

a / discussion paper / 002

FREEDOM OF ARTISTIC EXPRESSION

This discussion paper provided context and background for a curated conversation centered around the theme *Artistic Freedom* November 2022 in Finland.

The paper gives an introduction to the topic and current trends surrounding the notion of artistic freedom. It also includes a description of two themes: 'The Digital Ambivalence' and 'All the art we don't experience - Censorship and Self-Censorship'.

The content of this discussion paper is based on an ongoing knowledge work in a/nord/c's digital Living Catalogue from 2022, based on signals and insights co-produced with artists, researchers, and cultural actors (signal scouts).

INTRO- DUCTION

“Art has both a societal function and constitutes a societal infrastructure. It can provide us with images of ourselves and our society, but what images do we get if art is not free? Nowhere else in the world is the premise of the freedom of art so clearly articulated as in the Nordic countries. Therefore, it is a paradox that cultural policy in the Nordic region to a less and lesser extent contains the very special culture and art contributes to our democracies. The freedom of art, which we in the Nordic region have taken for granted for decades and developed systems around, is simply under pressure.”

— Frederik Tygstrup, professor of literature and the deputy head of the Department of Arts and Cultural Studies at University of Copenhagen

Engaging with the concept of *Artistic Freedom* is a complex endeavor since it comprises very vast fields of discussion and includes numerous stakeholders who experience, interpret, and engage with freedom of expression in diverse ways from various places in the world. Nevertheless, artistic freedom seems to be one of the most relevant concepts to engage in today, as artistic freedom as a phenomenon is threatened, challenged, and fought on new battlefields.

Issues relating to artistic freedom of expression have gained a new focus in recent years, both in the Nordic countries and globally. International reports show that artists and cultural practitioners are increasingly encountering restrictions on their artistic freedom and attempts to control their artistic practice – a trend that has become even more evident with the outbreak of the Covid-19 pandemic and the tense geopolitical landscape.

In the Nordic countries, the need has also arisen to rethink and revise some of the institutional mechanisms and comprehensive structures that have been built up both to ensure the freedom of the arts and culture and to support their role in the development of society.

At a/nordi/c our aim is to approach the topic from different perspectives to contribute to a more multifaceted and nuanced understanding of artistic freedom in the light of current trends and developments in society. We can see that art and culture speak to, and are influenced by, global trends and issues. This underlines also the need to look beyond national contexts and address challenges in a broader international and global perspective.

ARTISTIC FREEDOM THROUGH FOUR LENSES

a/nordi/c has researched the theme artistic freedom in its living catalogue since spring 2022.

The purpose of the study has been to create a more multidimensional understanding of the concept and to learn more about the changing premises for artistic freedom in the Nordic region and globally by collecting concrete signals from the field.

Together with an international group of artists, researchers and cultural actors (i.e. signal scouts) we have collected over 120 signals to the platform. The signals are anything from new projects, events, behavior or articles – anything that points to existing and new ways of acting and thinking in the field. We have used the four following lenses to guide the collection of signals:

1. Societal context

Acknowledging and promoting the societal value of art has been an important building block in cultural policy and public art funding. In turbulent times, artistic practices are increasingly praised for their therapeutic properties; their power to enable civil action and for being a driving force for sustainable development. These notions often clash with the intrinsic ethos related to art effect do external expectations have on the freedom of artists.

2. Transcultural awareness

Safeguarding artistic freedom has historically been operated from a western point of view. In recent years, a broader transcultural awareness has emerged, bringing new focus on historical and structural modes of exclusion and discrimination. New kind of awareness is also changing the tone of artistic freedom and what is considered legitimate – sometimes at a cost of a very polarised debate. The question is who has the privilege to exercise artistic freedom and on what conditions? Where does the freedom to express tip into hate speech or discrimination, and when does cautiousness to negative reaction turn into self-censorship?

UNESCO DEFINITION ON ARTISTIC FREEDOM

Artistic Freedom is highlighted as a pillar of freedom of expression, protected by international human rights instruments. The United Nations Educational, Scientific and Cultural Organization (UNESCO) understands artistic freedom as a complex area of issues to promote the right of artists and cultural professionals to create, produce and distribute diverse cultural expressions and the right of citizens to have access to these works:

“[a]rtistic freedom entails human rights recognised and protected under international law, including the rights to create without censorship or intimidation; to have artistic work supported, distributed and remunerated; to freedom of movement; to freedom of association; and to the protection of social and economic rights. It is the freedom to imagine, create and distribute diverse cultural expressions free of governmental censorship, political interference or the pressure of non-state actors. It includes the right of all citizens to have access to these works and [it] is essential for the wellbeing of societies (UNESCO 2019, p.2)”

UNESCO has developed specific instruments dealing with the rights and professional standards for artists, demonstrating its role as the UN agency with a mandate to “promote the free flow of ideas by word and image”: The UNESCO 1980 Recommendation Concerning the Status of Artists; and the 2005 convention on the Protection and Promotion of the Diversity of Cultural Expressions.

