



FREEDOM OF SPEECH FREEDOM OF THE PRESS

Méthodologie de la khôlle



Julian Assange

= one of the most (in)famous **whistleblowers** in history

- Australian journalist who founded **Wikileaks** in 2006

- came to international attention in 2010 after WikiLeaks published **a series of leaks** from Chelsea Manning, a United States Army intelligence analyst = **classified information** such as footage of US strikes in Baghdad, **incriminating evidence of abuse from the US military during the Iraq and Afghanistan wars**

- took refuge in the embassy of Ecuador in London = **was granted political asylum** by Ecuador in August 2012 on the grounds of political persecution and **fears that he might be extradited** to the United States

- spent more than 7 years holed up in the embassy to avoid extradition to Sweden over rape allegations

- Assange's asylum was withdrawn following a series of disputes with Ecuadorian authorities → was incarcerated in London from 2019 to 2024, as the U.S. government's extradition effort was contested in the UK courts

- Faced 18 criminal charges (17 of which fall under the country's **Espionage Act** = he could face up to 175 years in jail)

- Assange supporters argue these charges set a 'dangerous precedent' to journalists who publish classified information of public interest.

Espionage Act (1917) : routinely used **to silence dissent and punish political opponents** and criticized as it raises concerns among civil liberties and journalism groups.

It was enacted two months after U.S. entry into WWI in a climate of fear and antagonism toward German-Americans and other immigrants.

The law was also used to prosecute army officer **Chelsea Manning** and NSA contractor **Edward Snowden** (both leaked classified information that exposed what they saw as outrageous government conduct to the media).

Which amendment protecting citizens' and journalists' right of free speech from government interference does this law clash with?

PREMIERE ETAPE

- On prend le temps de bien lire le titre, il donne généralement en substance le sujet de l'article et oriente votre lecture.
- La date correspond-elle à un événement particulier ?
- On lit le texte une première fois de manière à repérer les grands axes de l'article qui formeront le plan de la synthèse. On essaie de comprendre l'essentiel (qui, quand, où, quoi), sans s'arrêter sur des passages ou des mots qu'on ne comprend pas. Vous pouvez d'ores et déjà prendre des notes en marge (par exemple, résumer chaque § par un mot).
- A vous de jouer ! Quels sont les 3 grands axes de l'article ?

2EME ETAPE

- Voici les 3 grands axes :
 - - les faits (release of Julian Assange)
 - - les causes de son inculpation
 - - les conséquences pour le journalisme
- Vous pouvez maintenant relire le texte, armé(e) de 3 surligneurs de couleur différente.
- Une fois cela fait : préparez votre introduction + tableau de synthèse. Attention à reformuler dans le tableau de façon à pouvoir rendre compte du texte avec vos propres mots.

The Guardian view on the WikiLeaks plea deal: good for Julian Assange, not journalism

Editorial - Tue 25 Jun 2024 - The Guardian

Julian Assange should never have been charged with espionage by the US. ~~The release of the WikiLeaks founder from custody in the UK is good news, and it is especially welcome to his family and supporters. He is due to plead guilty to a single charge of conspiring to obtain and disclose classified US national defence documents at a hearing early on Wednesday, but is not expected to face further jail time. The court [...] is expected to approve the deal, crediting him for the five years he has already spent on remand in prison.~~

~~His opportunity to live with his young family comes thanks to Australian diplomacy under the prime minister, Anthony Albanese, who had made clear his desire for a resolution, and the Biden administration's keenness to get a controversial case off its plate, particularly in an election year. Seventeen of the charges have been dropped. The one that remains, however, is cause for serious alarm. It was the Trump administration that brought this case. But while the Biden administration has dropped 17 of the 18 charges, it insisted on a charge under the 1917 Espionage Act, rather than the one first brought against him of conspiracy to commit computer intrusion.~~

~~This is no triumph for press freedom. Mr Assange's plea has prevented the setting of a frightening judicial precedent for journalists, avoiding a decision that might bind future courts. Nonetheless, this is the first conviction for basic journalistic efforts under the 1917 act.~~

~~Using espionage charges was always a bad and cynical move. The case relates to hundreds of thousands of leaked documents about the Afghanistan and Iraq wars, as well as diplomatic cables, which were made public by WikiLeaks working with the Guardian and other media organisations. They revealed appalling abuses by the US and other governments, which would not otherwise have been exposed — and for which no one has been held liable, despite the pursuit of Mr Assange.~~

