According to a former field researcher at Amnesty:

Any video that we use as a form of evidence is treated like any other form of evidence. So, we would never base findings on only one witness testimony or only one photograph. For any form of evidence, we make sure we are able to corroborate what we get from that source with multiple independent sources. So, in that respect, [eyewitness video] is quite similar to the rest of our work (D. Eyre personal communication, August 14, 2015).

A promotional account of the methodological rigor of human rights work lurks in these statements. They do not take visuals at face value; they apply vigorous assessment techniques for visual evidence. This is a discursive tactic that enables human rights groups to maintain the status of visual experts.
Although WITNESS is different from HRW and Amnesty—it does not produce research—it has taken a key role in the eyewitness video landscape over the last two decades, insisting that it excels at journalism. The manager of WITNESS Media Lab, the latest iteration of a number of curatorial platforms for eyewitness footage, told me:

What we do is pretty much journalism. It’s reporting. [It’s] the same I would do if I were reporting as a journalist and received information from a source I would want to look into…I can’t just take this source—especially if it’s an unknown source—at his or her word. What other information can I find to corroborate what that person says is true? Is there other information that I can find on it? How can I judge the reliability of this source? The consistency of this source? (M. Bair, personal communication, July 2, 2015)

Despite news media coverage of the investigative and curatorial work of human rights groups, most journalists have been slow to tap into the potential of eyewitness images. According to Rina Tsubaki (personal communication, August 3, 2015) from the European Journalism Centre, journalists are often unaware of the possibilities that eyewitness footage offers when used to gather evidence or corroborate information. Instead, journalists opt for familiar practices, “looking for the content that fits into the story,” not realizing how they can use it effectively on its own terms.

The underemployed value of eyewitness images on the part of journalists has enabled human rights groups to write prominently on how to assess visual evidence alongside the few journalists from highly regarded news outlets and entrepreneurial news agencies dealing with these issues. Amnesty and WITNESS staff, for example, were featured in the two-part handbook: the Verification Handbook for Investigative Reporting: A Guide to Online Search and Research Techniques for Using UGC and Open Source Information in Investigations (Silverman, 2015) and its predecessor the Verification Handbook: An Ultimate Guideline on Digital Age Sourcing for Emergency
Coverage (Silverman, 2014). The inclusion of human rights groups on such platforms helps solidify their profile as visual specialists for images of suffering that permeate social media. They are becoming one of the go-to experts on how to filter through the noise on social media, shaping standards to recognize and authenticate what is of news value, editorially speaking.

The financial struggles in journalism are also implicated in the rise of human rights groups as visual experts. Those journalists who recognize the potential of eyewitness videos are faced with financial challenges. Although verification of eyewitness footage is in many ways traditional journalism with a new technical layer, the process is costly and time-consuming. My interviews with human rights staffers attest to this issue. “You are applying the same techniques of evidence verification, although with some additional technical expertise” (D. Eyre, personal communication, August 14, 2015). The technical skills demand financial investment in terms of resources and time:

It does put a huge burden and requirements onto human rights investigators to do due diligence at a technical level that was never required of a traditional human rights group before. And, I think, that’s one of the reasons why we have been expanding our technical capacity to work with video and to work with satellite imagery as the two prominent examples (J. Lyons, personal communication, August 13, 2015).

With rapidly diminishing newsrooms, journalists opt for existing services, such as traditional news agencies, which also struggle with this content, or places like Storyful. However, journalists also look to human rights groups for free content. The tactical claims to expertise in this area on the part of human rights groups, then, serve as a legitimizing mechanism for their video assessment work.
Promotion of Verification Measures

When Amnesty launched its Citizen Evidence Lab in the summer of 2014, the recommended reading list included articles that pointed to the elite media’s failure to properly authenticate eyewitness videos. This was an important tactic to establish the credibility of human rights work in the current moment. Christoph Koettl (personal communication, July 20, 2015), the Lab’s founder and the Emergency Response Manager at Amnesty, believes that “media outlets make mistakes, but they don’t correct them. They move on to the next story. That’s pretty outrageous, I think, because that should be a practice: if there is a mistake, which happens, then correct it.”

Some examples of media’s recent mishandling of images posted on the Lab’s website included The New York Times’ incorrectly dated front-page screenshot of an eyewitness video showing Syrian rebels executing unarmed government officials in 2013 and BBC’s story on a 2012 massacre showing a picture taken a decade earlier in Iraq. The news stories surfaced during a Congressional debate about potential U.S. military intervention in Syria and an upcoming Security Council resolution on the crisis, respectively. Therefore, when promoting their verification standards, human rights groups maintain that they offer an important corrective to erroneous news reports. Koettl (2014) argues: “novel approaches to fact-finding are needed. The urgency of this statement cannot be emphasized enough, as videos or images are regularly distributed with incorrect contexts, including in major news outlets” (para. 6).

Amnesty’s Citizen Evidence Lab was launched to help fulfill the need for verification mechanisms in human rights investigations. The website includes a step-by-step guide and detailed checklist for how to assess sources and content (Image 2.4) and
how to account for professional standards to ensure protection of the people filming or being filmed. The YouTube Data Viewer section (Image 2.5) is a free tool that allows for the extraction of hidden data, such as upload time and thumbnails, from online videos. Assessment exercises (Image 2.6) offer an opportunity to practice these skills, including performing a reverse image search to find possible previous versions of the same video, tracking the original uploader, extracting exact upload time or determining the location where the video was shot using open-source geo-spatial platforms. The toolbox and reading list sections of the website provide resources and information on this topic, including suggestions for various tools and technologies that facilitate verification processes. Ability to present verifiable information is at the heart of credibility. Disclosing the procedures that human rights groups use to verify eyewitness images can thus be interpreted as a set of tactics through which they affirm their integrity.


Although the Lab was established to address the needs of human rights investigators who are faced with the profusion of eyewitness visuals with possible evidentiary values, it was soon appropriated as a resource for journalists as well. The
Nieman Lab featured an article by the title “Amnesty International launches a new site to help journalists verify YouTube videos” (Lichterman, 2014). The Poynter Institute stated “Amnesty International is in the verification game and that is good news for journalism” (Silverman, 2014, para. 1). The noticeable lack of standards around the utilization of eyewitness images in news—the failure to authenticate a particular video, label it as such, acknowledge a source or give credit—has enabled human rights groups to emerge as important players next to entrepreneurial news agencies, developing verification mechanisms and promoting best practices for navigating the visual eyewitness landscape online. In a sense, human rights groups are being codified as experts on eyewitness images because of journalism’s failure to face the challenges as a collective.

“You’ll be surprised talking to public broadcasters, to international news agencies that they don’t have any methods,” noted a staff member at the European Journalism Centre (R. Tsubaki, personal communication, August 3, 2015). The lack of standardized practices around eyewitness video also suggests that journalism still resists the level of legitimacy given to visuals. Human rights groups, on the other hand, have been quick to point to the lack of editorial procedures evident in the workflow of news media and ensuing reporting. Peter Bouckaert of HRW is cynical as to how eyewitness images slip into news:

I always chuckle when media talk about unverified videos because it’s kind of a lazy shorthand because there are ways in which you can verify the information; there are ways in which you can even contact the very activist who uploaded the video to ask them more questions. It just takes doing your homework like with any other kind of reporting that you do (Holley, 2015, np).

Implicit in his statement is the notion that human rights groups take the role of eyewitness media as thoroughly as they do any other piece of evidence. Journalists, on
the other hand, fail to do their homework. The verification expert at WITNESS expressed a similar opinion:

You need to be very transparent about what you understand to be true and what you simply don’t know and can’t say. We see blatant and frequent errors in news media in using citizen videos that were not what they purported to be or were from years previous or were just completely misinterpreted. They didn’t take any of the steps to either verify the video, obviously, but also to provide readers with an understanding, with the clarity to understand what we don’t know (M. Bair personal communication, July 2, 2015).

Pointing to journalism’s erroneous reports is a discursive tactic that enables human rights groups to validate their own work. They situate their visual assessment skills as a corrective to journalism’s inability to maintain visual news standards. The shaping of video activism in ways that accommodate journalism, then, is not only an effort to get better access to the channels that make human rights claims public, but also an attempt to institute authoritative control over eyewitness video content. In turn, this is becoming an important skill in the current media moment.

Some journalists call on human rights groups for advice or verification training. Christoph Koettl (personal communication, July 20, 2015), for example, told me that journalists are the ones who seek him out for training:

I’m not a journalist, so I don’t want to make that claim. It’s just so much overlap…a lot of journalists started using my tools…[since] last year, I suddenly get more and more invited to journalism conference, which is interesting to me—to some degree it makes sense because it’s the same work…I created Citizen Evidence Lab because there were just no resources. When I started doing trainings two or three years ago, there was almost nothing there. [At] the first social media training I did, the only resources I had were three blog posts from Storyful…Last year, I did a few training [sessions] for traditional journalists…there aren’t that many trainers existing in that space, I noticed.

Amnesty’s experience is not an exception. The first social media editor at The New York Times wrote to me in an email that she worked with the staff at WITNESS “to make sure
that journalists at *Times* and other news organizations took care with the user generated content—the images and videos—flowing publicly across social platforms” (J. Preston, personal communication, September 15, 2015).

This trend suggests that human rights groups have developed tactics that enable them to claim marketable sets of skills and to partake in the development of visual news standards. Modern journalism’s longstanding discomfort with human rights activist content is gradually reversing and so is the relationship between the two communities of practice as journalists sometimes turn to human rights groups to learn new skills. This seems to be a comfort level for journalists who can externalize visual skills to others rather than having to take these challenges on themselves. A corollary of this development is the emerging role of human rights groups as new image specialists and brokers, who mediate between eyewitness content producers and journalists.

**Activist and Citizen Training**

The broker role is further solidified as human rights groups also train activists and citizens to navigate the current media landscape. WITNESS, in particular, has taken a proactive approach to improve the quality and verifiability of eyewitness content so that it is of better use to news media, legal and advocacy environments (the subject of the next chapters). A staff member told me, “we need to make sure that what we are seeing, what we are sharing, if we are sharing or using it in a report or in a piece of advocacy, is true” (M. Bair, personal communication, July 2, 2015). The way to do this, in WITNESS’s view, is to equip those utilizing eyewitness videos with the skills necessary to
contextualize their material and to train activists and citizens how to take videos that can be of editorial value to news organizations.

WITNESS’s Critical and Surge Response Programs were established for specialized training purposes, teaching activists and citizens how to document ongoing conflicts or sudden escalations of violence in a manner that can appeal to a target audience effectively and safely. In doing so, WITNESS develops and promotes tactics for video activism that help the content blend with news: teaching people how to “have the skills to report with the integrity of journalism” (M. Bair, personal communication, July 2, 2015). These programs have been in place in Latin America, Europe, the Middle East and most recently in the U.S. to address the needs of activists involved in the Black Lives Matter Movement.

The program manager for the Critical Response Program in the Middle East told me that WITNESS started training in 2012:

We did it because we were trying to respond to an overwhelming volume of content that was being shared by local activists in Syria, and a lot of the footage was very compelling. But, because there is restricted access in the country, no one was really able to verify the content [easily]…You know, the videos are very compelling and provided insight, but they were filmed by average citizens who have never used video with that intent…so a lot of the footage was shaky. It lacked context. You couldn’t tell whether it is really filmed in Damascus or somewhere else (R. Althaibani, personal communication, August 7, 2015).

Training, then, is intended to raise the overall quality and the evidentiary value of eyewitness videos. Teaching activists and citizens how to use videos makes their footage better positioned to compete for media attention. On-the-ground and online training programs, the development of how-to guides and training videos in addition to various video tools, all emphasize that a video-maker needs to know ahead of time the needs of
the intended audience, including how a video should look if its target audience is the news media.

According to Madeleine Bair (personal communication, July 2, 2015), “news media are most likely to pick up on and share without much information behind it…those sorts of videos that in a short period of time shock us.” Activists are quick to recognize what gets media attention and develop tactics accordingly. What WITNESS does, then, is help them think through how to reach desired audiences. As credibility is an essential principle guiding news production, the emphasis is how to create videos that are both relevant and verifiable.

It is actually crucial and important to ensure that your video is verifiable, that whatever you’re collecting has…enough context and has the information within the video…[but] if you’re presenting it to a media outlet, you wouldn’t necessarily present it with all the information…you technically wouldn’t send an entire large video file of an interview…most of these reports are done in very short and quick digestible ways. And that’s what the news is. It’s to take serious issues and to, kind of, communicate them in a way that’s very digestible and attracts attention. So you wouldn’t include a lot of the extra information that you would typically [do] for evidence (R. Althaibani, personal communication, August 7, 2015).

By training others, human rights groups disseminate visual knowledge, acting as an intermediary between citizens and activists on the one hand and the news media on the other. Morgan Hargrave (personal communication, June 2, 2015) situates this role at the core of WITNESS’s mission: “we are trying to just facilitate and build capacity” around the various affordances of video in the current media moment.

Part of capacity building has been the development of verification tools to assist the needs of those taking eyewitness images so that the materials can better fit the requirements of journalism. Over the last few years, for example, a growing number of
smart-phone based applications have been developed to address the needs of citizens and activists who use video. In 2012, WITNESS collaborated with The Guardian Project on the InformaCam platform, a winner of the Knight News Challenge for mobile media. It hosts various apps whose goal is to enhance the reliability of eyewitness video (Image 2.7).

![Image 2.7](https://blog.witness.org/2013/01/how-informacam-improves-verification-of-mobile-media-files/)


Bryan Nunez (2013), one of the creators, claims that “in an age where digital manipulation of images and video is commonplace, news agencies have to contend with the possibility that digitally altered media is being passed off as unadulterated truth” (para. 6). To address this problem, the apps associated with the InformaCam platform enable citizens shooting video on their mobile devices to capture geographic location, temporal and environmental markers, as well as motion, in a form of securely encrypted metadata, which, in turn, simplifies the verification process. Verification apps shape activist involvement ahead of time—an activist needs to download the appropriate app and learn how to use it before shooting a video. What is highlighted, then, is not the urge
to respond to an injustice per se, but the tactical process that increases the likelihood for news coverage.

Amnesty, on the other hand, has a pilot program called Verification Corps, which trains volunteers in the skills needed to assess eyewitness videos. At first, the program was developed in partnership with Florida State University in late 2013 to set up a network of volunteers who are trained to discern location, time and source of eyewitness videos. Currently, Amnesty is in the process of expanding the program to its supporters and members, other activists and interested individuals. The challenge is how to think about fostering a community, less about technology and skills (C. Koettl, personal communication, July 20, 2015). By developing various initiatives to guide eyewitness reporting and nurture a community of activists and citizens trained in video assessment skills, human rights groups are brokering between citizens and journalists, shaping how citizens and activist voices are more likely to get media coverage.

The unfolding dynamics in the visual field between activists, citizens, human rights groups and journalists pose questions about the legitimacy of information flows in the context of global crises. The act of bearing witness has not only facilitated journalists’ claims to authority (Zelizer, 2007), but it has also been at the heart of the legitimation of human rights stories in the current media moment (Ristovska, 2016a). The training of activists and citizens in the craft of video-making and the development of tools and programs that enhance the authenticity of eyewitness content is a way of rendering activist witnessing appropriate for news media.

Witnessing, though, is not a neutral practice; it is the subject of constant negotiations, “a genuine political arena,” where agents, interests and resources compete.
(Ashuri & Pinchevski, 2009, p. 135). In a media ecology characterized by ever-proliferating online eyewitness content, training programs and witnessing apps such as InformaCam provide activists and citizens on the ground with resources to accomplish a trustworthy witnessing status and to place their stories on the international news agenda. The shaping of eyewitness video through tactics that appear to imitate the assumed professional standards in journalism, then, sheds light on how the practice of bearing witness is sustained as a purposeful act, mobilized to help activists obtain agency and attain voice on mainstream media platforms. It also shows the intermediary position of human rights groups who act as image brokers, working alongside journalists on standards for eyewitness content and teaching activists how to legitimize their eyewitness status.

**Conclusion**

The ongoing technological, economic, political and cultural transformations in journalism have facilitated the rise of the information work of civil society groups. In other words, journalism’s challenges have opened up multiple opportunities for human rights groups to employ tactics that better tap into the culture of journalism. This development coincides with a proliferation of technologies and platforms that elevate the status of images in the current media environment. The visual turn in journalism, however, has brought to the forefront journalism’s longstanding discomfort with images and its failure to treat them on an equal footing with words. By contrast, visuals are a familiar territory for human rights activists. Borrowing from and building upon this
tradition, human rights groups have embraced advocacy journalism by mastering visual tools and platforms for information relay that are essential in today’s media landscape. In doing so, they are able to respond both to journalism’s deficiencies in international news reporting and to journalism’s lack of standards around eyewitness images.

Under the umbrella of professionalism, journalists have typically sought to claim control over their field of practice. The rise of the video news work by human rights groups, however, sheds light on journalism’s struggles to contain its advocacy leanings, inherent aspects of sensationalism in news practice and discomfort with visuals in the background of its professional identity. In other words, the emergence of the information work by human rights groups challenges the presumed professional parameters under which journalism operates. The video work of HRW, Amnesty and WITNESS is dependent upon tactics that speak the language of news and use the challenges in journalism as an opportunity to expand the coverage of human rights issues, pushing journalism in the uncomfortable zone of visuality. As a result, journalism’s inability to face the current set of circumstances on its own facilitates the emergence of human rights groups as visual experts.

The opportunities and challenges generated by the proliferation of video, then, have brought journalists and human rights groups into greater proximity: human rights groups offset some of journalism’s need for global coverage, and they partake in the development of verification measures for eyewitness videos. As the news media grapple with the necessity of visual news norms, human rights groups have responded by developing measures for unfolding forms of eyewitness video reporting, consolidating their identity of image specialists. They do so by promoting standards for the proper
usage of eyewitness videos, both those aimed at journalists (e.g., utilizing eyewitness images in news reporting and investigative work) and those aimed at citizens and activists (e.g., taking effective, safe and easily verifiable footage that fits the parameters of journalism). Through various tactics in both video production and eyewitness reporting, human rights groups are acting as brokers between citizens and news organizations.

The visual turn in journalism assessed in this chapter also highlights the salience of video in maintaining an active body politic. It is not surprising that the visual field has become a central meeting point for competing flows of information, where different actors seek to achieve and legitimize their witnessing status in order to shape narratives of injustice. Thus, an ability to assert jurisdiction over visuals of suffering lends human rights groups the integrity to speak about global injustice on public platforms. The importance of journalism as a channel for human rights agendas illuminates how despite the increasing possibilities for direct participation in today’s media ecology, the representative and redactional functions of journalism remain important. What is changing is who takes on these roles alongside journalists.
Chapter 3. Human Rights Video in the Courtroom

The profusion of visual technologies and platforms is changing the courtroom, an environment whose authority, like that of journalism, has long rested on the power of words. Since the arrival of photography in the 19th century, legal doctrines have concurrently contested and legitimized visual evidence. The presumed ability of visuals to communicate what words alone cannot is both what drives and constrains the image’s admissibility as evidence. Conceived as both accurate and misleading, irrefutable and manipulative, complete and partial, images oscillate between a mere illustration with no legal value in and of itself to a privileged form of truth. The unfolding visual turn in the law—marked by the growing importance of visual media in trials (Feigenson & Spiesel, 2009; Sherwin, 2012)—is compelling courts to adapt practices and doctrines that can take into account new modes of producing visual evidence, illuminating the transforming legal status of visual imagery. This chapter tackles this development through the human rights lens, seeking to understand the opportunities that the advent of video is creating for human rights activism in connection with the courtroom.

The emergence of the legal notion of human rights itself is intimately connected to the visual documentation of the Holocaust and its subsequent trials. This makes human rights courtrooms an important arena through which to scrutinize the relationship between the law and visuality. Specifically, this chapter examines the role of video at the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague, The Netherlands, the first court of its kind and one that fully integrated visual practices, standardizing video’s ability to serve as evidence and to facilitate the judicial process. Furthermore, the ICTY has incorporated eyewitness video shot on VHS camcorders as
key evidence in trials. Since the Yugoslav wars of the 1990s, eyewitness video—in its
digital permutation—has become such a ubiquitous form of visual documentation that the
International Criminal Court (ICC) formed the Scientific Advisory Board in June 2014 to
guide the judiciary on new technologies and forms of evidence. Therefore, as a case
study, the ICTY generates fruitful opportunities to trace how courts render video legally
meaningful, leading up to the current moment. Additionally, it illuminates how this
Tribunal has also influenced the work of human rights groups: HRW, for example, used
images as evidence for the first time in front of the ICTY, and WITNESS incorporated
the lessons learned at these trials for its recently established video evidence program.

This chapter thus maps the relationship between the ICTY, the ICC and human
rights groups to examine both the shifting epistemological status of video and the agents
who qualify its evidentiary potential. The chapter proceeds with a brief historical
overview of the salience of images in the law, particularly in human rights trials. It then
discusses the use of video as evidence at the ICTY as well as the unfolding challenges
that human rights courts face in light of technological, economic and cultural
developments, all of which contribute to the elevated evidentiary status of video. The
chapter concludes by examining how the visual turn in the law has created various
possibilities for human rights work. I argue that the advent of digital video is facilitating a
new relationship between courts and human rights groups that utilize their visual
expertise and develop tactics to better tap into the legal sphere, actively shaping the
evidentiary potential of image practices.
Brief History of Images and the Law

Images belong to the overarching category called demonstrative evidence, which entered the legal vocabulary with the introduction of photography in the 19th century (Mnookin, 1998). This means that the image’s legal significance draws from its representational mode, serving as a visual supplement to oral testimony. The parameters of demonstrative evidence equate the image’s communicative impulses to that of drawings, maps, diagrams and the like. Yet, the photograph does not simply demonstrate; it also persuades by virtue of its indexical and iconic qualities. Therefore, restricting the image’s role to that of a testimonial appendage left courtrooms unable to recuperate the tension between doctrine and practice in regards to visuals. Although unaccounted for by the legal framework, the perceived veracity, mnemonic and emotional dimensions of photographs shaped legal practices. As a result, Mnookin (1998) argues that the introduction of photography “brought into existence a new epistemic category that hovered uncomfortably on the boundary between illustration and proof” (p. 65).

Mnookin (1998) attributes the judicial reluctance to tackle photography in all of its complexity to four possible explanations. First, the conservative nature of the law generally responds to innovation with anxiety, preferring instead to draw analogies between new practices and established doctrines. Second, photographs threaten the hegemony of words upon which traditional judicial authority rests. Similarly, the perceived veracity of photographs risks generating a high degree of certainty, challenging the status of the courtroom as a place of deliberative judgment. Lastly, relegating photographs to demonstrative evidence preserves the legal hierarchy, letting judges decide the admissibility of evidentiary materials (as opposed to outsourcing this role to
extrajudicial experts). The legal rendering of photography as a visual aid to testimony thus “kept words in the picture” (Mnookin, 1998, p. 56) and contained the complex communicative reach of images in the background.

The various Holocaust trials after World War II brought the conflicted legal nature of images to the forefront of public debate. Questions about visual evidence were implicated in discussions about the function of human rights trials as sites of deliberation, judgment and memory. Perhaps nowhere is the extrajudicial purpose of the courtroom more readily available than in the case of human rights trials, which are vested with hopes of both bringing justice and setting the historical record straight. Images are well positioned to address both needs, especially when written and verbal records are perceived as insufficient to capture horrors of inconceivable dimensions. It is unsurprising, then, that images have been a central feature of evidentiary displays in human rights trials since the International Military Tribunal at Nuremberg. Nevertheless, the use of images in these trials draws precisely from those qualities that the legal category foreclosed—the mnemonic and persuasive power of visual records.

As a novel charge, crimes against humanity necessitated a paradigm of proof that could adequately present convincing evidence for crimes commonly understood to be beyond representation. In his opening statement at Nuremberg in November of 1945, Justice Robert H. Jackson, the chief U.S. prosecutor, alluded to the importance of images to respond to this challenging task:

We will not ask you to convict these men on the testimonies of their faults. There’s no count in the indictment that cannot be proved by books and other records. We will show you their own films, you will see their own conduct and hear their own voices (Schulberg & Schulberg, 2010, n.p.).
The films at Nuremberg served judicial, historical and pedagogical functions—by proving unprecedented atrocity through visual means, they also created a mnemonic record of the Holocaust (Delage, 2014; Douglas, 2001).

Despite the prominence of visual evidence, the unresolved tension between legal practice and doctrine in regards to photography—and film as its legal analogy—shadowed the use of images in human rights trials, often generating controversial responses in and outside courtrooms. For example, during the trial of Maurice Papon in France—accused of personal involvement in the deportation of Jews by the Vichy government—the presiding judge Jean-Louis Castagnède declined the prosecutor’s request to showcase photographs. The desire to preserve the integrity of the courtroom as a place for deliberative judgment is explicit in Castagnède’s response:

My concern at the moment—and I do not want us to be led astray—is that, to the extent that the proceedings permit, we present to the jury the evidence that will crystalize the facts and allow them to deliberate and make their decision. And I do not, at this time, want at this stage of the argument, such as it is, to introduce anything other than what witnesses say and the documents show...My role, and I want to fulfill it to the letter, is already onerous without adding anything more to it (as cited in Rousso, 2013, p. 48).

The judicial reaction to photographs during the Papon trial mirrors Arendt’s (1963/2006) well-known critique of the Eichmann trial, which insisted that “the purpose of the trial is to render justice, and nothing else...to weigh the charges brought against the accused, to render judgment, and to mete out due punishment” (p. 253). Anything that can challenge or exceed the capacity of the court to deliver judgment is perceived to contaminate legal logic.

The responses to Arendt’s provocative claims insisted that far from being a theatrical performance, the Eichmann trial served a crucial extrajudicial function. It gave
semantic authority to the victims of abuse (Felman, 2000) and initiated a responsible memory-making process of utmost historical importance that challenged the limits of the legal imagination (Douglas, 2001). The focus on the testimonial paradigm, however, eclipses questions about the mediation of testimony through visual technologies. And yet, the trial recordings were central to the transmission of survivors’ testimonies, the creation of witnessing publics and the process of collective remembrance. Pinchevski (2012) thus argues, “the technological unconscious of trauma and testimony discourse is the videotape as an audiovisual technology of recording, processing, and transmission” (p. 144). The video recordings of the Eichmann trial not only facilitated the process of bearing witness beyond the courtroom—creating publics who would partake in the cognizance of trauma and history in Israel and around the world—but they also became one of the most recognizable records of the Holocaust. The iconic image of Adolf Eichmann in the glass booth remains one of the lasting memories of the time.

