

## EDITORIAL

### Communication as a Human Right: A Blind Spot in Communication Research?

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*Millions of people in the poorest countries are still excluded from the right to communicate, increasingly seen as a fundamental human right. (Kofi Annan, United Nations Secretary General, 17 May 2003)*

Ever since the international community had its moment of splendour, when adopting the notion of universal human rights as a norm of international law, the basic idea of a set of common human entitlements has taken root in various fields including advocacy, politics and scholarly debate. Even though still widely unachieved and much disputed, the ideal of human rights – as a common standard of achievement – has provided a fertile ground for international efforts to challenge the status quo on many different fronts, from criminal justice to development assistance. Clearly, for the field of communication, human rights standards have great implications. In fact, the large-scale abuses of mass communication to propagate hate and war before and during the Second World War were one of the great incentives to the newly founded United Nations to adopt common standards.

Even though its more ambitious initial efforts were eventually caught up in the dynamics of ideological disputes that heralded during the Cold War, Article (19) of the Universal Declaration of Human Rights (1948) has been a major achievement that continues to inspire not only human rights' advocates and activists, but also scholars and researchers interested in the notion of free, fair and equitable human communication. It has been argued that the seeds for treating communication as one of the basic human rights have been planted by prominent thinkers and philosophers from the 17th century like John Milton in his *Aroepagitica*, up to the work of Jürgen Habermas (Dakrouy, 2009). By translating this understanding into legal language, human rights have played a key role in formulating principles and norms concerning communication, such as those contained in many national constitutions, public service remits and policy papers. Furthermore, researchers have long asserted the significance of treating communication as one of the basic human rights, especially in the light of technological developments since the 1960s that may require the expansion of rights to adequately address an ever more quickly changing environment (Hamelink and Hoffmann, 2009).

Subsequently, during the late 1960s, the process of decolonization brought about heated international debate about issues of international communication leading to a call for a more just New World Information and Communication Order (NWICO) and the explicit recognition of a human right to communicate. The latter was clearly linked to processes of development and democratization, which in turn was argued to require an enabling environment rather than the mere recognition of individual freedoms that had been translated into the doctrine of a 'free flow' of information (Hoffmann, 2010). Correcting for power inequality by democratizing communication, giving marginalized people a voice and making them heard was at the heart of this era's endeavour. The right to communicate, as put forward by the 1980 MacBride Commission Report, was conceived by its proponents as a prerequisite for all other human rights since only such a right could ensure equal opportunities for participation and empowerment.

Drawing from the work of Herbert Schiller, the research on the right to communicate during this time focused on the study of power relations in the field of global communication, which was conceived as media imperialism: a view that tended to concern itself only with the 'structural and institutional aspects of the global media' (Tomlinson, 1991: 22) in which scholars focused their analysis on how the mass media are used as imperialistic tools to penetrate the mass-mediated culture in the developing world. Hamelink, in his 1983 *Cultural Autonomy in Global Communications: Planning National Information Policy*, argues that many international practices reflected a critique of global capitalism discourse where multinational media corporations operate on a transnational scale, producing and distributing media products which emphasize western values and consumerist ideals promoted and propagated by the different capitalist powers.

After the stalling of efforts towards a NWICO within UNESCO, the emphasis within human rights advocacy as well as politics of international communication seems to have shifted somewhat: while rights advocates nowadays tend to argue less on the basis of national sovereignty rights (such as had dominated the 1970s debates on cultural and media imperialism) and rather emphasize individual and minority rights, the international political discourse seems to have moved from world order to world market.

In the early part of the new millennium, the digital divide has again brought UN member states together in a World Summit on the Information Society (WSIS; 2003 and 2005). Meanwhile, what has come to be termed, 'civil society', is demanding and gaining growing influence on the stage of international politics. This could *inter alia* be felt during WSIS when a coalition was formed under the aegis of the Campaign for Communication Rights in the Information Society (CRIS) and civil society came up with their own final document (CRIS, 2004). This development may have been the major reason why the persisting digital exclusion of a large part of the world's population has widely been framed as a human rights issue despite governments' reluctance to make the implications of such an approach explicit during WSIS.<sup>1</sup>

The same human rights discourse has also been employed to express the grievances of a variety of other stakeholders: from indigenous peoples in Latin America to access the airwaves to operate their own community radio stations (AMARC, 2009), women and persons with disabilities all over the world when they point to the disempowering

effects of symbolic exclusion suffered through continuous misrepresentation in many media outlets (Gallagher, 2001; Shakespeare, 1994) and activists lobbying against overly restrictive intellectual property laws that impede access to knowledge (Digital Rights, 2009) to NGOs fighting against legislation undermining data protection (Privacy International, 2009) or the freedom of expression in response to terrorist attacks (Stawatch, 2009).

