

A Right to the image

We live in a world filled with images that are captured, edited, and published at hyper speeds. Images referring to images. Our political, ethical, and intimate lives are constructed around images, through images, and in images.

In situations of war and mass violations of human rights, our hyper-mediatized world creates the typical images of victims. Our impulse to expose human suffering and injustice has taken humanity from individuals and groups who, in dignity, are resisting the conditions that led to their oppression. The images of the human debris of human madness are too frequently about mutilated and starved bodies, not about persons; they are too frequently images of the dystopian landscapes of wretched camps and the ruins of devastated neighborhoods and not images of the network of social relations and forms of collective cultural and political life that sustains individuals in their struggle for life in dignity and peace. Representations of human suffering and injustice are not only the effects of aesthetic choices; these are also political and ethical choices. These political and ethical choices are partly determined by the legal institutional framework that constrains the range of someone's options, and enable and facilitate the choices of another. Many legal systems enforce such representations. Legal systems protect the privacy of persons. They also protect the right of celebrities to control the use of their images. Individuals can "own" their image if they are legally, and by virtue of social conventions, economic power or political circumstances empowered to speak. But what about those who cannot speak? The persons whose humanity is suppressed in images from wars, mass violations of human rights and other similar situations are not allowed to speak. Their humanity stops at the rights of bystanders to freedom of expression. You can have the dignity of a person or be a victim, but you are not allowed to be both; and, most importantly, you are not legally allowed to choose what you want to be. Your wounds can speak, but you cannot.

Many intellectuals have engaged the dilemmas and paradoxes surrounding the representation of human cruelty and suffering. Courts in some legal systems have started to formulate a right of every person to the respect of her image. In a world where images can be captured in on place and "consumed" instantly around the world, these paradoxes and dilemmas are immediate to all legal systems and should be addressed in a principled manner across cultural, political, and economic divides.

Authoritative accounts about Justice in modern societies have always emphasized the centrality of the principle that "every person is entitled to equal concern and respect in the

design of the structure of society."¹ The right to the image finds its legal/ethical foundation in such core principles. A consistent interpretation of the rules of international human rights law must address the dilemmas surrounding the representation of persons and groups reduced to "bare life" in wars, human rights abuses and other similar situations. A broad and inclusive process for the progressive development of a right to the image is possible under existing rules of international human rights law.

The concept of a right to the image is complex and multilayered. It is not derivable from one specific right (e.g., privacy), but from a holistic reading of the existing corpus of international human rights law rules as codified by binding international treaties. In a way the right to the image is a bundle of rights. This bundle is what we get when seek the concrete meaning of the fundamental human rights included in the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the Covenant of Economic, Social, and Cultural Rights (ICESCR) as they relate to the images of individual and groups. It is as much implicit in the right to self-determination (Article 1, ICCPR) as it is in the right to privacy (Article 17, ICCPR), or the right to the freedom of opinion and expression (Article 19, ICCPR). It is as much about individual choice and the dignity of the human person, as it is about the right of a people to freely determine the terms of their political association including issues related to the expression of cultural identity.

¹ Dworkin, R., 2000, *Sovereign virtue: the theory and practice of equality*, Harvard University Press, Cambridge, Mass..

ABOUNADDARA: an Emergency Cinema to Free Syrians from their Image

Who ?

Abounaddara is a collective of filmmakers working towards providing an alternative image of Syrian society. It was founded in 2010 in opposition to the prevailing representations found in the Western media, which tend to consider Syrians through the lens of geopolitics or religion. The collective produced a series of short documentary films that were broadcast on the Internet and that celebrated ordinary Syrians in their everyday lives. It was preparing to produce a further series of films in collaboration with UNICEF and the International Labor Organization when the Revolution broke out in March 2011.

Composed of young Syrians who are working towards rebuilding their country by doing films, the Collective has a core group of founding members who are responsible for defining an editorial charter, as well as a variable number of more or less regular contributors. All members are involved on a voluntary basis, and they also all work anonymously for security reasons.

How ?

Since April 2011, the Collective has produced one short or very short documentary film every week, using a very particular cinematographic language – a sort of emergency cinema. The films, some of which have been selected by major international film festivals, show the countershot to the armed conflicts that have been the media's main focal point. They present ordinary men and women, who are not heroes or victims, political opponents or loyalists, Sunnites or Alawites. And in order to reach out to an audience accustomed to the codes of television, they use the short format of TV reports as well as the weekly timing of such programs.