The disputed status of photography, film and video in trials about the Holocaust is a reflection of the broad judicial culture. In the Anglo-American tradition, for example, the Criminal Justice Act of 1925 banned cameras from the courtroom in the U.K. The only exception to this still prevalent ban on cameras is the case of the U.K. Supreme Court that started broadcasting its proceedings in 2009. In the U.S., the American Bar Association recommended the prohibition of cameras in its Canons of Professional and Judicial Ethics of 1937, characterizing them as disruptive to the legal decorum (e.g. Youm, 2012). In a key decision in Estes v. Texas in 1965, the Supreme Court ruled that the presence of the camera violates the defendant’s right to due trial process. What is
interesting about this decision is how the court described the impact of the camera. Justice Tom C. Clark wrote for the majority:

At least 12 cameramen were engaged in the courtroom throughout the hearing taking motion and still pictures and televising the proceedings. Cables and wires were snaked across the courtroom floor, three microphones were on the judge’s bench and the others were beamed at the jury box and the counsel table. It is conceded that the activities of the television crews and news photographers led to considerable disruption of the hearings (as cited in Youm, 2012, p. 1996).

The film crews and their cameras were seen to be impairing the trial proceedings.

The advent of video in the late 1970s and 1980s, however, significantly eased the legal attitudes towards audiovisual technologies (Cohn & Dow, 2002; Schwartz, 2009). Although cameras remain banned from U.S. federal courts\(^2\), they were integrated in 35 states on permanent or experimental grounds by the end of the 1980s (Cohn & Dow, 2002). Several technological advancements simplified the recording process and made video cameras seem less obtrusive. Cameras became smaller and lighter. The loud film magazines were replaced by virtually silent videocassettes. The three-person crew often required to handle recording on one film camera (an operator, a focus puller and a sound technician) was replaced by one person who could operate the camera remotely—even outside the courtroom—and simultaneously record sound and images.

By virtue of its technological specifications, video also streamlined the handling of visual evidence (Schwartz, 2009). The tendering of film as evidence required testimony about every phase of the filmmaking process, such as recording (the identity of the operator, the type of camera and film used and the exposure settings), development

\(^2\) Between June 2011 and June 2015, a total of 14 district courts participated in a pilot study by the Judicial Conference to evaluate the effect of cameras and video recordings of proceedings. The Federal Judicial Center is yet to announce the findings.
(who unloaded the film magazine, who handed over the reels to the film processing lab, who developed the film and how) and screening (the identity of the projectionist and the state of the screen). Such authenticating mechanisms were often lengthy and involved testimonies from various people who worked with the film. On the other hand, video does not need to be developed and processed, and working with video requires a smaller crew. The authentication process thus became simpler and shorter. Moreover, video can be screened without adjusting the lights in the courtroom, making the presentation of visual evidence less distracting. As a result, video gradually raised the importance of seeing during trials.

Schwartz (2009) argues that in the U.S. context “the court’s assimilation of video technology led to a widespread acceptance of video as physical proof of an event and thus to a proliferation of the moving image as nonsubjective vision” (p. 106). Despite its firm stance against cameras, even the U.S. Supreme Court permitted the use of closed circuit video as sufficient to meet the requirements of the Sixth Amendment right to direct confrontation in criminal cases in *Maryland v. Craig* in 1990. This came only two years after it had ruled that protecting two sexually assaulted 13-year-old victims by letting them testify from behind a physical screen violated the defendant’s right to confront the witnesses in *Coy v. Iowa*. At the heart of this constitutional interpretation is a belief in video’s presumed ability to offer a truthful mediation of reality, thus, disregarding the camera’s presence and its role in providing a fragmented and subjective record.

The popularity of camcorders as a user-friendly consumer technology as well as the perceived immediacy of video facilitated by a higher frame rate and easier screening
means than film generated renewed interest in the veracity of images. As courts started to accommodate video, they also developed stronger legal beliefs in the probative value of images, actively shaping the epistemological status of visual media. Seen as an access point to knowledge inaccessible through other evidentiary modes, video became a facilitator not a hinderer to justice. These developments coincided with the establishment of the ICTY, which became a test ground for how future human rights courts would incorporate video. The Special Tribunal for Lebanon, for example, consulted the ICTY about the courtroom plan and camera placements (R. Barsony, personal communication, April 17, 2015).

The ICTY is an international ad-hoc court established via a resolution of the United Nations Security Council in May 1993 to prosecute serious violations of international humanitarian law in the territory of the former Yugoslavia. The jurisdiction of the Tribunal is to investigate crimes that have occurred since the beginning of the armed conflicts in 1991 and to indict their perpetrators. Although Nuremberg could be considered its legal precedent, the ICTY had to initially operate while the war was still unfolding, posing tremendous challenges for the Office of the Prosecution (OTP). Video, then, became helpful not only to prove crimes in the courtroom but also to assist with human rights investigations.

Reflecting on shifting legal attitudes towards images in the human rights context, Alex Whiting (personal communication, October 1, 2015), a former attorney at the ICTY and a former member of the OTP at the ICC, told me:

We have become more accustomed to the power of video and perhaps during the Holocaust trials, there wasn’t quite that level of comfort or understanding [of images], and there was so much other kinds of evidence. The crimes of the
Holocaust were also incredibly notorious, so video might have felt like it was gratuitous since the crimes were so well known already. And all that’s changed…whether you’re talking about domestic criminal prosecution or international criminal prosecution, video and photographic evidence have become standard features of those cases. There’s kind of an expectation that they might be part of the evidence.

Whiting’s observation raises important questions to which the following section turns: Given the history of legal skepticism towards images, how did video become a taken-for-granted form of evidence? How do courts conceive and operationalize video’s “power” as a medium? What does this development tell us about the salience of images, the relationship between the law and visuality and the institutional agents that render images meaningful?

**Video’s Role at the ICTY**

The ICTY embraced video since its founding and justified it on the grounds that it assists the Tribunal’s mission to deliver efficient and transparent international justice. According to Rob Barsony (personal communication, April 17, 2015), Supervisor for Audiovisual Courtroom Production at the ICTY, “video facilitates justice and enables justice to be seen to be done.” Video’s role at the ICTY is fourfold: (1) serving as evidence, (2) recording trial proceedings, (3) facilitating the legal process inside the courtroom (e.g., enabling testimonies via videoconference or giving the chamber an opportunity to consult the trials’ recordings when needed) and (4) assisting with outreach initiatives (e.g., the ICTY’s Outreach Office produces documentaries to communicate the court’s mission and accomplishments to the wider public, which is beyond the scope of
The Tribunal’s integration of video technology elevated the salience of images. Video became centrally implicated in the process of bearing witness.

The ICTY has broadcast every trial hearing since its first trial on May 7, 1996. The tapes (and now digital files) are archived by the Registry Office. In addition, thousands of hours of video footage have been shown during trials in the form of direct or contextual evidence, so-called victim impact video or recording of testimonies and investigations. Both news footage and eyewitness videos—shot by civilians, military and paramilitary members—have been presented. In 2004, for example, the evidence records only by the OTP included 5,500 videotapes (Schuppli, 2014)—at that time, the well publicized trial against former Serbian President Slobodan Milosevic was still ongoing and Ratko Mladic and Radovan Karadzic, other high ranked officials indicted for crimes against humanity and genocide, were fugitives. The ICTY’s Rules of Procedure and Evidence granted video its status while the court’s architecture internalized its logic.

After clearing an initial security checkpoint, one enters the Tribunal’s lobby area where three flat screen televisions broadcast trials in session from each of the courtrooms. Courtroom 1 and 3 are equipped with six remote-controlled cameras: one for the judges who are in the center of the room, one for the prosecution (to the right), another for the witness (at the opposite end of the judges), two for the defense (to the left) and one overhead camera behind the prosecution (Image 3.1). The second camera for the defense was added as the court merged trials with multiple individuals accused of similar indictments into one mega trial. Courtroom 2 is smaller and has four cameras, one for each party. The video booth, where audiovisual staff manages the recording process, is behind the defense (Image 3.2).
The public gallery (Image 3.3) is behind the witness stand where interested citizens and members of the press can observe trials. Two overhead monitors on each side of the gallery livecast the proceedings, unless the court is in closed session. The trial proceedings are broadcast and available online with a 30-minute delay to ensure that no sensitive information gets accidentally disclosed (e.g., details that could jeopardize the safety of a witness testifying under protection).

The ICTY used to archive the footage of each individual camera. However, a review conducted prior to the transition to e-Court around 2006-2007 recommended a
new policy: only one master recording per trial session to be available in four languages (Bosnian/Serbian/Croatian, English, French and “the floor,” which encompasses the languages used during trials without translation). The transition to e-Court also meant further integration of digital technology. The judges and lawyers now have two monitors in front of them: a passive one that shows everything that is recorded and presented in the courtroom and an active screen that enables the person to interact with the material (e.g., select video segments, play them in slow motion or highlight passages in a document).

The omnipresence of cameras, monitors and television screens illuminates how the ICTY has naturalized video technology. Furthermore, research conducted at the Tribunal in 1999 found that the judges, prosecutors, defense counsel and court staff saw the cameras as “discreet,” “unobtrusive” and “hidden,” explaining that “they simply forgot that cameras were present in the courtroom” (Mason, 2001, p. 212). Although the cameras are indeed visible in the courtrooms, this study suggests that the ICTY legal staff has become accustomed to them. Mason (2011) also argues that the trial coverage has been appreciated for its legitimizing function: it enables the international community to see the workings of the court, facilitating “endorsement and approval” (p. 213). The integration of video into the legal architecture and its centrality to the workings of the ICTY, then, indicate a significant departure from previous times (e.g., during the Eichmann trial, the production crew had to hide the cameras from view in the courtroom in order to obtain broadcast authorization).

Overall, the advent of video has contributed to the changing legal attitudes towards motion pictures from a disruptive presence to a transparent medium of communication that facilitates the judicial process (e.g., Schwartz, 2009). Rob Barsony
(personal communication, April 17, 2015) insists that, “by providing an objective record of the trials, video ensures transparency of the legal process.” Although Barsony refers to the trials’ broadcast, his use of the term objective is significant. The more courts see video as an objective record, as an impartial witness, the less the medium is dependent upon authenticating testimony to anchor its meaning.

At the ICTY, video does not necessarily have to be tendered as evidence through a witness. It can also be presented from the bar table (e.g., on the motion of an attorney). The party tendering the video needs to demonstrate its relevance and reliability. Videos from news organizations, however, generally do not require testimony by the journalist (S. D’Ascoli, personal communication, October 13, 2015). This is a major legal step towards full recognition of the ability of visual media to serve as evidence on their own terms. The date and time stamp on the recording, the logo of the news organization or the journalist’s introduction on camera can be sufficient for the authentication of the video. Sometimes even the content itself can present adequate grounds for admission.

In the trial of Mucic et al., for example, the defense counsel objected to the admission of video recordings that showed an interview with the accused originally aired on a Croatian television and another tape depicting him in a detention center. The tapes were seized from the home of the accused. The defense contended the reliability of the videos because the author and the chain of custody were unknown. Nevertheless, the chamber admitted the videos, and the Decision on the Motion of the Prosecution for the Admissibility of Evidence read:

3 These attitudes are echoed in the decisions to record and broadcast trials by the Supreme Courts of Canada in the mid-1990s, Brazil in 2002 and the U.K. in 2009 (Youm, 2012).
It is clear from the relevant provisions of the Rules that there is no blanket prohibition on the admission of documents simply on the ground that their purported author has not been called to testify in the proceedings...The nature of the contents of the two exhibits - that is recordings of recognizable persons conducting interviews - is further such that their probative value is not necessarily excluded by a certain remaining uncertainty concerning the source of these exhibits 4 (The Prosecutor v. Mucic et al., No. IT-96-21, 19 January 1998).

The criteria for admissibility indicate that video no longer plays a supportive role to verbal and written records. Video can speak on its own or corroborate other materials just like other kinds of evidence. The chamber determines its probative weight at the end of the trial in light of the submitted evidence as a whole, enabling video to play different evidentiary roles (e.g., direct evidence, contextual or corroborating evidence).

Regardless of how or whether video is entered as evidence, the visual displays at the ICTY suggest that the law is no longer a profession of words only. Video’s entanglement with testimony, deliberation, judgment and memory means that visual meaning-making undergirds the legal process. In other words, video is attaining a high degree of recognition as a technology that is crucial to the witnessing process. This premise rests upon three key legal perceptions about the affordances of video, which are inextricably linked and build off of each other: video is an important documentary, persuasive and mnemonic tool.

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4 All passages from official court documents or trial transcripts are presented as released, transcribed and/or translated by the ICTY. Linguistic errors are not corrected. Throughout the chapter, the excerpts are presented verbatim.
Video as a Documentary Tool

Video’s perceived ability to provide a stable and vivid record of the past is central to its documentary function in trials. According to the ICTY attorneys, video gives details and nuances that can be permanently stored as evidence. In Alex Whiting’s view (personal communication, October 1, 2015),

[Video] is a record that is not going to change. It will stay the same from when it’s taken to [the moment it’s presented in] trial...It’s unlike witness evidence [which can be] intimidated or bought off or [made to] disappear...It’s more permanent; it’s more secure than other forms of evidence...you don’t have to worry about lapses in memory or misperception. You can just watch the video...it preserves the real evidence whether it’s a video of the crimes or the aftermath of the crimes, or of conversations.

Video’s form inscribes a permanent witnessing record. The underlying assumption is that video, if proven authentic and relevant, tethers to the real, conveying objectively the eyewitness experience in the courtroom. Whiting also contrasts between the seemingly unbiased mediation through video and the subjective discursive dimension of personal testimony. At times when the law is embracing a forensic sensibility, often preferring evidentiary objects and materials to eyewitness accounts (Kenan & Weizman, 2012; Forensic Architecture, 2014), the permanence of video lends itself to this emerging judicial logic.

The compelling weight of video in the legal context is not only premised upon its stability as a record, but also upon its richness as a mode of information relay. The following excerpt is taken from a trial transcript of the case against Stanislav Galic for sniping and shieling attacks in Sarajevo. Michael Blaxill, a prosecuting attorney, requested that the official OTP’s visit to Sarajevo be videotaped:
The final thing, Your Honours, is that really the manner of recording. Two options have been considered in the past. Whether you have periods of audio-visual recording with a video camera on site so that when you are looking at specific locations, it is actually viewed, the parties are present, and it is recorded both audio and visual, or in conjunction with, written minutes with the locations visited and any communications with Your Honours. Maybe the video thing is more comprehensive and a better option for recording the visit than simply written minutes (*The Prosecutor v. Galic*, No. IT-98-29, 18 October 2000, p. 189).

As video is understood as a record of nuance, it suspends the long-held skepticism towards images. Explicit in the prosecution’s demand is that video, as a mode of information relay, subjugates words—it is able to transport the viewer to the recorded scene and to give a more complete picture than written records.

This underlying logic also dominates the justification for using video as evidence in trials. Silvia D’Ascoli (personal communication, October 13, 2015), a member of the OTP, believes that “video recordings can capture important details that would otherwise be missed, and can be essential in the process of reconstructing certain events, or assessing the nature and magnitude of these.” Similarly, in the opening statement in the trial against Galic, Attorney Mark Ierace explained the uses of video to support the prosecution case:

Your Honours, the nature of the individual crimes which constitute the crime base for the indictment are such that they are difficult to convey in a courtroom. In the case of sniping, they involve persons being shot in the open. In circumstances where the killer is secluded in the case of shelling, the use of indirect fire means that those who were present at the place where the shell landed generally did not see where the shell emanated from. The Prosecution is aware of the difficulties that these factors present to the Trial Chamber in understanding the evidence which the Prosecution shall call. Traditional means of conveying a crime scene involve the use of photographs and maps, and indeed they would go part of the way to placing Your Honours in the position where the crime scene can be imagined, according to the evidence. In order to better assist the Trial Chamber, the Prosecution has prepared a video of each of the sniping and shelling incidents (*The Prosecutor v. Galic*, No. IT-98-29, 3 December 2001, p. 577-579).
Video is seen as instrumental because it provides perspective and a sense of presence. It combines verbal and visual cues in depicting the complexity of war crimes; thus, it is perceived as superior to both still images and words. Ierace concluded:

Finally, Your Honours, I will show a short collage of video clips. It takes approximately 8 minutes and 40 seconds, taken before and during the indictment period, up to approximately spring of 1993. I do so in order to demonstrate more vividly than words could some of the anticipated evidence I have alluded to during my opening...The video illustrates, in particular, the terror that was communicated not just to those who were unable to dodge the sniper’s bullet or the shells, but to those who lived and witnessed what happened to their fellow Sarajevans. It conveys a sense as to how they were targets, even though they were not hit, of the intention to inflict terror (The Prosecutor v. Galic, No. IT-98-29, 3 December 2001, p. 604).

These video clips show civilians attempting to avoid sniper fire on the streets of Sarajevo. The camera situates the viewer amongst the civilians. The sniper fire starts out of nowhere, catching everyone by a surprise. The people run, hiding behind cars or waste containers in attempts to avoid deadly bullets. The long takes with frequent panning and zooming communicate a sense of shock and immediacy, adding further emotional dimension to the portrayal of the war experience.

Although courts have long tried to restrict the visual’s appeal to emotion and imagination by defining them as prejudicial, the prosecution’s justification for the presentation of video materials in this case rested precisely on these qualities. It was neither the quantified dead bodies nor the linkage between the accused and the crimes that mattered for screening the video collage of Sarajevo. It was the video’s power to contextualize speech—“to demonstrate more vividly than words” as Ierace claimed—that was assumed to trigger an engagement with the crime. The video clips gave a glimpse into the emotional state of those who witnessed the unfolding terror, which the
prosecution deemed legally relevant for understanding the magnitude of the crimes. The perceived stability of video as a record and its richness as a mode of information relay that has sensory power and emotional resonance have both made video an exceptional documentary tool capable of providing crucial evidence in human rights trials.

**Video as a Persuasive Device**

In the sentencing hearing of *The Prosecutor v. Miodrag Jokic* trial, the prosecution screened a so-called victim impact video to portray the human losses as a result of the shelling of Dubrovnik (for questions about the admissibility of victim impact videos, see Austin, 2010). The video combines wide-angle shots of the historic sites in Dubrovnik in fire and smoke with medium to close-up shots of civilians who have witnessed the attacks on their city. The different clips document various scenes from the day of the shelling—a man with a camera running from the gunfire, a woman trying to calm her dog while hiding behind a container, an injured man lying on a presumably makeshift hospital bed covered in blood, and a monk whose interview with the camera crew is interrupted after an explosion. The constant camera zooming as the incidents unfold aesthetically captures the chaos in the city with the disturbing sound of bombs and gunshots.

Susan Somers, the lead counsel for the prosecution, justified the screening of this video on the grounds that it was the best mode of relaying vital information in the courtroom about illegal war conduct:

These are the human losses, and of course there’s nothing that can be said further to bring these people back. We hope that their deaths are not in vain and that they
are remembered by all who understand the futility of the action that happened in Dubrovnik that day. If I may turn for a moment to a video which we think will best portray the losses, the damage, the injury, as it were, to the living monuments, the objects, to Dubrovnik as an ancient, protected city. It would be, I think, more effective for Your Honours to see than for me to further narrate (The Prosecutor v. Jokic, No. IT-01-42/1, 4 December 2003, p. 241).

This case suggests that the assumed sensory authority of video—its portrayal of the emotional layers of the war experiences—makes it also an exceptionally persuasive device. This belief lingers in the prosecutors’ understanding of why video is more effective than mere narration.

The persuasive power of video is often invoked during the presentation of evidence. In the trial against Radovan Karadzic, the former President of the Republika Srpska (an administrative entity in Bosnia and Herzegovina), the prosecution questioned a witness after showing a video about the shelling of the Markale Market in Sarajevo.

MR. GAYNOR: I’d now like to move to a video which has already been admitted in evidence as P1450, and I’ll be playing some extracts from that. Initially, I’d like to play the first minute of this video, please.

[Video-clip played]

MR. GAYNOR: We stopped at 48 seconds.

Q. Mr. Besic, it’s been repeatedly asserted in this court that many of the bodies at the Markale I and Markale II incidents were brought from the front-line, that the bodies were already dead. I want to ask you if you can comment on that assertion.

A. It’s difficult to comment. We can see, with our own eyes, everything that happened. All sorts of stories circulated, that bodies were brought there and planted there. However, we’ve seen what’s going on. If dead bodies had been brought here, then the wounded people here would not be acting this way. You see the man without his lower leg. If you look at the other photographs and recordings, you will see parts of extremities. There were all sorts of stories and guesses, but the facts are here (The Prosecutor v. Karadzic, No. IT-95-5/18, 8 December 2010, p. 9427).

The video clip used in this trial session starts with a wide-shot of dead and injured bodies on the street. As cars pass by, people move the bodies to the side. Sirens and painful screaming accompany the sights of blood and death. The camera situates the viewer in
the midst of the incident. Although the video does not show actual evidence of who has killed the people or how the bodies have found themselves there, the presumed linkage between the shelling attack and the immediate panic on the street is what granted this video an evidentiary status in the trial of Radovan Karadzic. The witness’s response to this footage reiterates the importance of seeing. The screening of the video and the subsequent examination of the witness, then, imply the importance of visual persuasion in the courtroom. The video was framed as an undeniable testament to the horrors in Sarajevo, capable of dismissing any false allegations.

As the law eases its unreceptiveness to images, questions about the content of the video can take over questions about its authenticity. In the case against the former Serbian President Slobodan Milosevic, for example, the prosecution showed excerpts from a two-hour video depicting executions by the paramilitary unit Scorpion shot by a member of the group with a handheld camera. The complete video features three key scenes. In the first, a Serbian Orthodox priest sings a prayer and gives blessings to each of the Scorpions (Image 3.4) while being observed by local men, women and children. The camera slowly pans throughout the ceremony, showing the individual faces of those in attendance. The time and date stamp are inscribed in the bottom left corner of the recording.

The second scene starts in the back of a truck, showing several men with tied hands. A uniformed person kicks one of them and gives them an order to get outside and to lie down facing the ground. Soon afterwards, the camera operator asks for a replacement battery. The continuity in the scene is interrupted as the camera is turned off and continues recording from a different angle showing the truck leave. One long take
captures the chitchat of the Scorpions while the civilians lay down helplessly. At one moment, one of the men pleads for help, asking for some water. The uniformed person comes close and talks to him (Image 3.5). Soon, the men are told to get up again and walk towards the woods.

In the last scene, which was screened in court, the men are lined up (Image 3.6) and ordered to walk slowly, one after the other. The camera moves behind them. Soon, gunfire starts, and they fall dead on the ground one by one. The footage is particularly shaky as the camera moves rapidly between each of the civilians where they walk and the places where their dead bodies fall. In an ironic moment, the camera operator warns that he will be out of battery soon.

![Image 3.4, 3.5 & 3.6. Screenshots from the Scorpion video shown at the ICTY. Retrieved from https://www.youtube.com/watch?v=norSzT3l2L8](https://www.youtube.com/watch?v=norSzT3l2L8)

Although fundamental legal details were lacking about this video—for example, who shot and edited it or what was its provenance—the prosecution decided to present portions of it in court during the cross examination of a defense witness. Hours of trial time were dedicated to deliberations about the video, which was contested both in and outside the courtroom (Petrovic, 2014; Zverzhanovski, 2007). The video was eventually ruled inadmissible, and the sudden death of Milosevic put the case to rest. Looking at the
trial transcripts, however, sheds light on how any video exhibit in the courtroom is inevitably a form of visual persuasion.

Despite not immediately having the necessary information that would help solidify the video as evidence in the case against Milosevic, the prosecution’s choice to screen it rested upon the long disregarded qualities of images—perception, emotional appeal and intuitive resonance. Although claiming that the video was not relevant to the case, even the defense witness acknowledged that it depicted horrific crimes:

JUDGE ROBINSON: Mr. Nice, can you tell us about that film?
MR. NICE: Yes, to a degree I will. But if I can just deal with –
MR. KAY: We haven’t established any foundation for this. To my mind, this looks like sensationalism. There are no questions directed to the witness on the content of that film in a way that he can deal with it. It’s merely been a presentation by the Prosecution of some sort of material they have in their possession that has not been disclosed to us and then it has been shown for the public viewing without any question attached to it. It’s entire sensationalism. It’s not cross-examination.
JUDGE ROBINSON: Mr. Nice, there’s some merit in that. That’s why I asked what are we going to be told about the film. Who made it, in what circumstances, and what questions are you putting to the witness in relation to it?
MR. NICE: Certainly, he can answer that question, yes.
Q. I’m suggesting this film shows Skorpions executing prisoners from Srebrenica.
A. As I am upset, I have to say that this is one of the most monstrous images I have ever seen on a screen. Of course I have never seen anything like this in – live. I am astonished that you have played this video in connection with my testimony because you know full well that this has nothing to do with me or the units I commanded. I attempted to explain this yesterday, and I have also attempted to explain it today. I’m not saying that you do not have the right to do this, but I have to say that I am really upset –
JUDGE ROBINSON: Do you agree with the – do you agree with the Prosecutor’s suggestion or proposition that this is a film that shows Skorpions executing prisoners from Srebrenica?
THE WITNESS: [Interpretation] Of course I do not intend to cast doubt on what the Prosecutor is saying, but I have not seen a single person I know here, and I have seen no evidence that this is the unit in question (The Prosecutor v. Milosevic, No. IT-02-54, 1 June 2005, p. 40278-40279).
Immediately following the courtroom screening, the Scorpion video was broadcast in the countries of the former Yugoslavia and around the world. At least for a moment, it fostered a public debate even in Serbia about the crimes in Srebrenica. Indeed, when Milosevic made remarks in regards to the video a few days after the initial screening, his main worry was the persuasive impact of the video on the public.

THE ACCUSED: [Interpretation]: Mr. Robinson, I would like to draw your attention first of all to what Mr. Nice said a few minutes ago. You can see it in the transcript. I wrote it down properly. He said, verbatim, that the link between what he showed will be established. Please bear that in mind. Is that an appropriate way to act? On all world TV stations and Serb TV stations, it has been said time and again that this is footage from Srebrenica. And Mr. Nice says now that he is yet to establish the link showing that this has to do with Srebrenica.

JUDGE ROBINSON: Mr. Milosevic, whether he establishes the linkage or not is a matter for the Chamber. We have no concern with the public’s perception of the matter. Ultimately we will examine all the evidence before us and come to a conclusion as to the worth, the value of the – of the tape (The Prosecutor v. Milosevic, No. IT-02-54, 8 June 2005, p. 40733-40734).

This case illustrates how persuasion takes a front seat alongside authentication. Video can be screened in court and deliberated upon without necessarily being entered as official evidence. Its use is always extrajudicial in part. It draws from its perceived immediacy, permanence and sensory qualities to make moral and historical claims.

