

Global Threats to Freedom of the Press

Tuesday, November 1, 2024

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[00:00:04.1] Tanaya Tauber: Welcome to live at the National Constitution Center, the podcast sharing live, constitutional conversations and debates hosted by the Center in-person and online. I'm Tanaya Tauber, senior Director of Town Hall Programs. This fall, the National Constitution Center convened the 2024 National First Amendment Summit. In partnership with Fire and NYU's First Amendment Watch. The summit brought together some of America's leading legal thinkers of diverse perspectives for vigorous discussion of the state of free speech in America and abroad. This episode features a conversation about global free speech with Jason Rezaian of the Washington Post. He spent 544 days unjustly in prison by Iranian authorities until his release in January, 2016. Jeffrey Rosen, president and CEO of the National Constitution Center moderates. Here's Jeff to get the conversation started.

[00:01:09.2] Jeffrey Rosen: It is so meaningful to welcome you for our second annual First Amendment Summit. And friends, there is no more significant space in the United States to have a discussion of the meaning of the First Amendment than right here. So what I wanna do is begin in the same way that we now begin all of our programs in this sacred space, but it's especially meaningful because of our topic tonight. I want you to gaze at the words of the First Amendment, which are shining in front of you. Read them and think about what they mean. And then after you've done that, you can turn your gaze to Independence Hall, the room where it happened, where the ideals of the First Amendment emerged.

[00:02:02.7] Jeffrey Rosen: It's that spirit of liberty and reason and freedom of conscience, the freedom to think as you will and speak as you think, as Tacitus and Jefferson put it, that we're here to celebrate and explore and debate tonight, we have a remarkable group of scholars and thought leaders of different perspectives to discuss the First Amendment. And I'm so honored to share their light and learning with you. I'm honored to be co-hosting this great now annual event with our friends at Fire who are so doing such important work to defend Free Speech across America, and also with NYU's First Amendment Summit led by Steve Solomon, who conceived of this summit last year, and so grateful that he's here with his wife and are able to participate in this superb conversation. It's really great to start off with Jason Rezaian. He is a heroic journalist who's imprisonment at the face of the brutal Iranian dictatorship galvanized defenders of press freedom around the world. And very significantly, he just began yesterday an important role as Director of Press Freedom Initiatives at the Washington Post. And it's true.

[00:03:40.0] Jeffrey Rosen: It's a great tribute to the unique role that he plays in America, and also to the seriousness with which the post takes threats to journalists around the world and thinks that it's really important to have Jason leading this initiative. So let's just start off with the

obvious question. What is this new Press Freedom initiative and what do you hope to achieve with it?

[00:04:02.6] Jason Rezaian: Well, first of all, thank you for the warm welcome. Thank you, Jeff and everybody here at the Constitution Center for welcoming me back. It's always a pleasure and an honor to be here. When I was arrested in Tehran 10 years ago now, I never imagined that I would get involved in the fight for press freedom globally. I was working in a country that does not believe in or respect any of the ideals of free expression that we all hold so dear. But I thought it was really important to try and shine a light on the lives and experiences of people in Iran, a country that's so misunderstood. I was held hostage for a year and a half. It's a lot of time to think about what you're gonna do if and when you're freed one day.

[00:05:02.6] Jason Rezaian: And I knew that I wanted to tell the story of what had happened to me, but I also knew that I wanted to continue telling the story of ordinary Iranians. I didn't expect that I would start telling the stories of other journalists who were being threatened because of the work that we do. And for the first year or so of my freedom, I grappled with what my new beat was going to be. And when I went back to full-time reporting duties at the Washington Post in early 2018, it coincided with the murder of a journalist in Slovakia of all places along with his fiance. And just a couple of days later, you might have remembered that two journalists working for Reuters in Myanmar were arrested and detained for uncovering a massacre and mass graves.

