

*Global Communication Policy and the
Realization of Human Rights*

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CITIZENSHIP IS TIED to democracy, and global citizenship should in some way be tied to global democracy, at least to a process of democratization that extends some notion of rights, representation, and accountability to the operations of international institutions.¹

Various textual versions of a human right to communicate have been enshrined in the UN Universal Declaration of Human Rights and dozens of national constitutions. As millions of people around the world can attest, however, these texts in themselves do not actually mean that citizens are necessarily able to enjoy that right.

The problem lies in the way “rights” are actualized in different societies—and, increasingly, in an emerging global society. We can gain some insight into the scope of this problem by reflecting on French semantics.

In the French language, the word *droit* signifies both “rights” and “law.” Thus *le droit à la communication* means “the right to communicate,” while *le droit de la communication* signifies “communication law.” The French Revolution is indeed the precursor to the worldwide modernist tradition of codifying rights in law. But as the French Revolution itself and dozens of subsequent events have shown, the codification of rights in legal texts can be a wonderful camouflage of the social conflicts and relations of power that mark a given society at any point in time.

Under the rule of law, according to Canadian jurist Pierre Trudel, “the law contributes to resolving or attenuating the contradictions that necessarily exist between the interests, claims and rights of subjects.” Com-

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munication law is thus the point of encounter between various branches of law and various fundamental rights. It is at one and the same time the site of affirmation and realization of the most basic human rights, as well as the site of arbitration and constraining of various claims. "Which is why it is necessary to put in place institutions for mediation and frank discussion of the relative weight to be attached to different values."²

Establishing the spaces in which such mediation and discussion can take place is the domain of communication policy. Policy sits one step removed from law. Through policy, the state and its agencies create mechanisms and take steps for ensuring that the real intentions of legal texts can be met. Policy is, in fact, the expression of the intent of the state. But policy is both more vague and more complex than law. For example, society will still create norms in areas where the law is silent; but the absence of an explicit state policy on a particular question is in fact a policy—the policy not to intervene explicitly in that area, or to do so on a strictly ad hoc basis.³

Until quite recently, communication policy was made and executed for the most part by national governments. Countries borrowed and adapted organizational models for structuring and regulating media from one another, but national communication systems by and large reflected the societies within whose national boundaries they operated. Issues requiring international agreement, such as the allocation of radio frequencies, were resolved between governments, with the implicit assumption that those governments were then free to use those resources as they wished.

That general framework has now changed. Communication policy is now made in a global environment where, for the time being, there is no institution equivalent to the national state. National governments have lost important parts of the sovereignty they once enjoyed in communication, and at the global level, accountability is loose, where it exists at all. National communication systems still exist, but they resemble one another more than they ever did, and their evolution is increasingly determined by developments beyond the control of any one government.

This has enormous implications for the question of human rights in general and the right to communicate in particular. The extension and promotion of human rights in general is tied to the proliferation of free, pluralist, democratically organized, and democratically inclined mass media,⁴ and the right to communicate depends on access to these media, as well as to the new information and communication technologies that are

changing what we mean by “media.” In order for these rights to be realized, policy mechanisms will have to be put in place to check the development of the global communication system.

Technologies of communication will play an increasingly important part in every aspect of people’s lives in the so-called age of globalization.⁵ Whatever we may think of catchphrases like “the information society,” something new is going on here.⁶ The disintegration of the nation-based policy framework for guiding and orienting the interaction of media and society over the past seventy-five years is at the core of that. If history is a guiding light, we should expect the age of globalization to engender its own structures of governance—among these, institutional and regulatory mechanisms for dealing with technologies of communication.

So what will this new policy framework look like? We should recall that the accumulated benefits of the nation-state-based world system were not the result of anyone’s benevolence but of often bitter social struggles, class negotiation, and at certain moments, enlightened political and economic leadership. Communication played a role in this process. From the early beginnings of parliamentary institutions, communication rights were framed as basic social and political rights.⁷ Media were used by social actors as sources of empowerment as well as for mobilization and persuasion. Typical of the modern state was the creation of institutions such as public service broadcasting, public telephone and telegraph monopolies (PTTs), and regulatory agencies. Today, the emergence of a global media regime is at once symptomatic of a new type of society in emergence, and a challenge to shaping that society toward a new phase of social progress.

In the era of the nation-state, media were seen as institutions of social cohesion at the national level. One of the characteristics of globalization is the questions it raises about conventional forms of social cohesion, “national” solidarity, and shared values. In fact—as we see with the proliferation of global media—globalization basically transposes to another level the characteristics of societies whose boundaries (and media systems) were once upon a time contiguous with those of the nation-state.

It was only with the invention of the printing press that the nation-state became possible, enabling the consolidation of power and authority within the reach of the official state “gazettes.” But the printing press also enabled the proliferation of struggles for freedom of expression, public debate, and democratic institutions. Different types of national states gave rise to different models of mass media.⁸ But the separation of

state and press was fundamental to the development of the democratic nation-state.

A fundamental shift occurred with the introduction of broadcasting. In the decade following World War I, an activist, interventionist state integrated the sphere of broadcasting to its realm of activity. The discourses of legitimation for the regulation of broadcasting ranged from the scarcity of frequencies to the idea that broadcasting was a cultural and educational resource too important to be left to the marketplace. In the name of social values and the public interest, institutional structures were set up in the 1920s in most countries of northern and western Europe as well as in many of their colonial dependencies such as Canada and Australia. Nationally based public broadcasting, for example, continues to serve as an inspirational model for democratically inclined communication in many parts of the world.⁹

Now we are on the verge of a new shift. National states are seeking to redefine their *raison d'être*. It is clearly too early to write them off entirely, but they will no longer exercise the kind and degree of sovereignty they knew for the past 300 years or so. What is taking their place? On the one hand, conventional mass media activity as well as trade and commerce is centered in vastly more autonomous transnational business enterprises tied into the world capitalist system; on the other hand, new and intricate communication networks have begun operating across boundaries in manners as yet uncontrolled and, some say, uncontrollable.