**Video as a Mnemonic Tool**

The ubiquity of video at the ICTY signals an attempt to reconcile those visual qualities that were overlooked by the initial adoption of photographic images as demonstrative evidence. Video’s legal functions inevitably exceed demonstration. According to Alex Whiting (personal communication, October 1, 2015),
Now investigations are much harder to conduct. They’re conducted far away. They take a lot longer…So, the force that video brings to the trial is really important…it brings the events—that usually occurred years before—into the courtroom, which is powerful because often times these trials occur many years later, and some of the force and power of the events can be lost when you’re years and thousands of miles away.

Implicit in Whiting’s account is a tribute to the mnemonic power of video, which surfaces in his description of video’s force. The intensity and perceived instantaneity with which audiovisual records reference the past bring visual memories to the forefront of the legal process. Video, then, provides a tool to seemingly overcome the unavoidable loss of the past. It facilitates the process of bearing witness in the courtroom by which people are supposed to come to grips with past atrocities.

Video thus operates as a vehicle of memory, providing an enduring record through which crimes can be rendered legible long after they occurred. Silvia D’Ascoli (personal communication, October 13, 2015) echoed this view: “The advantages of video evidence are in the impact of this type of evidence and the powerful nature of it, which allows visualizing even events from the distant past and thus gives a “visual aid” to the public and to the judges.” Video directs the judges and the publics how to remember a crime. It provides memory with texture that facilitates the trial proceedings and the process of historical understanding outside the courtroom. It acts as an indicator “to preferred meaning by the fastest route” (Zelizer, 1998, p. 7).

The law has long been an important institution for the creation of collective memory (Alexander, 2002; Douglas, 2001; Durkheim, 1893/1984; Savelsberg & King, 2007). The advent of visual media in the courtroom, however, is indicative of a process of institutionalization of visual memories as legal tools. What used to be considered the
image’s legal surplus is now central to video’s unique evidentiary contribution. Even the ICTY’s online timeline of achievements presents a chronology of indictments and judgments using screen shots of key video evidence.

The beginning of the first ICTY’s trial, The Prosecutor v. Dusko Tadic, for crimes committed against Bosnian Muslim and Croatian men in the Omarska detention center in Bosnia and Herzegovina, is exemplified by one of the most iconic images of the Yugoslav wars (Image 3.7). It is a screenshot of the Omarska and Trnopolje camps in the famous ITN video by Penny Marshall and Ian Williams. The video documents the journalists’ tour of the camps and the hesitation of those in Trnopolje to discuss anything about their conditions. The camera shows the journalists’ point of view as they speak with the civilians whose bodies indicate potential signs of starvation. A wired fence separates the journalists from these men (for the contested nature of the fence and the video, see Campbell, 2002a; 2002b).

The ICTY timeline draws attention to a large screenshot of the ITN video, while the image of the accused is minimized in the bottom-right corner. What is interesting about this depiction is how it resembles visual patterns prevalent in the media at the time of the Yugoslav wars. The New York Times, for example, announced the first ICTY’s trial with a small image of Tadic and a larger one of Nuremberg (Zelizer, 1998). In both instances, visual memories have been mobilized to stand for trials in the present. Despite the use of images of the past as a reference for the unfolding trials, however, the media have drawn attention to the legal process, while the ICTY directs the viewer to a visual memory of the crime.
The law, with its institutional logic, is interested in demarcating individual guilt. When communicating its legacy to the public, though, the Tribunal subordinates the image of the individual guilty of a human rights violation to an iconic representation of the crime. What is significant and deserving of critical attention, then, is neither the individual at trial nor even the legal process per se, but the historical moment that the image epitomizes. Although the ITN video initially served as evidence in trials related to detention centers, it also became a legal tool for remembrance.

The ICTY’s first life sentence issued to Stanislav Galic, for sniping and shelling attacks in Sarajevo, and the guilty plea by Miodrag Jokic for shelling Dubrovnik have both been portrayed in the same fashion. The complexity of lengthy trials is reduced to a visual marker that strategically guides the public on how to bear witness, come to terms with and remember the crimes. A single video frame has frozen a moment from the war atrocities, serving as a reminder of the human rights crimes that have happened in the region. The first case (Image 3.8) symbolizes the emotional terror experienced by those
who have managed to escape the sniper fire. The prosecution emphasized this information as legally relevant information during the trial of Galic. Indeed, this also constituted the ground upon which the attorneys justified the screenings of similar video materials as evidentiary submissions. The second image (Image 3.9) testifies to the damage in Dubrovnik, reminding the public of the fire and smoke that ruined parts of the city, causing emotional and physical harm to its citizens. The prosecutors also evoked this reasoning when they screened the video in court during the trial of Jokic. These examples, then, indicate how video has become a carrier of collective memory both inside the courtroom during trials and outside of legal spaces when it communicates the Tribunal’s accomplishments.

Image 3.8. Screenshot “First Life Sentence handed down by the Appeals Chamber”
Image 3.9. Screenshot “Guilty Plea for the Shelling of Dubrovnik”

To summarize, the legal justifications for the use of videos in human rights trials involve a combination of three interrelated propositions about video’s evidentiary potential that augment each other. Video is understood as a vivid and stable documentary
record of the past, a powerful persuasive tool and a mnemonic device. Videos screened at the ICTY, such as the shelling of Sarajevo and Dubrovnik or the brutal executions by the Scorpion paramilitary discussed in this chapter, are arguably a subgenre of documentary film. Although not always duly noted, central to the birth of the documentary film tradition was the European avant-garde movement, “the rhetoric of social persuasion” emerging in the 1920s and the “activist goals” inscribed in nonfiction filmmaking (Nichols, 2001, p. 582). This history, then, suggests that any documentary media is on some level a form of visual persuasion. Therefore, despite attempts to separate the working of visual media in court from their social and cultural resonance (e.g., Schwartz, 2009), the proliferation of documentary video records in the courtroom not only sheds light on the thin line between visual evidence and persuasion, but it also brings the law into direct conversation with the wider culture in which images are produced, interpreted, circulated and remembered.

**The Visual Turn in the Law as an Opportunity for Human Rights Groups**

The increasingly porous boundaries between the law and today’s intensely mediated public culture challenge the law to extend its professional logic to the kinds of knowledge it has traditionally dismissed. They also provide opportunities for various visual experts to partake in legal renderings of the truth. Feigenson (2014) therefore argues, “the use of and reliance on the visual, the digital, and the Internet entail a democratization of meaning-making, a redistribution of traditional patterns of authority, and indeed a reconceptualization of the very nature of social organization” (p. 22). An
avalanche of digital visual media in courtrooms marks the visual turn in the law, which has generated favorable circumstances for human rights groups. Their visual expertise grants them new access to legal constructions of truth.

Traditionally, human rights courts and tribunals have relied on research and testimonies by human rights groups. Both Amnesty and HRW’s reports, for example, were used as evidence in front of the ICTY. In addition, the origin of the HRW’s Emergency Response Division goes back to the conflict in Kosovo. The HRW’s team photographed the aftermath of the Gornje Obrinje massacre in Kosovo in 1998 and testified in front of the ICTY. Indeed, HRW used images as evidence for the first time in front of the ICTY, while its more extensive evidentiary employment of video dates back to the Darfur crisis (C. Bogert, personal communication, May 6, 2014). What this suggests is that since the Yugoslav wars of the 1990s, international human rights courts and groups have both become more accustomed to conceptualizing video as evidence in a legal sense.

Today, international human rights courts, such as the ICC—whose mandate is to prosecute individuals for crimes against humanity, genocide and war crimes—are encountering crimes that are evermore documented, digitally recorded and circulated on social media platforms. To navigate the unfolding media landscape, they turn to visual experts for advice on video verification practices and tools. This has been an opportunity for human rights groups that now consult courts on authenticating mechanisms and train activists and lawyers about video’s evidentiary potential. The following subsections, then, examine how human rights groups assert their visual knowledge as valuable to the courts by looking at the tactics they use when shaping video activism to fit legal
parameters. Specifically, I tackle how HRW, Amnesty and WITNESS work with video evidence, develop custom technology, conduct video as evidence training and produce videos for human rights trials.

**Work with Video Evidence**

Contrary to the law with its “tendency towards hostility to novelty – *novum omne cave*, is the relevant legal maxim” (Delage & Goodrich, 2013, p. 1), human rights groups are more open to adopt new technologies in their work. Indeed, the desire and ability to innovate is often what they think sets them apart from governmental and judicial human rights investigators. Josh Lyons (personal communication, August 13, 2015), Image Analyst at HRW, sees this as an advantage of human rights groups:

I think we’ve done a phenomenal job, where you know, a unique video comes in, a unique set of testimonies, and it clearly presents an opportunity to make sense of it and make powerful report out of it in a very short period of time. We can innovate and install [new software], test and prototype on the fly in the context of that investigation. And we’ve done that routinely well. Really, you could never predict or anticipate that you would need that type of software and that type of workflow to address that need.

The flexible workflow and receptiveness to experimentation have been key to enlisting human rights groups among the agents of visual knowledge, next to specialized forensic experts such as law enforcement teams.

What is implicit in Lyons’s reflections is the notion of tactics as creative, improvisational, “more flexible to adjust to perpetual mutation” in tune with the given situation (De Certeau, 1984, p. 41). The reliance upon tactics has enabled human rights groups to consider a wide-range of visual images as evidence whenever circumstances
present themselves. Josh Lyons (personal communication, August 13, 2015) further noted:

It’s not as if video was never considered to be a source of potential evidentiary material, or that it wouldn’t be relevant to a human rights investigation. It was just a very exotic and hard to come by source of information. The fact that it’s now a ubiquitous form of data, that in most cases we would need to work with, changes the approach from an ad hoc best effort basis towards an obligation to have a professional methodology and workflow that can be scaled across the organization.

Both HRW and Amnesty are therefore seeking to standardize their tactics, developing measures, restructuring and training internally to accommodate the emerging forensic needs to work with eyewitness video. Staff at both groups stated that corroborating between a testimony, eyewitness videos and satellite images is becoming the gold standard for human rights investigations (C. Koettl, personal communication, July 20, 2015; J. Lyons, personal communication, August 13, 2015).

The prevalent understanding is that “citizen video—embedded in research and advocacy—can help secure justice. It contributes to impartial, independent investigations, which are often the first step in providing accountability through domestic or international trials” (Koettl, 2013, para. 9). To this end, human rights groups leverage technology with traditional techniques of checking the source and provenance of visual records to verify eyewitness footage and triangulate it with satellite data and on-the-ground investigations whenever possible. Sometimes even the image that demonstrates the verification process is part of the report, serving as a legitimation tactic for the forensic skills of human rights groups. In a HRW report about detention facilities in Syria, for example, yellow markers connect a series of images—four of which depict
death scenes—with a satellite view of their location (Image 3.10). The geographic coordinates written on each image reinforce the evidentiary value of the material.


The views about what constitutes the evidentiary potential of videos mirror those of the courts discussed in the case study of the ICTY. This is in part expected because many HRW and Amnesty staffers come with legal backgrounds—after all, lawyers founded both groups. Belkis Wille (personal communication, June 25, 2015), Yemen and Kuwait Researcher at HRW, for example, believes that, “if you have a video showing the massacre that the victims are talking about, it adds a lot of persuasiveness.” The assumptions that video, by virtue of its form, is a documentary, persuasive and mnemonic record par excellence are deeply engrained in the work of human rights groups.

Video has become the standard response to concerns raised decades ago at the Nuremberg Trials to find “credible evidence to establish incredible events” (Delage,
2014, p. 67). Belkis Wille (personal communication, June 25, 2015) further explained to me:

Video helps us confirm certain allegations we hear about. A school was bombed; you get testimony from three different people that the school was bombed, but until you see the video or photo evidence, it’s hard to visualize the extent of the damage. Testimony can only go so far in, sort of, capturing that…so video evidence is invaluable to us in being able to go further.

Others reiterated: “in general, video provides so much more detail that’s much more powerful in many cases” (C. Koettl, personal communication, July 20, 2015); “video can [sometimes] enable you to tell a bigger story and to tell it more convincingly” (D. Eyre, personal communication, August 14, 2015). It is not surprising, then, that visual meaning-making is at the heart of human rights work and central to recent reports, such as those exposing the use of barrel bombs and chemical weapons attacks in Syria (e.g., Ristovska, 2016b, in press).

The mastery of tactics through the development of visual methodologies and skills coupled with the legal understanding of evidence are turning human rights groups into reliable practitioners whose visual knowledge can be of benefit to the law. This comes at a time when legal institutions are struggling to “preserve and validate legal justice as sufficiently distinct from the popular” as a result of the unprecedented advent of visual media in courtrooms (Feigenson, 2014, p. 20). It is a common understanding that the law relies on its own sets of rituals, institutional rules and procedures in order to regulate legal reasoning. It also draws on other professions, as when an expert witness is called to testify. Grounded in a rhetorical tradition dismissive of images, the law has never really tackled the full complexity of visuals. Yet, the changing media landscape
demands attention to images. As a result, the law is turning to others who have developed professional standards for handling visual evidence.

Sam Gregory (personal communication, December 11, 2015) remembers sitting with members of the ICC in 2012, discussing the video evidence work of WITNESS. “I was surprised that almost the first thing that he [the ICC legal staffer] said—and he subsequently said it publicly—was that they knew there was a storm coming of citizen documentation, and they really wanted to be grappling with it in a purposeful way.” Two years later, the ICC established the Scientific Advisory Board to assist the court’s work with new technologies and forms of evidence. In Alex Whiting’s (personal communication, October 1, 2015) view,

The court has recognized that new technologies have the potential to transform human rights investigations. And, we’re talking about the full range of technologies, video, satellite and other forensic technologies to investigate crimes and draw conclusions. So, with the advisory board, the court is seeking to keep connected with these technologies, keep aware of them, see how they can be used, resolve legal issues that might arise and so forth.

As human rights groups have been at the forefront of developing and implementing mechanisms for working with video evidence, some of their staff members have secured a place on the ICC’s Scientific Advisory Board. Among them is Josh Lyons (personal communication, August 13, 2015) of HRW, who told me:

The hard part legally that the ICC is grappling with at the moment is establishing the protocols to absorb and authenticate video and photographic material that has obviously been provided to them in a form that they would have never accepted it before. Namely, photographic material that has no established chain of custody; we don’t know who took it; we don’t necessarily know who handled it, and we don’t know much about the camera because the metadata has been striped. I mean, traditionally, that evidence would just be thrown out. Now, with the explosion of social media and with the proliferation of citizen videos, we have new techniques—in many ways improvised, ad hoc and highly experimental
techniques—for establishing the authenticity and the verification of these videos where we don’t know anything about the recorder or about the camera.

The need to improvise as a way of adjusting to the current moment is at the heart of the tactics that human rights groups use when working with video. Because of its own lack of professional visual standards, the law benefits from these tactics that purposefully import the professional legal logic to video assessment techniques.

At the same time, being part of the roster of independent image experts consulting with and supporting the work of the ICC further validates the skillset of human rights groups. They are now becoming a part of the go-to specialists, guiding human rights courts on how to tackle and regulate visual judgment. This process of boundary renegotiation between the law and the wider culture also signals a blending and redefinition of the markers between legal judgment and visual meaning-making.

**Development of Custom Technology**

The need for video skills in the courtroom is not only due to the advent of technology, but also due to the economic and socio-political challenges that courts face. Video is a cheaper form of evidence at times when witness protection is becoming costly. Moreover, less journalists and civil society actors are willing to testify in court, who could, for example, verify footage. Alex Whiting (personal communication, October 1, 2015) commented on this trend:

With the ICTY, journalists and NGOs were generally very cooperative, but I think it was because of two reasons. First of all, it was the first court [of its kind] so everybody was kind of excited about it and wanted to be involved and thought of it as a kind of one off. The second thing is that a lot of the cases at the ICTY were done many years after the conflict, so people didn’t feel any kind of danger from
later testifying. But, with the ICC, that has changed. First of all, the ICC gets involved in investigations and conflicts that are still unfolding, and obviously, it’s a routine player. It investigates conflict after conflict. Then, the second thing is that this is no longer a one off thing, and so civil society, NGOs and journalists started to think: “Well, hang on, if we keep cooperating with these courts, in these investigations, it’s going to endanger our mission.” So, they just became much more cautious about their cooperation.

Personal safety and the possibility of inflicting safety risks on their sources are common reasons why reporters and civil society groups decline to testify in court. Moreover, journalists, especially in the U.S., believe that giving testimony in court violates professional standards by making them pick a side (Bernstein, 2002).

Wendy Betts (personal communication, August 11, 2015), Director of eyeWitness Project at the International Bar Association, echoed some of the reasons that raise the importance of video, including its ability to provide additional layers of corroboration.

We’ve just seen a change in the accessibility of mobile cameras to ordinary citizen that shifts the availability of the sources of information. [Human rights] trials have always relied very heavily on witness statements, and I don’t think those will be replaced. But, I think, we’re seeing increasing calls for additional sources of information either to corroborate the witness statements or to use at times when the statements are either too dangerous for the witness or too questionable.

Technological developments along with the challenges of obtaining witness testimony at times of growing forensic sensibility in the courtroom contribute to shifting legal doctrines and practices that further accommodate video. As a result, visual authentication becomes a skill in demand.

Traditional admissibility criteria remain—video needs to be reliable, relevant and of good quality (e.g. blurry images and distorted sound can be grounds for rejecting the evidence). There is, however, an emerging trend towards authentication through technology—either video that is self-authenticated through its metadata or multiple
eyewitness videos of the same incident from different angles that corroborate themselves. As a classical example, Raja Althaibani (personal communication, August 7, 2015), Middle East and North Africa Program Coordinator at WITNESS, mentioned a case against the Israeli military in 2010 when the prosecution used videos from different activist and news cameras in an attempt to prove the murder of a demonstrator in Bil’in (e.g., Forensic Architecture, 2010).

Human rights groups have intervened in the technological space not only through their forensic skills, but also by creating platforms and tools to streamline verification processes. In particular, they have invested in technical solutions to use metadata securely as a formalizing mechanism for video’s evidentiary capacity. According to Morgan Hargrave (personal communication, June 2, 2015), Systems Change Coordinator at WITNESS,

Metadata has a bad name these days in human rights circles because it’s how we are being tracked and spied on, but it’s actually very useful…. The truth is video, whether through metadata, facial recognition or any video analysis, is being used against us in so many ways. All the fears you have of how people are going to use it, they are already doing it. So, we are trying to use tools to sort of pick and identify people who are uploading videos with human rights content and hit them with guidance…We are not ahead of the Department of Defense, the NSA or any number of other actors. We are always playing catching up.

Hargrave’s statement suggests that activism needs to constantly develop new tactics to destabilize the power dynamics that violate human rights. Military and law enforcement strategies have long included the “mastery of places through sight” to exercise control (De Certeau, 1984, p. 36). The current surveillance practices are just the latest iteration of such strategies. Working within the rules of the social system, while finding creative
solutions on how to bypass and challenge its potential abusive effects, is at the core of tactics.

To minimize safety or surveillance risks, for example, WITNESS has partnered with legal professionals and technology developers to design and launch tools that can use metadata in beneficial ways, such as the CameraV app, the latest iteration of the InformaCam platform set up with The Guardian Project (see chapter 2). This Android-based mobile application has two recording modes: one without the identifiable information and another with securely stored metadata (Image 3.11), which can be sent to a trusted party through encrypted channels for anonymous communication.


WITNESS’s consultant on the initial version of the InformaCam platform was the International Bar Association, which implemented the lessons learned on this project to launch its own eyeWitness app. Similarly to CameraV, this app also records, embeds and encrypts information, such as GPS coordinates, time, date and camera movements while capturing the video (Image 3.12). It also calculates and compares the pixels at the time of recording with the time of receiving, so it can alert to potential modifications. The videos captured by this app are sent securely to a repository maintained by the eyeWitness Project of the International Bar Association, creating a trusted chain of custody. The
eyeWitness app, therefore, serves as a registry of eyewitness videos, which, if and when relevant, can be used as evidence in human rights prosecutions.

![Image 3.12. Screenshot, two images: a street view and how it is captured with the eyeWitness app. Retrieved from https://www.youtube.com/watch?v=q2mcZn0V5jA. Courtesy of the eyeWitness Project.](image)

Although these apps are free and available to anyone, they predominantly serve a specialized niche, most notably human rights activists already connected to wider activist networks who are savvy about technology. Not any bystander who happens to be a witness to a crime can benefit from these tools. A person needs to know about the existence of the app, download it on his/her phone, be interested in recording potential visual evidence and learn how to use the app well in advance. Hence, verification devices like CameraV and eyeWitness are part of the emerging patterns for human rights activism that specialize in how to tailor eyewitness videos to fit legal criteria. In addition, these apps are part of an emerging set of video activism tactics that evolve in response to the strategies employed by human rights offenders.

CameraV, for example, has a proof mode option that enables the app to run in the background. The app stores videos and images, which do not register in the phone gallery. This is particularly useful in case of an uncomfortable encounter with police.
Indeed, WITNESS used the experiences of its partners, on-the-ground activists in the U.S. and Brazil who systematically document police violence, to better address video activist needs when designing the app. The development of tactics that respond to the gradual move towards authentication through technology and the growing role of metadata, then, are both enabling human rights activists and collectives to further partake in the production of legal truths.

**Video as Evidence Training**

Despite the move towards self-authenticating videos, people remain a central component in the utilization of video as evidence. According to Kelly Matheson (personal communication, July 22, 2015), Senior Attorney and Program Manager at WITNESS,

> Technology can help a lot to allow you to enhance the reliability of video: to organize, manage, analyze, and search your videos...I think, technology is going to play a very important role, especially as we have more and more video that is being used for human rights. But, there is still a limitation. A person out there, on the scene, on the frontline is still going to have to decide what to put in the frame. They are still going to have to decide the ethics of sharing the video. They are still going to have to decide whether it’s safe to share it, and those are all human decisions that technology isn’t going to be able to make for us. So, people really have to still understand how to document with video.

Technology—whether the phone camera or the verification app—is a tool that requires a certain degree of specialized knowledge to be used effectively for legal aims. Shooting video as evidence is a combination of filmmaking skills and basic understanding of what constitutes legal evidence and how crimes are proved.
Human rights groups invest in nurturing networks of citizens and activists—both in the countries in which they operate and online—to which they can turn for assistance in finding information or verifying content. Amnesty, for example, has conducted such trainings in Nigeria. Daniel Eyre (personal communication, August 14, 2015) told me:

One thing that we’ve done in a piecemeal way, from time to time, is to try to train and enable human rights defenders to collect video evidence themselves, to take video footage. So, just as we, at Amnesty, are trying to expand our own production of video, video interviews and video in the places that we go to, we’re also encouraging human rights defenders or enabling them to be able to take video footage of either violations or witness statements or the context in which violations happen.

Human rights groups are also involved in supporting activists already engaged in video-making by training them how to take videos that meet the threshold of evidence and are relevant in a legal case. To do so, WITNESS has developed a specialized “video as evidence” program, training and curriculum. The program is active in the Middle East, Brazil, Ukraine, India and most recently in the U.S.

Video, according to WITNESS, has a potential to democratize the evidence gathering process. In Priscila Neri’s (personal communication, August 6, 2015) views:

I think that the cell phone and the cell phone camera have proven to be very significant democratizing force for citizens to collect evidence themselves. So, if we think about a community where there have been systematic police extrajudicial killings, for example, the police wouldn’t be too vested in collecting that evidence because it’s evidence that would incriminate them. So, there’s not a lot of political will; there’s not a lot of movement on the collection of evidence. Now, you have at least ten YouTube clips when something like this happens, of either the incident itself, or the aftermath, or the testimonies.

As a Senior Program Manager for Latin America, Neri works on issues around police violence in Brazil. She helps train activists and members of communities most directly affected by these crimes how to take tactical videos with a goal and for an audience so
that the videos are not mere exposure of illegal behavior, but catalysts for justice. To do so, the training addresses the specific needs of video activists.

Neri, for example, has observed a common situation, especially during protests, when people intuitively record the injustice, disregarding vital information that can help qualify the video as evidence.

You’re at a protest; a cop starts beating someone, and you have like 57 cameras on that one cop beating that one protestor. Then, right over there, no one’s filming the key commander giving instructions to all the other cops to do the same. So, no one has that image. So, how can we coordinate better so that we have better coverage, that we aren’t duplicating but that we are thinking more strategically about the production and utilization of that content? (P. Neri, personal communication, August 6, 2015)

What Neri describes is the necessity for diversified tactics that respond to the situation at hand, such as police violence during protests. Activists need to improve their recording tactics, so they can better respond to the strategies of those in power. Implicit in Neri’s statement is the understanding that activism is no longer about the authenticity of being on the street to take a stance against injustice. It is the purposeful witnessing and recording act that has the potential to contribute to social change (Ristovska, 2016a). In other words, specialized tactics are crucial to leverage the evidentiary potential of video. WITNESS thus brings together human rights attorneys, public defenders and activists for video training, further contributing to the blending between the law and activism around video.

It also released the *Video as Evidence Field Guide* in the summer of 2015, which incorporates step-by-step guidelines on capturing, storing and sharing video evidence, developing a collection plan on gathering video evidence, overview of key legal principles, risk and safety considerations as well as lessons from the field—such as the
usage of video at the ICTY. The guide is a culmination of the training that WITNESS has conducted, teaching activists and lawyers about video’s evidentiary potential. It was developed in consultations with international human rights attorneys and courts. The core premise is that video activists need to learn tactics relative to the intended audience. According to Kelly Matheson (personal communication, September 8, 2015),

When you are collecting video for the media or going out to make a film about an issue, you will film differently than you film for documentation. A lot of it goes back to the techniques you will use. With traditional filmmaking, you are not going to stand in front of the camera and say every time you do a scene: “This is Kelly Matheson; it’s September 8th 2016; I work for Witness.org, and if this video is relevant to your investigations, you can contact me at this number. What I’m about to film is a mass grave that we saw in Cambodia.” And then, how I would film the mass grave is very different. For documentation, I would film it from all sides; I would film the wide, medium and close-up shots just like the filmmaker would do, but I would literally map out the crime scene with the camera. I would map out the mass grave. The filmmakers are just going to get the shots they need for their story and move on to getting the next shot. While you’re still trying to tell a story with your video documentation, you’re trying to tell it as video evidence, not video storytelling. And, you’re trying to tell it in a way that a judge or a jury can assess exactly what is going on on-the-ground instead of telling it in a compelling story-driven sort of way.

Matheson describes video tactics that incorporate the professional logic of the law. She draws clear boundaries between shooting video as news, legal evidence or documentary film. To increase the likelihood of evidentiary use in court, for example, a video activist should record the crime scene in a systematic and detailed manner contrary to visual storytelling where the focus is on how to record with a compelling sense of aesthetics. As a result, an establishing shot of a location may be sufficient for documentary filmmaking, but recording it in different positions and angles works better for evidence.

