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Conference Paper Title:

'On the role of Artistic Freedoms in protecting fundamental Human Rights'

Delivered at Human Rights Conference 2020: Lawyers without Borders Student Division Aberdeen University, Friday 6th March 2020.

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Please note: this was a paper written to be spoken at the above event. It was accompanied by 15 Power point slides, which cannot be reproduced here for reasons of copyright.

Thank you for inviting me to this important conference: my field is Cultural Policy Studies, which is a way of researching and looking at culture primarily framed with policy — and I understand policy in terms of dynamic relations between law, institutions and organisational fields (such as the cultural sector, creative economy, or art worlds). I am not a lawyer but work with a lawyer as Co-editor in Chief of the *Journal of Law, Social Justice and Global Development* (which has its origins in Warwick Law School). You may download the special issue of 2018 [pictured], on Cultural Rights, which I edited (Vickery, 2018); the issue was started in 2018 while I was a visiting professor at the UNESCO Chair in Hildesheim, Germany, known for their Arts Rights Justice Academy — a port of call for anyone interested in downloading some more material pertinent to the subject of artistic freedom and human rights [see URL in the References below].

If I may, I also refer you to the central text representing a cultural policy approach to human rights and artistic freedoms in *The Wroclaw Commentaries* (2016).¹ In the written version of this paper, I (will) also include an appendix, where I have tabulated the relevant articles of the International Bill of Rights specific to artists and their freedoms [see Appendix].

My first point human rights may be defined by clear objects of analysis — international treaties and their legal instruments, for example [and in relation to artistic freedom, Article 15 of the ICESCR] — but they function in a less defined, more complex, multi-dimensional way. Human rights as a body of knowledge is affected and effective only by the use of language and interpretation, narratives and communication, expressions and specific insights into human experience. That may seem an obvious, if not pedantic, point. For me, as a cultural researcher, it is significant. In her article, 'How the Visual Arts Can Further the Cause of Human

Rights', Catherine Craven tells how The South African Truth and Reconciliation Commission's Human Rights Violations Committee (from 1996-1998), while admirable, could never quite identify and encompass the expanse of human experience that expressed profound human rights abuse (Craven, 2011: 4-6). This is, on the face of it, why art may have a role, not simply as expression or therapy, but in building what Stanford Law professor Lawrence Friedman calls a "human rights culture" (Friedman, 2011). I also refer you to UNESCO's 2001 *Universal Declaration on Cultural Diversity* (UNESCO, 2001) where being *human*, in a way human rights law is conceptually emphatic, is most effectively articulated through culture. Declaration Article 5 indicates that the human rights work of culture is in creating an "enabling environment". This is what I want to explore in this paper.

To reiterate my last point: Human rights can be *deceptively clear* to lawyers, yet endlessly mutable to others. In Jack Donnelly's phraseology, Human Rights involve a "relative Universality": the universality of 'the human' cannot ground absolute rights-claims with a transparent and incontestable sense of legitimacy. Rather, human rights are always composed of "multiple defensible *conceptions*" and "many defensible *implementations*" (Donnelly, 2007: 299). There is something of human rights that requires *the local*, or points of social engagement that lend the legal process its access to the particularity of individual experience. Yet, even the expanding analytical appropriation of key human rights concepts, (as Kirsten Hastrup's 2003 chapter on 'the limits of legal language' indicate), while achieving legally significant diagnostic particularities, always fall short of articulating the complexities of common experience (both the 'everyday' dimensions of human suffering and the commonality or collective experience of living in a social space or culture subject to such abuse: cf. Hastrup, 2003). Indeed, if we consider the linguistic phraseology of the Universal Declaration of Human Rights (hereafter, UDHR, which was arguably not written in any specific legal terminology but is 'ordinary' indicative-empirical and descriptive), we need to acknowledge that our seemingly self-evident notions of 'human rights abuse', which so dominates our understanding of the operational efficacy of human rights law, remains opens to broader (socio-cultural) registers of meaning, all which appeal to something like *the ways being fully human are, or can, be prevented, yet could be enabled*. It is perhaps for this purpose that the expansive political concepts of *freedom* and *self-determination* are so central to

the UDHR. For what is at stake in the UDHR is not simply a vulnerability to abuse or cruelty, but a suppression of 'the human' itself.

