CRIS and Global Media Governance: Communication Rights and Social Change

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CRIS – The Early History

Outline: This paper attempts to explore the contribution of a contemporary expression of the communication rights movement – the Communication Rights in the Information Society (CRIS Campaign) to social change. While CRIS is a recognised global leader in communication rights advocacy, the paper argues that it falls short of its objectives because of its extensive commitments, largely academia-inspired praxis and its lack of connectivity to subaltern, grassroots expressions of communication rights. The paper contrasts this tradition with the grassroots-based right to information movement in India that has connected access to information with the right to food security and employment – issues that have made a difference in people's lives. The paper concludes with the following observations - that the success of the communication rights movement and in particular CRIS, will be based on the extent to which it 1) narrows its focus and 2) intentionally connects to the solving of everyday communication deficits.

The Communication Rights in the Information Society (CRIS) campaign was launched in late 2001 in London by a consortium of media reform organisations and concerned individuals in response to the International Telecommunications Union's (ITU) announcement of a World Summit on the Information Society (Raboy:2004a,b). This consortium – the Platform for Communication Rights (PCR), had been established in 1996 in London specifically in response to a perceived need for a democratic media alliance and space for debate, collaborative networking, lobbying, research and the enabling of strategic interventions on key media policy issues at a global level. A number of international media networks were involved in the making of the PCR, among them The World Association of Community Radio Broadcasters (AMARC), Association for Progressive Communications (APC), the now defunct Videazimut, Inter-Press Service (IPS), Isis, the International Women's Tribune Centre (IWTC), World Association for Christian Communication (WACC) among others, along with numerous concerned media academics.

The concept of the right to communicate or communication rights as it is often referred to these days became a global issue during the Non-Aligned Movement and UNESCO debates related to the New World Information and Communication Order (NWICO) and was most cogently expressed in the MacBride Commission's report 'Many Voices, One World', that incidentally has been reprinted earlier this year. Advocates for this right expressed the need to build on and strengthen 'Article 19' (on the freedom of expression) in the Universal Declaration of Human Rights (UDHR) in the light of new media realities – concentration of media ownership, the power of the media, the influence of the media in our day to day lives. Access, participation, local control, the creation of cultural environments of one's choice, popular participation in the creation of media policy, curbs on unrestricted media ownership, support for linguistic and cultural diversity and for the community media sector and the rights to

information and knowledge – are some of the concerns/issues that undergird the right to communication movement.

The global communication rights movement is primarily involved in lobbying for the fair distribution and ownership of a global public good, namely symbolic goods and services, and media and information-communication-technologies (ICTs) training advocacy. The recognition and space (inclusive of spectrum allocations) for community radio is an example of a global public good in communication. Such global public goods are unlikely to be distributed fairly within a deregulated market.

In spite of the fact that the global communication rights movement remains at a very embroynic stage, yet to attain the critical mass attained by the environmental and human rights movements, the CRIS campaign, along with related civil society efforts at the UN-sponsored World Summit on the Information Society (WSIS), have merited special issues and articles in journals such as *Gazette* (2004:66:3-4)*, Continuum* (2004:18:3)*, Media Development* (2002:4)*, book projects such as Girard & O'Siochru (2003) and stand alone pieces such as Padovani and Tuzzi (2002). There have also been publications on global media governance, namely Sean, Girard and Mahan's (2002) *Global Media Governance: A Beginner's Guide*, articles in the edited volume *Democratising Global Media: One World, Many Struggles* (Hackett, R. A. & Zhao, Y:2005) along with stand alone articles on global media reform including Hackett and (2004) and McChesney(2002). A number of articles have been written specifically on issues related to civil society involvement in and the role played by the Internet Corporation for Assigned Names and Numbers (ICANN) in the governance of the Internet, inclusive of Mueller:1999., McDowell & Steinberg:1999., Kleinwachter:1999 and Kleinwachter: 2004.