The tactics associated with video evidence, as emphasized by WITNESS’s guides and training, also vary depending on the human rights violation. In the context of an
unfolding incident, such as police violence, it may be intuitive to shoot a body lying on the ground, but stepping back to capture a badge number, a license plate or key location marker does not come naturally. These shots, however, could be essential to prove a crime. Therefore, the tactics for capturing video evidence also include understanding of basic legal principles.

With excessive police violence, in most jurisdictions, you have to prove that the officer was on duty. You have to prove that the force was excessive. And you have to prove that he or she intended to use excessive force…. Okay, so, how do you prove that the officer was on duty? Easy—badge number, cop car, weapons, boots, insignias…there are any number of ways to show an officer is on duty. But, how do you show the officer intended to inflict excessive harm? Now, you need to get more creative. So, in order to prove a crime, we break a crime into the elements, and we create a shot list for each element…that’s how you gather relevant information that’s going to help an attorney. Showing intent is harder than showing a crime. (K. Matheson, personal communication, September 8, 2015).

Central to the video as evidence training is to teach activists what constitutes video’s reliability and relevance in human rights trials and to help lawyers understand filmmaking language. Reliability is often easier because it copies the professional standards and strategies of the law (e.g., technological solution can help raise the authenticity of the material, while a mere shot of a badge number can be sufficient to prove the identity of a policeman on duty). Relevance, however, is where tactics are essential because it requires creative thinking and experimentation to qualify the legal status of the video in court. The training in video tactics, then, brings activism in direct conversation with the law. In doing so, it shapes activism in ways that comply with and take advantage of the professional legal parameters.
Video Production

Typically, human rights groups do not produce or submit their own videos as evidence in court. Param-Preet Singh (personal communication, October 16, 2015), Senior Counsel of the International Justice Program, explained to me why HRW is not investing in specialized videos for courts like the ICC. “We don’t really want to collaborate with them on [video production] because we don’t want that to be grounds for us then to be called as witnesses or to be subpoenaed to give evidence in courts. So, it’s best to just keep them separate.”

WITNESS, however, has occasionally produced videos for human rights trials. Bukeni Waruzi, now a Senior Program Manager for Africa and the Middle East, shot a video of child soldiers serving in the Democratic Republic of Congo (DRC). Born and raised in the DRC, he was personally invested in exposing the human rights violations in the country. He edited two separate versions of the footage—one for the local communities, who were generally approving of the recruitment, and another for the ICC. Waruzi (personal communication, August 6, 2015) told me:

The video I made for the communities in the DRC was totally different from the video I made for the ICC. The difference, of course, is driven by the audience…I wanted [the parents] to take a stand after they saw the video in terms of preventing the recruitment, discouraging their children from joining the militia…when you go to the ICC, you want the ICC to understand the necessity of prosecuting those who are recruiting child soldiers.

His statement not only sheds light on the centrality of audience differentiation for unfolding activism patterns, but it also illuminates further how video can serve both as an evidentiary submission and as a mode of persuasion in human rights trials.
The video version that the ICC used, *A Duty to Protect: Child Soldiers in the Democratic Republic of Congo*, documents the experiences of child soldiers, specifically Mafille (Image 3.13), a 15-year-old former soldier who has been struggling to adjust to life outside of the army, and January (Image 3.14), a 16-year-old girl who has served in the military for six years. The video starts with a singing and dancing ceremony at the training camps with children dressed in military uniforms. Waruzi narrates the footage, which is mainly driven by the testimonies of these girls.

Supplementary information is provided through interviews with the girls’ families, members of the community and other child soldiers. The video also incorporates footage from the camps that documents the poor living conditions, malnutrition, lack of medical help and excessive use of drugs.

Waruzi submitted his video to the ICC at a time in which the OTP was still conducting investigations and preparing indictments. The ICC has limited resources to investigate complex crimes. The DRC case involved multiple war crime violations, such as rape, extrajudicial killings, illegal detentions and destruction of property. Waruzi therefore met with members of the prosecution to screen his video, turn in the raw
footage and answer any questions. The video not only helped accomplish Waruzi’s goals—the ICC pursued the case of child soldiers—but it also served both as contextual evidence in the pre-trial phase, which confirmed the charges against the accused, and as direct evidence in trial, proving that children under the age of 18 were recruited to serve in the national army. Bukeni Waruzi (personal communication, August 6, 2015) told me that the video “was built into the argumentation of the prosecutor to show how dangerous, how serious the crime is.” He, however, never testified in front of the ICC. The information he had provided to the court was deemed sufficient to tender the video into evidence. In response to Waruzi’s video, a presiding judge at the ICC stated, “we were unable to dispute the visual images or deny the sound” (as cited in Shaer, 2015, para. 22).

This case suggests how, even in the courtroom, video can be captivating and persuasive. It can simultaneously serve both activist and evidentiary purposes. Although there are formalizing mechanisms solidifying video’s admissibility as evidence, the case of A Duty to Protect: Child Soldiers in the Democratic Republic of Congo illustrates how images are amenable to various uses and conceptually flexible to fit different legal categorization, just like they are open to interpretations in society at large.

This section has demonstrated how video has penetrated the law, triggering investigations, prompting legal judgment and generating lasting memories of human rights crimes. As international human rights courts recognize the necessity and complexity of video evidence, they turn to visual experts to draw on their skills in order to regulate the boundaries of the law. Human rights groups are not only claiming the visual knowledge provided by video, but they are also developing tactics to take
advantage of the opportunities created by the visual turn in the law. They serve on
advisory boards, and they work on technology, programs and training to maximize
video’s potential as evidence and to occasionally produce videos themselves. In doing so,
human rights groups are able to tap more prominently into legal spaces, further
legitimizing their work and promoting standards for producing and verifying human
rights videos. They are, then, becoming viable agents of visual knowledge that human
rights courts can utilize. As the law blends with the spaces associated with human rights
activism, the long feared power of visual persuasion attains a new level of prominence.

Conclusion

As human rights courts are integrating video technology, visual media are
attaining legitimacy and becoming centrally implicated in the witnessing process both in
and outside the courtroom. The incorporation of video evidence in its multiple forms at
the ICTY has standardized video’s legal use, setting legal precedent not only for other
international human rights courts, but also for human rights groups. The proliferation of
digital technologies and platforms as well as the difficulties in obtaining testimonies and
cooperation from journalists and civil society actors have further elevated the legal status
of video and the necessity for doctrines and practices that can account for new modes of
producing and qualifying visual evidence.

Commonly understood as a powerful medium, video draws its evidentiary
contributions from the same qualities it holds in the wider public culture. Both courts and
human rights groups conceive of video as a stable and vivid documentary record of the
past, an important persuasive device and an authoritative mnemonic tool. In doing so, they institutionalize the instrumentality of images, signaling that judicial authority no longer rests on words exclusively. The courtroom is becoming a place of both deliberative and visual judgment, urging the law to draw on extrajudicial experts to sort through the admissibility of new forms of video materials. This has opened a window of opportunity for human rights groups to diversify their tactics in response to the visual turn in the law in order to partake in the development of visual legal standards and the production of legal knowledge. In doing so, they extend the spaces where activist video can make a social difference.
Chapter 4. Human Rights Video in Advocacy

Video has become an integral component of the advocacy toolkit. Communication tactics—whether distributing pamphlets, lobbying governments or crafting campaigns and appeals—have been the oxygen of the global human rights movement, whose work rests upon the premise that violations need to be investigated and exposed in order to be stopped. As visuals have long been assumed to generate an intimacy that connects the viewer with suffering, wide-ranging images have been central to endeavors to mobilize publics on human rights issues. In this sense, video advocacy draws from a rich heritage of utilizing visuals for social change. Tackling the current role and shape of video in human rights advocacy is at the heart of this chapter.

The rise of digital video in its various manifestations has not only influenced the tactics employed by activists working for or with global human rights groups, but it has also made an impact in the kind of institutional spaces that have long denied images a status on par with words. In the contemporary moment, video is being increasingly incorporated as a tool for gathering evidence or a mode of information relay on its own terms not only by journalists and courts, but also by government agencies and intergovernmental bodies working on humanitarian and human rights issues. In the context of the unfolding conflict in Syria, for example, video provided both the core of the news coverage and the key evidence regarding the chemical weapons attacks in the country obtained by the U.S. Senate Intelligence Committee and discussed at a Congressional hearing (Tapper & Castillo, 2013). Similarly, the United Nations Commission of Inquiry relied on video evidence in its reports documenting human rights
violations (e.g., Independent International Commission of Inquiry on the Syrian Arab Republic, 2015).

This chapter briefly discusses the changing role of images in institutional politics to show the possibilities that video is creating for human rights advocacy. It also maps the practical reasons behind the increasing use of video as a standard advocacy tool. Then, the chapter shows how human rights groups have used the pronounced turn to video in the current information landscape as an opportunity to summon not only publics, but also institutional stakeholders as key audiences for their videos. Such utilization of video draws from video’s perceived ability to mobilize emotions towards political involvement, putting forward the notion that feeling is believing. Borrowing from the tradition of video activism, human rights groups produce strategic videos, which are tailored to targeted audiences and highlight institutional solutions over the pursuit of broader public engagement. In doing so, they transform the tactics long associated with video activism, moving them into the territory of strategies. In this process, I argue, institutional strategies are starting to define which human rights violations warrant treatment and how.

**Images in Institutional Politics**

Although notions and forms of visuality have long been central to political engagement and an active body politic, speech and conversation have been idealized as the standard that nurtures democratic politics. Images, commonly understood to appeal to the emotions and imagination, have traditionally been pushed aside so as to accommodate the centrality of words as vehicles of reason in prevailing democratic institutional
designs, where the ability to feel is subordinated to the faculty of reason. Rational knowledge has manifested “in the entire institutional realm of modern society” (Freidson, 1986, p. 3). This normative basis for democratic politics in large part seals the authority of written texts and conversations. It is unsurprising, then, that the study of political communication has presumed a dissonance between emotion and reason, relegating images to the realm of spectacle or private consumption, while reserving the spaces of political participation and action for words. As Marcus (2002) notes, “we seem to have settled on the need to secure a politics without emotion if we are to realize a politics of judgment and justice” (p. 6).

Visuals, however, have long shaped political debates, as chapter 1 documented, in spite of the logic of Western modernity insisting that images are detrimental to a healthy body politic. As Zelizer (2006) argues, “a reliance on images has been intertwined with the political domain for as long as images have been in existence” (p. 12). The import of images in politics has taken three predominant shapes—as a tool for control and surveillance (e.g., Gates, 2016; Mirzoeff, 2011; Mitchell, 2015; Scott, 1998; Tagg, 1988), a tool for persuasion or propaganda (e.g., Jowett & O’Donnell, 2015; Krakauer, 1947; Messaris, 1994) and a tool that stimulates public debate (e.g., Halleck, 2002; Torchin, 2012; Zelizer, 1998; Zimmerman, 2000). These functions, in turn, have generated a binary understanding of images: they have been conceived either as a form of evidence—particularly promoted by institutionally sanctioned ways of knowing that impose the state’s mode of seeing—or as vehicles of imagination and emotion.

Yet, images navigate these evidentiary and emotional terrains simultaneously, exceeding their presumed representational logics and challenging assumptions about the
parameters under which deliberative democracy works. Their relational logic, sensory richness and emotional resonance, complicate their sidelined status. It makes sense, therefore, that to maintain the normative ideal, images have been granted an institutional status inferior to words. Both institutional decision-making processes and political campaigning have rested upon carefully constructed arguments or messages, in which images typically appear as a footnote or supplement to the textual counterpart, just like in journalism and the law. On the other hand, images have long been an activist tool of choice in the struggles for human rights broadly defined.

The wide availability of technologies and platforms that continue to decrease the costs and simplify the ways to gather, store, display and distribute content has propelled digital video to the forefront of today’s public culture. As chapter 1 showed, the underlying activist logic of the past permeates the digital landscape. Video, stemming from the heritage of visual activism, has attained a dominant cultural status as a tool for social change. In the words of Bukeni Waruzi (personal communication, August 6, 2015), Senior Program Manager at WITNESS, “from the politicians to the business[men], everyone is turning to the visual.” Both the U.S. Secretary of State John Kerry (as cited in Fisher, 2013) and Facebook CEO Mark Zuckerberg (as cited in della Cava, 2016) recently made public statements about the power of video. In the same vein, Paul Woolwich (personal communication, September 15, 2015), Head of Audio Visual Studio at Amnesty, insists, “pictures now have supremacy over text.” The gravitational pull towards visuality and the unfolding technological advancements, then, have both helped make video an amenable tool for human rights advocacy.
Raja Althaibani (personal communication, August 7, 2015), Middle East and North Africa Program Coordinator at WITNESS, observes the turn to video materials in the institutional human rights realm:

We’ve seen that the more traditional entities and organizations, like the UN, for example, have become far more receptive to using videos. So, they began integrating video and using the videos that are being produced to help their investigations…They have their researchers who are constantly collecting testimonies, and now…they are also collecting video [and] using it to corroborate [testimonies and other evidentiary materials].

The turn to video, however, is not only because of its sheer proliferation. When traditional evidentiary materials are insufficient or simply lacking—usually due to the inability to enter a conflict zone—utilizing available videos becomes a necessity. Growing concerns for the safety of UN workers, human rights investigators and journalists, paired with frequent bans on entering countries where violations happen—as seen in Myanmar (Burma), Iran and Syria, for example—are contributing to shifting practices that further accommodate video. Christoph Koettl (personal communication, July 20, 2015), Emergency Response Manager at Amnesty, illustrates this change:

I worked for years with satellite images to document human rights violations, especially in areas that we couldn’t access properly. So, when the Syrian uprising started…and developed into an armed conflict, we started working a little bit with satellite images. [But], it was completely useless because the violations that happened were disappearances, tortures, extrajudicial executions, none of which we [could] see in satellite images. At the same time, you see suddenly hundreds and thousands of videos on YouTube. So…that was, in a way, a game changer for my work and for human rights work generally…People really picked this up…

As technological, cultural and socio-political circumstances are urging institutions to incorporate video as part of their workflows, video is becoming an important platform that cuts across the mechanisms that investigate, document, present and legitimize human
The advent of video raises the importance of visual meaning-making to that of political judgment.

**The Turn to Video in Human Rights Advocacy**

The advent of social media and mobile phones with camera features in the mid-2000s parallels the full integration of video as an advocacy tool by human rights groups. Key here were WITNESS, HRW and Amnesty, though each employed slightly different tactics. WITNESS, founded upon the premise that video makes a social difference in the world, is unlike HRW and Amnesty in that it does not engage in research. Instead, it develops guiding mechanisms and tools for human rights videos. It also works with human rights activists globally, teaching them how to leverage video’s potential for change. Sam Gregory (personal communication, October 11, 2012), Program Director of this group, believes that video needs to follow other trends in advocacy. WITNESS’s initial approach, however, was to distribute cameras to human rights activists around the world. Only since the early to mid-2000s has it been working with and training activists in more sophisticated methods for the production of goal-oriented and audience-driven videos.

This was around the time that HRW and Amnesty, the oldest and the most recognizable global human rights groups, also turned to multimedia more seriously, implementing video in their campaigning and advocacy work. HRW and Amnesty resemble both traditional news media and courts in that they have had to adapt to the digital landscape. A former HRW staffer told me, “we sort of sneaked in [the multimedia
program] slowly to avoid internal opposition” (C. Bogert, personal communication, May 6, 2014). HRW started to commission photographers in the early 2000s and then turned to video. During this time, the media staff grew from two to 30. As it takes pride in its research and institutional advocacy work, the assumption was that video-making would distract from the core mission. Its legal origin, then, lingered in how HRW thought of visuals for a long time. Today, however, it not only produces videos for every report, but it also occasionally releases only videos.

In 2012, for example, HRW screened a video about lead poisoning due to gold mining in Nigeria at a conference of medical professionals in Abuja. The video features footage from the daily life in the gold mines. One scene shows a man crushing and grinding the gold. It also portrays the pervasiveness of the toxic dust. The bright sunlight outside stands in sharp contrast to the shadows and dust inside (Image 4.1).

![Image](https://www.youtube.com/watch?v=5N8e3XbnxG8)


Then, another gold miner testifies to how he has lost two of his children because of lead poisoning. A 20-year-old resident of a gold mining village also tells in tears how three of her children have died. The close-up shots of both testimonial acts add an emotional layer to the facts provided by the voice-over narrator—400 children have already died from
lead poisoning in the area, and 1,500 are in desperate need of treatment. The video contributed to advocacy efforts to convince the Nigerian government to allocate four million dollars to clean up the villages from the toxic lead.

Amnesty experienced internal changes similar to those at HRW. After all, it was also founded by a lawyer. Although it produced its first film *More Than a Million Years*—about political prisoners in Indonesia—in 1976, it long prioritized text-based practices in its campaigning work, such as writing reports, slogans and letters. The cover of Amnesty’s first annual report, for example, contained no visuals (Image 4.2), which is unheard of today for a human rights report. When used, images were typically a supplement to the written material, as illustrated by the slogans in a demonstration led by Amnesty members in Denmark in 1972 about political violence in Paraguay (Image 4.3).


Needless to say, visual media have become a prominent feature of Amnesty’s work over time—both as a form of evidence and as a communication tool. This group incorporated
photography as a regular component of its investigations and campaigns in the late 1970s, while the more serious utilization of video started in the late 1990s (P. Ellerton, personal communication, August 12, 2015).

Amnesty is still working through the internal disagreements about the role of visual media. The long privileged status of words is evident in an explanation provided to me by Morton Winston (personal communication, July 13, 2015), a past chair of Amnesty USA’s Board of Directors: “while [the visual] is certainly valuable from the point of view of raising public awareness, it is not really a good substitute for the carefully written and edited reports prepared…for elite audiences.” Paul Woolwich (personal communication, September 15, 2015), however, is among the staffers in the production and digital strategies units who see a shift towards more serious integration of video within Amnesty:

[The] audio-visual was always a second thought. The most important thing was getting the report out, getting the press release, and then as an afterthought they’d think “what if we got a video that we could put out somewhere”…That is all now changing, of course…campaigners and researchers have realized that if they want the fruits of their labors to get noticed, they will need to work hand in glove with us [the audio-visual production unit] because we can assist that and enable it.

Accounting for the role of video in human rights advocacy has thus become a necessity for both HRW and Amnesty.

All of this shows that the residues of Western manifestations of modernity linger in the tension between words and images in the work of both HRW and Amnesty, albeit with certain distinctions. To be perceived as groups that do rigorous work, they privileged words. Images were seen as good for publicity and raising awareness, but not as suitable materials for institutional advocacy on their own. WITNESS, on the other
hand, widely accepted the notion that seeing is believing in its early days. Video was supposed to work by virtue of its perceived immediacy and transparency. The mere documentation of the human rights violation was seen as a sufficient advocacy undertaking. Despite venerating its potential, then, WITNESS also failed to account for video in its full complexity.

These three human rights groups started thinking about video advocacy in systematic and rigorous ways only in the early 2000s. Sam Gregory (2006) remembers the move away from distributing cameras to conducting training:

Activists needed training to operate cameras, and they needed strategic guidance on where the audiences were for the video they shot, and how to incorporate video into their attempts to influence those audiences. They needed support through the process of production and post-production, and in the implementation of distribution and advocacy plans with the finished video (p. 196).

This was also around the time that HRW and Amnesty created separate multimedia units and hired specialized staff to produce advocacy videos and to train the research teams how to strategically incorporate video in their work. These developments indicate that video is no longer simply a visual aid to words. Instead, it is becoming a taken-for-granted and central tool for advocacy that merits attention. I attribute the easing of attitudes and the subsequent standardization of video in human rights advocacy over the last decade to interlinked technological, cultural and economic developments.

Technological advancements have propelled digital video to the forefront of the current information environment. CISCO (2016) calculates that mobile video traffic constitutes 55% of the entire mobile data traffic globally. The last available statistics also indicate that video accounted for 64% of all global consumer Internet traffic (CISCO, 2015). Although more than half of the world population is not connected to the Internet
(Richter, 2015), the assumption is that “you can’t get by without visuals now” (E. Daly, personal communication, August 18, 2015). As the information landscape is becoming more visual, video has become an expected mode of information relay. Institutions and publics are getting accustomed to it. Turning to video is therefore seen as a necessity to remain a relevant player in the current media environment. According to Elizabeth Meckes (personal communication, November 6, 2015), Head of Digital Engagement at Amnesty, “[video] is just how people expect to consume their content now...if video isn’t one of our chosen mediums for expressing things, we’re falling further and further behind.” Similarly, Pierre Bairin (personal communication, June 16, 2015), Multimedia Director at HRW, believes that “people might not consume the text at all. So, if we don’t have it on video, they won’t know about the issue.”

Every technology and medium comes with its own sets of assumptions and protocols for how and where it can be used (Newman, 2008; see also Gitelman, 2006). Newman (2008), for example, characterized online video as an “interstitial form” that “tends to maximize its appealing qualities while minimizing its length” (para. 10). In other words, online video is thought to be engaging because it is short, concise and can fill in “gaps between other activities” (Newman, 2008, para. 11). Video’s quality as an interstitial medium is believed to be suitable for the information overload that characterizes today’s media ecology:

We want to get to diplomats who have a million other counties to cover. You know, they’re looking at something on their phone, they’re scrolling through, and they’re more likely to click on the video if it’s going to give them a three or five minutes summation of a crisis with, you know, the next steps forward. It’s much more efficient (P.P. Singh, personal communication, October 16, 2015).
Video, then, is becoming the preferred mode of media advocacy geared towards elite audiences with packed schedules.

A video’s short length, typically three to five minutes, has become the gold standard for video advocacy. This expectation is becoming so naturalized that human rights groups explain video’s effectiveness by referencing its length as if it were an inalienable quality. In the words of Belkis Wille (personal communication, June 25, 2015), Yemen and Kuwait Research at HRW,

[Government officials and legislators] don’t have time to read the thirty-page report. They don’t even have time to read the two-page press release. [So,] I think that three-minute video gets to the heart of what we’re trying to do much more effectively.

The short length sets video apart from written documents at times when speed enjoys social prominence. As Rosa and Scheuerman (2009) state, “acceleration figures as a striking feature of prominent diagnoses of contemporary social development” (p. 2). The widely accepted qualities of video as brief and succinct thus correspond to unfolding cultural expectations about how information is disseminated and consumed in the current moment. They offer a formulaic parallel to highlight the key findings of a human rights investigation, serving as a shortcut to understanding an issue.

These assumptions about video also have an impact on human rights research writ large. According to Param Preet Singh (personal communication, October 16, 2015), Senior Counsel in the International Justice Program of HRW,

[Working on a video] is a good practice for the researcher to really encapsulate the key issues...in a very concise way. It also helps with the advocacy for the report that follows because you’re not getting caught up in the tiny little issues. The video forces you to pull out the three or four main points or themes, and then, you just keep pressing on them in all of your advocacy.

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Work in capitalist systems has always been measured by efficiency standards. The new spirit of capitalism, however, embraces mobility, openness, creativity and multitasking while denouncing hierarchy and authority (Boltanski & Chiapello, 2005). The current iteration of capitalism thus resonates with the kind of visual logic that activists have sought to promote. In activists’ views, video can reject the perceived authoritative voice of text in institutional spaces when it is the product of creative collaborative efforts. Its meaning is open and fluid. It can secure the attention of people who are supposedly always on the move, performing many tasks at once.

Lastly, the turn to video by human rights groups is also facilitated by financial circumstances. “It's much more useful to assign video because, then, you can distribute it. We own the copyright of the video. We can give it to everybody” (P. Bairin, personal communication, June 16, 2015). This is how video differs, for example, from photography. According to Emma Daly (personal communication, August 18, 2015), Communications Director at HRW,

> When we work with still photographers, typically, we have one or two images for distribution, but obviously, they retain the copyright. When we hire a videographer we make a deal where we own the five minutes of video. We own it outright. We can distribute [it].

Video provides the organization with control over the material, which it can then license to others. Philippa Ellerton (personal communication, August 12, 2015), Audiovisual Archivist at Amnesty, believes that

> [Video] is a valuable commodity. We often have to buy footage from other parties and nobody thinks twice about charging Amnesty for it. So, I work quite hard to establish in what circumstances we’re going to sell footage and in what circumstances we’re going to give it away for free.
Hence, economic reasons also help support the wide adoption of video by human rights groups.

In summation, human rights activists have long relied on visual imagery in their fight against violence and injustice. Human rights groups—especially HRW and Amnesty—however, have prioritized words in order to be taken seriously as political actors and to gain access to institutional spaces. When HRW, Amnesty and WITNESS first turned to visual media as part of their advocacy work, the underlying assumption rested upon the notion that seeing is believing. Neither of these human rights groups committed to a serious engagement with video on its own terms up until the 2000s. The advent of digital technologies, though—such as Web 2.0, mobile phones with cameras and social media platforms—have all elevated the status of images in the information landscape. As institutions and citizens are becoming increasingly accustomed to video, human rights groups believe that failure to incorporate it as part of their communication work might make them irrelevant. Additionally, the aspirational logic of video is well positioned to speak the language of the current socio-economic system. Video is also financially a more viable option for advocacy compared to other visual media. Hence, technological advancements, unfolding cultural assumptions and economic reasons together facilitate the turn to video in human rights advocacy.

What this development suggests is that video tactics are now becoming as important as text-based practices. Paul Woolwich (personal communication, September 15, 2015) insists on the centrality of visual media in contemporary human rights work:

We can go direct to audiences; we can find our own audiences. We can address governments; we can address legislators. We can address ordinary people with the messages we want to put out there ourselves through our own networks. And the
most effective way of doing that, I repeat, is through pictures and audio-visual materials.

As video is becoming a vital human rights tool, the following section examines its unfolding role in the advocacy work of HRW, Amnesty and WITNESS. By unpacking how video is assumed to work in advocacy, this section illuminates the relationship between visuality and political decision-making.

**Video’s Role in Advocacy**

Human rights groups describe video as a powerful, compelling and engaging tool for advocacy. They thus see it as an exceptional vehicle for justice. In the words of Param-Preet Singh (personal communication, October 16, 2015),

> For us, video is all the more important to really explain why justice is important, why victims of injustice are important, why credible justice matters…[video can] create that context for policy makers, so that they know that this [work] does make a difference to people.

Video communicates important information about human rights crimes in ways that are complimentary but different from other forms of expressions. Human rights groups are beginning to put to work the realization that video relates to reports, providing an addition layer of information that enriches the advocacy efforts. Contrary to normative assumptions about how institutional politics and advocacy work, though, the employment of video by human rights groups draws precisely from its appeal to the emotions. As Paul Woolwich (personal communication, September 15, 2015) of Amnesty told me:

> Maya Angelou, the poet from the US, said: “No one remembers what you tell them or how you tell them but they’ll always remember how you made them feel.” And that is what video can do in a way that other medium can’t [do].
This understanding of the power of video in its emotional manifestations has driven its ascendancy in human rights advocacy geared to both publics and political stakeholders.