Politically, 'freedom' is another such hugely complex concept, of course, and my view here is that artistic freedom is not something analytically separate from *cultural* rights more generally. For cultural rights, as a growing body of human rights application, (starting with Article 27 of the UDHR, and henceforth by virtue of human rights instruments defining 'the cultural' as a public, social and legal category), situates art as a category of the cultural and henceforth defines culture as intrinsic to public policy and a society's working conception of the public realm, institutions, public opinion, and political participation. This is to say, understanding human rights in a cultural rights framework (in human rights discourse, it's the other way around, of course) will afford us a fuller and more concrete understanding of what the socio-cultural conditions of being a fully free human being are.

This train of thought occurred to me vividly in the summer of 2018, when someone I had recently met at a British Council event was arrested in his home city of Dakar (Bangladesh) and interned for over 100 days on non-specific charges. Interestingly, Shahidul Alam was not arrested on account of his breaching the norms or legal limits of artistic freedom, but for voicing his indignation against government. Yet he was not a political actor: he was, truly, an artist, and an artist of some independence of mind. What occurred to me when I heard of his arrest, was that his exercise of artistic freedom was nonetheless central to his persistent voicing indignation against government. Alam, the artist, emerged as a major spokesperson for the oppressed of the world by using artistic freedom for a purpose: he developed his profound sense of mission, identification with, and a voice on behalf of, the poor and dispossessed in his country and around the world *through* his commitment to artistic freedom. In other words, artistic freedom was a means to an evolving *political agency*, as much as an individual artistic sensibility (or individual expression: arguably, they cannot be separated in Alam's work).

My second point then is that human rights law, in taking the *individual* as a fundamental point of reference (an historic achievement, of course), can nonetheless lead us to a misleading and exclusive conception of freedom and self-determination

in art and culture — in terms of individual artistic sensibility (what the artist unilaterally decides to do, or want to communicate, and so on). Shahidal Alam's work, for me, exemplifies the trans-individual meaning of human rights — how freedom and self-determination in art opens onto a sense of political agency, of art demanding that we understand the broader socio-cultural conditions of our freedom or need for freedom.

I want to underscore this point with reference to a recent work I was involved in, in the city of Coventry (where I work). The cultural campaign #HumansOfCov was launched by the City of Culture Trust in December of 2018 to mark the 70th anniversary of the UDHR. A panel of artists and cultural managers selected 30 writers, poets and artists to create a piece of work about each individual Right, preferring artists whose proposal and medium maintained a specific sense of its subject being the city's 'public' — whether the elderly, school children, refugees, or other identifiable constituency. It was a complex year-long project, and its several features provide me with two observations: (i) based on brief empirical research, the project began with a strong sense of the *lack* of public knowledge on human rights, particularly international law and its application. I was specifically interested in this, as a concurrent research project I was running similarly found that even cultural managers in the city had little explicit knowledge of human rights (the International Bill of Rights or international law per se). A reason for this was not necessarily an educational neglect, but that the established frameworks of the UK Human Rights Act of 1998 and the Equality Act 2010 – the central rights-based charters to govern UK domestic law and public policy — had effectively eclipsed international law in the public consciousness.

And (ii) a primary aim of the #HumansOfCov project was to make the articles of the UDHR a topic of public conversation, something, quote, "everyday" [and for a comparable approach we may refer to the excellent work of the York Human Rights City project]. For Coventry, a city with a past history of community activism, an invigorating public discussion on human rights became a catalyst for recovering a social vision for change in relation to human fulfilment. I would even make the theoretical assertion that #HumansOfCov uncovered the original purpose of the UDHR: this purpose was not to diagnose, indict and prosecute, using a new legal

instrument; it was to articulate the fundamental socio-cultural conditions for human freedom and self-determination. It was a broad socio-cultural vision of an optimally functioning society. This great social vision has arguably been eclipsed, and eclipsed not principally by dictators or human rights abusers but by false conditions of human freedom and self-determination we all take for granted (the 'freedoms' of consumer prosperity offered by the advanced market economy, industrial infrastructure, global media technology and apparently unlimited vocational opportunities offered by prestigious higher education institutions).