In response, new structures of governance are beginning to emerge to complement the nation-state, at the global, regional, international, sub-national, and local levels. As these structures consolidate, they will inevitably give rise to new mechanisms for media regulation. The nature of these is in no way predetermined. The media structures of the year 2000 and beyond will emerge from the convergence of a range of social struggles, entrepreneurial strategies, geopolitical developments, and diplomatic negotiations. They will also be tied to prevailing communication technologies and, most important, to the uses to which those technologies will be put.

One can argue about how much space there is to maneuver with respect to this historical process, and about where that space is. But the key starting point to such a necessary argument is to recognize that we are indeed engaged in a historical process, and like all historical processes it will be marked by both continuity and change with respect to what came before. If we are concerned with the evolution of the relationship

between communication and human rights in this context, we have to ask ourselves what forms of media regulation might be appropriate to integrating communication into the overall project of a just and equitable global society.

Toward a Global Public Space

Where can we begin to discuss questions such as how to transpose the media policy issues which have occupied national agendas since the invention of the telegraph to the transnational level—where, to all intents and purposes, the most important issues are henceforth being played out?¹⁰

The global media system is developing according to its own logic, requirements, protocols, and rules. National governments and groups of states are trying to influence the activities of this transnational system in their own countries or regions as best they can. But global issues require global approaches, and global problems call for global solutions. Where can we begin looking for these?

The various dimensions of globalization and the problems it raises are being increasingly well-documented in the work of distinguished scholars in political economy, sociology, anthropology, and international communication.¹¹ Meanwhile, activists—and I include a handful of academics in that category—are developing new normative perspectives, new programs and proposals, and building and mobilizing new networks of support and promotion of a *global public space* whose outline we are just beginning to make out.

The emergence of a global communication policy environment and the extension of national debates on communication policy to the global level have both limitations and possibilities. Debates on communication policy issues in local (that is, national) contexts are not only constrained but also enhanced by global policy developments. Globalization, I would like to suggest, should be viewed as a policy challenge rather than a justification for “the end of policy” arguments presented in neoliberal, deregulationist discourses—or even the apocalyptic views that often predominate with some obvious justification in progressive circles. In fact, I would go so far as to argue that the struggle to create socially driven communication systems on a global scale is no more nor less than the contemporary version of the nationally based struggles that surrounded

the introduction of press, radio, television, and other earlier communication technologies.¹²

All around us there is ample evidence that people have not given up the struggle to appropriate the means of communication in their efforts to influence the course of their own histories.¹³ Until we are prepared to write off the value of democratic politics altogether, we have to create and occupy the spaces in which to strengthen the democratic capabilities of communication systems. What is new today is the extent to which this has to be done by finding ways to give expression to local concerns at the global level.

To begin developing a global framework for democratic media, we need to begin thinking about global public policy mechanisms, legislative, regulatory, and supervisory structures for media. We need to establish the parameters of a truly global media framework that supersedes increasingly phony "national" interests while protecting cultural diversity at its own level of expression—be it territorial, linguistic, ethnocultural, or gender based. This framework must empower an emerging global civil society that will otherwise remain disenfranchised at the hands of corporate interests.

I am talking about a framework for democratically developing global media policy and eventually launching and sustaining public interest media on a global scale.¹⁴ This is a *political* project, which will only be accomplished by combining political action at a variety of levels ranging from grassroots organizing and publishing manifestos to international diplomacy. The first step is to force a general debate on the need to create global mechanisms for ensuring the public interest in media; the next will be to create a permanent, democratic forum for developing global media policy.

This is not an easy question to address. In the political arena, various authors, think tanks, and international organizations have begun to look at the need for conceptualizing notions such as global citizenship and developing new modes of governance appropriate to the twenty-first century.¹⁵ But there are no precedents, there is no tradition for dealing with media policy outside the established political frameworks of national states. Many countries do not even have well-anchored national traditions, and where these exist, they are facing serious challenges to their legitimacy. And as there is no appropriate global public forum in which to talk about such questions, the question of global media regulation has yet to be seriously addressed.¹⁶

Transnational free-enterprise media will need to be countered with global public service media. The structural basis of such institutions is not immediately evident, given that these have traditionally operated exclusively at the national level. Hence, it is all the more important that such questions be discussed in democratic, multilateral forums. The role of existing world bodies such as UNESCO and the International Telecommunication Union (ITU) is crucial to this action, but these will have to be opened up to include participation by a broader range of actors than the present assortment of member states. New structures will need to be developed in order for media to fulfil their potential as the central institutions of an emerging global public sphere.¹⁷

Credibility will need to be given to the idea that the global media environment, from the conventional airwaves to outer space, is a public resource, to be organized, managed, and regulated in the global public interest. This implies recognition of the legitimacy of public intervention on a global scale. Broadening access will require appropriate transnational regulatory mechanisms, as well as mechanisms for a more equitable distribution of global commercial benefits. There is a need for the international appropriation of some air and space for the distribution outside the country of origin of viable creative products that currently have no access to the new global agora that figures so prominently in utopian discourses on the new information technologies.

The convergence of communication technologies requires a parallel convergence in programs and policies. This is going to require the invention of new models, new concepts, and a general new way of thinking about communication. For example, the notion of "access" has traditionally meant different things in broadcasting and in telecommunications.¹⁸ In the broadcasting model, emphasis is placed on the active receiver, on free choice, and access refers to the entire range of products on offer. In the telecommunications model, emphasis is on the sender, on the capacity to get one's messages out, and access refers to the means of communication. In the new media environment, public policy will need to promote a new hybrid model of communication, which combines the social and cultural objectives of both broadcasting and telecommunications, and provides new mechanisms—drawn from both traditional models—aimed at maximizing equitable access to services and the means of communication for *both* senders and receivers.¹⁹

The central issue is still who will get to use the full range of local, national, and global media to receive and disseminate messages, and on

what basis. Resolution of this issue will depend on a different kind of access: to the processes and points of decisionmaking that will determine the framework in which media are going to develop, that is to say, access to the policy framework of the new global media system.

