

# A Provocation on the Possibility of Intellectual Freedom Today: Universal Declaration of Human Rights

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Universal Declaration of Human Rights, Article 19:

*Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.*

— United Nations General Assembly resolution 217 A, Paris, 10 December 1948<sup>1</sup>

Born out of the gigantic catastrophe that was the mid twentieth century eruption of European fascism in partnership with Japanese statism, the post war notion concerning the unrestricted expression of ideas was and still is an aspirational ideal in the humanist struggle against the totalitarian tendencies seemingly inherent to so many of our modern political systems. Article 19 gave this brave new world a very succinct and apparently universal legal definition of intellectual freedom. Universalism here of course means the one size fits all, liberal humanist freedoms guaranteed by the Allied victors of WW2, or at least their Western European bloc. The Soviet bloc along with apartheid South Africa and Wahhabi Saudi Arabia all abstained. While constitutional racism and Sharia restrictions apparently motivated the latter two abstentions, the Soviets

cited the deficient renunciation of fascism for their refusal to support the UN declaration of universal intellectual freedom.<sup>2</sup>

Given that the USSR had borne the brunt of NAZI aggression in the German war of extermination (*die Vernichtungskrieg*) against the Slavic peoples in the East it is perhaps understandable that, having won the Great Patriotic War (*Velikaya Otéchestvennaya voyná*) at the cost of upwards of 20 million citizens, the Soviets might then want to utterly suppress the freedom to express fascistic opinion. One might even say justifiably so given the various post war denazification laws enacted throughout Western Europe. One might also suppose that Stalin's Eastern European bulwark against any possible future Western European aggression against the USSR, with its 'iron curtain' mass surveillance police states all the way to Berlin, would also probably require the restriction of the freedom of those Eastern European peoples to express a desire to join the West instead.

Article 19 and its universal declaration of intellectual freedom thus belongs to the historical beginnings of the Cold War, in the midst of the Berlin airlift, four months before the founding of the NATO military bloc and still ten long months before the USSR acquired the mutually assured protection of the atomic bomb.<sup>3</sup> From the post WW2 perspective of the victorious non-Western Allies, it is perhaps not surprising that the unilateral declaration of the universality of Western values could be seen as at best diplomatically naïve, and at worst an aggressive declaration of propaganda warfare designed to undermine the stability of the fragile post war order in the East.

So where does Article 19's politicized quasi-universal intellectual freedom stand today? At the other end of the decades long Cold War, in the last decade of the 20th century it was Western Democratic values as exemplified by the US global super power and its exceptionalism that emerged victorious over Communist totalitarianism. And today, after a quarter century of this undisputed unipolar new world order, we live in a somewhat estranged geopolitical world defined by unilateral US/NATO military adventurism driven by the atrocities of 911 and the Global War On Terror that it gave birth to, including the carpet bombing of Afghanistan and a technical Supreme Crime of Aggression against Saddam Hussein's Iraq.<sup>4</sup> In the last 15 years our exceptional Western freedoms have been constantly extolled by our politicians, paradoxically alongside their ongoing and unfettered development of Total Information Awareness systems of governmental mass surveillance<sup>5</sup> fuelled by the exponential growth of our digital lifestyles and the suppression of whistle blowers.

In the meantime, Salafist Islamic fundamentalism, apparently still incompatible with Article 19's invocation of Western intellectual freedoms, while supported by the West in the 1980's Afghanistan war against the

Soviet occupation then became the enemy post 911<sup>6</sup> and thus a justification for the culture of said mass surveillance; as well as for the use of torture and 'extraordinary rendition'; and Western military adventurism abroad including the use of extrajudicial execution by remote drone. The human rights of Salafi fundamentalist 'freedom fighters' were then supported again in the 2011 NATO military intervention against Qaddafi's Libya<sup>7</sup>, which once democratically liberated from the dictator collapsed into an ongoing sectarian and very undemocratic civil war. Following on this Libyan model of regime change via 'creative chaos' we currently have the West's support of the Saudi funded 'moderate opposition' in Syria dominated by immoderate Al-Qaida affiliates<sup>8</sup> and their ideological offshoot the Islamic State<sup>9</sup> in the regional war to topple the secular, democratically elected and Syrian Sunni majority supported President Assad.<sup>10</sup>

Various justifications for supporting these rather undemocratic series of violent regime changes, such as the notion concerning the Responsibility to Protect (R2P) and the necessity of 'humanitarian intervention', have been used to not only completely undermine the concept of state sovereignty that laid the foundations of post WW2 international law and order, but also to explain and excuse Western military adventurism, both proxy and direct, to an increasingly war weary and confused Western public. Add in the 2008 Global Financial Collapse with the biggest wealth transfer in modern history from the Western middle classes to their wealthiest elites,<sup>11</sup> followed by the ongoing Great Recession,<sup>12</sup> along with the accelerating militarization of the West's foreign and domestic affairs,<sup>13</sup> one could be forgiven for thinking that our much vaunted Western freedoms are merely a propagandized semblance of freedom. From this 21st century perspective one might say that Western Democratic freedoms have evolved since the defeat of Fascism in WW2 to become merely a secular opiate for the West's increasingly impoverished masses, as well as an increasingly transparent cover for its blandly hypocritical political systems that are slowly morphing into a form of 21st century corporatist fascism under the police state rule of a globalized plutocratic 1%.