In this view, human rights has become a 'high profile' legal discourse not just because of its success in apprehending human rights abuse, but because of the ruse of individual freedom and self-determination as internal to our Western economies of surplus capital, individual prosperity and optimal functionality. (This is the 'culture' of *individualism*, requiring the atomisation of property rights and validation of individual self-interest over and against the common good: see Steven Miles' *Consumerism: as a way of life* of 1998). The result is a heightened priority of the self-actualisation of the individual and a reduced understanding on how individuality itself is socially, historically constructed through socio-cultural conditions of common and public welfare, institutions, discourse and a consensus on ethics. We can be misled by how advanced capitalism has favourably played host to human rights discourse, indicating perhaps that there is something intrinsically rights-based about liberal market values. Rather, the socio-cultural terms of the UDHR requires no such advanced societal development: the least developing country, understanding this, could stand no less chance of developing a 'human rights culture' favourable to its otherwise poor populace and citizenry. We need therefore to discern the crucial lines of difference between the 'individual' of human rights and the individualism of our now vast globalised consumer culture (and understand how and why 'artistic freedom' in the way we define it in the West is not entirely intelligible in some cultures, nor perhaps desirable in others).

There were many events during the 'human rights year' in Coventry, two of which were nationally significant. One was the travelling participatory project, The Empathy Museum (produced by London cultural producers, Artsadmin), which remained in the central Coventry city square. The Museum's project in Coventry was 'A Mile in My

Shoes', where the 'museum' was presented as a shoe shop-like container in the city square, inviting visitors to don someone's shoes and walk a mile (or enough distance) to listen with headphones to a life experience story, perhaps of a Syrian refugee living in the city, an elderly person who remembers the Second World War, and so on: each story was interconnected to one of the 30 UDHR articles. By implication, 'empathy' was presented as an essential component of this local public consciousness of human rights, and such a public or collective empathy began with narratives and testimonials of the lives of others. [cf. Schaffer and Smith (2004), on 'Life Narratives in the field of Human Rights']. 'A Mile in My Shoes' made empathy both public, accessible, and socially compelling (at least, perhaps more than, say, a public lecture on human rights, or a documentary on human rights abuses or oppressive regimes — as critically important as these productions are).

The second event I wish to refer to was the now-nationally publicised 'Fly the Flag' week (of 24-30 June), again marking the 70th anniversary of the UDHR. Dissident Chinese artist Ai Weiwei was commissioned by a London theatre production company (Fuel) to design and create a flag for human rights. The flag became a symbolic centre of celebratory events over the country, and went 'viral' and could soon be seen all over the world, to some extent indicating the power of human rights discourse in forming a global public sphere. In a statement in a promotional video on the project, WeiWei stated that "Human Rights is not a given property, but rather something we can only gain from our own defence and our own fight" [*Quote from: https://www.youtube.com/watch?v=MaQemw1rCrl&feature=emb_logo. (accessed 13/02/2020)*]

WeiWei's flag design is a graphic interpretation of a human footprint, one of the most elemental imprints (in semiotic terms, an index) of a human being, originally drawn in cooperation with a Rohingya refugee. For Weiwei, the foot was symbolic of basic existence, qualifying one for the 'rights' of a human. But herein lay an irony — is a footprint adequate as a symbolic statement on 'the human'? As Italian Philosopher Giorgio Agamben has it, modern society has conflated human *living* with the *life* of physical existence (and the material factors of welfare that sustain our biological life). Agamben's concept of "bare life", which he often relates to the state of destitution of a refugee, relates to how our conception of life (internal to our conception of 'human')

is insufficient and insufficiently informs our concept of ‘the human’, as is the world’s ever continuing attempt to deliver human rights to refugees in urgent need. We require, with Agamben, a conception of the human that is animated by the “lived” or the socio-cultural processes of *being* human (as a dynamic evolution towards our own self-determined fulfilment as human beings). [cf. Agamben’s *Homo Sacer: Sovereign Power and Bare Life*].