Amnesty built its reputation on public campaigning. Although it is now getting more involved in institutional advocacy and uses videos for such purposes, it still seeks to engage publics. In 2015, for example, Amnesty produced a video to counter a popular backlash against its policy to protect the human rights of sex workers. Through the video, *Human Rights for Sex Workers*, it hoped to make clear that it only advocated for healthcare, safety and the right to be free from violence. According to Philippa Ellerton (personal communication, August 12, 2015), Audiovisual Archivist,

The [video] was produced specifically for people who take issue with Amnesty’s work in this area…There’s a huge, sort of, anti-pornography movement, anti-sex workers, anti-prostitution movement who just don’t think that [sex workers] should be on the cards at all let alone Amnesty working on the issue to protect people involved in the industry. So, the [video] that we produced was directly targeted at the critics of Amnesty’s policy.

The video intercuts news segments critical of Amnesty’s work—which are read out loud—with an interview with the Deputy European Director of the organization who counters the arguments in the press (Image 4.4).

In one segment, a voice-over reads the title of an article by *The Guardian*, “Amnesty International says prostitution is a human right – but it’s wrong,” which is followed by the staffer’s statement, “Prostitution is not a human right, but sex workers have human rights.” A series of images augments the claims by Amnesty—sex workers are shown kneeling on the ground with their faces covered in a tilted shot in addition to images of demonstrations in defense of the rights of sex workers. The decisions for how to edit the images with the press coverage and interview segments have not been solely driven by rhetorical arguments that could counter the press claims. They have also been motivated by the desire to generate emotional response through the careful combination of sounds and visuals.

Contrary to Amnesty, HRW and WITNESS often produce videos directed to specialized institutional audiences. HRW, for example, made and screened a short video about political prison camps in North Korea to a side-event in New York City for government officials and diplomats after the release of the UN Commission of Inquiry Report on North Korea in 2014. The idea was to “give meaning to a 400-page [report] that hardly anybody is going to read” (P.P. Singh, personal communication, October 16, 2015). The video includes testimonies from three former prisoners, a prison guard and an anonymous police officer as well as statements by human rights researchers. It also features drawings by one of the camp survivors who testifies in the film.

The video, *North Korea: Accounts from Camp Survivors*, starts with testimony that is initially heard as a voice-over narration to a series of drawings. The first drawing directs the viewer’s attention to the center of the composition where a uniformed person appears to be drowning a woman. Immediately to the right, there is a presumably dead
body (Image 4.5). In the second drawing, a man holds a body of a woman covered in blood. The agricultural tools to their side suggest that these people have been working. In the background, a person bears witness to the scene. The third drawing shows three women gathered around a man whose face is covered in blood. The colorful drawings stand in sharp contrast to the death they portray. The experience of looking at these images is further amplified with the voice-over narration of the camp survivor: “The prisoners didn’t care. People died every day. We’d wrap up the bodies and bury them. In the winter, the dogs would gnaw at the corpses.” He finishes with the statement “Death just wasn’t important,” which appears as a title card on a black background, eventually fading out.


The video continues with other testimonies. The close-up framing of the survivors’ faces draws the viewer’s attention into the story, demanding careful listening. Kim Hye-Sook (Image 4.6) is among those who speak, whose drawings constitute the visual core of the human rights story that this video tells. She has been imprisoned at the age of 13 after her grandfather escaped to South Korea. Having spent 28 years in the camps, she tells the horrors she has experienced along with other prisoners. At one point
she explains: “They didn’t tell us anything. When we entered the camp, there were 10 rules and the first was to not ask about your crime. Because of this rule, the people inside never knew what their crimes was. There were no trials or anything like that.” Then, another one of her drawings shows up on the screen, depicting an execution scene. Three uniformed individuals shoot a person tied to a piece of wood as others watch, and a seemingly high ranked official gives an order from a podium.

The interplay between the testimonies and the drawing not only humanizes the story about horrific human rights abuses in North Korea, but it also helps communicate it with an emotional richness. Param-Preet Singh (personal communication, October 16, 2015) was involved with this case and explained to me that HRW decided to produce and screen the video to create...a sense of urgency that something has to be done in this situation because it had been ignored for so long, in part, because people didn’t understand it. Everybody knew North Korea was bad, but they didn’t know what, in concrete terms, that meant. So, I think, having the UN Commission of Inquiry Report helped illustrate that in an intellectual way. But, then, the video that we presented helped show the human consequences of these horrific caucuses.

Claiming that the video was impactful, she further noted: “when the video played…it was dark and then they turned on the lights, and there was just like a palpable silence in the room [that]...was very effecting.”

This case, then, suggests how video, through its emotional resonance, shapes knowledge and understanding of traumatic occurrences. Its power draws from its ability to humanize a story of injustice. The emotional engagement is perceived central for comprehending the magnitude of the human rights crimes. The assumption is that even
on an institutional level, the emotional response can trigger political judgment and action. This notion is at the heart of the video work of human rights groups.

WITNESS produced a video, *Our Plea: Women and Girls from the Central African Republic Turn to the ICC for Justice*, in partnership with two local activist groups in 2012. The video documents the testimonies of two young women from the Central African Republic (CAR) who have suffered from sexual and physical violence under Joseph Kony and the Lord’s Resistance Army (LRA). The video starts with a narration by a local human rights activist who stands in front of a map, pointing to the places where LAR operates and describing the various kinds of crimes they have committed. Then, the video focuses on the stories of Nanzoua-Dadine and Joelle who testify to the beating, torture and sexual violence they have endured while being held hostages by LAR.

When the video first shows Joelle, she holds a baby in her hands, which she later reveals that she has conceived as a result of a rape. Nanzoua-Dadine smiles in the first shot when she says her name and age. As she starts talking about her traumatic experiences, her voice gets angry. Through their testimonies, the video captures both the facts about the abuses and the emotional consequences of the suffering. The viewer hears facts about the human rights crime (e.g., what has happened, when and how) in addition to the personal difficulties when living with trauma (e.g., adjusting to life in the community, living with nightmares, fearing for the safety of loved ones, having the responsibility to raise a child as a single mother while dealing with the trauma of how the child was conceived).

The video was part of advocacy efforts to urge the prosecutors at the International Criminal Court (ICC) to extend the investigation of the crimes of LRA into CAR, which
they eventually did in 2014. The successful use of *Our Plea* in the advocacy work of WITNESS indicates that video is capable of rendering a human rights violation more concrete and readily accessible even in spaces long driven by aspirations of undisturbed rationality. It is not just the facts that matter; it is also the emotional appeal of the video that can trigger a meaningful engagement.

The examples from Amnesty, HRW and WITNESS indicate how video is thought to facilitate political judgment by extending our emotional awareness. Although this understanding of visual media has typically formed the foundation of public advocacy and campaigning, the work of HRW and WITNESS, specifically, demonstrates how emotions also underpin institutional decision-making. Even in spaces driven by linear thinking and systematic reasoning, facts alone are seen as insufficient to explain the realities of human rights abuses. As Parem-Preet Singh (personal communication, October 16, 2015) told me:

> We’re already in New York, removed from a lot of suffering. And yet, we’re trying to influence the policy of people who are also similarly removed from the suffering of the crisis they are trying to address…I think video is a really good medium to bridge that gap and to remind people what the consequences are of an action or of a particular course of action and to really humanize what could otherwise seem like an abstract concept without consequences. I mean…[by] keeping things real for people who are removed from the situation, who are making decisions about the situation, [video] can serve a very important purpose.

Implicit in her observation is how video, by bearing witness to human rights abuses and portraying the personal stories of those who have suffered, can generate a feeling of compassion on the part of the audience. Beyond the comparison between the Global North and South that Singh makes, the assumption is that video makes the experiences of
trauma and injustice—no matter where they occur—more readily understandable for decision-makers and other stakeholders.

The wide-ranging criticism of compassion in relation to the suffering of others has raised objections about its alignment with biopolitical paradigms, unevenness, partiality and commercialization (e.g., Agamben, 1998; Chouliaraki, 2006; 2013a; Halttunen, 1995; Moeller, 1998). Nussbaum (2001), however, insists that the particularities of one’s positionality and emotions should not be grounds to turn our back on compassion as an ethical compass. Instead, she argues, we should build compassion into the rules and institutions that structure political life. Human rights groups use video in a tactical manner to prompt compassion in order to coax political response. When geared towards institutional stakeholders, in particular, video advocacy illuminates how compassion can play a role in policy-making.

Recent scholarship in the humanities and social sciences has also challenged the longstanding label for emotion as “a troublemaker, intruding where it does not belong and undermining the undisturbed use of our deliberative capacity” (Marcus, 2002, p. 5). Instead, it abandons the spurious classification between reason and emotion by highlighting how their interplay underpins our cognition skills, shaping political engagement (e.g., Ahmed, 2004; Koziak, 2000; Marcus, 2002; Marcus, Newman & MacKuen, 2000; Nussbaum, 2001; 2013; Papacharissi, 2015; Zelizer, 2010). Human rights groups promote a visual epistemology that brings the workings of emotion in political deliberation into sharp focus. In the words of Tirana Hassan (personal communication, June 27, 2016), the Director for Crisis Research at Amnesty,
I do recall showing videos of...South Sudan into a room full of diplomats once. And, you could see, when we described what people were telling us, [and] they [saw] the images...that all came to life. It’s about transporting somebody out of their headspace into getting an element of compassion, but also realizing in a much less clinical way what the repercussions of human rights abuses are. And that doesn’t necessarily have to be graphic. People are so far removed from the realities of war, for example, so it’s hard to conceive [these human rights crimes]. And visual imagery helps us with that.

Video’s role in advocacy, then, rests upon its capacity to enable judgment initiated through an emotional reaction. Hassan further believes that video “can change the way someone processes information” because it can provide an “immersive experience” (personal communication, June 27, 2015). The long sidelining of images due to their entanglement with emotions and imagination is turned on its head as these same visual qualities are now being institutionally recognized precisely because they work differently from words. The rise of video in the advocacy work of human rights groups thus sheds light on the growing recognition of the importance of emotions, highlighting how visuality and emotions can provide a different kind of knowledge than words while still shaping political engagement, deliberation and decision-making.

If the advent of photography popularized the notion that seeing is believing, video brings forth a new premise that feeling is believing. Although the act of seeing is centrally implicated in emotional processes, it is the significance of feeling that underlines how human rights groups operationalize video’s power in advocacy even with institutional stakeholders. The act of seeing remains important because it helps facilitate feeling. Human rights groups claim that video is best able to trigger the emotions while also conveying vital information that explains the scope and scale of the injustice at hand.
The ways that video configures in advocacy, therefore, make evident the grip that emotions generated through visual encounters have on political judgment. As a result, video’s use in advocacy celebrates democratic designs where emotional intelligence matters. Its advent echoes Williams’s (1977) notion of the structure of feeling—the experiential and emotional threshold that gives rise to collectively held meanings and values—as an analytical purchase that helps us understand “not feelings against thought, but thought as felt and feeling as thought: practical consciousness of a present kind, in a living and interrelating continuity” (p. 132).

Emotions have long guided human rights communication, while dominant social, political and legal structures have failed to evaluate their status on an equal footing with reason and deliberation. This is enabling human rights groups—that are now turning to video due to changing technological, social, cultural and economic circumstances—to aspire to build their authority in an advocacy setting precisely around the benefits of visual knowledge and the emotional involvement it facilitates. Through their video work, they promote a visual epistemology that hinges on video’s ability to galvanize emotions even in spaces dismissive of the value of visual and emotional judgment. While the shadows of the Habermasian public sphere still subordinate the ability to feel to the faculty of reason in aspiring models of democracy, human rights groups make explicit how feeling is central to believing and how it subsequently underlines political involvement both on a public and institutional level. Their work maintains that emotions can give meaning and value to judgments. And when emotions do so, they have a potential to not only empower rationality and deliberation, but to also sustain a healthy body politic and to advance justice.
The following section tackles the specific production and distribution patterns for video-making to understand how human rights groups leverage the emotional dimensions of video in advocacy. Specifically, it examines how they think about content, style, video distribution and visual standards.

How Human Rights Groups Produce Videos for Advocacy

WITNESS, HRW and Amnesty all produce advocacy videos about ongoing systematic problems. They emphasize goal-driven and audience-oriented approaches to video activism. Recording a human rights story in a compelling fashion is perceived as no longer sufficient in and of itself. Kelly Matheson (personal communication, July 22, 2015), Senior Attorney and Program Manager at WITNESS, told me, “people have this feeling that if they film something, others will see it, believe it and be moved to action…but you have to know how to use video.” Bryan Nunez (personal communication, June 16, 2015), a former staff member at WITNESS, echoed her view:

Video is just another technology, and as a technologist, I think people put too much emphasis on technology. They want it to take place like a proper practice, so people don’t have to learn things, and they can just rely on the technology to do things that can never be automated.

Using video in advocacy is thought to require a specialized set of knowledge and skills. To harness video’s power in advocacy, human rights groups think through mechanisms that take into account the entire video-making process. Beyond technical and storytelling competence, they maintain that the incorporation of video in advocacy necessitates learning how to tailor the content, style and distribution plan of the video according to the audience who can take a particular course of action.
The audiences for human rights videos are: news media, primarily as a vehicle to reach political elites (discussed in chapter 2), courts (discussed in chapter 3), semi-judicial settings (e.g., institutions with soft power such as the UN or human rights commissions), direct-to-decision-maker contexts (e.g., government officials or legislators) and publics (local, national and global). Human rights groups not only produce videos tailored for these audiences, but they also develop and promote video standards for advocacy according to assumptions about these audiences.

WITNESS, HRW and Amnesty all delineate the centrality of the audience as a defining feature of their video work. Sam Gregory (2006) describes how “at WITNESS, videos are created for audiences as much as about a topic. They are constructed with an appropriate style, format, and visual and storytelling language for specific audiences” (p. 198). Similarly, Veronica Matushaj (personal communication, September 21, 2015), Director of Documentary Video and Photography at HRW, reflects: “We first ask: What are we trying to change? Who can help us change this? And then we work from there.”

The conceptualization of audiences, then, drives how, if at all, the human rights story is turned into video advocacy.

Amnesty also thinks through differentiated audiences as a crucial aspect of its video-making. In the words of Paul Woolwich (personal communication, September 15, 2015), “One of the key things, of course, is to know your audience…it’s thinking not what but who. Who is this supposed to be directed at? Who are we trying to interest in this?” Daniel Eyre (personal communication, August 14, 2015) reiterated these views:

Your objectives and the audiences you want to reach are the primary considerations in how you decide to tell a story…then, that can be shaped in different ways according to what kind of video material you have and also
[according to the] different priorities within Amnesty. We always have a debate about what our key messages are and that will often reflect people’s priorities for the audience. So, some people will be more oriented towards reaching government officials; some people [will be] more oriented to reaching the domestic or international media and the international public; and some people will be more oriented towards reaching Amnesty’s membership. So, there can be different priorities in terms who you want to reach with the story. But, the audience is one of the main driving factors behind how the story is structured.

The assumptions about audiences, then, play a central role in the development of guiding principles and standards for the production and implementation of video in advocacy across the three human rights groups. Both media and research staff are now partaking in the endeavors to leverage video’s emotional resonance in advocacy.

As human rights groups turn to video, they transform the practices and values typically associated with video activism—such as the assumed public function of video, its facilitation of open and collective participation in media-making, its ability to provide alternative vision and voice and its reliance on emotional engagement as the foundation for public critique (chapter 1)—in ways suited for advocacy. As a result, their work does not necessarily rest on the premise that video makes a social difference in the world by bearing witness to human rights abuses, as it has long been the case in activism. Instead, it depends on the role of audiences in video’s shaping. Human rights groups define what kinds of audience can serve the public needs in the context of a specific human rights violation; then, they shape the content, style and distribution plan accordingly, and they subsequently promote video standards. The focus on specialized audience who can help the video achieve measurable advocacy goals delineates the emerging patterns in video-making for social change from previous modes of video activism.
Content

WITNESS, HRW and Amnesty produce videos on a range of human rights issues, including war crimes, migration, gender-based violence, police brutality, forced evictions, health and media freedom among others. The majority of videos incorporate personal testimonies of human rights victims that are situated within broader socio-political circumstances either through statements by human rights researchers and experts or via title cards. Every video ends with a specific call for action. The efficacy for action usually draws from how a video balances the evidentiary and emotional qualities of testimonies and how it addresses audiences directly by proposing ways in which they can help solve the problem. The call for action is typically framed within a particular set of political or legal parameters and emphasizes specific results over the pursuit of broader critical involvement with the issue.

WITNESS’s video, Hear Us: Zimbabwean Women Affected by Political Violence, for example, includes title cards that contextualize the human rights violation. They are followed by the testimony of a woman who describes her traumatic experience with torture and rape. She speaks not only to the facts about her abuse—how she has been beaten and raped and how she has been infected with HIV—but also how she has been struggling to cope with the subsequent mental, physical and financial difficulties. Hear Us features minimal B-roll footage—how the woman prepares food for her child—which is edited together with a song: “It’s your right to be happy. It’s your right to have peace. It’s your right to survive.” The lyrics correspond to the overall human rights message of the video.

The personal story of the trauma survivor serves as a mechanism to illustrate the
consequences that human rights crimes can have on a person’s life, which is at the heart of video advocacy. “At night, I cry myself to sleep,” the survivor says, explaining how she has not only struggled personally, but she has also feared for the life of her child. *Hear Us* ends with title cards, recommending that the Zimbabwean government needs to implement the Global Political Agreement and the Southern African Development Community Protocol on Gender and Development. In doing so, the government can ensure that (1) women are protected under the legal system, (2) all cases of political violence are investigated and prosecuted and (3) victims can receive assistance. WITNESS screened this video to government representatives in Zimbabwe, who eventually adopted assistance funds for the survivors (B. Waruzi, personal communication, August 6, 2015).

HRW identifies itself as an organization that does “high level advocacy with lawmakers” (B. Wille, personal communication, June 25, 2015), so its videos also tell human rights stories within legal or policy frameworks. *Media Freedom Under Attack in the Western Balkans* from 2015 documents the physical attacks, threats and imprisonment of investigative journalists in Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia. It is based on the personal testimonies of four journalists out of a total of 80 that HRW interviewed during its research. The video is driven by the implicit assumption that governments can take a responsibility to protect journalists—a point still vastly contested in the region—although the stories are about governments’ violations or failures to take measures.

The video starts with the statement of a journalist from Kosovo:

I had been a journalist during the war. We were supposed to think where is the
fire line, where is the danger coming from, where are the shots coming from. I didn’t imagine that the postwar is going to be some sort of a minefield as well. You have to watch your back like you did during the war.

A HRW researcher provides background information, while other journalists share their experiences. Artan Haraquia, involved with the mapping of radical Islamic groups in Kosovo, speaks about the state’s failure to respond to death treats against him. Tomislav Kezharovski, who has investigated the death of another journalist in Macedonia, describes how 15 masked and fully armed members of the Ministry of Interior have raided his home and arrested him. Eyewitness footage from demonstrations in Skopje to release Kezharovski from prison accompanies the testimony. A journalist from Montenegro holds in her hands cartoons from a state-owned daily newspaper that portray independent journalists in a prison cell under the title “the department of media mafia” or in a container as “the media trash.” She speaks about the intimidation tactics that the government employs to silence critical reporting as well as the financial consequences that these tactics have on journalists like her. As a particular policy framework underpins how this video depicts the issue, at the end of it, the human rights researcher recommends that the European Union needs to make media freedom a priority in its negotiations for EU membership with the Western Balkan states.

Amnesty produces videos aimed at institutional stakeholders like HRW and WITNESS, but it also uses video as part of public campaigning. When it does so, it only highlights the key message and typically urges people to sign a petition. *Got a Sinking Feeling They Don’t Care* is a video on the refugee crisis in Europe produced in April of 2015. It intercuts footage from the German Chancellor Angela Merkel and other politicians on a boat trip with footage of sinking boats carrying refugees in the
Mediterranean. The melody of a children’s lullaby song “Row, Row, Row Your Boat” accompanies the video montage, contributing further to the irony it seeks to communicate that European politicians have been indifferent to the refugee situation unfolding in front of them. The purpose of the video was to collect signatures for a petition to EU leaders. Amnesty staff mentioned it as an example of a particularly impactful video seen by half a million people within 24 hours, contributing to 300,000 signatures (P. Woolwich, personal communication, September 15, 2015).

The advocacy work of these human rights groups, then, suggests how notions of the audience define the content of the video both in terms of how it tells the story and how it frames the solution. Priscila Neri (personal communication, August 6, 2015) of WITNESS described the importance of tailoring the content as follows:

When we see the bulk of cases where there’s a success usually there is, in advance, a clear idea of the audiences...what we want each audience to do and why, and also what speaks to that audience. You know, my dad is a mathematician. When I speak to him, I put a few numbers in what I’m saying because I know he’ll pay more attention. Same thing with a lawmaker—you have to know what discourse will drive action...we, as activists, end up saying what we want to say, what we think is important and true—which we should do—but not always in the way that our audience understands it or [is] moved to take action.

Human rights groups, then, embrace a strategic positioning vis-à-vis the human rights violation, and they pursue pragmatic solutions. Their videos bear witness to suffering within the parameters of the perceived audience’s mandate and the specific action it can take. WITNESS’s video on gender-based violence, for example, assumes that the government implementation of legal protocols is an adequate solution to the problem, so it frames the story accordingly. It falls short, though, of explaining what will guarantee the implementation of the protocols in practice or the victims’ awareness of assistance
programs. It assumes that Zimbabwe will adopt the measures because it is the right thing to do, and change will happen as a result.

HRW also presumes that EU pressures constitute an appropriate response to the serious violations of media freedom in the Western Balkans, failing to tackle how EU recommendations on these issues have been already ignored in the region for years. It also takes the EU negotiations at face value, ignoring the conflicting governments’ views on European integration. Organized around this a priori assumption about the audience, the video leaves aside broader questions about the social implications of severely restricted media environments and the need to protect journalists. Lastly, in trying to quickly grab public attention and submit a petition to EU leaders, Amnesty reduces its message to “politicians do not care about refugees,” setting aside a more critical engagement with the complexity of the problem.

Human rights video activism has long been centered on tactics that tap into opportunities as they present themselves. While striving for change, its primary focus has been on the public articulation of critique, not necessarily on the need to yield measurable social impact. This has been, in large part, facilitated by activism’s existence outside of institutional settings. As human rights groups adopt the practices central to video activism for uses in advocacy, however, they inevitably situate them within an organizational structure with a legal status and responsibilities in front of donors. In other words, the status of these human rights groups as organizations ends up playing a key role here. By claiming an organizational home for human rights video-making, these groups move video away from its old tactical employment in activism to a new strategic framing in advocacy.
At the heart of this shaping of video in advocacy is the understanding that “it’s not necessarily the circumstances [that make video effective], but the strategies that are used to really leverage that tool” (M. Bair, personal communication, July 2, 2015). De Certeau (1984) argues that strategies “give oneself a certain independence with respect to the variability of circumstances” (p. 36). A strategy that accounts for the role of audiences is perceived as essential for impactful video in advocacy because it gives the human rights group certain control over the content. Rather than pursuing multidimensional goals that challenge the root causes of injustice, they develop strategies that are “tailored for each profile and each set of problems” (P. Neri, personal communication, August 6, 2015). By molding the content in this way, human rights groups pragmatically advocate for existing political and legal frameworks that are more likely to initiate concrete steps towards the protection of human rights.

A legal action, a policy recommendation or a petition is without a doubt hugely important in pushing forward human rights agendas. The strategic shaping of the content of a human rights video according to specialized audience, however, automatically presumes vertical structures and targeted appeals are better than critical articulation of injustice in its broader scope. While such strategies are legible to dispersed institutional stakeholders, they tend to define a priori what human rights violations are worthy of video engagement and how they should be addressed.

**Style**

The audience also plays a role in how human rights groups approach video-making in terms of style. Typically, videos produced by WITNESS and HRW resemble
the expository mode of documentary filmmaking (e.g., Nichols, 2010). They combine personal testimonies with narration and images. Nichols (2010) describes this style as evidentiary in that images “illustrate, illuminate, evoke, or act in counterpoint to what is said” (p. 168). This style of video-making blends well with institutional expectations about how human rights information should be communicated. The emotional appeal of video works under the disguise of an evidentiary style. Both groups also underscore the importance of high production quality so that institutional stakeholders can take the video seriously. However, “if you’re trying to document a crisis developing in a particular country, of course, you aren’t going to have something polished. If it’s polished, it makes it seem like it’s manufactured” (P.P. Singh, personal communication, October 16, 2015). The style of the video, then, is not necessarily driven by the authenticity of the experience itself or by decisions on how to best portray the human rights violation. Instead, it is driven by assumptions of what seems legitimate in the eyes of the audience.

In addition to short expository documentaries, Amnesty also produces animations, reenactments and video collages. Phillipa Ellerton (personal communication, August 12, 2015) described to me how Amnesty works on two kinds of videos—campaign videos about a general issue like the death penalty and advocacy videos about a specific case or issue. The distinction between campaigning and advocacy is particular to Amnesty—HRW and WITNESS do not generally speak in these terms—that thinks of campaigning as a way of engaging publics as opposed to advocacy that implies a level of institutional engagement. Both campaigning and advocacy, though, tend to focus on institutional solutions, which is reflected in the rhetorical and aesthetic style of Amnesty’s videos.
*The Land of Make Believe*, for example, is an animation structured as a children’s bedtime story (Image 4.7). In about two minutes, it tells the history of Myanmar as bullet points from the military dictatorship and imprisonment of Aung San Suu Kyi to her release, the new sets of human rights violations and the hopes for the first democratic election. The story is told through a voice-over narration over animated images of public protests, military attacks, prison scenes, international news coverage and diplomatic meetings. The calm narration throughout—and the visual aesthetic that resembles a fairy tale—visibly differs from the story it tells. The video calls upon its viewers to sign a petition to urge the international community to pressure Myanmar’s President to release all political prisoners prior to the election of 2015. The video falls in line with Amnesty’s tradition to campaign for so-called prisoners of conscience around the world. The idea behind it is to quickly engage the viewer to sign a petition that Amnesty can use to substantiate its campaigning efforts.

![Image](https://www.youtube.com/watch?v=Og1HjwtwVs8)

Retrieved from https://www.youtube.com/watch?v=Og1HjwtwVs8.
Courtesy of Amnesty International.