Media Governance Activism

Governance as Finkelstein (1995:370-71) has observed, covers an extensive range of functions and processes, "….among them: information creation and exchange; formulation and promulgation of principles and promotion of consensual knowledge affecting the general international order, regional orders, particular issues on the international agenda, and efforts to influence the domestic rules and behaviour of states; good offices, conciliation, mediation, and compulsory resolution of disputes; regime formation, tending, and execution; adoption of rules, codes, and regulations; allocation of material and program resources; provision of technical assistance and development programs; relief, humanitarian, emergency, and disaster activities; and maintenance of peace and order". As transnational civil society has increasingly become a recognised stakeholder in global governance policy making, it has begun to play a role in some of the functions and processes mentioned above. However, unlike in areas such as human rights, the environment, global trade, debt, women's empowerment, struggles waged by indigenous people, the anti GM foods movement, among other areas where transnational civil society has played critically formative roles in lobbying in Doha 2001, in Beijing 1995 and on the Multilateral Investment Agreement, and contributed substantively to policy making, the contribution of transnational civil society to global media governance issues has been relatively modest. In fact, prior to the CRIS campaign, and in the twenty year period (1984-2004) following the withdrawal of UNESCO's commitment to the New World Information and Communication Order (NWICO) movement, there were only a

handful of global initiatives related to the reform of global media governance institutions and global media reform. The mantle of the Cultural Environment Movement (CEM) (now defunct) started by the well known US scholar George Gerbner in the mid-90s, has passed on to the Media Reform Movement spearheaded by another well known media scholar, Robert McChesney. Cees Hamelink's People's Communication Charter that was drafted with the involvement of the Third World Network, AMARC, the CEM and other groups, exists in charter form although its global impact as a tool for ensuring media accountability needs to be documented.

With the cessation of UNESCO support for NWICO in the early 1980s, inter-governmental space for a global civil society based social movement for communication rights shrunk dramatically. This task was taken up by a handful of international media organisations that were involved in supporting 'alternative' media initiatives – the alternative press, critical media education, community radio to women and media networks, among very many other initiatives. The 80s and 90s were, in hindsight, the period that saw the greatest increase in community media projects. Literally thousands of community media projects were established throughout the world. A number of media networks and media reform movements at a national level were also established during this period. However, these national efforts at media reform were not complemented by international efforts aimed at the reform of global media governance institutions or for that matter related to the creation of global media policy. In other words, precisely during the period characterised by what was a global turn towards media liberalisation, privatisation and de-regulation, that accelerated in the late 1980s and spread globally throughout the 1990s, there was little or no civil society-based resistance to what eventually became the global norm. The need for an alliance had been discussed earlier at a variety of fora but had grown in urgency in the light of the global growth of media monopolies, the reach of media governance institutions and the emergence of GATT followed by the WTO as a critical institution substantively involved in supporting the copyright industries and advocating the liberalisation of culture and communication.

CRIS and the WSIS

The CRIS campaign was initiated in response to the UN sponsored World Summit on the Information Society (WSIS). The first phase of the summit was held in Geneva in 2003 and the second will be held in Tunis in November 2005. CRIS's explicit commitment to the project of communication rights places it in the tradition of the New World Information and Communication Order (NWICO), the MacBride Roundtable, the People's Communications Charter (PCC) and the Platform for Communication Rights (PCR). In late 2000 in response to the ITU's plans to host, on the behalf of the UN, a multistakeholder, global summit on the information society, the PCR launched the CRIS campaign. A key objective of CRIS was to ensure a robust CS presence and the substantive involvement of CS in negotiations at the WSIS. For most of the period 2001-early 2003, CRIS played a pivotal role in planning CS engagements, organising strategic mobilisation of CS in preparation for regional WSIS meetings, drafting position papers, creating meeting spaces in Geneva, networking before, during and after the preparatory committee (Prep.Com) meetings in Geneva, preparing the ground rules for CS participation at the WSIS and supporting the organisation of the larger Civil Society Plenary Group (CSPG) that was involved in lobbying and drafting statements on a variety of issues during the

prep comm. meetings. Notwithstanding the limited, policy making capacity of the WSIS, civil society was of the opinion that the final statements and recommendations from the WSIS could be a precursor to future policies on the breadth and scope of the information society. It was anticipated that the final Declaration of Principles and Action Plan could be invoked by civil society at a variety of local levels to bring about democratic changes in ICT policies (See Burch: 2004). The WSIS provided an opportunity and space for a constructive 'dry run' as it were for civil society, a valuable experience in the real politik of multistakeholder decision and policy making at an international level. The WSIS provided the very first opportunity for the media reform/communication rights movement to engage with inter-governmental agencies, states and the private sector on a one on one basis at a global level. However, the failure of WSIS to take up substantive issues identified by CRIS and other civil society groups was a salutary reminder of the real limits to lobbying, despite substantive civil society outlays and commitments to the WSIS process – financial, personal, political. Nevertheless, there have notable CRIS successes including the following:

CRIS Successes

- CRIS played a pivotal role in strengthening civil society presence at meetings leading up to WSIS Geneva. This included strategic preparations of civil society at regional levels prior to regional WSIS meetings, involvement in the various preparatory committee meetings that were held in Geneva and active involvement in the Civil Society Plenary Group that played a key role in civil society negotiations at the WSIS. CRIS was also involved in easing the role of the Civil Society Bureau that was set up to help civil society participation through the creation of policy documents including procedural documents such as that related to the rules and framework for civil society participation. CRIS has played no small part in extending the real meaning and possibilities of 'multi-stakeholder' partnerships at WSIS, against an implacable, oftentimes obdurate UN system.
- CRIS was also involved in the preparation of material in a number of languages on different facets of the information society. CRIS members have produced valuable content-based input, and position pieces that are of a consistently high quality. Additionally, a number of CRIS members have time and again demonstrated their expertise on a number of issues – from internet governance, to financing paradigms in the WSIS, to IPR.
- CRIS continues to be represented at a variety of civil society events from the World Social Forum (January 2005) to the Other Media Summit that was held in Colombia.
- Despite an acute resourcing crisis, CRIS was able to establish a secretariat and the services of a full-time coordinator, who, in turn strengthened information flows and networking.
- CRIS members were actively involved in lobbying at the Prep. Comms. and did became a reference point for some 'friendly' governments. CRIS also became a target for organisations like the World Press Freedom Committee that is pathologically opposed to the notion of communication rights. CRIS members played an important role in the preparation of alternative 'content and themes' and in drawing up the civil society declaration.

- CRIS has demonstrated a flexibility and a willingness to dialogue on difficult issues such as the right to communicate with organisations like Article 19 and thus attempted to forge larger alliances. This was a major achievement for the lack of support for communication rights within the media reform movement was a real cause for concern.
- The World Forum for Communication Rights that was held in Geneva during WSIS 1 highlighted the issues and themes that had been ignored by the WSIS. This was a well attended session. It included a session on human rights and communication that was sabotaged by officials from Tunisia. This episode merely strengthened civil society concerns related to civil society participation at WSIS 2, in Tunis.
- Sessions at Geneva, including the Framing Communication Rights meeting helped clarify the universe of communication rights. The one-year (March 2004-March 2005) Global Governance Project (GGP) supported by the Ford Foundation was seen as a means to 1) clarify the nature of communication rights and 2) linkages between global and local advocacy related to media governance reform. CRIS has also given global visibility to the concept of communication rights.
- In the post-WSIS 1 period, CRIS has, apart from being involved in the GGP deliberately extended its horizons and involved itself in the UNESCO Convention on Cultural Diversity, been involved in monitoring issues related to audio-visual trade and World Intellectual Property Organisation (WIPO)-related matters, ICANN, supported the activities of some local CRIS chapters and prepared inputs to the Prep. Comm. meeting related to the Tunis phase, including a statement to the WSIS Plenary and a comprehensive response to the Task Force on Financing Mechanisms 'Financing Paradigms in the WSIS Process'.
- CRIS has become the rallying point for a large number of media reform groups working at a variety of levels throughout the world. Today there are a number of CRIS chapters in different parts of the world and CRIS is recognised by independent media reform movements in different parts of the world.

CRIS Concerns

Even as those involved in the CRIS campaign have, post WSIS-1, achieved a wealth of experience through lobbying and intervening in policy debates at the levels of the ITU, UNESCO, and other foras, there is a sense in which its strictly limited achievements need to be assessed against contemporary priorities, needs and issues related to communication rights. While it is tempting to interpret CRIS as an example of the maturing of the communication rights movement (which it certainly is in some regards), one can argue that CRIS is more a case of 'organising around enthusiasms' as opposed to a movement that is involved in deepening and extending the project of communication rights grounded in felt needs. Whereas CRIS' major focus has been an engagement with the first phase of the World Summit on the Information Society (WSIS, Geneva 2003), it has also been involved in lobbying at less intense levels at meetings related to the UNESCO's Convention on the Protection of the Diversity of Cultural Contents and Artistic Expressions, World Intellectual Property Organisation (WIPO), WTO and phase 2 of the WSIS that is scheduled to be held in Tunisia in December 2005. Regardless of this diverse range of engagements, it is anybody's