But meanwhile, the interests promoting the global media system are not standing by idly waiting for this to happen. They are in the front lines, developing their project, mobilizing support, lobbying decisionmakers.

The Globalization of the Context of Communication Policy

The global arena for communication policy was launched in Paris, in 1865, with the first international (interstate) conference on telegraphy. For the next 130 years, international relations in communication were largely focused on managing the environment in which communication resources would be used at the national level, according to the goals and capacities of individual nation-states. From the harmonization of technical standards to the development of a common rate-accounting system, to the allocation of radio frequencies and later geostationary satellite positions, the underlying assumption was that communication was a national affair requiring a minimum of international coordination.²⁰

This multilateral framework remained basically unchanged until 1995, when it was radically transformed with the launching of the U.S.-initiated proposal to establish a Global Information Infrastructure (GII), presented by its promoters as a transnational, seamless communication system that would revolutionize human relations and national economies.²¹ What was new about the GI I was that it proposed a single vision, program, and policy framework for the role of communication technology as a means for achieving an idealized global society. First presented, as an idea, at a meeting of the ITU in Buenos Aires in 1994, the GI I became a concrete project in February 1995, with the adoption by the G7 group of countries of an eight-point plan for implementing it.

The GI I project emanated from the Clinton administration's 1993 *Agenda for Action*, launching an initiative to build a new national information infrastructure (NII) which it defined as "the aggregate of the nation's networks, computers, software, information resources, developers and producers."²² The NII has been the object of vigorous debate in the United States, over the contradictions between the development of its public interest and commercial vocations.²³ But trampolined to the

global level, it becomes an apparently unproblematic plan for establishing an information- and communication-based utopia.

As outlined before the ITU by U.S. Vice President Al Gore in 1994, the GII project traverses a continuum connecting public purpose and private enterprise by mobilizing such concepts as free trade, industrial development, modernization, and technological progress. After Buenos Aires, U.S. strategy called for bringing its partners in the alliance of advanced capitalist countries aboard under U.S. leadership. In a document prepared as background to the G7 meeting in Brussels, the United States outlined the necessity for international coordination of regulatory policies on competition, interconnectivity, global applications, and content.²⁴

The U.S.-stated objectives for Brussels included seeking support for the five basic principles announced in the GII plan—private investment, competition, flexible regulation, open access, and universal service—and identifying “policy actions” likely to advance these principles. But the key objective was to integrate the private sector to the process:

Consideration of the broad range of policy and technical issues associated with the worldwide integration of information infrastructure at the Ministerial level will help shape the “vision” of the GII, and can constructively create common ground for the further development of the GII. We further believe that, however designed, *input from the private sector will be critical to the success of the conference.*²⁵

The role of the private sector would be definitively consecrated in Brussels. In addition, a more complex political dynamic set in, reflecting the range of important specific interests of different G7 members. The need to achieve favorable positioning for their own national representatives at the table of international capital, as well as to reflect key aspects of national policy (and thus speak to domestic public opinion), required negotiation of an acceptable *modus vivendi*. The U.S. version of the GII’s original five points was thus expanded with the addition of references to equal access, content diversity, and international cooperation.²⁶ The new eight-point GII indicated a greater attentiveness to potentially explosive issues such as perceived threats to cultural and linguistic diversity, social justice, and the gap between richer and poorer nations.

The irony of a “global” project originating from a private meeting of the world’s most powerful nations has been lost on most mainstream

observers. In terms of the changing world system of governance, the Brussels meeting represented a major shift: for the first time under the auspices of the G7, corporate enterprises met around their own separate table, with official status.²⁷ Groups representing civil society, meanwhile, were relegated to the margins of unofficial intervention—more reminiscent of the masses gathered outside the city gates in medieval Europe, than of the social partners that could be imagined by a naive reading of the GII project.

The GII project has since been further developed in other venues, such as the 1997 World Trade Organization agreement on “market access for basic telecommunications services” signed by all members of the OECD along with some 40 “developing” or “transitional” (that is, east-central European) countries.²⁸ Under this accord—again, the result of a U.S. initiative²⁹—“participants agreed to set aside national differences in how basic telecommunications might be defined domestically.” Henceforth, telecommunications infrastructure development in 90 percent of the world market will proceed without regard to national regulatory constraints, particularly concerning domestic ownership requirements.

Indeed, in every respect, the GII project is a harbinger of both a certain emerging global regulatory system in communication and a future system of world governance. It is an imperial project, with enormous implications for the future of democracy and human rights, insofar as it is based on political decisionmaking at a level where there is no accountability, the recognized autonomy of private capital, and the formal exclusion of the institutions of civil society. In terms of international relations, it extends the dependency of the technologically challenged parts of the world. As a social project, it locates human development as a potential benefit of economic investment, rather than as the principal goal.³⁰

This is the reality behind the rhetoric of the GII. But is it the only possible reality, or is there an alternative way to imagine the organization of the global information society?

The Limits and Possibilities of Multilateralism

Aside from the minimal regulatory framework of the ITU, international issues in communication were rarely the object of consideration in multilateral forums until the emergence of the New World Information and Communication Order (NWICO) debate that enflamed UNESCO in the

1970s. Focusing on the supporting role of communication in maintaining the inequalities built into the world system, the proponents of that debate sought to develop policy and programmatic approaches to communication in a perspective of democratic, equitable social development.³¹

The NWICO debate highlighted both the possibilities and limitations of seeking to resolve global issues in multilateral fora made up of nation-states. Launched by the nonaligned nations in the context of the bipolar politics of the cold war, the debate was quickly hijacked and derailed by the dominant (U.S. and Soviet) geopolitical agendas. The proposals stemming from the 1980 report of UNESCO's International Commission on the Study of Communication Problems, chaired by Sean MacBride,³² were never seriously considered, and the subsequent withdrawal of the United States and the United Kingdom from the organization had the effect of chilling out further discussion of communication issues in UNESCO for the next fifteen years.