*The Gaza Platform Findings*, on the other hand, is an advocacy video from 2015 produced by Amnesty in partnership with the Forensic Architecture team at Goldsmiths University of London. It urges international governments to support the work of the ICC
so that it can investigate the war crimes committed by Israel during the Gaza conflict between July and August of 2014. The video starts with Prime Minister Benjamin Netanyahu’s statement to the United Nations that his government has done “everything possible to minimize Palestinian civilian casualties.” It then features interviews with forensic experts and Amnesty’s researchers alongside graphic eyewitness footage of the attacks and the immediate aftermath, such as explosions and injured children in hospitals. As the video is framed around the need for a legal investigation, its visual style embraces a forensic sensibility. The eyewitness footage is presented through a filter (sepia tones) resembling computerized graphics. A segment also includes a demonstration of an authentication process. The title cards are featured against a satellite map of the region with numbers indicating the civilian deaths and the different locations of the attacks (Image 4.8), reinforcing a sense that forensic rigor has shaped the findings and the subsequent call for action.


When producing videos for advocacy, then, Amnesty, HRW and WITNESS construct their videos by seemingly playing to the professional logics of the institutional audiences they seek to reach. They weave together testimonial acts with images—
whether B-roll footage, eyewitness materials or other components of human rights investigations—in ways that emphasize the evidentiary qualities of the video. They also borrow from the practices of video activism to generate an emotional response. They do this through the incorporation of personal accounts of trauma that exceed mere presentations of facts—as in the case of the WITNESS’s video on gender-based violence in Zimbabwe—or through the selection of images that can create visceral reactions—such as the eyewitness footage of injured children in *Gaza Platform Findings*. Campaigning videos, on the other hand, often work through irony and contrast that are achieved through the interplay of rhetorical and visual style, as in the case of *The Land of Make Believe*.

In the context of advocacy videos that resemble expository documentaries, all three groups also emphasize close-up to medium framing of the person who testifies in the video, eye-level camera positioning and natural lighting, all components of a sanitized visual aesthetic. They deviate from these standards only when they need to protect the identity of the person. In such instances, they rely on standardized visual obscuration techniques with the help of lighting and framing or via specialized tools. For example, they record the testimonial act in dark to hide the face; they show the back or the hands instead of the face, or they distort the image in post-production. For full anonymity, they sometimes distort the sound as well. WITNESS has also worked on a set of tools, such as the ObscuraCam app (in collaboration with The Guardian Project) that can pixelate faces at the time of recording (Image 4.9).
To better leverage the power of video in its campaigning work, Amnesty established a digital engagement office three years ago to help the organization reach audiences via digital platforms more effectively. Elizabeth Meckes (personal communication, November 6, 2015), the head of this unit, underscores the need for mechanisms that adequately gauge tone, voice and length relative to a desired audience. In other words, this unit uses digital analytics to decide on the format and style of a particular video:

We talk very specifically about the tone of voice and how we speak…and we’re doing it for video as a whole. So, we break down the different types of video and [decide] what element should go in those; what should their length be; what should the tone of voice be.

Implicit in her statement is that visual style is no longer about tactics; it is about strategies that are “able to predict, to run ahead of time by reading a space” (De Certeau, 1984, p. 36). The perceived need to select a style in ways that account for audiences, crafting an appropriate level of emotional involvement, signals attempts to transform uncertainties, which is at the heart of strategies. Through the strategies of predictive analytics, Amnesty
turns audiences’ taste into a matter that can be measured and exploited to advance human rights. Though different, the work of all three groups suggests that strategies are becoming of uppermost importance for the effective utilization of video in advocacy.

**Distribution**

Distribution strategies are thought to augment the advocacy potential of video. As a result, staffers told me, “A common mistake that we see a lot in activist video…is not having a distribution strategy” (P. Neri, personal communication, August 6, 2015). To live up to its potential of accelerating justice, a successful video needs to be distributed in ways that can reach the desired audience. It also needs to be part of a larger advocacy effort—such as lobbying the audience of the video, campaigning and drafting legislations—rather than a stand-alone product.

WITNESS and HRW promote smart narrowcasting strategies, meaning that targeted screenings are preferred over wide distribution. *Whose eyes, not how many* is WITNESS’s motto because

More important than five million people seeing your video on YouTube is the five people that really have the responsibility to do something about it…Instead of a broadcasting kind of mindset, it’s more the smart narrowcasting. Who needs to see this so that you achieve your advocacy goal (P. Neri, personal communication, August 6, 2015).

WITNESS therefore organizes specialized screenings regularly. For example, it showed a compilation video on police violence during demonstrations in Brazil preceding the World Cup in 2014 at a meeting of the American Commission on Human Rights in Washington DC.
HRW’s video, *Yemen: End Female Genital Mutilation*, was screened in front of parliamentarians and government representatives who “[didn’t] understand at all what FGM really [was] because none of their kids [had] been through it” (B. Wille, personal communication, June 25, 2015). The video includes a medium shot of an elderly woman who demonstrates the FGM procedure on camera using a razor blade, a box and some leaves. Then, a midwife explains the cultural beliefs underlying the practice: “Our whole community is circumcised. The whole community. They say an uncircumcised girl is indecent. There is shaming. People would point fingers at the uncircumcised girls. She would be an outcast.” The video also features interviews with other midwives and practitioners as well as gynecologists, imams and parliamentarians who speak against the practice. At the end of the video, the human rights researcher urges the government to take proactive measures to properly criminalize the practice and to inform citizens of the health risk.

Contrary to WITNESS and HRW, the digital engagement unit at Amnesty adopts marketing strategies to engage global online publics on human rights issues. Digital analytics help better understand and target audiences. According to Elizabeth Meckes (personal communication, November 6, 2015),

> The audience is incredibly important…What we’re looking at now…[is] who is following us; who’s coming to our content in our entire ecosystem, be it our website or Facebook channel or Twitter channel or Google or YouTube. We know this in minute detail, which is really exciting. So, we can very easily tailor content for those audiences.

In the context of public advocacy, then, the audience is being turned into a segmented market in which Amnesty can place its products. This plays both on the level of production strategies, as already discussed—deciding the appropriate video length per
channel or the most suitable visual style for each platform—and on the level of
distribution. Meckes (personal communication, November 6, 2015) further explained to me:

> When we don’t push something out on a specific channel or [when] we don’t build a specific piece of content, it’s not that we’re saying no or it’s not good. What we’re saying is [that] it’s not right for this channel or we don’t have that audience that you’re trying to reach, [so] we’re not going to be able to help you achieve your goals. So, having those conversations with people so they’re starting to think about their content in a much different way is a slow process but [important part of our capacity building].

The goals of public advocacy have typically been about raising awareness on an issue. Although audience differentiation in this context is taken under the umbrella of better engaging audiences, this development has two potential consequences. It risks both turning into an echo chamber (preaching to the converted scenario) and simplifying and transforming human rights content into entertainment (for the consequences of this development in humanitarian communication writ large, see Chouliaraki, 2013a).

When looking at how human rights groups turn video activism into advocacy, De Certeau’s (1984) discussion of strategies provides a useful analytical frame. Unlike the tactics used to get access in the journalistic and legal environments, the practices developed by human rights groups for video advocacy resemble strategies. De Certeau (1984) argues that “strategies do not ‘apply’ principles or rules; they choose among them to make the repertory of their operations” (p. 54). Human rights groups select from established advocacy or marketing principles to put video into strategic use. The operational logic behind video distribution reflects their organizational structure that has delineated a new home for human rights videos. As these groups typically seek out an insider status in decision-making and count on quantifiable results to demonstrate impact
to donors, they are able and further compelled to adopt political and marketing strategies. They thus plan targeted screenings ahead of time, producing videos accordingly. In cases of uncertainty, such as broad appeals to global publics, some human rights groups turn to predictive analytics to transform what is invisible into data that can inform where and how to place human rights content online in order to maximize its potential to yield the desired results.

**Video Standards**

Human rights groups not only develop and implement strategies for how to produce and distribute human rights videos, but they also promote them via training and publications. In doing so, they are setting up standards for video activism that are appropriate for advocacy. This is evident in the work of WITNESS that has focused much more extensively on advocacy around best video practices over the last few years. According to Morgan Hargrave (personal communication, June 2, 2015), System Change Coordinator at this organization, “It’s so key that we figure out how to turn that video into advocacy (or into evidence) because people are literally putting their lives on the line to create that video.” The underlying assumption is that documenting injustice and raising one’s voice against it is insufficient. Video activism can better live up to its social change potential when it is turned into advocacy. To fully tap into the visual knowledge provided by video for long-term justice and accountability, WITNESS highlights the importance of strategies during its training and via its materials.
A video activist from Western Sahara commented on the benefits of training in a promotional video. He said:

We had been using video as a tool for change, but now we know why the videos we were making weren’t effective…we didn’t have training like this…Before, we did the work spontaneously. Now I know how to use the video so that it is evidence or so that it is a tool for change (WITNESS, 2016).

The centrality of strategies in video activism surfaces in his statement. Spontaneity is associated with tactics as the improvisational and creative modes of action of those caught up in the power nest of institutional structures. Shifting towards strategies, by contrast, implies a sense of control, an ability to order knowledge to better leverage its potential. In its training, WITNESS promotes video activism as a set of strategies that hone the content, style and distribution of the video according to differentiated audiences.

WITNESS has also elaborated on these strategies in multiple templates, guides, how-to-videos, blogs as well as practical on-site and virtual training that teach activists how to safely take convincing videos for advocacy. Video for Change Toolkit, for example, is an online interactive training program that enables users to create an account and develop a customized advocacy plan that attends to all aspects of video-making. Similarly, Video for Change Curriculum includes 37 sessions that teach best practices in video advocacy and hands-on production techniques for various recording devices. All materials are available for free download and sharing in English, Spanish, Russian, Arabic and Portuguese. Different manuals also teach activists how to record protests, crime scenes and sensitive testimonies among others. Through the publication of these materials and training according to the principles they put forward, WITNESS is able to
further claim its authority over the visual knowledge provided by video in a human rights context.

The development and promotion of video standards that emphasize strategic modes of video-making are creating a distinct shape of activism, which some human rights activists recognize and seek to address. Priscila Neri (personal communication, August 6, 2015) reflected on this issue during our conversation:

This is a very…—I don’t know if it’s U.S. centric—but it’s a very specific type of methodology. And the reality in Latin America and other places where we go to do our training and we say “What’s your goal?”, it’s more often than not, not formulated in those methodological terms. People aren’t going to say, “Well, my target audience is legislator X because he’s working on this bill Y, and the timing for it is Z”…You know, that’s a very specific methodology, which has demonstrated success over the years in many different cases and is valid. But, it’s not always the way that [a particular activist] group works.

The emerging video standards aspire to broader relevance, but activism insists on diversity and socio-cultural specificity. Tactics are flexible and speak the language of the culture and history that shape them. Strategies, in contrast, aspire to generalization and broad applicability. Implicit in Neri’s reflection, then, is the tension between video activism as a series of tactics and its permutation into video advocacy as a set of systematic strategies for institutional contexts. As a result, the more strategies define the incorporation of video in advocacy, the more institutional parameters will be overtaking other considerations in what deserves coverage as a human rights violation and what solutions constitute an appropriate form of restitution.

In summary, utilizing production and distribution strategies that incorporate rhetorical mechanisms and visual styles appropriate for the selected audience has become a key feature of video advocacy. The practices of WITNESS, HRW and Amnesty shed
light on how video activism, in its new organizational shaping, is no longer just a series of tactics to advocate for social change. Instead, it is also a set of strategies, in De Certeau’s (1984) terminology, that human rights groups develop, employ and promote to leverage video’s power. Strategies are supported by an institutional locus. They exhibit a level of schematic and patterned behavior. By contrast, tactics are creative, intuitive and experimental actions—often isolated and gradual—through which people negotiate the power dynamics imposed on them.

Activism has long been a vehicle for people to articulate public critique, opposing the strategies of the system that structures their lives. By extension, video activism has been defined by multidimensional goals and tactics to engage broader constituencies and to stimulate critical discussion. Even in its organized forms in groups or movements as wide-ranging as Third Cinema, Women Make Movies and indigenous video-making in the Americas, Australia and New Zealand, video activism has sought to counter dominant media narratives, to bring diverse and marginalized voices in the public sphere and to extend the spaces for critical dialogue.

Human rights groups draw from this tradition, but they shape video in ways that fit the parameters of those institutions that they deem central to the promotion and protection of human rights claims. As human rights groups seek to map out and standardize how video works on those institutional advocacy platforms, they benefit from strategies. They tailor the content, style and distribution plan according to the audience they choose as a way of asserting control over video’s social change potential. In this process, though, video activism gradually leaves tactics aside in its pursuit of strategies, which HRW, Amnesty and WITNESS are able to develop and employ because of their
organizational structures. Strategic shaping can give video better access to the institutional calculus that characterizes the human rights field, as the successful stories of video advocacy exemplify. However, the emphasis on strategies in tune with differentiated audiences overlooks broader modes of engagement as it prioritizes vertical structures and solutions within existing political and legal frameworks.

The ability to gauge a particular audience is not only driving the standards for how to portray and disseminate a human rights story, but also whether to do it at all. For Morgan Hargrave of WITNESS (personal communication, June 2, 2015),

*The question isn’t where is the most egregious human rights issue in the world. The question is where video can make an impact...We looked at migrant rights in certain parts of Africa, and it turned out it was going to be really hard to use video in these spaces for lots of reasons. Some are security, some just basic equipment and literacy issues on how to use it...On this particular issue, it [also] seemed like it was going to be really hard to tell these specific stories and make a larger impact. It wasn’t entirely clear who we’re appealing to and what the end goal is. It just wasn’t there.*

In this case, the impossibility to define an audience and an appropriate advocacy goal meant a decision not to engage with the topic at all. The example therefore sheds further light on how the focus on audiences, concrete pragmatic solutions and measurable impact compels human rights groups to work within organizational constraints and frameworks.

The ability to summon institutional stakeholders as video audiences signals that human rights groups enjoy a level of institutional legitimacy. Their legal organizational status grants them better access to resources, which, in turn, opens more opportunities to voice concerns in decision-making settings. The desire to maintain and expand this institutional legitimacy compels human rights groups to work with and alongside long-established political institutions that dictate the terms of engagement. This strategic
shaping of video can yield important results that prevent human rights abuses or help mitigate their consequences. Indeed, stories of success continue to be sources of inspiration for human rights activism writ large. In this process, however, video strategies downgrade the centrality of other schemas of action that are freer of institutional confines.

**Conclusion**

Although images have long been denied their due status in institutional politics, technological, socio-cultural and economic changes are facilitating the rise of video as a dominant mode of both information gathering and relay in the context of human rights. As a result, governing bodies working on humanitarian and human rights issues and human rights groups have both turned to video. The belief that a failure to incorporate video would make human rights work irrelevant, the rise of video’s status as an interstitial medium that relates to assumptions about how information is consumed in the current moment and its financial advantages over other visual media, all help support the turn to video in advocacy.

Human rights groups operationalize video’s power in advocacy through its underlying emotional pull that can trigger understanding of and engagement with a human rights crime. Video’s function in advocacy, then, draws precisely from those qualities that have traditionally been framed as contaminating the normative ideals of deliberative democracy. In shaping emotions as central to political involvement, human rights groups strategically borrow from the tradition of video activism that has long
promoted democratic designs where emotional intelligence grounds the articulation of
critique for public good. The advent of video in advocacy, therefore, brings forth the
premise that feeling is believing, enabling human rights groups to pursue visual authority
precisely around the role of emotions in decision-making.

The move from tactics to strategies when using video on advocacy platforms has
been driven by the perceived need to better leverage video’s role as a vehicle of justice in
an institutional context. Human rights groups are therefore developing and promoting
strategies that account for video content, style and distribution according to the
underpinning assumptions about audiences and the actions they can take. The pursuit of
strategies also helps position human rights groups as viable agents of visual knowledge in
decision-making settings. As they are establishing guiding mechanisms and standards in
video-making for social change, human rights groups are enabling a particular shape of
video activism to gradually attain a level of legitimacy in institutional politics. The
dependence on audience differentiation, however, urges them to craft videos according to
the audience’s rules of engagements. As a result, by virtue of extending the spaces for
video activism to institutional arenas, this new strategic shaping of video is also enabling
institutional arrangements to define the role and scope of human rights activism.
Chapter 5. The Proxy Profession

This dissertation has shown how video has become centrally implicated in the promotion and protection of human rights in the current moment. Video, deeply infused with transformative language, stems from longstanding and wide-ranging visual practices utilized by activists. Its importance as a human rights tool is reflected in the various manifestations of video activism around the world. Video’s assumed social function—its facilitation of open and collective participation in media-making, its embrace of alternative vision and voice in addition to its preference for democratic designs where emotions matter—lingers in its use as a human rights tool. Bridging between reason and emotion, proof and persuasion, evidence and imagination, video exceeds its presumed representational forms. Its meaning is always fluid, taking different shapes as its material circulates across various platforms. As a result, video can—and necessarily does—mimic the logics of the institutional environments that use it.

The visual knowledge provided by video and long claimed by activists has now attained legitimacy across the institutions central for human rights—journalism, the law and advocacy. These institutions are characterized by different internal logics and dynamics, but each of them has long rested upon the affordances of words as presumed vehicles of reason, evidence, factual testimony and deliberation. In the current moment, though, they are all turning to video as a way of offsetting ongoing cultural, social, financial and technological challenges. As a result, journalism, the law and advocacy are adopting practices, standards and doctrines that can account for the unfolding role and shape of visual knowledge. In other words, they are extending their internal logic to
accommodate the growing relevance of video. In this process, they interact with the spaces typically associated with human rights activism.

In global crisis coverage, journalism features video content produced by activists and human rights groups. It also uses the verification skills and tools put forward by these groups. As the courts have become accustomed to video, valuing it for its documentary, persuasive and mnemonic functions, they use eyewitness footage, often shot by civilians and activists, as evidence of human rights crimes. They also turn to visual experts, among them staff members at human rights groups, to consult on authentication measures. Government agencies and intergovernmental bodies working on human rights and humanitarian issues also include eyewitness video in their work. In addition, human rights groups turn to video as a mode of information relay, which works differently from words, in their advocacy with institutional stakeholders, not only publics.

The advent of video in powerful institutional environments, then, has created opportunities and challenges for human rights activism. As a key instrument for publicity, journalism helps recognize and legitimize human rights violations as they unfold. It therefore gives activists a vehicle for immediacy and recognition. As an institution that enforces human rights, the law can redeem activists’ claims, providing a platform not only for restitution, but also for legacy. Advocacy ensures that human rights agendas remain relevant, and it can also offer a level of institutional leverage. All three institutions, then, provide video activism with an opportunity to expand the spaces where its voice can be heard.

To survive in institutional environments, however, video activism struggles to sustain itself in its familiar form as an occupational craft. Institutions privilege
professionalism as a way of ordering knowledge so they can shape social and political life and action systematically. Professionalism is a way in which knowledge and skills are established and used by collectives to perform specialized tasks in an institutional context (Elliott, 1972). As Freidson (1986) wrote, “knowledge cannot be connected to power without becoming embodied in concrete human beings who in turn must be sustained by organized institutions” (p. xi). Western modernity gave rise to professions as collectives that safeguard such knowledge. Journalism, the law and advocacy are institutions that house diverse types of specialized knowledge whose agents agree, however differently, on basic ideals and principles about how they create and apply that knowledge—a key aspect of professions.

Human rights video activism, then, competes for authority over visual knowledge via the professional powers connected to varied institutions. This poses challenges for video activism, which has traditionally operated outside of such institutional environments. To craft videos for social change, activists have relied upon tactics where, in De Certeau’s (1984) language, creativity, intuition, imagination and emotion are mobilized so as to draw attention to the perceived failures in the workings of institutions that are supposed to preserve democratic and human rights values. Tactics draw from practical knowledge and experience as opposed to strategies that tend to prioritize formalized thinking and systematic practices. The interplay between tactics and strategies provides a metaphorical way of thinking about the dynamics of professionalism, which are particularly visible when individuals and groups seek to adapt to new institutional circumstances. These dynamics have started to shape social activism writ large with the rise of NGOs as representatives of civil society.
Lang (2013) defines NGO-ization as “the process by which social movements professionalize, institutionalize, and bureaucratize in vertically structured, policy-outcome-oriented organizations that focus on generating issue-specific and, to some degree, marketable expert knowledge or services” (p. 64). In her view, professionalization meets the needs of public and commercial sectors because it speaks a language understood and sought out by governments and businesses. As a result, civil groups have an incentive to turn into NGOs whose legal status grants them better access to funding structures and decision-making processes. In other words, the NGO structure can be appealing as a survival strategy in societies where knowledge is shaped by institutions and the logic of professionalism.

Following Weber (1947), Lang (2013) sees professionalization as a mechanism to develop institutional expertise. It is this new institutional authority that turns NGOs from outsiders in political decision-making to entities welcomed at negotiation tables with governments and intergovernmental organizations like the UN. Lang, however, also shows how institutional leverage can come at the expense of the activists’ critical voices. In her view, a direct consequence of the professionalization and institutionalization of social activism is the NGOs’ preference for institutional advocacy venues (e.g., lobbying governmental officials or advocating for a policy proposal) that offer more immediate and measurable returns over broader agendas to generate and maintain public dialogue, even on issues that do not lend themselves to easy political or legal solutions.

Implicit in Lang’s arguments is how market forces can also encourage professionalization and institutionalization. The latest iteration of capitalism, often characterized under the single term “neoliberalism” (e.g., Harvey, 2005) or “market
fundamentalism” (e.g., Peck, 2008), insists on impact, measurable results and immediate returns. This reasoning has been partially taken on by civil society groups—that strive for existence in institutional and corporate environments—through the processes of NGO-ization.

The rise of NGOs as influential and visible actors in international politics also created an institutional home for human rights activism. Aryeh Neier (2012), a former executive director at the American Civil Liberties Union and HRW (as well as a president emeritus of the Open Society Foundation), sees the NGO structure as key in sustaining and expanding the relevance of the global human rights movement. The segmentation of human rights activist groups into NGOs around the world, that have better access to funding and can form structural ties—weak or strong—with political and legal institutions, has placed them at a relatively advantageous position to assert rights claims in formal venues over other activist groups who lack such organizational links. To maintain their institutional authority in the human rights realm, leading human rights groups that enjoy the legal status of an NGO are further compelled to work within existing institutional structures.

As video attains institutional legitimacy, it becomes a form of knowledge that professions need to tackle in an organized fashion. The growing need for systematic uses, authenticating mechanisms and interpretive schema for human rights video moves across journalism, the law and advocacy—all institutional spaces whose authorities have long rested upon the power of words. Human rights groups like HRW, Amnesty and WITNESS—all officially registered as NGOs—have seen the unfolding turn to video as a prosperous moment, adapting and shaping the practices central to video activism in a
manner different from earlier times. Building upon the tradition of video activism as an occupational craft, these human rights groups diversify the tactics for video activism to accommodate new institutional circumstances. They also develop strategies through which they can claim an organizational expertise for various videos of suffering that permeate the public sphere. In doing so, they formulate and promote practices, standards and ideals that guide the role of video in human rights work.

This development, however, brings its own difficulties. By claiming an organizational home for video activism and shaping it so that it might better work within the institutional paradigms and professional logics of journalism, the law and advocacy, human rights groups move video activism away from its familiar iteration as an occupational craft into a new territory characterized by professional dynamics. Professionalization is widely recognized as a process through which specialization is sought and the status of professionalism is obtained. In putting this specialized knowledge to use, human rights groups seek to professionalize video activism in order to assert and sustain their occupational control within a particular visual epistemology that is pertinent today.

This emerging professionalization of video activism by human rights groups, then, builds upon a tradition long evident in visual politics. It is facilitated by two key developments: (1) the new institutional circumstances created through the incorporation of video in journalism, the law and advocacy that are now recognizing the value of visual knowledge and (2) the broader NGO-ization processes that have elevated the institutional expertise of human rights groups as key representatives of civic voices. As a result, HRW, Amnesty and to a certain degree WITNESS are no longer the underdogs they once
used to be. Their turn to video can be interpreted as an effort to remain relevant stakeholders that can help the global human rights movement grow. This comes, though, with both opportunities and challenges for human rights video activism writ large.

By diversifying the tactics of video activism to enter into journalism and the law and by creating video strategies to sustain video-making in advocacy, human rights groups are seeking to professionalize video activism so they can better position themselves as viable agents of visual knowledge, which is now institutionally recognized as important. The aspirations to professionalism occur in line with McLagan’s (2005) analysis that “contemporary activism is marked not simply by a continual evolution of political strategies, but more importantly, by the production of multiple modalities and forms of politics, each adapted to a particular context and audience” (p. 223). The professionalization of video activism is trying to mimic the modalities of journalism, the law and advocacy as it develops ways in which to play in their spaces. In doing so, it ends up creating a proxy profession that mediates between activist voices and institutional spaces. To better understand the proxy profession, this chapter first describes the professionalization of video activism and then tackles its consequences for the scope of human rights videos.

**The Professionalization of Video Activism**

The secularization of knowledge promoted by Western permutations of modernity gave rise to a type of formal specialized knowledge that is characterized by rationalization and distinct from everyday tacit knowledge. Professionalization, as one instantiation of this kind of modernity, provides agents of formal knowledge with a
livelihood and access to social power (Freidson, 1986). Waisbord (2013) defines “professionalization as a process by which occupations claim jurisdiction over a field of practice” (p. 15). The path towards professionalism is a process “through which the knowledge available to society is developed and used in the performance of specialized tasks” (Elliott, 1972, p. 10). Professionalization, then, 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 of “profession” is a changing historical concept, whose origin Freidson (1986) locates in the industrial nations influenced by Anglo-American institutions. Modern professionalism developed as a direct consequence of Western industrialization and urban growth (Freidson, 1986; Elliott 1972; Larson, 1977). In the 19th 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 (Freidson, 1986). Existential and normative assumptions are therefore embedded in professionalization patterns.

Although professionalization indicates autonomy in the development and application of formal knowledge, the rise of professions has been, in part, dependent upon the market economy (Elliott, 1972). Professionalization, then, is a logic that needs institutions to provide it with economic support and to enable the occupational control of work (Freidson, 2001). It is a cultural phenomenon rooted in capitalist economic philosophy (Elliott, 1972). The emergence of professional authority through the
development of standards, procedures and ethical parameters upholds the occupational practices that underlie it and its claim to knowledge in an organizational context.