3. Digital infrastructures

The development of digital platforms and new distribution channels are changing conditions for artists to transmit, share, collaborate and exhibit their works. These platforms offer new opportunities for reaching audiences and monetising works, while prompting new gatekeeper logics and questions around access. All the while the digital platforms are owned by private (and global) companies whose power and interest determine what gets distributed. Furthermore, the possibilities – and limitations – of Web3 are evolving as we speak, and we are yet to understand the complexities and dilemmas embedded in the new landscape.

4. Political structures

The structures that protect artistic freedom play a central role in the geopolitical power struggles that occur when different (inter)national bodies intervene in the artistic freedom agenda. As the geopolitical agenda is transforming, it’s relevant to explore, how (inter)national organizations can safeguard artistic freedom – and how organizations navigate according to the different (and often unequal) levels of artistic freedom?



TWO THEMES

Based on the identified patterns within the signals, four insights have been developed and published in the Living Catalogue.

Two of the insights have also formed the starting point for the two themes in this paper. They are described in the next section.

THE DIGITAL AMBIVALENCE

Technology as an opportunity to empower and constrain

When it comes to technology, the freedom of artistic expression is both dependent on technical and regulatory structures as well as the right usage and implementation of the users.

Right now, there is a gap between artistic freedom in theory and practice. This gap is defined by a grand dilemma: Technology is an opportunity to empower, but at the same time also a tool to constrain, harass or even oppress the artist. We have seen how grand online platforms for music, film, contemporary art, and literature have propelled many otherwise little-known artists to find an audience - but at the same time this has subjugated them to new regimes; the very platforms themselves. These platforms now own the data-driven insights, the relationship to the audience, the censorship power and, in essence, full control over the artist.

In addition, historically, technology has never been evenly accessible: Politically oppressed and poverty-stricken artists have been marginalised from participating in the Internet revolution. A fact that has moulded the fabric and dominant culture of the Internet into an Anglo-centric, often non-inclusive space defined and exploited largely by the desires of large shareholder-owned corporations, often based in the USA and China.

Moving from Web2 to Web3

The journey of the web started with Web 1.0 which was characterized by simple static websites and worked on the basis of search and read. Since then web 2.0 has evolved, and transformed internet from being a medium in which information is transmitted and consumed, to a platform to create, share, reproduce and alter the content. Today the world aspires for a decentralised, blockchain-enabled web 3.0, which is not, unlike web2, run from servers owned by big tech companies. This means that one entity cannot control, shut down or censor the circulated content.

The decentralised nature of Web3 (the protocol on which blockchain is based) holds the potential to generate a fair, transparent, and inclusive ecosystem of exchange that benefits the entire artistic community. It is designed around blockchain technology which in theory, gives the power back to content creators and users. It does not rely upon authorities, or large corporations, and is accessible to anyone. This is the antithesis of the current Web2-protocol, the Internet we know today.

In practice, however, we are already seeing this philosophy starting to derail: The domination of platforms is being transferred to Web3 as found in Web2. This is happening mainly because Web3 still suffers from a high technical learning curve, even for mainstream users.

As a result, new users naturally flock around intuitive-use platforms created by first-moving Web3 companies, who have managed to monetize their early success in trading Web3 assets (so-called tokens) in order to create easy-to-use platforms. They have been successful in creating large publicity campaigns to attract newcomers - also in the artistic space. These platforms now sit in hegemonic positions of control, similarly to what we've seen in Web2.

FIG: INSPIRATION FROM SIGNALS

Will Web3 repeat the same mistakes as Web2?

As tech leaders conceptualise, design and develop the next iteration of the web, now is the time for diversity, inclusion and accessibility to be built into every aspect of its being. There is a lot of talk about crypto, blockchain technology, digital wallets, decentralisation, and the metaverse, but very little about the diverse voices needed to ensure that Web3 doesn't end up as just another version of the same old web, complete with unconscious biases, prejudices, and inaccessible websites.

A collective of Congolese artists created an NFT to fight colonialism

A Congolese art collective created their own NFT depicting a statue captured by imperialists to gesture a reappropriation of the statue that originally belonged to the village.

How tokenised communities – called DAOs – can elevate artists and artworks

Web3 has introduced a new type of organisation, "Tokenised Communities", which promote fundamentally different economic models than the mainstream organisations that preceded them.

Artists and their fans and followers can use new blockchain technology and token-based structures to build mutually beneficial, yet leaderless, organisations that elevate artists and give them artistic freedom and support without censorship, intermediaries, and expensive administrative overhead.