There’s no specific mention of “art” or artistic freedom in the UDHR or the two 1966 covenants that make up the Bill of Rights. Although 13 of the 30 articles of the UDHR have been used by UNESCO in a range of contexts, explicitly in UNESCO’s 1980 *Recommendations on the Status of the Artist*, the normative content on which it is still working (UNESCO, 1980).² Their recent ‘global report’ entitled ‘Culture and Working Conditions for Artists’ (UNESCO, 2019) reminds us how UNESCO has maintained a significant historic relation with the UDHR and human rights practice [cf. the issues of *The UNESCO Courier* dedicated to human rights, from 1952, 1968 and 2018; UNESCO’s Strategy on Human Rights, 2003; UNESCO Committee on Conventions and Recommendations, 2020 edition]. UNESCO’s emphasis, significantly, is not just on the immediate individual liberty of the artist (and their freedom to produce what they think or imagine to be appropriate or necessary); their emphasis is on *the conditions of artistic production* — a cultural policy framework in that it involves the relation between law, institutions and organisational fields. Artists are not cast as lone creators producing hermetic works of art that have a pure independent value; they work within a morally and legal complex economy of culture, shot through with what Foucault famously called ‘governmentality’ (or matrices of human power and interests organised to form systems of order and value). In this context, law itself is not to be understood simply as *rule* or *regulation* but as an embedded dynamic of meaning playing an orientating role in the evolving institutional systems and economic structures of society. Article 1 of the International Covenant on Civil and Political Rights places “self-determination” as a fundamental feature of social life, and continues with the sentence “... By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.” This set of processes arguably cannot itself be prescribed by law, and even when it is read in terms of an evident, historical or empirical legal statement, it remains indelibly open-ended, appealing to a broader and as yet

defined socio-cultural depth of potential activity and agency. The Council of Europe, with a modicum of success, has established a 'Cultural Parliament', but broader forms of *political representation* remain open questions for artists the world over, as does their status in their economy (in relation to taxation, lack of unionisation, precarious working conditions, and so on).

UK domestic law is not short of relevant strictures policing artistic freedom: [re: photo of a busking artist chalking messages of freedom on the pavement, taken by my student as we walked through Trafalgar Square in central London, January 2020]. Busking artists often write expressive text or images on a street pavement or city square, albeit in temporary medium such as chalk. On one occasion one of my students asked me if they were "allowed" to do that... or, would they be shunted on by the Police. I directed them to the UK's local licensing for artists and musicians but then began to ponder the many legal restrictions already facing the street artist. Some 'restrictions' are traditional, like Obscenity laws; some are new and more diffuse, like Hate Speech or the many Terrorism offences.³ But authorities are not forthcoming in delineating common prohibitions from the fundamental human right when it comes to expression. Where are human rights protections within the domestic legal limits on cultural expression? There is no explicit guide to this, and artists tend to steer clear of these limits, generating a pervasive self-censorship by default.

The NGO Freemuse, in their latest report on artistic freedom in Europe (published January 2020 and called '*Security, Creativity, Tolerance and their Co-Existence*'), points the finger even at the UK (Freemuse, 2020). Last month (January 2020) also saw the publication of a unique and timely 'Freedom of Expression' report by principle UK cultural sector magazine, *Arts Professional*. Its survey of artistic freedom revealed a huge rise in censorious attitudes on the part of cultural organisation management, stakeholders and national funders. This apparent decline in artistic freedom has provoked the setting up of a new 'whistleblower' website soliciting confidential reporting [see references], as a primary problem is the sector's own self-censorship.