Preoccupied with the fallout from the NWICO events, UNESCO re-directed its priorities to a "new communication strategy" aimed essentially at providing services in the areas of media development and advising the "transitional" democracies of Africa, Asia, and the post-Soviet bloc on setting up new legal and structural frameworks for their media systems.³³ Adopted in 1989, the "new strategy" has provided a useful basis for service to member states, and a series of UNESCO-sponsored conferences on freedom of the press (held successively in Windhoek, Almaty, Santiago de Chile, and Sana'a) have made important contributions to the cause of media liberalization. For reasons that may be politically and diplomatically understandable, UNESCO has been reluctant to embark on another debate on the global problem of mass communication. Yet UNESCO's credibility is in fact tied to its capacity to act as a forum for such debate.

As for the ITU, it recognized the significance of the worldwide gap in telecommunications infrastructure between rich and poor as early as 1984.³⁴ Eleven years later, a joint ITU/UNESCO study entitled *The Right to Communicate: At What Price?* wondered to what extent societal goals could be reconciled with commercial objectives in this context.³⁵ This interagency report represented a rare effort to bridge the gap between technical and sociocultural sectors, insofar as UNESCO could be said to constitute a community of "public concern" for telecommunications services furnished by ITU members. The study noted the detrimental effects of economic barriers to access to telecommunication services; the lack of

infrastructures in some countries; and the lack of an international universal telecommunication infrastructure. This is often the result of historical circumstances, political requirements, and monopolistic industry structures, the study recognized. The ITU as well, however, is tied to the agendas of intergovernmental politics.

Organizations such as the World Bank, meanwhile, began paying attention to communication infrastructure issues in the 1980s, relating them to what it would eventually label "knowledge for development in the information age."³⁶ Information and communication technologies are now being foregrounded on the international development agenda, where they had once been seen as peripheral. But as one observer at the 1997 World Bank/Government of Canada Global Knowledge conference in Toronto put it:

From now on it appears that telecommunication will be presented as having a role as part of the "infrastructure" of development alongside the provision of electricity and transportation access. While this development may prove to be a bonanza for certain strategically located consulting and technology firms it is less evident that it will be of much immediate benefit to the proposed beneficiaries.³⁷

Indeed, the thrust of all this activity at the heart of the UN system was essentially in harmony with that of the GII project and the national policies being put in place in the G7 nations and through regional bodies such as the European Union.³⁸ This activity has as its central policy to shift the emphasis from the state to the private sector for initiative, innovation, and capital investment to develop the new information infrastructures for global commerce, finance, communication, and social services. The problem with such an approach is that private capital expects a financial return on its investments and structures its activities with this in view. No public policy objective can overrule this basic imperative.

The summary report of a high-level colloquium of policy advisers, regulators, and business leaders organized by the ITU in December 1996 captures the core aspects of this new context.³⁹ The changing role of government in the sphere of communications, and the changing role of regulation in particular, one reads here, "focuses on the rapid transformation of telecommunications markets and regulation toward market-based, competitive environments and an increasing globalization of all markets and services."⁴⁰

The document goes on to describe “a fundamental ‘paradigm shift’ away from conventional modes of operation, commerce and interaction” in communication, similar to previous shifts that occurred in the past with the introduction of radio, television, and computer technology. The effects of this shift are being felt globally, although “the wave is only just beginning to build.”⁴¹

At the same time, there is an equally fundamental evolution occurring in attitudes and assumptions concerning the role of regulation and the definition of the public interest in communications. . . . To the extent there is agreement concerning the desired direction of evolution for communications worldwide . . . it is that market forces should ultimately determine the pace and scope of development of communications infrastructure or conduit, to the extent possible, and therefore that regulation should seek to promote market-based outcomes.⁴²

This already says it all, but there is more:

First of all, it is important to approach communications policy and regulatory issues with a presumption that market-based solutions will be preferable to responses imposed by government. Put another way, we should establish a goal of minimal regulation: no more regulatory intervention than is essential to achieve legitimate public objectives (and to ensure the market works well) in a largely market-driven environment.⁴³

But there will still be a need for some regulatory intervention, and the participants in this colloquium foresee it moving from the national to the global level as “institutions and policies relating to telecommunications that are determined at the global level (e.g., international trade agreements, spectrum allocation, standards, regional and bilateral treaties) are coming to supersede national policies and regulatory practices, just as global technological and market trends are beyond the control of national regulators.”⁴⁴

It is this process that must absolutely be the focus of efforts for democratization, not only at the national but at the global level. There are some interesting starting points to such a process to be found in a handful

of documents that have emerged in the past few years on the fringes of transnational policy bodies. Let us briefly consider one of these.

The World Commission on Culture and Development

The World Commission on Culture and Development (WCCD) was created in 1991 by the United Nations and UNESCO to make "proposals for both urgent and long-term action to meet cultural needs in the context of development."⁴⁵ Within the framework of the UN system, it is important to note that this commission had "independent" status, on the one hand providing it with great leeway with respect to the political *rapproches de force* governing relations between member states at any given point in time while, on the other hand, freeing the sponsoring organizations from any responsibility for its findings or commitment to implement its recommendations.