Social movements of the 1960s posed serious challenges to institutions and the professions to which they have given rise in the context of capitalism. The critique of this system through the condemnation of institutional hierarchies, calls for professional autonomy and denouncement of the division of labor as alienating and constraining were all vocally articulated through protests and workers’ strikes throughout the 1960s and 1970s (Boltanski & Chiapello, 2005). Rather than undermining the system, however, these movements gave new flavor to capitalism and the institutions that sustain it. By analyzing managerial literature between the 1960s and 1990s, Boltanski and Chiapello (2005) show how the critique was partially answered and incorporated within a new spirit of capitalism that now emphasizes flexibility, mobility, engagement and innovation. In this process, Boltanski and Chiapello (2005) claim that “the ‘peculiarity of human beings’ has changed: reason in the 1960s versus feelings, emotion and creativity in the 1990s” (p. 87). As the qualities of the right brain are becoming important for professional success (e.g., Pink, 2005), they document how job recruitment is becoming increasingly based on an assessment of personal qualities, not only objective qualifications.

These new institutional circumstances, then, have urged professions to adapt to the new spirit of capitalism. To posses a university degree or a professional license, for example, is a minimum, but not sufficient, criteria for employment. Communication skills, creativity, empathy or the ability to work on multiple projects simultaneously are frequently listed under desired qualifications. On the one hand, this development suggests how professions employ both strategies and tactics to survive in institutional contexts on
a very fundamental level. De Certeau (1984, p. xix) argues that scientific rationality is constructed on a strategic model par excellence. Computer scientists, for example, learn to apply these strategies; yet, when they seek out employment, they turn to tactics to claim and apply the new sets of qualities desired for their 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, generating possibilities to differently professionalize and institutionalize diverse forms of knowledge than were previously available. These qualities associated with the right brain are at the heart of how visuals work. Images navigate emotional and evidentiary terrains at the same time, appealing to imagination and feelings even in circumstances where they are supposed to serve only as evidence. Video, in particular, mobilizes voice and vision in ways that respond well to the perceived communication needs in this new spirit of capitalism.

Visual knowledge with its appeal to emotion, imagination and memory has long been central to humanitarian and human rights activism. Human rights groups like Amnesty, HRW and WITNESS situate themselves as part of this global movement and the various traditions that shaped it. They are therefore well positioned to claim this knowledge as their own, seeking to establish and promote visual proficiency and skills that are pertinent today. The employment opportunities provided through the organizational structures of these groups sustain video activism economically and provide a place from which to assert responsibility for visual knowledge. The professionalization
of video activism, then, is a way to claim control over the uses of video to elucidate awareness and steer action in the context of global crises and injustice.

Professionalism is a dynamic process that can be facilitated by institutional changes that demand functional specialization (Elliott, 1972). As institutions evolve and interact, they need professionals to tackle emerging sets of specified problems. Advocating for social change and achieving human rights has always been a part of video activism. However, the development of ideals and practices that delineate how human rights video can count as formal knowledge is facilitated by changes in institutional environments like journalism, the law and advocacy that have now turned to video on their own and are seeking to expand their professional projects to accommodate it. Human rights groups 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 (P. Neri, personal communication, August 6, 2015).

This observation suggests that the professionalization of video activism is seen as a critical intervention in the broad human rights landscape, ensuring that the status, importance and benefits of the visual knowledge provided by video are being utilized for public good.
For Larson (1977), professionalism “must gain support from strategic social and political groups” (p. xiii). This dissertation has argued that the professionalization of video activism has been facilitated by interconnected circumstances in places that have long considered visuals to be in a supportive role to words. The preeminence of video in journalism, the law and advocacy has generated pressing questions about visual norms, verification standards and interpretative methodologies to which human rights groups tactically respond. Through the development of tactics and strategies that are giving rise to video production mechanisms and standards that are relevant to different institutional milieux, human rights groups seek to place themselves as visual specialists at times when these skills are needed across the institutional calculus that renders human rights claims legitimate. Amnesty, HRW and WITNESS not only produce videos, but they also train other activists and citizens, contributing to an increasing specialization and diversification of practices in video-making for social change.

Freidson (1986) describes professions as phenomenological in character. Any claim to professionalism includes normative ideals and evaluative judgments; yet, professions cannot be explained normatively. Freidson maintains that they are best understood when looking at how particular occupations aspire to professionalism: what activities they undertake and to what consequences. By describing the video practices through which HRW, Amnesty and WITNESS delineate their visual work as sufficiently specialized and distinct from longstanding modes of video-making, this dissertation argues that human rights groups aspire to professionalism as a way of better coexisting within and alongside the institutional environments that have now recognized the value of video.
These aspirations to professionalism, however, do not take on the same forms across institutions. The discussions of human rights video in journalism, the law and advocacy in the preceding chapters suggest that the professionalization of video activism by human rights groups follows three key interrelated trajectories of practice: video production, development of standards and training. These practices draw from tactics and strategies to promote visual expertise.

**Video Production**

On the most fundamental level, human rights groups claim control over visual knowledge by putting it to use when producing videos. When thinking about video-making as a means to achieve human rights, the emphasis is not as much about how to best record the human rights violation, but how to do so by playing to the modalities of different institutions. Video production, then, depends on differentiated audiences. As Bukeni Waruzi (personal communication, August 6, 2015) noted, “the way we conceive video, we always say it’s audience driven.” This dissertation has shown how journalism, the law and advocacy have become central to video’s shaping.

Professionalization is therefore pursued as a guiding mechanism for the production of human rights videos that meet the criteria of different institutional milieux. Another human rights staffer explained to me that it is important to make a video “that the BBC can verify and broadcast, the UN Security Council could rely on, Commissions of Inquiry might use and that courts could be able to use it for long term justice and accountability” (K. Matheson, personal communication, July 22, 2015). This kind of prospective reasoning is seen as the best way to ensure that video lives up to its social
change potential. As a result, to professionalize video activism, human rights groups are incorporating practices that mimic the professional paradigms of the targeted audiences.

As the news media provide a platform for immediacy and recognition, while also serving as a vehicle to reach political elites, chapter 2 has shown how human rights groups employ tactics to position their information work on par with journalism. Wavering public trust, financial challenges, unresolved tensions over the status of images and anxieties about different normative models characterize journalism. Human rights groups have turned journalism’s struggles into opportunities, taking advantage of the current moment to tactically place their video work as news. For HRW, human rights videos “are supposed to be like a news spot” (C. Bogert, personal communication, May 6, 2015). The multimedia unit at Amnesty insists that it is important to “professionalize that element of news gathering within our research teams by offering them the training to gather the footage” (P. Ellerton, personal communication, August 12, 2015). Similarly, WITNESS believes that activists can report with the integrity of journalists (M. Bair, personal communication, July 2, 2015).

HRW, Amnesty and WITNESS, then, produce and curate videos that seemingly imitate the qualities of professional news. Tactics are central to how human rights groups interact with journalism because they seek to capitalize on the moment. Footage from human rights groups and activists, for example, would not be valuable from a news perspective, if a journalist were reporting on the same incident. As a result, HRW, Amnesty and WITNESS employ different tactics to leverage immediacy and exclusivity. They record in conflict zones where journalists are unable to go; they document in countries from which journalists are less likely to report (usually due to shrinking
finances) or they verify, contextualize and curate eyewitness videos that have not been seen before. In addition, they provide news organizations with the original video along with the clips comprising it. This is a key tactic to ensure that human rights groups maintain some control over how journalists use the content.

HRW and Amnesty usually do not produce specialized videos for human rights trials because they want to exercise their right to decide when and how to cooperate in a legal case. This choice is strategic and a part of their professionalization because it enables them to claim autonomy. WITNESS, however, occasionally produces such videos by recording testimonies of human rights victims. When it does so, its choice is tactical because it is shaped by circumstances. Bukeni Waruzi of WITNESS, for example, produced the video of child soldiers in the DRC (chapter 3) when the ICC was already investigating crimes in the country. It made use of the moment to advocate for prosecution of those who violated the rights of children in the DRC. The use of tactics when producing videos for legal use is also implicated in professionalization dynamics because it can extend the authority of human rights groups in other spaces.

In the context of advocacy, HRW, Amnesty and WITNESS implement goal-driven and audience-oriented approaches to video activism that typically highlight institutional solutions over public engagement. The turn to video by these groups signals a process to situate the practices central to video activism within organizational structures as a way of ordering visual knowledge and putting it in service of advocacy. This organizational placement gives rise to strategies that seek to control the instability of circumstances. Through strategies, then, human rights groups are pursuing common consciousness (Larson, 1977) that is central to professionalization. Strategies facilitate
the emergence of a collective sense of a community that is united by a common logic for video-making.

The pull towards professionalization, however, is also driven by the perceived need to produce videos that can be taken seriously by decision-makers who can do something in response to portrayed violations. Human rights groups believe that,

If [the] videos have the professionalism to be taken clearly [and they] contain all of the visual information that a viewer in New York City or in Geneva would need to understand what’s going on in that video, then, that provides the world with a better tool to monitor the human rights situation (M. Bair, personal communication, July 2, 2015).

This development illuminates how professionalism is sought as a mechanism for external legitimacy as well. The video needs to look and speak in a language and aesthetic that the assumed viewer understands. Hence, human rights groups develop strategies to tailor the content, style and distribution plan appropriate for the targeted audience. These strategies highlight video usage as a pathway for direct action within existing institutional frameworks. Professionalization through advocacy, then, gradually moves video activism away from its engagement with broader constituencies for public good. The focus is no longer how to tell a story convincingly to engage the general public on pressing issues—although any human rights work inevitably involves at least some public components—but to persuade institutional stakeholders to take action within available political and legal mechanisms.

Human rights groups employ various strategies for the utilization of video in advocacy. HRW insists that “we aren’t trying to do mass advocacy campaigns” (A. Stroehlein, personal communication, November 27, 2013). WITNESS believes that the advocacy goal should help clarify the audience. Though the public is relevant, the
assumed audiences for the advocacy work of HRW and WITNESS are primarily based in decision-making settings. The specialization around institutional platforms can bring measurable success, such as the establishment of official human rights inquiries, legal and policy changes. The flip side of this development, though, is the potential narrowing of the scope of video activism. The tradeoff can be the diminishing of its role as a cultural practice that sustains critical dialogue when political and legal paths seem closed.

Audience differentiation and institutional solutions also characterize the advocacy work of Amnesty—which was founded upon the principles of public campaigning. At Amnesty, who the publics are and how to best reach them are changing. According to one of its staffers, “rather than just [saying], ‘Oh, here’s a campaign’ and hope everyone is watching it—which they won’t—you can be far more objective and far more targeted, far more precise [so you] can have a farther reach and effect” (P. Woolwich, personal communication, September 15, 2015). Digital analytics have become a key strategy for assessing online audiences as a way of tailoring videos.

To summarize, the professionalization of video activism offers a way for human rights video to perform specialized tasks in service of institutional needs. HRW, Amnesty and WITNESS all produce human rights videos by using different tactics and strategies. Their aspirations of, and moves to, professionalism, however, have to negotiate between internal and external dynamics. Through professionalism, they seek recognition and acceptability as visual experts, but their practices often depend upon other institutional milieux as differentiated audiences have become central to the shaping of human rights video.
Video Standards

Standards are evidence of professionalism because they embody the ideals and principles that guide the development of specialized knowledge. Human rights groups are developing and promoting standards for video verification and for ethical, safe and efficient video-making to achieve human rights. Video verification is becoming important to accommodate the increasing centrality of video to human rights investigations. These skills are comparable to the needs of other professions that are renegotiating their boundaries in light of video’s advent. As a result, human rights groups are also able to enter into journalism—through the development of verification mechanisms and tools that are useful when journalists incorporate eyewitness video in news reporting—and into the law—by sharing experiences and advice with international human rights courts on how to utilize video as evidence.

To validate their verification work, human rights groups often employ discursive tactics (e.g., they point to erroneous news reports). The development of standards that guide the verification process—at times when journalists are still struggling to adopt and apply such measures in a systematic fashion—has enabled these groups to take part in ongoing discussions around eyewitness video norms. Amnesty and WITNESS, for example, contributed to the visual data sections of key journalism handbooks on how to verify digital content for emergency coverage and how to utilize it in investigative reporting (Silverman 2014; 2015). They have also created platforms and tools that implement these standards, such as Amnesty’s Citizen Evidence Lab and WITNESS’s InformaCam platform (in partnership with The Guardian Project and the International Bar Association) as well its media channels for curated eyewitness videos.
The flexibility of human rights groups to easily improvise in light of new forms of evidence has facilitated the use of tactics to tackle the evidentiary potential of eyewitness videos. HRW and Amnesty have also expanded the responsibilities of their respective emergency response teams and image analyst staff to accommodate the proliferation of video with potential evidentiary value. These staffers employ verification standards in their work through which they support or strengthen the findings of human rights investigations. Although developed to guide the human rights work internally, these skills can be beneficial to the law as well. A member of HRW, for example, consults with the Scientific Advisory Board of the ICC on new technologies and forms of evidence, among which video has become more prominent. WITNESS, on the other hand, applies video standards by working on evolving tools that can help activists reinforce the reliability of their videos in a legal context. The CameraV app—the latest manifestation of the InformaCam platform—for example, embeds and encrypts video data that can prove the time, date, location and movement at the time of recording.

Human rights groups also promote standards for video-making in the context of advocacy. Morgan Hargrave (personal communication, June 2, 2015) of WITNESS believes that

some of the benefits of video are overstated...[video] doesn’t tell you [about] the larger systemic issues around that particular video. So, if you watch Walter Scott getting shot in South Carolina...[the video] doesn’t talk about the larger questions of race and power and other systemic issues. That’s what video advocacy is all about...how do we take this one piece and extrapolate to understand what we really need to do?

This group has described the practices that have guided its work with video activists over the last two decades, highlighting the standards that nurture the potential of video as a
human rights tool in multiple publications and manuals, all available for free on its website.

Beyond the explanation of the tactics and strategies that can leverage video’s power in advocacy, human rights groups also promote ethical principles. The importance of informed consent based on disclosure, voluntariness, comprehension and competence is underscored (Gregory, 2010). When informed consent is impossible to obtain, WITNESS recommends an assessment based on relevant international human rights and humanitarian laws. These ethical standards are also critical because the standardization of the use of informed consent fulfills legal requirements, rendering professionalized video activism suitable for institutional audiences. Lastly, Sam Gregory, Program Director of WITNESS, has highlighted these video standards in his contributions to academic publications (e.g., Gregory, 2006; 2010; 2012; 2015) as a means to claim broader theoretical relevance for the knowledge provided by video in advocacy.

In summary, professionalism involves setting up standards about specialized knowledge to which members of an occupation must adhere. Through the development and application of video standards that guide human rights investigations and advocacy efforts and through the subsequent promotion of these measures via various publications, human rights groups that have an organizational structure articulate the ideals and principles for their video work. In doing so, they are creating a collective sense as a professional community that puts the visual knowledge provided by video in service of human rights.
Video Training

Standards for the proper production, distribution and authentication of human rights videos are also promoted through training. Formal training constitutes an important aspect of professionalization (Larson, 1977; Freidson, 1986). Although there is no formal education for human rights video activism, human rights groups aspire to professionalism by conducting virtual and online training both internally and for others. Amnesty, for example, has started training its new employees in video verification skills. Media staffers at Amnesty and HRW teach the research teams how to take videos. Amnesty has also developed programs to tutor other activists and interested citizens in verification measures through its experimental programs like the Verification Corps. It also occasionally trains other human rights activists and defenders in how to better take evidentiary videos and record testimonies.

WITNESS has developed specialized training programs, such as the Critical and Surge Response Program, which teach activists how to take effective, safe and easily verifiable footage that is more likely to reach its desired audience. Immediacy and exclusivity of the material are emphasized for journalism. In terms of style, WITNESS teaches activists how to use longer takes without frequent zooming and to vary framing to depict the human rights violation in a compelling manner. To strengthen the authenticity of the video, it also trains activists in how to make use of the various tools created for these purposes.

Combining filmmaking skills with a basic understanding of legal principles, on the other hand, drives training for video evidence. Ensuring the reliability of a video rests upon both technical and video-making solutions. Apps can help embed the metadata as
part of the video to show location, date and time. Recording a badge number of a police officer in case of police violence, taking panoramic shots or showing key landmarks of a crime scene can also strengthen claims to reliability. Relevance, though, requires tactics relative to the situation. WITNESS thus presents different scenarios to activists during training to help them think creatively through the various circumstances in which video activists find themselves. The use of video at the ICTY has provided WITNESS with key examples to use in its training sessions.

For advocacy, WITNESS teaches different strategies for producing videos whose content, style and distribution plans appeal to a targeted audience. These strategies help craft videos for differentiated audiences with goals that often include institutional solutions. How to account for voice, tone, length and format is part of the strategic models for video advocacy. In addition, addressing risks associated with human rights video work is a central component across the various training programs that WITNESS develops and conducts (K. Matheson, personal communication, August 8, 2015).

Video training exemplifies a key aspect of aspirations to professionalism because it helps shape video activism ahead of time. It suggests that video activism is no longer a practice that can be learned on the spot, but one that should be understood in advance in order to ensure effective use of video. Through training, human rights groups transmit knowledge that video activists can apply. The centrality of differentiated audiences to video-making, however, makes video activism dependent upon the professional parameters of journalism, the law and advocacy. This is further amplified by the fact that many staff members at global human rights groups come with backgrounds in journalism, the law or advocacy.
To summarize, the professionalization of video activism is based on three interrelated practices: video production, development of standards and training, all developed to accommodate internal and external dynamics. Human rights groups seek to professionalize video activism so they can better leverage its potential to achieve social change; yet, professionalization is contingent upon institutional environments, such as journalism, the law and advocacy. As a result, the professionalization of video activism is primarily outward looking. Although human rights groups seek to professionalize the practices central to video activism, they do so by developing tactics and strategies that incorporate the requirements and respond to the needs of external institutions.

Any occupation, when exercising professional skills, exhibits certain individual variations in professional practices (Elliott, 1972). Professionalism is therefore a project that is rarely completed with full success (Larson, 1977). Not only is the professionalization of video activism an incomplete endeavor but also human rights video groups embrace diverse standards and skills depending on the audience setting. Their aspirations to professionalism, then, do not qualify as a formal “profession,” but rather, as a proxy profession, one that puts its visual knowledge to use when brokering between the public and the institutions that serve public needs.

Freidson (1986) argues that “in order to understand how formal knowledge can influence the social world around it…one must understand both the professions that serve as its carriers and the institutions that make those professions possible” (p. 17). This dissertation has examined how the visual knowledge provided by video is becoming institutionalized, demanding new skills and practices to be used within an institutional calculus aspired to the logic of professionalism. This development, then, suggests that
institutional standing is necessary to restore the value of visual knowledge that activists have long nurtured and promoted. Furthermore, those activists who work for global human rights groups are positioning themselves as agents of this visual knowledge through their aspirations to professionalism.

The emergence of proxy professionals is facilitated both by the growing relevance of the NGO-ization dynamics that shape civil society and help employ human rights activists and by the broader institutional context that is now legitimizing video. The points of convergence among journalism, the law and advocacy in connection to human rights video tackled in this dissertation are creating the complicated and multivalent institutional locus that supports video activism as a proxy profession. In turn, the proxy profession puts video activism into institutional service.

This proxy profession responds to certain failures in the workings of traditional institutions to address internal challenges and to resolve the tension between images and words on their own. Market forces that are embracing the affordances of visual knowledge, and subsequently creating possibilities for visual experts and services, further facilitate its existence. By specializing visual knowledge, the proxy profession can offer a pragmatic solution to broaden the reach of activist voices and the voices of those who have directly experienced human rights violations. By virtue of the orientation towards institutional leverage, however, the proxy profession might end up representing, mediating, filtering or silencing those voices. To better understand these consequences, the following section tackles the power of human rights video as a platform for voice and how the proxy profession shapes it.
Video as a Platform for Voice

Key to video’s centrality as a tool for human rights is its ability to facilitate voice. “I have a voice,” Chouliaraki (2013b) writes, is a “disposition of symbolic recognition that creates community by valorizing the opinion and testimony of ordinary people” (p. 267). At the most fundamental level, voice signals the ability to present an account of oneself (Butler, 2005). It also enables participation in socio-political processes (Madianou, Longboan & Ong, 2015). Voice has both a sociological and normative dimension. It is entwined in struggles for social recognition (Honneth, 1996), and it encapsulates democratic values (Couldry, 2010). Activists have long used voice as an essential currency in their fight for human rights. They have sought to uncover the processes that obstruct voice (for more on how voice materializes, see Butler, 2005), connecting the personal experience of injustice with a larger human rights framework. I argue that video facilitates voice both acoustically and visually through the combination of authenticity and the emotions. This is central to how video activism engages audiences.

Acoustic and Visual Voice

The public insertion of the activist voice is connected to social recognition and political engagement. Chouliaraki (2013b) argues that voice has agency when it is accepted as worth listening and responding to. Voice, however, is not a given quality. It needs to be obtained and sustained. In the context of human rights work, the silencing of voice—whether on the part of the victim who cannot speak out or on the part of the
addressee who does not listen—signals a moral dispute of the first order, which Lyotard (1988) calls “the differend.” In his view,

the “perfect crime” does not consist in killing the victim or the witness (that adds new crimes to the first one and aggravates the difficulty of effacing everything), but rather in obtaining the silence of the witness, the deafness of the judges, and the inconsistency (insanity) of the testimony. You neutralize the addresor, the addressee, and the sense of the testimony; then everything is as if there were no referent (no damages) (p. 8).

The “perfect crime,” then, indicates the failure of language as the most fundamental facilitator of voice. The addresor [the plaintiff, the victim] is silent; the addressee is deaf; there is no possibility to put into phrases the wrong that has been suffered; the referent is destroyed. These silences can be due to various cultural, social, economic or political factors. Part of the work of human rights activists has thus been to break them down—to enable victims of violence to testify and to secure an audience who can bear witness to their experiences. Human rights video activism, then, is closely tied to the struggle to assert voice in ways that make a difference.

This voice manifests itself acoustically and visually. On a basic level, video is a vehicle through which survivors testify. It therefore serves as a platform for acoustic voice. In the words of Emma Daly (personal communication, August 18, 2015) from HRW, “a video is often the only way that the people most directly affected by what we’re reporting on care to speak for themselves…it allows survivors, victims, people who’ve experienced these abuses to speak for themselves.” As an unclaimed experience (Caruth, 1996), trauma needs voice to articulate the suffering and start the healing process. Having a voice means breaking the silence about the experienced trauma.
This ability to speak about one’s traumatic experience signals “the acquisition of semantic authority by victims” (Felman, 2000, p. 2), which is crucial to the public awareness of injustice. As Laub (1992) argues, “the emergence of the narrative which is being listened to—and heard—is, therefore, the process and the place wherein the cognizance, the “knowing” of the event is given birth to” (p. 57). It is in this sense that Felman (2000) insists that the testimonies of over 100 Holocaust survivors during the Eichmann trial in 1961 were important beyond their legal purpose. Testimony, then, provides an acoustic form through which voice materializes. By mediating the testimonial act about one’s personal trauma, video acts as an important platform for voice, serving ethical and historical functions.

Voice, however, also has visual qualities. Trauma’s “effects can be discerned and felt in the visual field” (Sliwinski, 2011, p. 94). Both mimetic and antimimetic theories conceptualize trauma as a visual, a scene (Leys, 2000). On the one hand, victims experience trauma through nightmares and flashbacks. On the other hand, trauma has been conceptualized as an exposure to another person (Caruth, 1996; Pinchevski, 2005). It is transmitted and received through the interpersonal bounding of testimony. Seeing and hearing is thus central to testimony. As an audiovisual medium, video is particularly suitable to capture and disseminate the testimonial panoply, which legitimizes human rights claims, in its full acoustic and visual scope.

Using it as a heuristic to understand how people relate to images, Zelizer (2004) argues that voice signals “the relationship developed between the spectator and the image—invoking state of mind, attitude, temporal and sequential positioning—and to those aspects of the image that help the spectator develop that relationship” (p. 162). In
other words, voice renders images meaningful beyond their denotative and connotative appeals. When human rights groups invoke descriptions of video as a tool that provides a “deeper insight into what the realities are [on the ground]” (R. Althaibani, personal communication, August 7, 2015), they underscore an understanding of voice as visual. The vagueness surrounding the explanations about the “deeper insight” of video—such as “[eyewitness video] gives you a feeling of a context” (C. Koettl, personal communication, July 20, 2015) or “a combination of picture and sound is greater than the sum of its parts” (B. Nunez, personal communication, June 16, 2015)—points precisely to the meanings that people infer from video beyond what it seemingly portrays. Video, then, relies on a particular relationship between the aural and the visual, necessitating an engagement where hearing is seen and seeing is heard.

Zizek’s (1996) provocation, “I hear you with my eyes” (p. 91), speaks to this mode of involvement. Following Lacan, he argues that “silence is not…the ground against which the figure of voice emerges; quite the contrary, the reverberating sound itself provides the ground that renders visible the figure of silence” (p. 93). In this sense, through video, silence can make a human rights victim be heard even before speaking. This is what Delage (2010) refers to when stating that the “audiovisual mediation reflected the true essence of Nuremberg in a way that words could not” (p. 1096). He sees the eleven seconds of silence in the testimony of one Holocaust survivor at the Nuremberg Trials as the most powerful and telling part of the witness’s statement, one that best verbalized his suffering. This moment, though, is only available on the audiovisual recordings of the trial, not in the transcripts where the silences were edited.
out. The centrality of video as a platform for voice, then, rests precisely upon its ability to communicate what otherwise seems to resist and exceed representation.

In 2013, WITNESS screened a video about sexual and gender-based violence in the eastern provinces of the Democratic Republic of Congo (DRC) to government officials in the country. The video includes personal testimonies of women who have been sexually assaulted by government soldiers and militia members. Even the title of the video, *Our Voices Matter*, signals the centrality of voice in human rights video activism. The video was part of a strategy to press for compliance with relevant domestic and international laws. It was also used to seek assistance and reparations for women and girls whose lives had been affected by these crimes.

Bukeni Waruzi, who directed the project, told me that the video contributed to the allocation of more compensation funds. Moreover, the Ministry of Justice itself used the video to train legal professionals on the seriousness of these types of crimes. In Waruzi’s (personal communication, August 6, 2015) words,

> The Minister of Justice [in the DRC] would tell us “You know, the magistrates that we have, I’m not sure they understand the gravity of the rape crime. If they see this video, maybe they will, and they will interpret the law as they should.” [The problem is that] in most of the cases they see the rape as a gang crime…the perpetrators [is] fined $100, which is nothing, and [sent for] four weeks in prison, and that’s it…So, it didn’t seem like this crime was being perceived as a serious crime.