[00:06:01.8] Jason Rezaian: And so I wrote the stories of these journalists and started looking at more and more of these cases that were happening all over the world. And to the great credit of my editors at the Washington Post, although this isn't a beat that traditionally has gotten a lot of attention or clicks, they said, do it. This is a core part of the value of our news organization. Shine a light on these atrocities, talk about the importance of the work that we do. And in the wake of the murder of my colleague Jamal Khashoggi in 2018, our publisher started what he called the Press Freedom Partnership. So a group of press freedom organizations and the ways that they could support each other and the Washington Post could support them by providing ad space and resources to telling the stories of other journalists who are in trouble. I got very involved in that.

[00:07:00.2] Jason Rezaian: Fast forward to yesterday, and I had been making the pitch for quite some time that we should elevate this and integrate this more and more, not only to into our news gathering, but also into our public messaging about the importance of the Washington Post, but of the news industry generally. And we hold a very important place in this society as you all know, and you also know that we've been faced with a lot of issues in recent years, whether they're financial issues or trust issues with the public. So I'm trying to build something from the ground up along with my colleagues at the Post that I hope will serve to support, protect, and help journalists in trouble here and all over the world.

[00:08:01.6] Jeffrey Rosen: That's just in Steiner's Hall. We take care of anyone who objects to the programming.

[00:08:08.6] Jason Rezaian: And to really bolster our standing with the general public, it's really important.

[00:08:16.4] Jeffrey Rosen: It's extraordinarily important. One of the things that you are hoping to achieve is helping journalists get out and then get integrated into American society. You described your own challenges after your imprisonment, just paying your bills, fixing your autopay. What are among the challenges that you're going to address, and how are you gonna get journalists out and get 'em reintegrated?

[00:08:38.1] Jason Rezaian: Yeah, I had a lot of unique experiences when I came home after that ordeal, including, surprisingly, taxes that weren't filed on time, late fees and penalties. There is bipartisan legislation moving through the House right now that hopefully will rectify some of that for future victims of this sort of thing. Senator Coons and Senator Rounds apologized to me saying, "We can't retroactively fix the penalties that you ended up having to pay, but hopefully others in the future won't have to do that." But you look at what happened to me, and I had the support of the Washington Post, the support of the US government, family, friends, communities of people, wanting to help me get back up on my feet. But in recent years, I have been contacted by journalists from all over the world, from the Middle East, from Europe, from India, from Latin America, who have found their way out of their countries where they were working, but had become targets for the work that they do as journalists, and wanted to come to the United States and continue their work in free societies.

[00:10:00.3] Jason Rezaian: And I've been really privileged and honored to support some of those people in their efforts to get to the United States. I've cultivated relationships that have eased their immigration processes, supported the applications, immigration applications of a large number of these people. But when they arrive, the support for them is minimal. The opportunities for them to integrate into society, even though they're arriving here fully legally, are very limited. So I hope to bolster resources for folks like that. We've had some good success over the last couple of years in that space. I wanna amplify that and do that for more and more people. And then also for journalists like myself, like hometown boy, Evan Gershkovich, who was recently freed from Russia.

[00:11:08.4] Jason Rezaian: Journalists, American journalists who find themselves in trouble no matter who they work for, no matter what kind of political leanings they have, they'll always have a friend in me and in the Washington Post Press Freedom Initiative.

[00:11:25.0] Jeffrey Rosen: Will you also play any role in the release of imprisoned journalists? And you've described how each case is different. The old adage that you should never negotiate with terrorists has proved to be more complicated in your experience, and sometimes some negotiation is necessary, but what, if any, role will you and the post play in getting people out?

[00:11:47.4] Jason Rezaian: I don't know that we will play a direct role in that, but I can tell you in previous cases, we've been available as not only public supporters, but behind the scenes, sharing the hard-earned experience that we had on my case with other news organizations. It's not a secret that we had a lot of communication with the Wall Street Journal, the law firm that they hired to help them internationally. It was the same firm, the same team that the Washington Post hired. I continue to be quite close with that legal team, but the folks at the Journal as well. And my basic premise and what I told to my management at the Washington Post and also to the

journal, as soon as we heard about Evan's arrest, was that we can be as competitive as we want about subscribers and scoops and stories. But when it comes to our fundamental rights to do this job and protecting one another, supporting one another when one of our own is in trouble, there can't be any distance between us. And in a year and a half or so since Evan was arrested, I feel like that sense among the American news industry that we face these threats and have to stand together has grown and bolstered and become much more palpable than it was even when I was arrested 10 years ago.