The WCCD reported to the UNESCO General Assembly in November 1995.⁴⁶ The foreword to its report outlined the critical spirit with which the commission approached its task:

A bipolar order had collapsed, but the implosion of one side was hardly an unalloyed victory for the other. In the affluent world the notion of progress without limits had become an illusion. Value systems and ties of solidarity appeared to be breaking down. The gulf between the "haves" and the "have-nots" appeared to be widening, the scourge of social and economic exclusion disturbing the smooth surface of contentment.⁴⁷

Evoking the unequal and asymmetrical process of globalization that has resulted in a "fragmented global culture," it emphasized that the cultural dimension of development in this context must imply "a new global ethics" based on human rights and responsibilities, democracy and the elements of civil society, the protection of minorities, commitment to peaceful conflict-resolution and fair negotiation, and intergenerational equity.

In a broad review of cultural issues ranging from ethics to the environment, the WCCD proposed an international agenda for developing global policy with respect to cultural development. Several chapters and proposals relating to mass media and new global issues in mass com-

munication were framed by the following question: "How can the world's growing media capacities be channeled so as to support cultural diversity and democratic discourse?"

The WCCD recognized that while many countries were dealing individually with various important aspects of this question, the time had come for a transfer of emphasis from the national to the international level. "There is room for an international framework that complements national regulatory frameworks."⁴⁸ While many countries still need to be incited to put in place or modernize existing national frameworks, the justification for the proposed transfer of attention was to be found in a word: globalization.

Concentration of media ownership and production is becoming even more striking internationally than it is nationally, making the global media ever more market-driven. In this context, can the kind of pluralist "mixed economy" media system which is emerging in many countries be encouraged globally? Can we envisage a world public sphere in which there is room for alternative voices? Can the media professionals sit down together with policy-makers and consumers to work out mechanisms that promote access and a diversity of expression despite the acutely competitive environment that drives the media moguls apart?⁴⁹

The WCCD admitted that it did not have ready answers to these questions, but that answers had to be sought through international dialogue:

Many specialists have told the Commission how important it would be to arrive at an international balance between public and private interests. They envision a common ground of public interest on a transnational scale. They suggest that different national approaches can be aligned, that broadly acceptable guidelines could be elaborated with the active participation of the principal actors, that new international rules are not a pipe-dream but could emerge through the forging of transnational alliances across the public and private media space.⁵⁰

The WCCD's international agenda contained a series of specific proposals aimed at "enhancing access, diversity and competition of the in-

ternational media system," based on the assertion that the airwaves and space are "part of the global commons, a collective asset that belongs to all humankind. This international asset at present is used free of charge by those who possess resources and technology. Eventually, 'property rights' may have to be assigned to the global commons, and access to airwaves and space regulated in the public interest."⁵¹

Just as national community and public media services require public subsidy,

internationally, the redistribution of benefits from the growing global commercial media activity could help subsidize the rest. As a first step, and within a market context, the Commission suggests that the time may have come for commercial regional or international satellite radio and television interests which now use the global commons free of charge to contribute to the financing of a more plural media system. New revenue could be invested in alternative programming for international distribution.⁵²

Competition policies, as exist in many countries, need to be enacted in the international sphere to ensure fair practices. International public broadcasting services need to be established "to help assure a truly plural media space." In general, this calls for a new and concerted international effort, "an active policy to promote competition, access and diversity of expression amongst the media globally, analogous to policies that exist at the national level."⁵³

Published only months after the G7 launching of the GII initiative, the WCCD report ventured gingerly onto the terrain of the new communication technologies. A passage regarding access to the information highway did not make it into the final version of the report,⁵⁴ which generally endorsed the liberal thrust of the GII project, although an important concern that it be opened up beyond the leadership of industry was voiced: "The Commission also recognizes that, in the context of an open market economy, the development of the new information infrastructure must be ensured through innovative partnerships between international agencies, governments, industry and civil society."⁵⁵

Concretely, the WCCD went no further than to call for two feasibility studies to be conducted under the auspices of the UN system: one to determine the possibility of establishing international alternative broadcasting services, including funding requirements; and a second to inves-

tigate "how best to favour a competitive and equitable media environment internationally."⁵⁶ These studies would enable exploration of appropriate global mechanisms analogous to national models of public service broadcasting and independent regulatory authorities.

Finally, the WCCD proposed that a Global Summit on Culture and Development be convened to discuss the full gamut of issues raised by its report.

One of the most crucial aspects of this question that needs to be addressed is how to avoid such a discussion becoming yet another debate among states, each representing its own national interest and those of its partners in the private sector, rather than among a global public dealing with global issues, across national borders and in quest of a global public interest.

The Report of the World Commission on Culture and Development, in its tone and its substance, opens the door to this. But its fate is typical of the scope of the problem. Nearly two years after its tabling, the report has attracted almost no attention outside the immediate circle of UN/UNESCO diplomacy. A handful of national commissions for UNESCO have made timid overtures to publicizing some of its less controversial aspects (steering shy of the media chapter, most notably), and UNESCO itself has been clear to point out the report's "independent," nonbinding nature. Even specialists closely attuned to the various fields covered by the report have been barely touched by it. This in itself constitutes an interesting question for communication scholars with an interest in the formal right to communicate. But there may be something more profound at work here.

In considering the cool reception that has greeted the WCCD report, there is no overlooking the obvious subtext of the deep-rooted politics of the UN system and particularly UNESCO with respect to media. The obvious question that comes to mind is to what extent is this a sequel to the MacBride report of 1980, and is the UN system prepared to entertain a debate of the type that accompanied the preparation and publication of that report. The corollary question is, can such a debate responsibly be avoided?⁵⁷

Resistances or New Beginnings?

The preceding example was presented at some length to illustrate that there already exists an important knowledge base for beginning to elab-

orate a socially progressive global regulatory framework for mass media, information, and communication technologies. Before such a framework is likely to take shape, however, it will have to find a transnational political constituency.

This constituency will have to be put together piece by piece and it will overlap conventional levels of political activity. The new supranational decisionmaking bodies such as the European Union provide an important intermediary phase between the national and the global. Not surprisingly, information and communication policy is a major sphere of activity for such bodies.