Implicit here is the assumption that video is capable of capturing the magnitude of a human rights violation in ways that are more readily accessible, even in institutional spaces. Although testimony is part of the methodological toolkit for human rights fact-finding, its relevance surpasses its evidentiary dimension. This excess lies in the visuality of voice.
Our Voices Matter: Congolese Women Demand Justice and Accountability begins with a close-up shot of a young woman. There are a few seconds of silence before she says: “My name is Riziki Shobuto. We are 12 children in our house. I’m a student, but I missed the school opening this year.” The silence continues. Only afterwards, the viewer finds out that Riziki has been raped. Seeing and hearing the silence is significant because it makes her voice heard even before she speaks. It creates a mood that directs the viewer how to engage with the video testimony. The interplay of the visual and acoustic voice, then, triggers an engagement with the human rights story. It generates an emotional appeal, reinforcing the notion that through video, feeling can contribute to believing.

The video work of HRW also illuminates the acoustic and visual entanglement of voice. In 2016, it produced a video, LGBT Students Bullied in Japan. As the Japanese government was slated to review its bullying prevention policy, HRW recommended that it name and protect LGBT people as particularly vulnerable populations. The video starts with two images sketched in the style of Japanese manga. The voice of a bullying victim narrates the images through his testimony: “Ever since I was little, I was seriously physically abused because my mannerisms and way of talking was not like the other boys. I was not supposed to be myself. I needed to act like somebody else. I always believed that.” The images that the testimony evokes in the viewer’s mind do not directly relate to the first drawing that this video shows. This drawing only portrays a close-up of a face depicted from the side with Japanese text next to it (Image 5.1).
This seeming dissonance between the testimony and the drawing, though, is crucial to how voice works. The cartoon draws the viewer’s attention to the eye of the depicted face, which appeals to the viewer’s imagination. The white marks could suggest light or tears. The face could depict a young man who has suffered from trauma. It could be the portrayal of the person who narrates over the image. The image leaves certain questions unanswered—Who drew it and why? Was he the victim of bullying? Was the image used outside of this video? In a sense, the association between the cartoon and the testimony urges the viewers to pull from their emotions and imagination in order to better understand the video. “Voice makes an image’s completion dependent on features beyond its parameters” (Zelizer, 2010, p. 13). This case suggests how voice in its acoustic and visual manifestation can shape the knowledge and understanding of traumatic occurrences.

Voice is also important because it indicates agency. This is evident in how human rights groups define the significance of video:

The people we interview understand the power of video and the importance for them to testify because often the people we talk to nobody listens to. So, we go and [ask them] to tell us what happened, what went wrong, and they understand
that they can make a difference (P. Bairin, personal communication, June 16, 2015).

Voice demands a response—whether the acknowledgement of one’s trauma or the action taken to at least partly offset its effect on the survivor. The ability to testify thus gives one power to insert personal experience as publicly relevant. Testifying is a political undertaking. As video records the testimonial act, it facilitates the transmission of testimony to political settings that can take responsibility. In the words of Priscila Neri (personal communication, August 6, 2015) from WITNESS, video “has an unparalleled power to bring the voice of the person who’s directly affected into crucial spaces.” By providing a platform for the victims to speak for themselves, video can demand responsibility and action that can potentially end the human rights abuse and provide redemption. The centrality of the visual and acoustic voice is implicit in how human rights groups describe and operationalize video’s power.

WITNESS, for example, co-produced a video with the Center for Minority Rights Development in Kenya, Rightful Place: Endorois’ Struggle for Justice. The video documents four-decades of forced evictions of the Endorois community from their lands. It emphasizes personal testimonies as authentic claims to justice. It begins with two men singing, “We belong to Endorois. We come from the East. And we are meeting today in our land. The land of Endorois, Bogoria.” It continues with several testimonies framed in a close-up shot with eye-level camera and natural lighting (Image 5.2). The testimonies explain the cultural beliefs of the Endorois and how the evictions have affected their livelihood and impacted the environment.
“Rightful Place” incorporates a style that substantiates its evidentiary qualities while also capturing the difficulties that people have endured as a result of the expulsion. WITNESS submitted and screened this video in front of the African Commission on Human and Peoples Rights, which eventually ruled against the expulsions. Priscila Neri (personal communication, August 6, 2015) described the significance of the video as a platform for voice as follows:

The courtroom was in another country. These were indigenous pastoralist communities who would never be able to go to the courtroom. So, I think, in that context, you being able to literally bring the voice of that person who is directly affected face to face…with the judges 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.

It is the interplay of hearing—both when human rights victims speak and when they are silent—and seeing their faces that is thought to help the viewer understand the magnitude of the human rights violation. Tirana Hassan (personal communication, June 27, 2016), Director for Crisis Research at Amnesty, echoed the power of voice when she described to me why video could be a powerful advocacy tool.
Where I see [video] makes the biggest difference is with diplomats and decision-makers. You see visceral reactions to these images…and not just [to the] images but also [to] the voices and the narrated experiences of victims, by victims, of survivors, by survivors. I think that can’t be underestimated.

Voice, then, in its acoustic and visual form, can help explain the consequences of human rights crimes, playing to the emotions even in institutional environments.

Yet, not all human rights videos show the face of the person who testifies. Due to safety reasons, sometimes human rights videos feature pixelated or shadowed faces. Part of a campaign for law enforcement units in Macedonia to reduce violence committed by police officers against sex workers, for example, WITNESS co-produced You Must Know About Me: Rights Not Violence for Sex Workers in Macedonia. The video features testimonies of women who have been victims of violence. The viewers cannot see these women’s faces. Instead, black silhouettes are portrayed against a colorful background (Image 5.3). The testimonies of the women, though, remain powerful: “I didn’t have any air to breathe.” “They took us to the Bit Pazar police station…they taunted us in the station. ‘Now dance, now stand like sheep’…They abused us…They didn’t even give us water or bread.”

Amnesty’s video, *Nolwandle’s Story*, on political violence against women in Zimbabwe, on the other hand, uses animation with a personal testimony (Image 5.4). This video also captures how voice can be powerful even without directly seeing the person’s face. As a series of animated images pass on the screen, the viewer hears Nolwandle’s testimony:

One time, I was beaten about nine times, told to count how many strokes. There was this old woman next to me. She was also beaten. I stood up, and I just screamed for them to stop. I didn’t care whether they would do anything more to me because I had had enough.

The relationship between the visual aspect of voice with the pixelated and shadowed faces or the replacement of the face with other images is a corollary to the relationship between acoustic voice and silence. The absence of either helps us understand the amplification of the other. This is why voice is central to how human rights videos function.


Voice also helps explain how human rights videos work in journalism and the law. When, for example, news organizations broadcast the footage provided by HRW on Syria’s torture centers—featuring drawings and testimonies—or a curatorial video on hate crimes in Russia—weaving eyewitness footage with LGBT activists’ testimonies
(see chapter 2)—they played to the acoustic and visual dimensions of voice. For safety reasons, the faces of the victims of torture are not shown in *Syria’s Torture Centers Revealed*; yet, this visual absence is strengthened through the power of testimony. The horrific eyewitness videos comprising *Russia: Gay Men Beaten on Camera* remain with the viewer, shaping how the viewer hears and sees the testimonies of the activists and abuse victims.

The documentary, persuasive and mnemonic functions of video in human rights courtrooms (see chapter 3) also draw from the power of video as a platform for voice. Repeated justifications for the submission of video as evidence at the ICTY get at the heart of how voice works. At multiple trials, attorneys have evoked how video portrays the emotional and physical harm more vividly than words, how it impacts a better understanding of the crime or how it creates lasting memories of past human rights abuses. What is implied, then, is how the sense of immediacy, mood, expression and immersion and the interplay of sound and vision are all central to video’s evidentiary contributions. All these qualities, however, exceed the presumed representational logic that underlines the utilization of video in court. Instead, they rest upon a notion of voice that elucidates how images move us and why they are so central in human rights activism.

**Authenticity and the Emotions**

Voice draws from a double-sided recognition of authenticity and the emotions. It is seen as significant in humanitarian work because it can mobilize the authenticity of one’s own experience—by letting people define their experiences and concerns,
humanitarian actors also seek to address post-colonial critiques (for a discussion on the challenges to do so, see Madianou, Longboan & Ong, 2015). This is at the core of Hamelink’s (1994) call to development initiatives to let people speak for themselves: to let people raise their voice through testimony or by turning to media-making themselves. Video, then, is a tool that in the process of facilitating voice can help people claim political agency. Referring to the screening of the HRW’s video on lead poisoning in Nigeria to a medical conference with government representatives (chapter 4), Carroll Bogert (personal communication, May 6, 2014) conveyed these sentiments: “the only way that these villagers were heard in this auditorium is because of the video. They are not physically present. There is no way to bring their voices into the conversation except through video.”

The perceived authenticity of the personal experience with violence or injustice grants testimony its authority (on the tenuous relationship between testimony and authenticity, see Bernard-Donalds, 2001). Authenticity in the human rights context is closely linked to trauma (Caruth, 1996) and minority discourses (for different notions of authenticity, see Kraidy, 2010). Because video documents personal stories and experiences, it underscores the consequences that human rights violations have on people’s lives. Human rights groups insist that:

The video has to be a story of a person. Instead of the horizontal, wide broad evidence, you need the vertical deep evidence…It’s a weird thing because all day long our [researchers] are meeting people and hearing their stories but [because of] the way they combine or the way they gather that evidence, they aren’t, in the end, writing up the whole story (C. Bogert, personal communication, May 6, 2014).
Implicit in Bogert’s explanation is that reports are incomplete because they cannot capture personal stories in all of their nuances. Reports can talk about human rights in abstract legal terms, but “video puts a human face in the human rights atrocity story” (V. Matushaj, personal communication, September 21, 2015).

The “vertical deep evidence” that video brings to the forefront provides the emotional contours of the personal story that are overlooked in other documents. The emotional resonance of voice, then, augments its claim to authenticity. Through video, as a platform for voice, human rights activists are expected to record personal testimonies that capture the gravity of the violation. In turn, this focus on personal stories and experiences is what is supposed to make people feel, reiterating assumptions that feeling is important to believing.

To be effective as a platform for voice, video needs an audience willing to watch and listen. A human rights video needs a witness who can respond to the portrayed injustice. Witnessing, as “the intervening variable between experience and action” (Ristovska, 2016a, p. 3), has long constituted the main operational mechanism in human rights work. This is epitomized by the name of the organization WITNESS, the slogan on HRW’s membership card, “tyranny has a witness,” and the names of Amnesty’s projects and campaigns like The Witness to Guantanamo. Witnessing itself is infused with a language of seeing. Human rights violations happen in dark; they need to be exposed or uncovered; we need to watch perpetrators of violence so their deeds do not remain hidden. It is unsurprising, then, that visual imagery has long been entangled with how human rights activists put witnessing to work.
Video gains power through the assumptions associated with this tradition. It can document human rights violations as they unfold; it can bear witness to personal testimonies and experiences, and it can reference past trauma in the present. Video, then, can mediate witnessing as an individual experience to other platforms. In doing so, it can transform witnessing into material that is socially relevant and suitable for the news, the law and advocacy. Witnessing also draws from the power of video’s voice in that it designates a particular mode of seeing where seeing can be felt and heard and feeling can be heard and seen. Referencing the power of eyewitness video, a human rights staffer told me that it “provides people who aren’t there the opportunity [to see and hear] what the individuals who were collecting and producing the content were witnessing and seeing firsthand” (R. Althaibani, personal communication, August 7, 2015). Video, then, can potentially expand the spaces where activist voices—in their acoustic and visual forms—matter.

To summarize, the notion of voice is a key activist currency that draws from the perceived authenticity of the traumatic experience and its appeal to the emotions. As such, voice enables activists to raise their concerns in the public sphere and to shape decision-making processes. Voice, however, has both acoustic and visual dimensions. Their coupling is central to how human rights video works in that it amplifies the effect of voice both acoustically and visually.

One human rights staffer’s description of why video matters in a human rights context exemplifies the centrality of voice.

Anything we put out, an op-ed, a press release or whatever, is pretty much our product. And, I think, video is the one place where we can…in a fairly unadulterated way provide a platform for victims who are voiceless in their own
context to speak directly to whoever is on the other end, whether a lawmaker or a citizen of another county or a donor government. I think that’s why video is so effective...In Human Rights Watch, we call on governments to do things all the time, and that, to a certain extend, does not come with the same gravitas or sort of, emotional pull that a victim can have. For example, if a video was just me, a Human Rights Watch researcher talking and saying “I went to Yemen, and I interviewed this many people, and this is what we found,” it would not be persuasive at all. The only reason it’s persuasive is because of that moment where the victims look at the camera and [are] able to convey the harm that was done to them by that violation (B. Wille, personal communication, June 25, 2015).

Her reflection underscores how video is thought of as an exceptional platform through which victims of human rights abuses can speak in their own voice. The comprehension of voice exceeds the parameters of what the video shows and tells, triggering a meaningful engagement and potentially generating action. The purchase of video, then, relies on the authenticity of the emotional experience to which it bears witness. Bukeni Waruzi (personal communication, August 6, 2015) reiterates the centrality of the emotional appeal: “Reports you can read but you can’t feel...until you see in the eyes of the person [and hear the story]...we want video to create an emotion because that emotion will trigger action.” A report, then, highlights the evidentiary scope of a human rights investigation, while a video reaches beyond truth telling by also capturing the emotional dimensions and perceived authenticity that undergird the witnessing act that is central for human rights work.

To facilitate voice in institutional spaces like journalism, the law and advocacy, however, video’s claims to authenticity need to be verified. Authenticity is never assumed. Having seen or experienced trauma is a necessary, but not sufficient, condition to assert authenticity in institutional environments. Institutions and their agents are central to how authenticity is framed (e.g., Tagg 1988). Therefore, the tactics and
strategies for video-making, through which voice—acoustic and visual—is rendered legitimate and suitable to the environments in which it seeks to speak, have been central to the aspirations to professionalism. This last section, then, examines how the dynamics of the proxy profession implicated in the institutional shaping of human rights video have varied implications for voice as a foundational activist currency.

**How the Proxy Profession Shapes Voice**

The proxy profession puts to use the visual knowledge that video provides by mirroring the modalities of journalism, the law and advocacy. By brokering between activists and institutions, it offers a pragmatic way to extend the relevance of human rights videos to spaces that have typically not constituted its most hospitable audiences. The proxy profession, then, can help civic voices find resonance in institutional contexts where human rights claims are recognized and redeemed. The analysis of how human rights groups shape video activism to play in journalism and the law suggests that the proxy profession can increase the range of voices when it relies on tactics. In other words, it has the potential to magnify voice when it profits from circumstances, turning institutional challenges into activists’ opportunities.

Human rights groups can potentially broaden crisis reporting in the media by packaging human rights videos as news. The specialization in visual knowledge that is of value to journalism and the law helps them assert visual expertise. They pass on this knowledge through the promotion of standards and via activist training. In doing so, they teach others how to take effective videos for news and courts, increasing the likelihood for eyewitness videos to be featured in the news or utilized as evidence.
In its pursuit of institutional leverage, however, the proxy profession can also underplay the centrality of voice. Ryan Kautz (personal communication, July 2, 2015), Senior Video Producer and Editor at WITNESS, explained to me:

You are trying to make a difference so that video needs to speak in a language that would appeal to the people [who] can make that difference. A lot of times activists are so impassioned—they are either from the communities that are affected or advocating for those communities—so you have this sort of black and white view of the issue: there’s right and there’s wrong. But, sometimes, if you are talking to decision makers, you have to be a little bit more diplomatic and speak in a language that’s not confrontational necessarily while still advocating strongly for your point.

Although video is seen as a tool that facilitates voice, Kautz suggests that it is the strategic employment of voice that matters. Activists are expected to take a pragmatic view and insert their claims by learning to speak the language of the targeted audiences. The materiality of voice, though, has long constituted grounds for silencing, especially when its emotional reverberation has been associated with identity markers such as race (e.g., Ahmed, 2012), gender (e.g., Lutz & Abu-Lughod, 1990) or class (e.g., Schlozman, Verba & Brady, 2012). Kautz’s call for pragmatism, then, implies dislodging markers of identity. To influence decision-making processes in the context of human rights, activists need to shape their voice and display of emotions relative to the audience.

When the proxy profession turns to strategies in the context of advocacy, it can displace voice’s identity indicators; it can speak on behalf of voices or leave them out. HRW, for example, produced a video, *Yemen: End Child Marriage*, which was used in a closed screening with the Minister of Human Rights, government officials and lawmakers in the country in 2013 (C. Bogert, personal communication, May 6, 2014; B. Wille, personal communication, June 25, 2015). The goal was to provide a platform for political
elites to discuss how they could put forward a constitutional provision to legally establish a minimum marriage age. The tailoring of the content appropriate for government representatives and the pursuit of institutional solutions, however, narrows the video in two notable ways.

Despite the presumed power of video as a vehicle through which people voice their experiences and define their needs, the video features mostly traditional authorities, such as an imam, a parliamentarian, a gynecologist and a Noble Peace Prize winner, along with a father who regrets marrying off his daughter. The people most directly affected by the practice of child marriage are largely spoken for in this video. In addition, by focusing on a legal reform, the video fails to adequately tackle the socio-economic problems underpinning the practice. This is only implicit in the video through the testimony of the father who regrets his decision and the supplemental information provided by the HRW researcher who explains how child marriage is mostly prevalent in rural areas.

This case indicates how the strategic positioning vis-à-vis the audience can limit the scope of the video by neglecting important voices in the pursuit of institutional resolutions. The strategies for video’s use in advocacy that shape content, style and distribution according to differentiated audiences, then, can downplay the voices of those most directly affected by human rights abuses in pursuit of strategic engagement with selected constituencies. In this process, voice as an unbounded critical articulation of injustice is losing its central activist currency.
Conclusion

This dissertation has shown how the power of video as a form of knowledge in the human rights realm is infused with institutional forms and sensibilities of professionalism. Following Tagg (1988), it has argued that video’s potential to advocate for social change and achieve human rights is dependent upon the agents and institutions that shape and use it. Human rights videos therefore are not a neutral instrument for social change. Video’s depiction of what some see as injustice is not sufficient in and of itself to legitimize a human rights claim. The story of how Amnesty, HRW and WITNESS work with video illuminates that what counts as human rights violations is not automatic, but is often shaped by journalistic, legal and advocacy structures and assumptions. Even in a digital landscape characterized by cultures of circulation (e.g. McLagan & McKee, 2012), institutions with their internal logics continue to use and privilege one set of videos over others when recognizing human rights claims. And what gets picked up is not divorced from cultural framings and socio-political dynamics and ideologies.

The emergence of the proxy profession is thus significant because it helps activists learn how to mimic and use institutional tools and standards to increase the likelihood of human rights videos being pushed to the forefront of institutional and public debate. The proxy profession can ensure that news organizations, courts and the UN, for example, do not dismiss valuable video materials on the grounds of poor quality or unreliability. The struggles to assert the relevance of human rights activist videos, though, are ongoing, especially at times when the understanding of human rights as a fundamentally politicized discourse is widely accepted (e.g., Perugini & Gordon, 2015;
Recent framing of police violence in Brazil under the rubric of human rights, but the unwillingness to do so for police violence in the U.S., reiterates the Western comfort to more readily see injustice elsewhere in the Global South.

The proxy profession develops and promotes tactics and strategies that can offer a pragmatic solution to broaden the relevance of human rights videos in institutional realms around the world. In fact, WITNESS has worked with activists in the U.S. and Brazil on issues around police brutality, facilitating exchange of experiences and best practices and creating a community of global video activists. Yet, the institutional orientation of the proxy profession tends to confine activism. By pointing the finger at traditional authorities who violate or fail to protect human rights while seeking to work within their formal mechanisms, the proxy profession rescues institutional power at the same moment that it denounces it. Institutional parameters, though, might not always be the best venue for pursuing human rights agendas.

Livia Hinegardner’s (2009) analysis of grassroots videos documenting police violence in Atenco, Mexico, for example, shows that when the appropriate laws and policy regulations are set in place, but the system fails to comply with them, the very act of filmmaking can be seen as an important activist engagement. In her view,

the production and distribution of films created a social field of action in which political actors could transform themselves from bystanders (or victims) to active participants. Thus, the political field that activist film opens in Mexico represents an attempt at more profound social and political transformation than formal legal changes (p. 173).

The focus on institutional action that the proxy profession promotes can leave out the importance of continuous acting as key in sustaining public dialogue on injustice (see also Canclini, 1995). As the work of proxy professionals unfolds, how local activists,
who work with or are trained by global human rights groups, negotiate the dynamics of professionalization will be important to understand.

The proxy profession poses another challenge. Price (2015) provocatively suggests that in the current media landscape, “for a state to be a state, even a democratic state, it must have a greater sway over the legitimate use of information” (p. 4). In addition, states are increasingly co-opting human rights narratives for their own interests, military expansions and interventions (e.g., Perugini & Gordon, 2015). For these purposes, states have already used a wide-ranging visual imagery throughout history, going back to maps and diagrams (e.g., Scott, 1998). In recent memory, the satellite image held by the U.S. Secretary of State Colin Powell in his address at the UN in 2003 as he justified the military invasion of Iraq on the grounds of the existence of weapons of mass destruction remains a powerful reminder of states’ strategic use of visual information crafted around a human rights narrative.

Even the ideologies of global human rights groups have changed as they have grown in size and relevance. Amnesty, for example, moved away from its core principle to advocate against violence. The same group that did not support Nelson Mandela as a prisoner of conscience gave full support of NATO troops in Afghanistan. The politicized nature of today’s human rights discourses urges us to consider how the more that video provides the main mode of accessing ongoing conflicts and the more that institutions and publics trust the professionalized forms of video activism, the more the proxy profession will become open to manipulation. One can imagine how a conflict like that in Syria could become a closed circle of information, with activists providing all of the footage for news coverage, court evidence and institutional advocacy. Therefore, looking at who
funds the proxy professionals that work with and as video activists around the world, and whose interests they represent, is something that needs closer attention.

Seeing human rights through the video’s lens from within the institutions central to civic life can facilitate an important political engagement with injustice. Yet, video’s ultimate potential for social change is implicated in how human rights activism negotiates institutional and professional dynamics with their respective logics and ideologies to make its voice matter. And voice is the oxygen for human rights.
Sample Interview Questions for Human Rights Groups

1. How did you become interested in human rights work? How did you arrive at HRW, Amnesty or WITNESS?

2. In what ways do you see your work as being similar to or different from the work of news media?

3. How do you see your work fitting in with other groups who claim to be engaged in witnessing work (e.g., citizen journalists, video journalists, documentary filmmakers)?
   a. How is it the same?
   b. How is it different?

4. How, if at all, has the advent of video impacted human rights investigations?
   a. Do you use video as evidence? If yes, how?
   b. How do you handle verification issues? Could you walk me through the process?

5. How, if at all, has the advent of video impacted human rights activism?
   a. Has it impacted the work you do? If yes, how?

6. How is video different from and similar to other forms of media that human rights activists use?

7. Under which circumstances do you see video working best as a human rights tool? Working the least effectively?
   a. Is there a way to combat those limitations?

8. What kinds of human rights issues do you see being the most amenable to video? The least?
   a. How do you decide which human rights issues to turn into video projects?
   b. What are the ethical considerations that you take into account?
   c. How do you decide how to distribute the video?
   d. Typically, who are the videos for?
   e. On average, how many videos does HRW, Amnesty or WITNESS produce per year?

9. Have you worked on a human rights video? If so, could you please tell me more about your experience? (e.g., What was the video about? Who was it for? Why did you get involved? How was the video being used?)
10. You are involved in video training.
   a. What is the purpose of the training?
   b. Where do you conduct training?
   c. Why? How?
   d. Could you walk me through a typical training session?

11. What are the limits of video in human rights work?
   a. What are the typical challenges that you face when working with video?

Sample Interview Questions for the ICTY

1. How is video different from or similar to other forms of legal evidence?

2. What are the affordances of video as evidence? What are its limitations?

3. What is the procedure for handling videos at the ICTY – from collection to presentation as evidence?

4. Does the procedure vary based on the kind of video (e.g., video from a news organization vs. video shot by civilians)? If so, how?

5. How do you prepare the submission of video materials as evidence?

6. What criteria do you use when selecting which videos to submit as evidence?

7. How are videos screened in court?
   a. Has there been a change since the move to e-court?

8. Who handles the audiovisual evidence at the ICTY and how?

9. Under which circumstances do you use testimonies via video link in court?

10. The ICTY records trial proceedings. What do you think is the value of these recordings?

11. How do you record and broadcast the trial sessions?
APPENDIX 2
(List of Interviewees)

Amnesty International

1. Philippa Ellerton, Audiovisual Archivist
2. Daniel Eyre, former Nigeria Researcher
3. Tirana Hassan, Crisis Response Director
4. Saleh Hijazi, Middle East and North Africa Researcher
5. Christoph Koettl, Emergency Response Manager, Citizen Evidence Lab Founder
6. Philip Luther, Middle East and North Africa Director
7. Elizabeth Meckes, Digital Engagement Unit Head
8. William Nee, China Researcher
9. Morton Winston, Past Chair, Amnesty USA’s Board
10. Paul Woolwich, Audio Visual Unit Head

Human Rights Watch

1. Pierre Bairin, Multimedia Director
2. Carroll Bogert, former Deputy Executive Director
3. Peter Bouckaert, Emergencies Director
4. Emma Daly, Communication Director
5. Josh Lyons, Satellite Image Analyst
6. Veronica Matushaj, Director of Documentary Video and Photography
7. John Sifton, Asia Advocacy Director
8. Param-Preet Singh, Senior Counsel, International Justice Program
9. Andrew Stroehlein, European Media Director
10. Belkis Wille, Yemen and Kuwait Researcher

WITNESS

1. Raja Althaibani, Middle East and North Africa Program Coordinator
2. Madeleine Bair, Program Manager, WITNESS Media Lab
3. Sam Gregory, Program Director
4. Morgan Hargrave, System Change Coordinator
5. Ryan Kautz, Video Producer and Editor
6. Kelly Matheson, Senior Attorney and Program Manager
7. Priscila Neri, Senior Program Manager
8. Bryan Nunez, former staff
9. Sameer Padania, former staff
10. Bukeni Waruzi, Senior Program Manager for Africa and the Middle East
ICTY

1. Rob Barsony, Supervisor for Audiovisual Courtroom Production
2. Nenad Golchevski, Head of Outreach
3. Silvia D’Ascoli, attorney, OTP
4. Alex Whiting, former attorney at the ICTY and a former member of the OTP at the ICC
5. Janet Stuart, Case Manager, OTP Evidence Unit
6. Riaz Haider, Archives
7. Kerry-ellen Canning, Associate Research Officer, Mechanism Archives and Records Section

Supplementary Interviews

1. Wendy Betts, Director of eyeWitness Project, International Bar Association
2. Malachy Browne, former News Editor, Storyful
3. Gavin Sheridan, former Innovation Director, Storyful
4. Rina Tsubaki, Project Manager, European Journalism Centre
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