~~National security laws are necessary. But it is also necessary to acknowledge that governments keep secrets for bad reasons as well as good. Alarming, the Espionage Act allows no public interest defence, preventing defendants from discussing the material leaked, why they shared it, and why they believe the public should know about it. The Obama administration correctly identified the chilling effect that spying charges could have on investigative journalism, and chose not to bring them on that basis. The Biden administration — which proclaims itself a champion of press freedom globally — should not have pursued them. The UK government should never have agreed to Mr Assange's extradition.~~

~~The bad news is that the prosecutorial policy is now clear. Federal prosecutors can chalk this one up as a win. It is possible that future administrations could take this case as encouragement to pursue the press under the Espionage Act. It is likely that an emboldened second Trump administration would do so. The Republican candidate has repeatedly cast the media as his "real opponent" and the enemy of the people.~~

~~The political solution to this lengthy saga is welcome [...]. But the threat to press freedom has not ended. Its defence cannot rest either.~~

INTRODUCTION

- *In the context of* the American presidential elections in which lies and fake news thrive on social media, defending press freedom has become essential.
- *This is why it seems interesting to consider this* editorial, *which was published* on June the 25th, 2024, *at the time when* Julian Assange pleaded guilty to having conspired to disclose classified documents. *It is taken from The Guardian, a British left-leaning newspaper,* and it comes to the defence of journalism as the Fourth Estate.
- *This article sheds light on* the dangers that the plea deal might entail for press freedom. *Three main points are discussed in the article : first,* the release of Julian Assange, *then,* the causes for his indictment, *and finally* the consequences it could have on journalism.

SYNTHÈSE

Idées principales	Exemples / arguments
Facts : release of Julian Assange	<ul style="list-style-type: none">- Julian Assange released- Will plead guilty of espionage charges only and no jail- Political move from Australian and American government
Causes for his indictment	<ul style="list-style-type: none">- Wikileaks -> leaked documents about abusive conduct of US gov in Afghanistan and Iraq- No one has been indicted on this conduct before- Biden administration kept charge under 1917 Espionage Act
The possible consequences for journalism	<ul style="list-style-type: none">- 1st attack on journalism -> other administrations may do the same- Necessity of keeping gov in check -> whistleblowing- Espionage Act : no possibility to discuss docs and charges- Yet, going to court would have been worse (creating legal precedent)

3^E ETAPE

- Commencez par travailler la transition : qu'est-ce qui vous a marqué dans le texte ? Qu'est-ce qui n'est pas dit ?
- A partir de là, trouvez une problématique qui reste sur le même sujet, mais vous permette d'élargir le débat, de dire ce qui n'est pas dit, de vous appuyer sur d'autres exemples pour élargir la conversation...
- Remplissez ensuite la 2^e partie de votre brouillon : une problématique clairement formulée (forme interrogative directe ou indirecte)

TRANSITION

- ***What I found particularly significant in the article was*** the danger free speech faces today. *The writer is biased in favour of safeguarding whistleblowing.*
- ***This is why the following question can be raised :*** *to what extent should there be no restriction on free speech ?*
- ***First I will argue that*** freedom of expression is an essential right. ***I will then discuss*** the dangers inherent to free expression. ***Finally, I will show that*** limits must be set.

COMMENTAIRE

	Arguments	Exemple concret
1) Freedom of expression	<ul style="list-style-type: none">- Guaranteed by 1st Amendment-> Whistleblowing : counterpower-> different opinions allow people to have a full view : democracy	<ul style="list-style-type: none">-> Watergate-> the US / the UK v. propaganda in China or Russia
2) Dangers	<ul style="list-style-type: none">Can lead to extremes : hate speech-> Bullying-> fake news endangering democracy	<ul style="list-style-type: none">-> Riots in the UK following misinformation-> Trump's claim that elections were rigged led to Jan. 6th insurrection
3) Safeguards	<ul style="list-style-type: none">- Tagging hate speech and fake news- Legal prosecution in case of danger	<ul style="list-style-type: none">-> Arrest of Pavel Durov, Telegram's CEO, because he did not comply with judicial requests-> Donald Trump's prosecution for spreading misinformation on the 2020 elections

CONCLUSION

- Vous répondez à la problématique (attention à ne pas reprendre bêtement vos parties) et donnez votre opinion.
- Vous élargissez le sujet en proposant par exemple une autre question.