In the European case, an important alternative perspective has been provided recently by the EU's High Level Experts Group (HLEG), set up in 1995 to examine the social aspects of the Information Society. The group's final report was tabled in April 1997 and officially released by Brussels only several months later. This was in remarkable contrast to the highly mediated appearance of the so-called Bangemann Report of 1994,⁵⁸ which immediately became the cornerstone of EU information and communication policy by "urg[ing] the European Union to put its faith in market mechanisms as the motive power to carry us into the Information Age."⁵⁹

In contrast, the HLEG report proposes to refocus debate on communication regulatory issues and social aspects of uses for new information and communication technologies in order to build "a strong ethos of solidarity" in the European Information Society.⁶⁰ For example, its ten-point policy agenda emphasizes the key role of the public sector. Rather than the "minimalist" role for public services foreseen by Bangemann, the HLEG sees them as an engine of growth as well as providing access and democratic control. Public administration should take the lead in developing the information society, initiating where appropriate public-private partnerships in key areas like education, health, culture, and media. Public services should be concerned not only with infrastructure but with providing content as well. They should be local, information led, and employment intensive, while private services would be market driven: "The public service sector should be a model of service provision to the public: particularly in combining the utilization of access at a distance through communication technologies with the possibility of human contact for those citizens who desire."⁶¹

In order to implement such a program, the HLEG sees a need for some transfer of regulatory power to the EU level, where regulation would be

coordinated by a European FCC-type regulatory agency: "Today, increasingly, regulation policy must fully reflect the new international agenda formed by the emerging global information infrastructure."⁶² A transparent, borderless, global information society can have significant benefits to the world as a whole provided it is socially integrated, says this report: "Just as global transparency is likely to benefit economic welfare in terms of a better international allocation of resources and cheaper prices, it might also increase social welfare bringing about an improvement in social and labour conditions."⁶³

This idea of a global welfare state is tied to the notion of a new tax base for financing the social security system in the global information society: the "bit tax," based on intensity of electronic transmission and applied to all interactive digital services. "There is a need to adapt taxation to the changing economic structure of the information society and the increasing importance of information transmission."⁶⁴ Clearly, only an international approach, founded on a global enforcement mechanism, could make such a venture possible.⁶⁵

It remains to be seen what sort of response this official report will generate from Brussels. Proposals with a similar social thrust are to be found emanating from the margins of various national information infrastructure policy debates. But the conditions for determining a global policy that would enhance the role of communication in human rights are likely to come only from the efforts of the new global networks of alternative communication.

The 1990s have witnessed an unprecedented growth of projects, groups, and associations of all sorts working in areas that can be clustered under the general heading of democratic communication. Working with shoestring resources, practitioners of conventional alternative media have established important worldwide organisations such as AMARC (community radio) and Vidéazimut (alternative video). The spread of computer-based communication and the Internet has engendered countless information links and "listservs," as well as organizations such as the Association for Progressive Communications. Researchers associated with the NWICO debate have kept the issues it raised alive through the annual meetings of the MacBride Round Table on Communication and a plethora of conferences, books, and journals. In 1996, 300 activists in the U.S. "belly of the beast" launched the Cultural Environment Movement (CEM), which has become an important watchdog and critical policy lobbying organization. AMARC, CEM, and the Malaysia-based

Third World Network are promoting a "people's communication charter" (drafted by Cees Hamelink of the Centre for Communication and Human Rights, in the Netherlands).

In November 1996, these and a number of other like-minded organizations met under the auspices of the World Association for Christian Communication in London, England, to draft a "Platform for Cooperation on Communication and Democratisation." The London Platform, as it has come to be known, is aiming to organize a worldwide "Right to Communicate" event to coincide with the fiftieth anniversary of the UN Declaration of Human Rights in 1998.⁶⁶

On the contribution of communication to the democratisation of society, the London Platform aims for "the right to communicate to be recognised and guaranteed as fundamental to securing human rights founded on principles of genuine participation, social justice, plurality and diversity, and which reflect gender, cultural and regional perspectives."⁶⁷

On the democratization of communication structures, institutions, and processes, it promotes "the need to defend and deepen an open public space for debate and action that build critical understanding of the ethics of communication, democratic policy development, and equitable and effective access."⁶⁸

To what extent can initiatives such as these be said to constitute the embryonic beginnings of a global civil society based on socially oriented uses of information and communication technologies?⁶⁹ For the purposes of closing this paper, let us say that the answer will be crucial in determining whether the type of global policy framework we have put forward will ever be established.

Numerous scholars and analysts have convincingly argued that the conventional frameworks for regulating media and communication in order to achieve nonmarket objectives *ought to* be translated into some sort of international mechanisms.⁷⁰ I would suggest that this is going to happen only once widespread popular mobilization is translated into political will. Only then will communication play a meaningful role in human rights; only then will the right to communicate be realized.

Notes

1. Richard Falk, "The Making of Global Citizenship," in Bart van Steenbergen, ed., *The Condition of Citizenship* (London: Sage, 1994), pp. 127-40, esp. p. 128.

