

## Freedom of Expression: Facing up the Threat

James Tager, PEN America

Let me start by acknowledging the reason for the timeliness of this conference, and by noting that PEN America adds itself to the chorus of voices that have rightly declared that the attempt to use economic and diplomatic force to compel the Government of Qatar to shut down the media outlet Al-Jazeera, as well as other media outlets, is an assault on the media and a clear attempt to diminish press freedoms and free expression.

PEN America is a literary and free expression organization, and thus we are politically neutral and do not take sides in political disputes. But the attempt to compel closure of media outlets is about as obvious a press freedoms issue as one can have. We would cry foul—and in fact have cried foul—if and when countries shut down domestically-based press outlets within their own borders. The same moral urgency applies to attempts to shut down media outlets headquartered abroad or affiliated with other governments. The fact that this is being presented as part of a larger political dispute should not stop us for a moment from forcefully standing up for press freedoms, for the right of Al-Jazeera and other outlets to report their news and analysis free from interference.

And I note with special concern, though I am not surprised, that authorities in some of these countries have reportedly moved beyond the already unjustifiable action of targeting Qatari-affiliated outlets, to shut down other sites that are notable only for their independent reporting.

In Egypt, for example, many of us are already aware that by mid-June, Egypt had [shut down](#) over 60 websites. This included such websites as Medium, the Huffington Post's Arabic language website, and Mada Masr. (Some of those sites are now back on). Clearly not all of these websites are attached to Qatar. Egypt has argued that it also shut down sites connected to the Muslim Brotherhood, but clearly not all the shut downsites have such an affiliation either.

The Bahraini government's shutdown of independent newspaper Al-Wasat, which notably happened at essentially the same moment as Bahrain's participation in the demand to close al-Jazeera, would be another example.

This is not to imply that these countries' given rationale for shutting down these websites or media outlets was justifiable. It wasn't. But I want to note how these examples demonstrate how, whatever the given official justification, most commonly—

almost inevitably—the reason that a government tries to shut down the press is because it wants to shut down alternative viewpoints to its own narrative, as a means of control.

In the UAE and Bahrain we have seen this attempt to control all alternative narratives to extend even to its own citizens, with its pronouncements that those showing “sympathy” for Qatar can be punished with imprisonment, a draconian punishment for one’s right to free expression which is enshrined under international law.

The Fight Goes On for Global Media Freedom, is the theme for today. And the fight goes on because it is inevitable that powerful people and institutions attempt to control or suppress messages and stories that they don’t like.

These powerful people and institutions don’t have to be governments. They can be private individuals, societal groups, or corporations. And it’s important to note at this point that criminal defamation laws, around the world, remain weapons that are often aimed at a free press and at people who are attempting to express themselves freely. As advocates of a free press, we should continue to call for the decriminalization of defamation.

But governments have by far the greatest arsenal of tools at their disposal to crack down on a free press.

It is at this point that I note that I’d be remiss if I didn’t use my statements to acknowledge and discuss the fact that the United States of America, where PEN America is based and where I’m a proud citizen, is undergoing a new form of assault against the press from senior members of the American government.

In April of 2017, PEN America released a report called “Trump the Truth,” in which we catalogued more than 70 instances in which President Trump or senior members of the Presidential administration denigrated the media. It ranged from explicit attacks on the media—from media outlets, to the American mainstream media in general, to individual reporters—to less audacious attacks that nonetheless have been wearing down the role of the press: restrictions of press access to State Department officials, limits to press conferences, an absence of public transparency. Since that report, we have continued to document near daily denigrations of the media. While no Presidential Administration in the United States has been perfect on the issue of media freedoms, this constant barrage of denigration represents a low point for the relationship between the government and the press in the U.S.

The most troubling assault on the media, however, has almost certainly been when President Trump, only a few weeks into his Administration, labeled a large portion of the

American media as “enemies of the American people.” This type of rhetoric has a long and ugly history, and to label any group as an enemy of the people is inherently vicious. But to apply such a label to the press is to attempt to completely disregard—and to break down—the role that the press holds as an indispensable element of society and as a way of keeping citizens engaged with and informed of what’s happening in their country, and in their world.