An explicit association of art with freedom was once thought to be European romanticism, and historically it often was. But this association remains a critical one and bound up in the legal limits of the internet and social media, and where advocacy organisations like PEN and Index on Censorship see their research on freedom of expression ever expanding. Yet, in the recent report of the UN Special Rapporteur on Cultural Rights — on the role of *Human Rights Defenders* — artists or cultural workers do not themselves play much of a role as agents of human rights (UNHRC, 2020); artists or cultural workers tend to remain vulnerable and potential victims, despite the vast range of arts and cultural institutions in the world that make up a global cultural economy of increasing prestige. Few cultural institutions — and few universities, scientific institutes or other powerful institutions of knowledge — engage consistently in actively defending human rights in the realm of arts and culture.

The Special Rapporteur in Cultural Rights was established by the UNHRC in 2009, the first of whom was Pakistan feminist sociologist Farida Shaheed. In time, the subject of her routine reporting to the UNHRC moved to the subject of artistic freedom, exemplified by her major report of March 2013 ‘The Right to Freedom of Artistic Expression and Creativity’ (UNHRC, 2013). What is notable about this otherwise landmark report, is the ambiguity in defining cultural freedom in both legal and artistic terms; indeed, it is an historical irony that much of the most exciting and challenging works of art that populate our Western histories of art were (and often still are) created under conditions of restriction, repression and authoritarian government. As I indicated above, the “freedom” of art is not an ontological realm of unlimited or unfettered artistic will. It must be understood as intimately interconnected with ‘the human’, and human rights discourse allows us to form an articulate view on the socio-cultural conditions of the freedom required to activate ‘the human’ in a way that is empowered enough to build an optimally functioning society.

The implications of Shaheed’s report, is that artistic freedom is always a dynamic series of positions, discursive meanings, representations and expressions, indissolubly involved with the artist’s relation to publics, audiences, institutions, and society. And it is this direction of travel that Shaheed’s report takes me — that

human rights is not an absolute solution to complex problems of authority, power and culpability. It is not only the preserve of expert lawyers, or takes the form of state or judicial patronage. Human rights is animated by a sublime purpose (as noted in the UDHR) — to define the conditions for the freedom and self-determination required for building the kind of society in which we can attain to a full realisation of ‘the human’. And it is a task perpetual, defined by philosopher Jean-François Lyotard in his collection of lectures and essays translated as *The Inhuman* (1988). The human, in the world we have constructed, of global market capitalism, is only ever in a process of recovery and re-discovery; it is never simply transparent or available or enforceable by law. In the words of Ai Weiwei, it is “..something we can only gain from our own defence and our own fight”.

Referring back to my examples, then, and in direct response to the subject of this conference: artists can play a role in the protection of fundamental rights by (i) public education and cultivating a public and intellectual comprehension of the meaning and function of human rights; and (ii) creating everyday experiences that pertain to human rights (such as empathy). In tandem with this, academics, researchers and intellectuals need to work with artists and cultural producers in (a) identifying the human rights protections and ‘red lines’ within the increasing complexity and enforcement of domestic laws, and defending cultural freedom along those lines; and (b) inspiring a militant internationalism, whereby domestic law is never allowed to eclipse or make international legal conventions a matter of domestic governmentality. The UDHR is exemplary in that it was able to evolve into a legal document but was itself a profound declaration on the socio-cultural conditions of human fulfilment.

Notes

1: *The main legal instruments for human rights in the cultural realm are usually cited as follows:*

The Constitution of UNESCO (1945)

The International Bill of Human Rights (UDHR/ICESCR/ICCPR).

UNESCO Protection of Human Rights: Procedure 104 (1978)

Universal Declaration on Cultural Diversity (UNESCO, 2001)

The Fribourg Declaration (UN, 2007)

UN Convention on the Protection and Promotion of the Diversity of Cultural Expressions (UNESCO 2005)

[cf. also Intellectual Property Rights, starting with The Berne Convention for the Protection of Literary and Artistic Works, 1889, currently operating within the WIPO Copyright Treaty (WCT) of 1996 and a patchwork of other bilateral and international trade agreements].