guess as to whether such initiatives will result in substantive gains to the communication rights movement. While lobbying does need to be prioritised, it must connect to issues that make a difference in people's lives. ***The public salience of a number of issues currently prioritised by the communication rights movement inclusive of CRIS is low precisely because these issues do not affect the day to day lives of the vast majority of global citizens.*** Communication rights as it currently exists includes a range of issues – linguistic rights, curbing concentrations in media ownership, support for community media, the regulation of AV trade, access to new and old media, popular participation in the making of media policy, the democratisation of knowledge (IPR), public involvement in media advocacy and the establishment of communication environments, among very many other issues. While these concerns certainly need to be dealt with, they remain for all practical purposes rather removed from the day to day lives lived by the majority of people around the world. While the world's marginalised people's experience specific information/communication deficits in their lives, the communication rights movement is yet to embrace their concerns or adopt it as their own. The question as to who defines priorities related to communication rights needs to be posed and answered? Should the power to define these rights principally be attributed to representatives of civil society? Or should their also be the space for this right to emerge from and defined by people currently facing specific communication deficits?

On the contingent dynamics of CRIS

This visible success of CRIS is not by any means a reflection of the fulfilment of a well conceived script, or the consequence of a streamlined, strategic plan of action, being implemented concertedly by its membership. One can argue that CRIS's presence at the WSIS, the prominence of some of its key individual and organisational supporters and the salience of the issues created a momentum of its own that was largely to the advantage of CRIS. The mushrooming of local CRIS chapters, often independent of CRIS global, does indicate that the campaign was launched at the right time and that it did connect to issues that are of global concern. However, the growth and relative success of CRIS belies a complex movement dynamic involving organisational parities and disparities, the lack of regular funding and resourcing, involvement of a handful of organisations in the core support of CRIS, decision making processes that have been, in some instances, tied to funding, and the strategic, foundational contributions of a small number of gifted, committed individuals, and the inactivity of the rest. The question then that one could legitimately ask is whether one of the most visible nodes of the media reform and communication rights movement today can survive the largely invisible structural and organisational crisis that it is currently faced with. This crisis is not as much a reflection of its current organisation as much as it has to do with the ad hoc nature of the way in which the part has become the whole. More specifically, this relates to the politics of agenda-structuring at CRIS that results in a given issue becoming the focus for the campaign, at the expense of other, arguably more important, issues. While movements like organisms have infinite capacities for renewal, it is clear that without the aid of an implementable, strategic plan of action, sufficient resources and an extensive, independent funding base, CRIS will be tied down to implementing short-term projects rather than working towards the long term, multi-faceted change that is required of the project of communication rights. While incremental change is better than no change, a strategy that reflects the complex requirements of communication

rights is required if CRIS is to remain more than just a foot note in the history of global media reform and communication rights.

The following example illustrates the articulation of communication rights from below. I argue that this instance of grassroots mobilisation that is a response to felt needs and directed towards overcoming experienced deficits provides a much needed legitimisation of the global project of communication rights. However the global communication rights movement needs to be open to such articulations from below – and be ready to re-define the project of communication rights in the light of such articulations. There is, in other words, the need to square global advocacy concerns related to communication with community-based concerns. While the right to information movement in India is by no means a perfectly calibrated example of national grassroots mobilisation, has fallen short in terms of practice and implementation in some states in India, it has connected to people's lives and led to social change – in Rajasthan and other states.

Grassroots Movements and the Revitalisation of Communication Rights: The Right to Information Movement in India