2. Pierre Trudel, "Le rôle du droit dans les politiques de communication," in Pierre Trudel, ed., *Les politiques de communication et leur mise en oeuvre: Tendances et états de questions* (Montreal: Consortium CRDP/IDDM, 1996), pp. 9-25, esp. p. 9. My translation.
3. It is interesting to consider, for example, the debates on so-called deregulation through this prism. The decision to "deregulate" in a given area is no less a policy decision than the decision to regulate. It simply represents a shift in the relative weight to be placed on the state, the market, and civil society.
4. Peter A. Bruck and Marc Raboy, "The Challenge of Democratic Communication," in Marc Raboy and Peter A. Bruck, eds., *Communication for and against Democracy* (Montreal: Black Rose Books, 1989), pp. 3-16.
5. By globalization, I mean a general context characterized by the diminishing role of national states, the transnational concentration of corporate economic power, the technologically based reduction of constraints of time and space, the questioning of received ideas about national and cultural identity, the emergence of new, locally based, global networks, and the progressive establishment of a new legal and political framework for world governance.
6. Manuel Castells, *The Rise of the Network Society* (Malden/Oxford: Blackwell Publishers, 1996).
7. John Keane, *The Media and Democracy* (London: Polity Press, 1991).
8. John C. Nerone, ed., *Last Rights: Revisiting Four Theories of the Press* (University of Illinois Press, 1995).
9. See Marc Raboy, ed., *Public Broadcasting for the Twenty-first Century* (Luton (UK): John Libbey Media/University of Luton Press, 1996); and *The Media in a Democratic Society*, draft resolutions and draft political declaration, 4th European Ministerial Conference on Mass Media Policy, Prague, 1994, Strasbourg, Council of Europe, MCM-CDMM (94) 3 prov 1.
10. William H. Melody, ed., *Telecom Reform: Principles, Policies and Regulatory Practices* (Lyngby: Technical University of Denmark, 1997).
11. See, for example, Arjun Appadurai, "Disjuncture and Difference in the Global Cultural Economy," in Mike Featherstone, ed., *Global Culture: Nationalism, Globalization and Modernity* (London: Sage, 1993), pp. 295-310; Roland Robertson, *Globalization: Social Theory and Global Culture* (London: Sage, 1992); Immanuel Wallerstein, *Geopolitics and Geoculture: Essays on the Changing World-System* (Cambridge: Cambridge University Press, 1991); and Hamid Mowlana, *Global Communication in Transition: The End of Diversity?* (Sage, 1996).
12. See Robert W. McChesney, "The Internet and U.S. Communication Policy-Making in Historical and Critical Perspective," *Journal of Communication*, vol. 46, no. 1 (1996), pp. 98-124.
13. See Alain His, ed., *Communication and Multimedia for People. Moving into Social Empowerment over the Information Highway* (Paris: Transversales Science Culture, 1996).
14. See Marc Raboy, "Towards a Global Framework for Democratic Media," *CLIPS*, no. 10, 1996.
15. The range of literature emerging around this subject is truly vast. See, for example, The Group of Lisbon, *Limits to Competition* (Lisbon: Gulbenkian

Foundation, 1993); Bart van Steenberg, ed., *The Condition of Citizenship* (London: Sage, 1994); Richard Falk, *On Human Governance: Toward a New Global Politics* (Oxford: Polity Press, 1995); Daniele Archibugi and David Held, *Cosmopolitan Democracy: An Agenda for a New World Order* (Cambridge: Polity Press, 1995); and Commission on Global Governance, *Our Global Neighbourhood* (Oxford: Oxford University Press, 1995).

16. An important academic exception is to be found in the work of Monroe E. Price. See "The Market for Loyalties: Agenda-Setting for a Global Communications Commission," *InterMedia*, vol. 22, no. 5 (1994), pp. 14–21, and its more extensive earlier version, "The Market for Loyalties: Electronic Media and the Global Competition for Allegiances," *Yale Law Journal*, vol. 104 (1994), pp. 667–705.

17. See John Keane, "Structural Transformations of the Public Sphere," *Communication Review*, vol. 1, no. 1 (1995), pp. 1–22.

18. See Marc Raboy, "Access to Policy, Policies of Access," *Javnost/The Public*, vol. 2 (1995), pp. 51–61.

19. See Susan G. Hadden and Edward Lenert, "Telecommunications Networks Are Not VCRs: The Public Nature of New Information Technologies for Universal Service," *Media, Culture and Society*, vol. 17, no. 1 (1995), pp. 121–40.

20. See Armand Mattelart, *La mondialisation de la communication* (Paris: Presses universitaires de France, 1996); and Cees J. Hamelink, *The Politics of World Communication* (London: Sage, 1994). The world's first permanent inter-governmental organization, precursor to the ITU, was set up in 1865 to provide a framework for development of international telegraph and telegram services. Provision was made for private sector participation at the organization's second conference in Vienna in 1868, and nongovernment, corporate members were first admitted as early as 1871. Today's ITU is composed of 184 government and 375 private members. According to its director-general, Pekka Tarjanne, the role of the private sector in the ITU is perhaps the single most important strategic issue it has to face. Pekka Tarjanne, "The Limits of National Sovereignty: Issues for the Governance of International Telecommunications," in Melody, *Telecom Reform*, pp. 41–50.

21. U.S. Government, "The Global Information Infrastructure: Agenda for Cooperation," Washington, 1994.

22. Cited in Brian Kahin, "The Internet and the National Information Infrastructure," in Brian Kahin and James Keller, eds., *Public Access to the Internet* (MIT Press, 1995), pp. 3–23, esp. p. 3. Kahin points out that the U.S. Interstate Highway System, regularly invoked in U.S. public policy discourse as the model for the metaphor of the information superhighway, was in fact constructed entirely with public funds, unlike the new high-speed information networks that will, according to NII design, be left to the private sector to develop (p. 19, note 2).

23. Lewis M. Branscomb, "Balancing the Commercial and Public-Interest Visions of the NII," in Brian Kahin and James Keller, eds., *Public Access to the Internet* (MIT Press, 1995), pp. 24–33.