At the same time, recent international treaties such as the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions and the 2006 United Nations Convention on the Rights of Persons with Disabilities have added to, and specified, the scope of human rights pertaining to communication which make explicit a number of standards that hitherto had remained implicit and contested.

Within academia, human rights have formed the basis of many analyses and studies. Especially the field of international communication studies has tended to refer to these norms when looking for internationally agreed upon normative yardsticks for evaluation. Not surprisingly then, when searching the full text of electronically available articles of *Gazette* for 'human rights' as a key term, 549 hits were generated. Over past years, authors have covered various areas, including a rights-based approach to communication policies (Linden, 1999), the extinction of languages (Skutnabb-Kangas and Phillipson, 1998), regional analyses of the freedom of the press (e.g. Perkins, 2002), the relation of the right to communicate and discourse ethics (Jacobson, 1998) and its more recent rearticulation in the form of communication rights by CRIS (Thomas, 2006). Also, at least four recent books have been dedicated to the topic (Cammaerts and Carpentier, 2007; Dakrouy, 2009; Dakrouy et al., 2009; Hoffmann, 2010).

Yet, most pertinent analyses of current trends (i.e. for example when it comes to the impact of globalization on the structure of media ownership or the effects of the 'war on terror' on the freedom of expression and the nature of public discourse) are not always explicitly linked to human rights norms. This we consider to be a great loss since it often leaves debate on these issues suspended in a sometimes poorly defined moral universe, whereas its grounding in human rights norms would add much force to these arguments and provide a unified standard of reference. So, for example, studies into the role of mass media before and during conflicts (such as the role of the infamous Radio Télévision Libre des Mille Collines in the genocide in 1994 in Rwanda) are rarely related to existing minimum standards of international law such as concerning the prohibition of incitement to genocide or emerging doctrines such as the Responsibility to Protect and the related framework for analysis put forward by the recently founded Office of the Special Adviser of the Secretary General on the Prevention of Genocide, which clearly contain relevant standards to analyse media performance (United Nations, 2009). In this context, it was a timely and most welcome decision by the International Association of Media and Communication Research (IAMCR) to hold its 2009 conference in Mexico City focusing on the topic Communication and Human Rights. The gathering of international communication scholars proved to be a fruitful exchange of perspectives, which we hope to trigger an ongoing engagement with, and contribution to human rights scholarship given what we consider academia's responsibility to contribute to an awareness and better

understanding of the conditions and obstacles for the realization of human rights, especially in the field of communication research.

This issue of the *International Communication Gazette* has set out to map the complexity as well as the dynamic of studying communication and human rights. Particularly, we have assembled a group of attempts to address communication processes explicitly through the prism of human rights. While such a limited number of articles cannot possibly give a complete overview of the large number of relevant issues of this discipline that touch upon human rights, it is however an attempt to mirror the diverse range of existing work that may inspire deeper investigation from this perspective within their respective disciplines. Interdisciplinary by nature, the communication/human rights intersection provides a fruitful yet challenging field of enquiry. Accordingly, in this issue legal analysis, investigations of policy and academic discourse, perceptions of media content and analysis of lobbying strategies have come together to provide some inspiring insights into studying communication from a human rights perspective.

In his 'Media Literacy and Communication Rights: Ethical Individualism in the New Media Environment', O'Neill provides a critical appraisal of current policy discourses on media literacy. O'Neill calls our attention to the prevailing trend towards increasing demands towards citizens, including vulnerable groups such as children, to be self-sufficient – in the field of security as well as the acquisition of skills. This ethical individualism is at least partly seen as a consequence of an increasing reliance on industry self-regulation, the market and the accompanying framing of users as consumers rather than citizens with a set of communication rights. Viewing media literacy through a human rights lens, O'Neill's argumentation is an important contribution to making explicit what some of the positive obligations of implementing communication rights would be at the policy level that could contribute to the creation of an enabling environment.

Adopting a gendered perspective, Lobo and Cabecinhas approach the issue of communication and human rights in their 'The Negotiation of Meanings in the Evening News: Towards an Understanding of Gender Disadvantages in the Access to the Public Debate'. They thereby emphasize the ongoing importance of gender as a marker of marginalization in many respects, including the 'symbolic annihilation' of women in mainstream media. By rendering women either invisible or representing them within seemingly unchangeable universal stereotypes of either victims, caregivers or sex symbols, the media act as an ideological glass ceiling in women's lives: you cannot be what you cannot see. Most importantly, perhaps, this contribution gives insight into how even nominally emancipated young males and females make sense of ongoing marginalization and may have internalized many of the exclusionary mechanisms that persist in today's societies.