The Fribourg Declaration (UN, 2007) began a UNESCO sponsored research project, to determine the full spectrum of human rights law pertaining to arts and culture. Its resulting Declaration determined the full scope of culture as a human right, and can be listed as follows:

- (a) human creativity in all its diversity and the conditions for it to be exercised, developed and made accessible;
- (b) the free choice, expression and development of identities, which include the right to choose not to be a part of particular collectives, and the right to exit a collective, and to take part on an equal basis in the process of defining it;
- (c) the rights of individuals and groups to participate, or not to participate, in the cultural life of their choice, and to conduct their own cultural practices;
- (d) the right to interact and exchange, regardless of group affiliation and of frontiers;
- (e) the rights to enjoy and have access to the arts, to knowledge, including scientific knowledge, and to an individual's own cultural heritage, and that of others; and
- (f) the rights to participate in the interpretation, elaboration and development of cultural heritage and in the reformulation of cultural identities (A/HRC/40/53, para. 15).

2: See also one of the sources of this document, UNESCO's 'Recommendation on Participation by the People at Large in Cultural Life and their Contribution to It' (November 1976).

3: 'Hate' is a legal category fraught with political ambiguities; there is no one 'hate' bill of law, and hate speech is a distinct legal category from hate acts. Other pan-European categories of law are as follows [this list is not exhaustive]:

- Obscenity (e.g. pornography) (all countries, less EU)
- Copyright/IP – national and international (all countries)
- Libel, Defamation and Slander (all countries)
- Offending the State (e.g. Turkey and many others)
- Blasphemy (many Islamic countries; traditional Christian)
- Offending the Church (e.g. Greece)
- Confidential information (e.g. state security; military: all)
- Theft or appropriation (e.g. Nazi confiscated art; inconsistent)
- Hate speech (EU; USA)
- Terrorism offenses (e.g. glorifying terror; most)

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The Empathy Museum

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Fly the Flag project (Fuel)

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Appendix

THE INTERNATIONAL BILL OF RIGHTS AS RELEVANT specificity of the artist and artistic production, with reference to the relevant UNESCO recommendations and the 2005 Convention on cultural diversity.

Universal Declaration of Human Rights (1948)

International Covenant on Civil and Political Rights (ICCPR, 1966)

International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966)

Recommendation on Participation by the People at Large in Cultural Life and their Contribution to It (1976)

Recommendation concerning the Status of the Artist (1980)
The UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)

UNDHR (1948)	ICCPR (1966)	ICESCR (1966)	Observations with reference to the UNESCO RECOMMENDATIONS (1976 & 1980)
<p>Article 1: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." Article 2: "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind...."</p>	<p>Article 1: (i): "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." Article 6: (i): "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life."</p>	<p>Article 1: (i): All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." Article 2: (i): Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures." Article 27 In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language."</p>	<p>Art as an expression of freedom, requires recognition as such (and not to be confused with other freedoms or marginalised as a non-substantive form of social life). Artistic self-determination has aesthetic and economic dimensions, and these cannot be completely disassociated in policy. Artists may assume a political status as artists, not simply as citizens. The making of a particular form of art or a particular work of art should not attract a totalising condemnation, as it remains part of a cultural development (and is never an absolute statement or can assumed to 'represent' the person of the artist <i>in toto</i>). An artist can never be assumed to be equivalent or entirely responsible for the content of their art. Artistic and the expression and production of meaning, is universally significant, and must be accessible to all – this is the basis for (artistic) community and the right to community for artists. To be an artist is a form of cultural identity, but does not supplant or is necessarily prior to other identities the artist may hold or pertain to. An artist cannot be assumed to be equivalent to an artistic community, group or any association to which they belong or are associated with.</p>
<p>Article 3: "Everyone has the right to life, liberty and the security of person." Article 22 "Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and</p>	<p>Article 9: (i): "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law." Article 22</p>	<p>Article 6 (i): The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right." Article 8</p>	<p>Insofar as the subject of art is fundamental human perception, sensation and feeling, visual communication and expression, it is internal to human liberty. Art is a vocation – no one can demand one to be an artist, or demand an artist cease from being an artist. Art is labour, employment, commerce, trade, a profession, and requires the same social (welfare, e.g.) or economic (taxation, e.g.) conditions of support as any citizen engaged in labour. If labour markets do not exist for artists,</p>