This type of demonization of the media, from the government itself, is relatively new in the United States. But it is unfortunately common across the world. Autocratic countries are quick to label media outlets that they do not control as their enemy, as untrustworthy, as duplicitous and false. They cast doubt on the message by casting aspersions on the messenger.

In the fight for global press freedoms, we must fight against all efforts to demonize the press. This does not mean we must hold the press as immune from criticism.

Criticism of the media is not only justified, it can serve a vital role in helping the media to correct itself and ensure that it is doing its job of keeping the people informed. Demonization of the media, on the other hand, tears down the press and serves no useful role. A responsible government does not demonize the media.

That is something I will repeat now, in a message intended for the United States government back home, to autocratic governments around the world, and to the governments of those who are seeking the shutdown of Al-Jazeera and other Qatari-based media outlets today: A responsible government does not demonize the media.

What is the difference between criticism and demonization? It is more than simply a question of degree.

Criticism is offered with the intent that the criticized party improve. Demonization, instead, seeks only to paint the demonized press as irredeemable.

Criticism of the media focuses on content it finds problematic, inaccurate, or flawed.; where it sees bias, it attempts to demonstrate how that bias is manifesting itself in specific choices over how news is covered. Demonization of the media focuses on the inherent characteristics of the media outlet itself.

Criticism of the media occurs when critics worry that editorial impartiality may have been compromised. Demonization implies that, by virtue of the media outlet’s inherent characteristics, it should not be trusted. So the American President Trump says that news outlets owned by prominent liberals can’t be trusted. And today, governments such as the UAE imply that al-Jazeera reporting cannot be trusted given its relationship with Qatar.

Criticism, or more correctly critical thinking, encourages us to examine whether the source of a news report may have played a role in how the report was made. Demonization encourages us to think that the *source* of the news actually affects whether what they are reporting is true or not! So President Trump calls reports from news outlets he believes to be unfavorable to him to be “fake news.” So the government of China dismisses reports of tortured human rights lawyers as fake and as rumors, because they come from outside state-sanctioned sources.

In a time when confidence in the media is low, we are seeing an effort by those who don't want their actions questioned to encourage a free fall from media criticism to media demonization.

And I want to end with a few short points about the new frontiers of the global fight for media freedom. Today, with social media, blogging platforms, video cameras within our phones, and widespread internet use, the fight for Global Media Freedom is not restricted to professional journalists or media outlets. We see citizen journalists recording and reporting the news, bloggers analyzing the news, and everyday individuals sharing the news through social media. This is the face of the new press.

And this means that we should not be shy to label the arrests of bloggers, or the shutdown of social media outlets, or police attacks on people videotaping protests or newsworthy events, as attacks on press freedom. In various countries around the world, from Cuba to Vietnam, it is bloggers who are offering independent news and analysis. In countries like China, it is social media which has first broken newsworthy stories—such as the effects of natural disasters or corruption scandals—that mainstream media was unable or more often unwilling to tell. And in places such as the United States and in Myanmar, and also here in the Middle East, it is people with a camera phone that have taken it upon themselves to break the news on stories of injustice and malfeasance.

The fight for global press freedom extends to this new media, even though we still also must fight for traditional media outlets to be allowed to do their jobs free from interference or intimidation.

Lots of work to be done. I'll end my comments there. Thank you.

### **Short Biography**

James Tager is the Program Manager for PEN America's Free Expression Program. PEN America, the American chapter of the international writers' association PEN International, has been working for almost a century to celebrate and safeguard free expression across the world.

In his work with PEN America, James writes, examines, and advocates on free expression issues and challenges—from literary censorship, to restrictions on journalists, to the targeting of writers and publishers—both in the USA and internationally. This work has included writing or editing several full-length reports that conduct in-depth examinations of contemporary threats to free expression. Additionally, James engages in PEN America's advocacy efforts on behalf of imprisoned or threatened writers and journalists around the world.

James previously worked as a researcher on human rights issues in Southeast Asia, and has lived and worked in Thailand, Myanmar, and Cambodia. James holds a BA from Duke University and a JD from Harvard Law School, and is licensed to practice law in the state of New York.