In an ambitious interdisciplinary meta study, Padovani, Musiani and Pavan endeavour to trace the evolution of a common discourse and the formation of norms within international policy-making surrounding the umbrella term 'communication rights'. Among other things, in their 'Investigating Evolving Discourses on Human Rights in the Digital Age: Emerging Norms and Policy Challenges', they find a dichotomy within the scholarly literature between those who emphasize the challenges and opportunities that technological advances have brought and those that rely on the more established human

rights vocabulary. Nevertheless, they also note that a number of core principles can be distinguished that form the core of some common understanding. They thereby make an important theoretical contribution to an area that has long remained overly descriptive.

Persons with disabilities are considered to be the largest minority in the world according to the United Nations. The concept of disability itself has been fundamentally transformed during the past four decades, away from a medical to a social model that challenges many of the assumptions about disability as being merely a condition of the individual, rather than an outcome of social barriers and constructions of normalcy. From its inception this shift has been enacted by framing it as a civil rights issue by emerging lobbies. Von Krogh's 'From a Medical to a Human Rights Perspective: A Case Study of Efforts to Change the Portrayal of Persons with Disabilities on Swedish Television' approaches the issue of media representation of disability as one of the crucial dimensions of communication rights. Interestingly, his study mirrors the practical experiences of activists and media staff alike in an effort to change routinized working assumptions that are seen to be discriminatory and thereby give flesh to the too often airy concept of media accountability.

Focusing on another vulnerable group, and tackling another important term related to the notion of communication rights, Podkalicka and Thomas introduce to us an innovative project that aims at giving young people 'at risk' the tools to effectuate the notion of their 'right to be understood' and thus beat the constraints of social and economic exclusion. In their 'The Skilled Social Voice: An Experiment in Creative Economy and Communication Rights', the authors introduce the experience of a Melbourne-based youth media project: YouthWorx, with a focus on the idea of 'the right to be understood' articulated by Charles Husband (1996). Particularly, it concerns itself with the way this initiative has provided various opportunities to communicate and be understood across society through the experience of the YouthWorx community-based media initiative.

In their 'Freedom of Expression and Information in a Democratic Society: The Added but Fragile Value of the European Convention on Human Rights', Voorhoof and Cannie offer a thorough analysis of the most pertinent case law of the European Court of Human Rights – especially, when it comes to the 'European First Amendment' (Article (10) of the European Convention on Fundamental Freedoms and Human Rights concerning the freedom of expression and information). Particularly, they provide us with the legal analytical background to understand and appreciate current potentially restrictive tendencies in European jurisprudence that affects the course of European human rights protection as well render internationally authoritative interpretations of its limits. Especially in a climate of fear, in which freedom is often presented as a necessary trade-off for a perceived increase in security, critically monitoring the long-term developments in these decisions is not only the duty of scholars but will also help us understand the ongoing shifts and evolution in reasoning that the interpretation of a 'living instrument' like a human rights treaty brings with it.

In the final article in this issue, 'Language, Cultural and Communication Rights of Ethnic Minorities in South Africa: A Human Rights Approach', Moyo focuses on one more

specific set of communication rights that cut across the domains of culture and politics. Linguistic rights are not merely necessary to protect linguistic diversity and effectuate cultural autonomy of linguistic groups, but are also vital tools in the hands of those struggling for political self-determination and participation, as exemplified in this study of the workings and challenges of public and community radio broadcasting in today's South Africa. Moyo explains in detail the close relationship between international human rights law, on the one hand, and the South African laws, on the other, regarding the moral obligations of nation-states to support the rights of ethnic and linguistic minorities.

Collectively, and as seen in this overview, we have tried to map the general landscape of research on communication and human rights in the hope of underscoring the explicit connection between these fields of study. What is more is the broad threads of investigation and the potential depth of analysis that we hope to see in the area of communication and human rights from historical to contemporary, from analytical to theoretical, from legal to sociocultural and from national to global perspectives and understandings.

## Note

1. At the time of writing, for example, within Europe, digital inclusion is now increasingly seen as a fundamental human right. The incoming Spanish European Union presidency is thus currently contemplating extending universal service requirements to broadband internet, while the Council of Europe has started to frame access to the internet in terms of fundamental rights, calling member states to consider that 'universal access to the Internet should be developed as part of . . . provision of public services' (Council of Europe, 2009: 9).

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