[00:13:39.9] Jeffrey Rosen: You've also talked about the urgently important role of the US government in standing up for imprisoned journalists. You talk about how much it means to know that you have the support of the government and also the need for the US to stand up for press freedom at a time when authoritarian dictatorships in Iran, Russia, India, China, and elsewhere, are becoming increasingly brutal. Why is that important and what should the US government do moving forward?

[00:14:09.4] Jason Rezaian: Up until very recently, this was a core value that the United States of America always stood for in all circumstances. I hope that we can return to that position that wherever an independent journalist or anybody who is repressed, detained, harassed for expressing their views, opinions or reporting the truths on the ground of any place in the world, we're gonna stand up for people in those situations. I think we've always done a decent job of it, but it's become politicized, right? When it's politically helpful to stand up for a journalist somewhere on the other side of the world, we do it when it's not, we don't. I think we need to return to this idea that this is a core value, not only our ability to express ourselves, but the value of the individual's life and liberty. It's sacred to us, right?

[00:15:20.3] Jason Rezaian: That's always been what kind of differentiated us from a lot of these other countries and around the world. And I can tell you when I was locked up, my interrogators would say to me, you must be all of the things that we say you are, otherwise, why would the American government care? Why would they put so much effort into trying to win your release? And I think this is something that we have to really embrace and remember at a time when more and more Americans, and it's still a small number of people, are being wrongfully detained by governments around the world, but the number is on the rise. And it really, if it gets much worse than it is right now, Jeff, you know how these things work.

[00:16:13.4] Jason Rezaian: When there's three or four Americans who are being held by different governments around the world, that's something that the State Department and the NSC and FBI and CIA can put resources in. When it's 30 people, it comes a little bit harder. When it becomes 300 people or 500 people or 1,000 people, will the US government put those resources into freeing Americans? Probably not. And if that's the case, is using your blue passport the same as it was when I was a kid? I remember in the movies, they would say to us, Americans would be harassed, "They'd say, you can't do that to me, I'm an American." Right? Now it seems like more and more, no, we're gonna do that to you because you're American. And I think we should be focusing on that because our standing in the world, the value of our citizenship is on the line.

[00:17:09.2] Jeffrey Rosen: You just said that it's extremely important to defend the value of free speech around the world. Why is that? What's the value?

[00:17:18.9] Jason Rezaian: Look, first of all, it's different than it used to be, right? Free speech is not only core to what we do in the Washington Post, but also in this country. The idea that speech is being manipulated, that it's being faked, that we don't have a clear and kind of agreed upon set of facts, should be disconcerting to all of us. I'm not somebody who says that we should censor anything, but I think we've come to a point now where we need to be a lot more vigilant about the information that we have, that we have access to. We have more access to information than we ever have in the past, but we also are faced with more falsehoods than we ever have been in the past. It's a constant stream of information that's coming towards us. And I think renewing our commitment to that value of our ability to express ourselves honestly and in civilly is of utmost importance to everything that we do.

[00:18:26.0] Jeffrey Rosen: Renewing our commitment to free speech as the best way of ensuring the discovery and spread of political truth, as Brando has put it, and to ensure the value of public deliberation so that truth can emerge from civil dialogue is just crucial. You said that the threats are on the rise. Why is that? Are countries like Iran, Russia, China, and India becoming more authoritarian? Is new technology also making it easier to crack down on critics? What's going on?

[00:18:53.1] Jason Rezaian: Yeah, I think new technology has in some ways been a great benefit for our ability to report from places that we wouldn't be able to visit, physically, right? Which is as critically important right now as large swaths of the globe are harder and harder for us to get to. But I think that the governments are also weaponizing their legal systems against journalists. There was a time when a journalist being arrested would result in a massive outcry or even a smaller outcry. A letter from a congressman or a senator could be the thing that opened the prison door.