~~ALL THE ART THAT WE DO NOT GET TO EXPERIENCE~~

ANGLES ON CENSORSHIP AND SELF- CENSORSHIP

Public debate about representation, cancel culture, and access has changed the way we understand the concept of censorship in arts and culture. It calls for a more sophisticated understanding of the many ways that artists and cultural creators meet censorship, and it requires cultural institutions to move into a mindset of self-awareness and learning to work within a space of hyper complexity.

In this track we approach the complex questions of censorship and self-censorship from different angles and ask, what kind of societal capabilities are necessary, in order to better enable artistic freedoms for the many.

The term censorship covers a broad spectrum of violations

Freedom of artistic expression is under attack worldwide from different fronts. Even though the international community is still lacking more consistent monitoring mechanisms on artistic freedom, the extent of attacks and threats on artists and creative freedom becomes clearer each year.

In 2021 a record-high amount of violations of artistic freedom were documented, with cases ranging from censorship, legal consequences to harassment and even murder. This shows us how in times of political and military conflicts and instability, and with democracy under pressure, arts and culture are key in maintaining constructive dialogue becomes ever more evident. The signals collected for the Living Catalogue show that the roads to censorship and cancellation are many. Examples vary from explicit censorship to different modes of self-censorship where artistic work is being adjusted or amended in order not to upset funders, commissioners, or the wider audience. While in some cases artistic work poses questions of life and death, other times the reasons for disqualification seem to be more symbolic, motivated by a will to signal a clear message to the media, political community or wider audience. For example, in spring 2022 in the wake of the Russian invasion of Ukraine prompted a fast removal of Russian artists from exhibitions and programs with little time to consider the full complexity of the situation.

The difficult balance between artistic freedom and other cultural rights

Debates on censorship and cancel culture are often also centered around the question of how absolute that right to artistic freedom should be. The complexity of this area becomes clear in cases where artistic freedom is encountered with other cultural rights that are activated to fight against cultural exclusion, discrimination and marginalisation. A recent example comes from Germany where the major exhibition *Documenta Fifteen* was called to cancel a screening of films amid ongoing accusations of anti-Semitism by its own advisory committee.

The signals point to a future where artists, curators and exhibitors are increasingly expected to defend artistic judgements and curatorial decisions, as well as react to external critique from different sides of the public sphere. In times of radical change and increasing complexity new types of skills are required, emphasising communication, sensitivity and discipline without compromising the artistic integrity of the work.

The discussions are complex

The collected signals illustrate the difficulties of analysing and documenting the full extent and impact of restraints on artistic freedom. In international reports the focus is often on concrete cases of censorship and cancellation of art works, while in reality artists often meet several, more indirect and subtle obstacles before the work is even finalized or exhibited. As Sara Whyatt, researcher and advocate on freedom of artistic expression and human rights puts it in her contribution to IFACCA's report on *Artistic Freedom*:

"When I am told that there are few artists in prison and, by implication, that there is little to be concerned about, I reply that there are several hurdles that need to be jumped before an artist's work gets noticed by the authorities or angry mobs."

The examples underline how the safeguarding of artistic freedom entails that its value is understood in a wider societal context; as a right that matters to the whole society and not only to a narrow group. According to cultural manager and activist Basma El Husseiny the root cause for censorship or other attacks on artistic freedom is a social environment that does not value freedom of expression:

"It is impossible to defend and protect freedom of expression in a social environment that is oblivious, or even hostile to it. In this kind of environment, self-censorship easily becomes the norm and it also becomes easier to imprison artists or legalise censorship."

New type of responsibility is required

Taking representation seriously is a new normal that any institution must be able to live up to. But recent examples show that this strategy falls short in a global and complex world, where identity, politics, gender and ethnicity are not static categories that we can "check-list" our way around.

Looking to a brighter future for artistic freedom and expression, embracing complexity is key. Influential institutions and individuals need to be able to enter into dialogues and self-reflection that critically examines our own biases and privileges. As the broader public, we all hold a responsibility to allow institutions to not have ready-made political answers to complex issues of censorship, but instead to open up the space of institutional vulnerability and ambiguity that will allow for an actual development.

FIG: INSPIRATION FROM SIGNALS

Zambian musician and activist “Pilato” arrested for speaking out on government graft

Artist seeks asylum after releasing song criticising the ruling government. Pilato left Zambia after receiving threats from supporters of the ruling party, the Patriotic Front, as a result of his hit song “Koswe Mumpoto”. In the local Bemba dialect, the song title means “rat in the pot”. Supporters claimed the song accuses President Edgar Lungu and his ministers of corruption.

Who's censoring who?

Kunsthall Charlottenborg's decision to remove system-critical Russian artist from an exhibition caused a SoMe-outrage that eventually led the executive board decide to re-exhibit Russian artist.

Major contemporary art exhibition refuses allegations of anti-semitism

An advisory committee for Documenta Fifteen called for the cancellation of a screening of films produced by the artist collective Subversive Film amid ongoing accusations of anti-Semitism. The organizers responded that the calls for cancellations were “censorship.”

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