And yet Article 19 remains, and we are still more or less free to hold anti-fascist, anti-imperial or any other pro or anti opinion about the current status of our Western intellectual freedom, at least for the moment. Increasing access to the internet has also given us unprecedented freedom to seek and receive information and ideas from around the world, across diverse communities and far beyond the confines of officially sanctioned Western wisdom and its postcolonial universalities. We are also still more or less free to express those opinions, if not directly in our rather sanitized and corporatized mass media then at least in its comments sections and in the wider non-corporate internet. Our

freedoms may be dissipating into the mere semblance of freedom, or worse, our freedoms while real may simply be powerless and thus irrelevant. Whatever the case may be or will become, one might say that Article 19 has survived its historical origins and remains as a basic human right, and more, as a global civic responsibility to continue to freely hold opinions even in the face of mass surveillance; and to keep seeking, receiving and imparting information and ideas beyond our propagandized corporate media and regardless of the plutocratic radicalization of our political, judicial and economic institutions.

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<sup>1</sup> Retrieved from <http://www.un.org/en/universal-declaration-human-rights/>

<sup>2</sup> For an interesting discussion of the 8 abstainers see Johannes Morsink, *The Universal Declaration of Human Rights: Origins, Drafting, and Intent*. University of Pennsylvania Press, 1999: 21-28.

<sup>3</sup> Churchill's nuclear first strike sentiments against the USSR are well documented, most recently in his 1947 statement to US Senator Styles Bridges urging him to tell Truman "that if an atomic bomb could be dropped on the Kremlin wiping it out, it would be a very easy problem to handle the balance of Russia, which would be without direction", cited in Thomas Maier, *When Lions Roar: The Churchills and the Kennedys*, Crown/Archetype, 2014.

<sup>4</sup> See for example Kramer, Ronald, Raymond Michalowski, and Dawn Rothe. "The Supreme International Crime: How the U.S. War in Iraq Threatens the Rule of Law". *Social Justice* 32.2 (100) (2005): 52-81. However, while the US, UK and Australian led 2003 invasion of Iraq is technically a Supreme Crime of Aggression by the Anglo-American powers, and therefore also a de facto renunciation of the UN Charter and the post WW2 foundation of international law and order, the alleged crime is unlikely to ever be successfully prosecuted due to the veto power of the two permanent UNSC member nations.

<sup>5</sup> For a discussion of the 'Five Eyes' global network see Christopher Parsons, "Beyond Privacy: Articulating the Broader Harms of Pervasive Mass Surveillance". *Media and Communication*, 2015, Volume 3, Issue 3: 1-11.

<sup>6</sup> For an interesting history of US and Al Qaeda relations see Nafeez Mosaddeq Ahmed. *The war on freedom: how and why America was attacked, September*

11th, 2001. Joshua Tree, Calif.: Media Messenger Books, 2002. Cited by the US Government's 911 Commission, <http://www.archives.gov/research/alic/special-collections/9-11-commission.html> and downloadable from [https://wikispooks.com/wiki/File:The\\_War\\_on\\_Freedom.pdf](https://wikispooks.com/wiki/File:The_War_on_Freedom.pdf)

<sup>7</sup> See <http://www.theguardian.com/world/2016/jan/07/gaddafi-warned-blair-of-threat-from-opening-door-to-al-qaida>

<sup>8</sup> See the UNSC Resolution 2249 (2015) regarding terrorist affiliates of Al-Qaida in Syria such as the Al-Nusrah Front. [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2249\(2015\)&referer=http://www.un.org/en/sc/documents/resolutions/2015.shtml&Lang=E](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2249(2015)&referer=http://www.un.org/en/sc/documents/resolutions/2015.shtml&Lang=E)

<sup>9</sup> The nascent Islamic State was also apparently supported, at least in principle, by the US Pentagon as an anti-Assad asset as early as 2012, see <http://www.judicialwatch.org/wp-content/uploads/2015/05/Pg.-291-Pgs.-287-293-JW-v-DOD-and-State-14-812-DOD-Release-2015-04-10-final-version11.pdf>

<sup>10</sup> See <http://www.usatoday.com/story/news/world/2013/08/01/syria-sunnis-assad/2599927/> also <http://www.theguardian.com/commentisfree/2012/jan/17/syrians-support-assad-western-propaganda> and the West Point Academy article <https://www.ctc.usma.edu/posts/syrias-sunnis-and-the-regimes-resilience>

<sup>11</sup> For a discussion of global oligarchic wealth divergence see Thomas Piketty, *Capital In The Twenty-First Century*. Translated by Arthur Goldhammer. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 2014, p. 463.

<sup>12</sup> See Laurence M. Ball. "Long-Term Damage from the Great Recession in OECD Countries". *NBER Working Paper* No. 20185, 2014. Retrieved from <http://www.nber.org/papers/w20185>.

<sup>13</sup> See Coyne, Christopher J. and Hall-Blanco, Abigail R. *Foreign Intervention, Police Militarization, and the Impact on Minority Groups*, 2016. Retrieved from <http://ssrn.com/abstract=2729295>.