<p>resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.</p> <p>Article 23 (i): Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment. (ii): Everyone, without any discrimination, has the right to equal pay for equal work. (iii): Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. (iv): Everyone has the right to form and to join trade unions for the protection of his interests.</p> <p>Article 24 Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.</p> <p>Article 25 (i): Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. interests.</p>	<p>(i): Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.</p>	<p>(i): "The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others.</p>	<p>they should be created. Artists can defend their interests through collective unionisation and legal activity. Artists require a framework of social security. Artists should not be arrested, detained or accused of criminality on the basis of laws whose subject is not art or where the legal infringement pertains to behaviour not identified as artistic.</p>
<p>Article 6 "Everyone has the right to recognition everywhere as a person before the law." Article 7 "All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against</p>	<p>Article 16 "Everyone shall have the right to recognition everywhere as a person before the law." Article 17(i): "No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.</p>		<p>Artists have a right to identity, to be represented as artists before the law. Artists should not be subject to assumptions or stereotypical associations of art or artists as typifying a set of behaviours. Identity is not a set of behavioural traits. The artist is a citizen – as an artist; their art should not be discriminated against on the basis of either non-artistic categories of taste or preference, social or political desirability. Artists should be able to claim protection from interventions by non-artists in their work and public representation. As interpretation is internal to art, the</p>

<p>any incitement to such discrimination.</p> <p>Article 12 "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.</p>			<p>artist should not to be persecuted for their expressions, ideas, communications (whether based on assumptions or individual assertions on what these are, or on 'expert' artistic judgements).</p>
<p>Article 18 "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.</p> <p>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.</p>	<p>Article 18 (i): "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching. (ii): No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.</p> <p>Article 19 (i): "Everyone shall have the right to hold opinions without interference. (ii): Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.</p>		<p>Artists have the freedom for dissent, opposition, new ideas, resistance to tradition custom and cultural authority; and provocation. Artists can influence, instigate or contribute to changes in belief, values and frameworks of thought. Artists cannot be assumed to hold one permanent set of values, or represent one fixed ideology, and become a target of disapprobation on that basis. Artists should not be influenced or manipulated into conforming to social or political (non-artistic) expectation. The views, opinions and arguments of artists should be attributed with the credibility of other professionals in the public realm. Artists should be able to operate as conduits and agents of information and knowledge. Artists should not be defined or identified with a specific medium if it is to the detriment of their freedom. Artists should not be categorised for eligibility in employment or professional recognition based primarily on any association with a specific artistic medium.</p>
<p>Article 27 1. "Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. 2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.</p> <p>Article 29 1. Everyone has duties to the community in which alone the free and full development of his personality is possible.</p>	<p>--</p>	<p>Article 15 (i): The States Parties to the present Covenant recognize the right of everyone: (a) To take part in cultural life; (b) To enjoy the benefits of scientific progress and its applications; (c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author. (ii): The steps to be taken by the States Parties to the present Covenant to achieve</p>	<p>Artists work in the context of a public and audiences with rights to all art and culture. Artists have rights of participation in culture — as artists, and without restrictions based on their art, expertise or perceived competency. As the response, interpretations and perceptions of the viewer is internal to art, the artists cannot be ranked or subject to categorisations of expertise or competency as other professionals. Artists should benefit tangibly (not just intangibly) from the advancements of art in general (e.g. institutional facilities or resources; market value, etc.). Education and science are realms of knowledge acquisition cognate to art, and policy frameworks should allow for them to engage with the arts in mutual benefit. Artists can claim copyright to their work</p>

<p>2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.</p> <p>3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.</p>		<p>the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.</p> <p>(iii): The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity.</p> <p>(iv): The States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.</p>	<p>along with other protections on their ideas, identifications and inventions [see also Article 17: right to property]</p> <p>As a realm of knowledge, art should also be recognised as a form of research.</p> <p>Artists should be mobile and able to conduct artistic research and progress artistic advancement through mobility, local, regional and international.</p>
<p>Article 28 "Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.</p>	<p>--</p>		<p>Artists, for their rights to be fulfilled, may require international mobility for solidarity and support.</p> <p>Artists should</p>

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