[00:19:41.7] Jason Rezaian: These days, that's not the case. The campaigns around Evan Gershkovich myself, other journalists who've been in prison, take up massive amounts of resources, take up massive amounts of time, and still, it takes a year, a year and a half, sometimes many more years than that. And what I've come to understand is that there's a chilling effect that happens in these countries. The Washington Post hasn't had anybody reporting on the ground since the day I was arrested over 10 years ago. The New York Times hasn't had anybody there in five years. Other news organizations' presences have dwindled during that time.

[00:20:19.7] Jason Rezaian: And I look at it now is as sort of an act that's designed to astound and intimidate and scare not only international media from reporting from these places, but local media as well, which is why I feel such an important commitment to these exiled journalists and trying to get them back up and running in freedom. So, if you have the opportunity to support any initiatives that focus on exiled journalists. We talk a lot about local media in the United States and the news deserts that are kind of cropping up all over the country. And that's a really important issue.

[00:20:57.8] Jason Rezaian: We talk less about the much larger news deserts of countries around the world that we need to have insights into. If there are ways to support those initiatives, I encourage you to do so.

[00:21:13.2] Jeffrey Rosen: Tell your story. You have an amazing new book out, which shows that it had moments of dark comedy as well as tragedy and ultimately, of course, freedom. But you were accused of being a CIA agent, an Iranian translator. Tried to say that you confessed to revealing government documents when, in fact, you'd said public documents. They kept calling you a spy, and eventually you got out as part of what you called Obama's signature diplomatic initiative that you were inadvertently caught up in. So tell the story.

[00:21:46.7] Jason Rezaian: Yeah, so I had been living and working in Iran as a journalist from 2009 until 2014. I met my wife, who's Iranian, we married in Tehran. She ended up becoming the correspondent for Bloomberg News. For several years, our house was Two fifths of the international English language news media in Iran.

[00:22:15.2] Jason Rezaian: And it would swell sometimes when visiting journalists from other news organizations would come to town. And we did this work completely above board and with permission from the Iranian state. I talked in the beginning about never expecting to be sort of a press freedom defender. Part of that's because I had to work under compromised conditions. I think the compromise that the Washington Post and other news organizations made for many years was that it's more important to have somebody on the ground who's limited in where they can go and who they can talk to than having no eyes in the place at all. And so I tried very hard to do something that other news organizations hadn't really done in Iran in the past, which was to tell the stories of normal people.

[00:23:11.8] Jason Rezaian: I was never gonna get an interview with the Supreme Leader of Iran, right? And you knew what his positions were. He'd get up on the pulpit on Friday prayer and tell you, right? What I wanted to know was, how his proclamations and American responses affected the lives of ordinary people, whether it was through sanctions or other things that the governments did to each other. And so when we were arrested. It came at a very strange time. The Obama administration and the Iranian regime were in the midst of the nuclear negotiations back in 2014. It seemed like an odd time for them to do something like this. I think the folks in the Obama administration were very surprised. I personally, having lived in that country for five years, was very surprised.

[00:24:07.5] Jason Rezaian: There had been times in those five years when the civil situation inside Iran had erupted, and I felt like my safety and liberty were under threat, and I wasn't arrested. The day that my wife and I were arrested, we were arrested at our home at about 8 o'clock at night. That very morning, she and I were both given one year extensions of our press credentials. So you're kind of surprised that, 12 hours later, they tell you that you're the head of the CIA station in Tehran.

[00:24:41.6] Jason Rezaian: I didn't know such a thing existed. It turns out such a thing didn't exist and hasn't existed for the last 45 years. But, it was very jarring, confusing. I make light of it now, but I spent 49 days in solitary confinement. My wife spent 72 days in prison, all of them in solitary confinement. Was released on house arrest. Not allowed to work. Had her passport taken from her. Had to sign papers that said she wouldn't advocate for me. Of course, she did anyway. And I was subjected to a massive propaganda campaign against me. Threatened with execution

on a daily basis, went through a sham trial. When I was finally released a couple years later, they produced the television series, 30 episodes, about me.