The films are broadcast on the video-sharing website "Vimeo" every Friday, the main day for anti-regime demonstrations. This broadcast is announced on the Facebook page that is the main showcase for the Collective's work. The films are then shared by an audience of subscribers as well as by a certain number of blogs, websites and online media outlets of different political leanings. They are sometimes uploaded onto Youtube or included in other amateur videos produced both by opponents and supporters of the Syrian regime. However, these films do not only inhabit the Internet. Some circulate in Syria, burned on to DVDs. Others have been selected by film festivals, universities, associations and film clubs around the world. And others still have been broadcast on television channels (the Franco-German television network "Arte" recently showed some of them. And a number of Arab and Western cinema critics, researchers and journalists have considered them as a point of reference in terms of Emergency Cinema (see below).

Why ?

From the very start of the clash between State and Society in March 2011, both factions wielded images as weapons. The rebels used them to prove the legitimacy of their cause and denounce the disproportionate repression to which they were being subjected. And the regime, in turn, used them to prove that it was facing a "mediaconspiracy" looking to mask the rebels' terrorism. As for the independent media, given that they were banned from Syrian soil, they had no choice other than to take up certain images of "proof" circulating via social media channels close to the rebels.

This contradictory use of images as proof could only lead to them being discredited as a medium for information, giving rise to a certain amount of confusion that was of benefit to the Syrian regime. The Abounaddara Collective therefore wanted to reassert the role of images by ridding them of all legal aims and using them to address viewers as universal individuals rather than judges or citizens concerned by the situation in Syria. The Collective chose to use the esthetics of cinema to produce a form of counter-information. This socially engaged cinema belongs to a long tradition of the genre (Dziga Vertov, Samuel Fuller, Chris Marker, etc.) and stands apart from any intention of propaganda or voyeurism. It is a humanist cinema that seeks to share a desire for freedom and justice rather than to prove the guilt of one party or another.

Extract from Edward Ziter's article, "The Image of the Martyr in Syrian Performance and Web Activism", *TheDramaReview*, 57:1, Spring 2013 :

This remarkable group uses irony and dark humor to reveal a residue of violence lingering in the everyday of a Syria under siege by its own government. The work is open-ended, demanding continued contemplation. The group has posted a short video on its Vimeo channel every week since May 2011 "as a tribute and contribution to the street protests," according to an AlJazeera.com article (in Della Ratta 2011). The name, Abou Naddara (which translates as "the man with glasses"), is the pseudonym of the 19th-century Egyptian playwright and journalist, Yacub Sanu. Sanu's journal, also Abou Naddara, was outlawed for its liberal and revolutionary content but smuggled editions were popular in Egypt across classes. In addition to evoking a 19th century history of liberal Arab thought, the collective's name also evokes the film by Dziga Vertov, *Man with a Movie Camera*, "a film we hold dear," according to group members (Abou Naddara 2012b). Like the films of Vertov, the videos of Abou Naddara are shot with portable cameras using natural lighting, recording spontaneous events rather than planned-out scenarios. From the material of the everyday, the group unearths the impulse to resist and imagines a future free of violence — regardless of how removed that future might feel from the current situation (...).

Dziga Vertov's credos — "life as it is" and "life caught unaware" — reveal much of the twin strategies of Abou Naddara. They employ footage of unplanned and unstructured events, often found footage, which they then manipulate and combine to reveal daily life. The Abou Naddara collective formed before the uprising, but now focuses exclusively on the effects of violence on everyday life; "we don't film the revolution but its countershot" a spokesperson for the group explained (in Della Ratta 2011). The work is deeply political while avoiding simplistic polemics. Having said that, their videos have displayed a growing urgency as the violence has escalated (...).

As such the Abou Naddara project is emblematic of the time. Based on the massively expanded Syrian mediascape, one could conclude that half the country is busily filming and photographing the other half. The web is full of footage capturing "life unaware" in Syria, though that is not quite accurate since most of this footage focuses on death (...).

Activists have used the internet to produce a massive martyrology, one that not only includes names and dates but likenesses from before and after death and records of mourning. The martyr election posters of Freedom Days recirculate this martyrology, accosting those who had refused to look or had become inured. By contrast, the Abou Naddara videos arrest such circulation, pulling the viewer's attention from the figure to the ground; in most of their works the martyr is momentarily rendered invisible so that the viewer can better see the context (...).