24. U.S. Government, "U.S. Goals and Objectives for the G7 GII Conference" (Washington: National Telecommunications Infrastructure Agency and Information Administration, 1994).
25. *Ibid.* Emphasis added.
26. G7, "A Shared Vision of Human Enrichment," chair's conclusions to the G7 Ministerial Conference on the Information Society, Brussels, February 1995.
27. The main transnational companies involved in information and communication technologies (ICT) development formally set up a Global Information Infrastructure Commission (GIIC) to continue pursuing their common interest in this area. Among the companies involved in the GIIC are Mitsubishi, Motorola, Viacom, Time-Warner, Olivetti, Sprint, AT&T, Nokia, Oracle, NEC, Alcatel Alsthom, Teleglobe Canada, and Nippon Telegraph and Telephone (Michel Venne, "Le secteur privé s'interroge: Où mènent les inforoutes," *Le Devoir* [Montreal], February 12, 1995).
28. WTO, "The WTO Negotiations on Basic Telecommunications," news release, Geneva, March 6, 1997.
29. See U.S. Government, "Irving Outlines Benefits of Open Telecom Markets to WTO Negotiators from Developing Countries," National Telecommunications and Information Administration Update, March 15, 1996.
30. See Marc Raboy, "La 'Global Information Infrastructure' (GII): Un projet impérial pour l'ère de la mondialisation," *Communications et stratégies*, no. 25 (1997) pp. 15-32.
31. See Johan Galtung and Richard C. Vincent, *Global Glasnost: Toward a New World Information and Communication Order?* (Cresskill: Hampton Press, 1993); and George Gerbner, Hamid Mowlana, and Kaarle Nordenstreng, *The Global Media Debate* (Norwood N.J.: Ablex, 1993).
32. UNESCO, International Commission for the Study of Communication Problems, chaired by Sean MacBride, *Mary Voices, One World* (London: Kogan Page, 1980).
33. UNESCO, "New Communication Strategy," adopted by the general conference at its twenty-fifth session, Paris, 1989. See also UNESCO, *Textes fondamentaux sur la communication—1989-1995* (Paris, 1996).
34. ITU, Independent Commission for Worldwide Telecommunications Development, chaired by Donald Maitland, *The Missing Link* (Geneva, 1984).
35. ITU/UNESCO, *The Right to Communicate: At What Price? Economic Constraints to the Effective Use of Telecommunications in Education, Science, Culture and in the Circulation of Information* (Paris, 1995).
36. See Eduardo Talero, "National Information Infrastructure in Developing Economies," in Brian Kahin and Ernest J. Wilson III, eds., *National Information Infrastructure Initiatives: Vision and Policy Design* (MIT Press, 1997), pp. 287-306.
37. Michael Gurstein, "Global Knowledge for Development '97," University College of Cape Breton, Nova Scotia, Canada. Web posting (mgurst@ccen.uccb.ns.ca), June 1997.
38. One revealing indication of this concordance is to be seen in the cooption of the "new world order" terminology in the GII literature. For example,

see U.S. Information Agency, *Toward a Global Information Infrastructure: The Promise of a New World Information Order*, USIA pamphlet series (Washington, 1995).

39. ITU, *Regulatory Implications of Telecommunications Convergence: The Changing Role of Government in an Era of Telecom Deregulation* (Geneva, December 1996).

40. *Ibid.*, p. 6.

41. *Ibid.*, p. 8.

42. *Ibid.*, pp. 8, 11.

43. *Ibid.*, p. 11.

44. *Ibid.*, p. 21.

45. This undertaking was part of the UN/UNESCO Decade of Cultural Development, an operation launched in 1988 with the central claim that processes of "development" could not be isolated from their cultural dimension.

46. UN/UNESCO, *Our Creative Diversity*, report of the World Commission on Culture and Development, chaired by Javier Perez de Cuellar (Paris: World Commission on Culture and Development, 1995).

47. *Ibid.*, p. 9.

48. *Ibid.*, p. 117.

49. *Ibid.*, p. 117.

50. *Ibid.*, p. 117.

51. *Ibid.*, p. 278.

52. *Ibid.*, p. 278.

53. *Ibid.*, p. 279.

54. See UN/UNESCO, "Report of the World Commission on Culture and Development," fifth draft, August 30, 1995. Manuscript.

55. UN/UNESCO, *Our Creative Diversity*, p. 280.

56. *Ibid.*, p. 279. Here, the following from the original was dropped: "The question of a coordinated international approach in favour of competition, global equity and fair access would be the focus of the second study. The need for an international and independent regulatory agency should be examined." (UN/UNESCO, "Report of the World Commission on Culture and Development," fifth draft, August 30, 1995)

57. UNESCO has issued a sign of recognition of the importance of this question by organizing the Intergovernmental Conference on Cultural Policies for Development, 1998, Stockholm, on the basis of the WCCD report.

58. European Commission, *Europe and the Global Information Society* (Bangemann Report), *Recommendations to the European Council* (Brussels, May 1994).

59. *Ibid.*, p. 3.

60. European Commission, High Level Group of Experts, chaired by Luc Soete, *Building the European Information Society for Us All*, final policy report (Luxembourg: Office for Official Publications of the European Communities, 1997).

61. *Ibid.*, p. 18.

62. *Ibid.*, p. 15.

63. Ibid., p. 41.

64. Ibid., p. 42.

65. The idea of such a tax is developed in Arthur J. Cordell and T. Ran Ide, *The New Wealth of Nations: Taxing Cyberspace* (Toronto: Between the Lines, 1997). The premise of this Canadian proposal is that the emergence of an information society requires renewal of the tax system that evolved as the fiscal basis for public finance in the age of industrial society. For the purposes of this paper, it can be seen as the basis for a more equitable distribution of wealth and resources at the transnational, or global, level.

66. See "Media Alternatives Forum Launches New Network," *Action* (World Association for Christian Communication), no. 193 (November–December 1996), p. 3.

67. Ibid.

68. Ibid.

69. This question is being addressed in a doctoral dissertation currently being undertaken at the University of Montreal by Alain Ambrosi, one of the founders of Vidéazimut and a central figure in the London Platform movement.

70. For example, Price, "The Market for Loyalties"; Melody, *Telecom Reform*. Wolfgang Hoffmann-Riem, *Regulating Media* (Guilford, 1996); and Eli Noam, "Telecommunications Policy Issues for the Next Century," in "Toward a Global Information Infrastructure," U.S. Information Agency pamphlet series, Washington, 1996.