[00:25:44.4] Jason Rezaian: Highest production budget of any show that the Iran State Television has ever made. Just the massive, the biggest kind of trolling you could ever imagine. And none of it based on anything other than the imaginations of my captors, but used to try and sully my name. Again, I joke about it, but every time they re-air that show, I get death threats from Iranians who don't know any better. And I could have pretty easily turned my back on all of this and chosen a different path. I guess I'm a little bit of a masochist, maybe, I don't know. But, I just, it was important to me, one, to tell my story, and two, to do whatever I could to help others in an attempt to make that period in my life not feel completely a waste of time. And so I'm glad that I've been able to do something with him.

[00:26:53.1] Jeffrey Rosen: Remarkable, and what would you like to highlight about Evan Gershkovich's situation and how he got out?

[00:27:00.5] Jason Rezaian: First of all, I'm so pleased, the 500 plus days that he spent in prison were 500 plus too long. Other Americans were freed with him along with my colleague Vladimir Kara-Murza, who's a Russian citizen but a US Permanent resident, won the Pulitzer Prize last year as a contributor to the Post Opinion section, Paul Whelan, and also Kurmasheva, the Radio Free Europe journalist. That deal involved many countries. It was a hard deal to put together. The person that was released from Germany had been convicted of pretty heinous crimes.

[00:27:49.3] Jason Rezaian: And I'm not one to say, do any deal that comes your way. But I do know, as someone who's been the subject of one of these hostage takings and then ultimately a deal for my release. There's a moral imperative to bring innocent people home as quickly and safely as possible. At the same time, you have to come up with deterrent measures to make this sort of activity less costly, less attractive and more costly to the perpetrators.

[00:28:20.8] Jason Rezaian: I've had the opportunity to meet Evan several times now. Don't wanna get into a lot of details, but I feel like He's well on his way to recovery. I'm excited for him to see what he will do next. I think he's got a hell of a story to tell, and I'm eager to watch him tell it. But it's a story that never should have to be told.

[00:28:52.0] Jeffrey Rosen: Well, I think it's time to sum up, and this is such an important conversation to begin our First Amendment Summit to bring together for our audience why it is urgently important to stand up for the freedom of journalists who are imprisoned by authoritarian regimes. Why one's freedom is lost, it's very hard to get back. And what the need to stand up for press freedom can tell us about the future of our own democracy?

[00:29:21.2] Jason Rezaian: Look, democracy is on the line. Doesn't matter who you're gonna vote for in a couple weeks. We're in a more compromised situation than we've ever been. We're more divided, and the truth is there isn't that much to be divided over. I think it's really important to look at what it is that is causing those divisions, why we believe. And I say we, I'm talking about public opinion polls, that we shouldn't trust the news media. I'm somebody that works in

one of our big legacy news organizations. I can tell you there's no secret cabal meetings about people trying to decide what the future of the world is gonna look like. It's not like that.

[00:30:01.4] Jason Rezaian: We go out and we gather information, we talk to people, and we try to get to the truth and try to deliver it to people, to the public to make informed decisions. And as I talked about earlier, the number of places around this country that don't have a daily newspaper anymore is just kinda growing exponentially. We should all be worried about that because what we have here in this country, what this building is here to celebrate, I'm not a religious person. I'm not. But this is about as sacred as it gets. It really is.

[00:30:47.9] Tanaya Tauber: This conversation was streamed live from the 2024 National First Amendment summit on October 22nd. For more from the summit including two important conversations, free speech on campus today, and free speech in and out of the courts, visit constitutioncenter.org/townhall. This episode was produced by Lana Ulrich, Samson Mostashari, Bill Pollock, and me, Tanaya Tauber. It was engineered by Advanced Staging Productions, David Stotz, and Bill Pollock. Research was provided by Samson Mostashari, Cooper Smith, Gyuha Lee, Matthew Spero, and Yara Daraiseh. Check out our full lineup of exciting programs at constitutioncenter.org/townhall. There you can register to join us in person or online.

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