The right to information movement is one of the most significant social movement success stories in India. It is essentially a movement that supports the right to know and to be informed. This movement has played a key role in the valorisation of information as a public good. One of the consequences of this movement is the Right to Information Bill (2005) that has influenced and in turn has been moulded by prior right to information legislations in a number of states in India inclusive of Rajasthan, Madhya Pradesh, Maharashtra, Goa, Tamil Nadu, Karnataka, Delhi, Andhra Pradesh. From a citizen's perspective, the fact that the key impetus for this bill began through struggles at a grassroots level, more specifically via a peasant's movement in the state of Rajasthan, the Mazdoor Kisan Shakti Sangathan (MKSS), a movement committed to land, livelihood and wage rights is little short of remarkable. The MKSS was officially formed in 1990 by local activists including Aruna Roy, Nikhil Dey and Shankar Singh in Devdungri, a village in the state of Rajasthan. Their early work focussed on struggles for minimum wages, land and women's rights mainly with landless labourers, and struggles around making the Public Distribution System accountable. Their own spartan lifestyles, their life with people and their refusal to accept international or government funding for their work placed them in a different category from the average NGO employee in India who is, for the most part, beholden and captive to the exigencies of foreign funding. In 1994, and in the face of official recalcitrance and unwillingness to cooperate with people's demands, the MKSS decided to organise public hearings (*jan sunwais)*. These hearings took the form of an audit of local level development projects, especially employment in and expenses related to public works and wages paid to workers that led to a demand for all copies of documents related to public works to be made public. These hearings reinforced what the public already knew, the fact that there was gross misappropriation of funds – wages paid to fictitious, even workers who had died years back in local employment registers and incomplete public works projects that were listed as complete. In a public hearing held in Janawad panchayat in Rajsamand District on documented public works worth Rs 65 lakhs (US$ 144444) in November 2000, it was "….established that no less than Rs. 45 lakhs (US$100000) of this sum had gone into fictitious, untraceable projects" (Muralidharan: 2001). In 1997 after many protests and

hearings, the state government in Rajasthan announced the right of all people to demand and receive photocopies of all public works projects undertaken by local development authorities (the *panchayat)*. An additional focus was on the Public Distribution System that is mandated to provide subsidised 'rations' and is notoriously famous for 'leakages'. This movement spread to other districts in Rajasthan and spilled over into neighbouring states. While corruption was among initial issues that was exposed, the need for transparency, accountability, and openness led to the scrutiny of higher levels of government funding, policies supportive of secrecy and institutions that were outside the purview of public inspection. In 1997, the National Campaign for the People's Right to Information was established. In 2002, the then government introduced the Freedom of Information Act. This was amended by the present government to become the Right to Information Bill (2004). However in spite of these welcome measures, this opportunity for popular participation in democratic governance and social change has been seriously compromised by a number of caveats and over-bureaucratised enforcement procedures that do have the potential to stymie the pace and nature of change. While the 2002 variant included under its remit central, state, district and local level information and an enforceable penalty clause, the 2004 Bill has limited the right to information "..to only information available with the Central Government and Union Territories" and has diluted the effectiveness of the penalty clause for those who refuse to be transparent. The 'exceptions' listed in the schedule of the Right to Information Bill, 2004 including Intelligence and Security Organisations established by the Central Government and the exclusive focus on 'Public Authority' rather than both public and private actors is also a clear limitation.

At local levels, the right to information as opposed to say the more abstract right to communication has become a proven, essential human right in the sense that it has become the basis for prising open other rights and entitlements denied to people. In the context of real rises in poverty during the last decade, the right to information has become a means of survival for India's poor. Jha et.al (2003:14) in a monograph on 'Trade Liberalisation and Poverty in India' observe that studies have shown "….an increase in the incidence of poverty among rural labourers. Despite healthy growth, poverty levels remained high because of the increase in inequality and the decline in agricultural wages, and, also on account of the rise in food prices, especially in the subsidised food prices in the PDS…..the targeting and coverage of the PDS have been inadequate and therefore the system has failed to shield the poor from the rise in foodgrain prices that has followed the rise in the price of fertilisers and the procurement of foodgrains in the aftermath of reforms".

Even as there have been strong critiques of the limitations of current RTI legislations adopted by the states and by the federal government (Sivakumar:2005), in general, the available information does indicate that the right to information movement has played no small role in revitalising participatory democracy in some parts of India particularly in some of the districts of Rajasthan, Maharashtra and Madhya Pradesh (See Sivakumar:2004; www.indiatogether.org/rti/; Mander & Joshi).

1. The right to food security was compromised because of corruption in the PDS system, the diversion of grain and oils from local 'ration' shops to the open market and social audits have opened up employment opportunities and the establishment of minimum wage entitlements.

2. Public hearings have played an important role in creating the momentum for participatory democracy, through valuing public participation and creating new spaces, arenas, environments supportive of a new politics of possibility. This has been vital to the reestablishment of a democracy from below through the renewal of traditional political instruments leading to a grassroots revitalisation of democracy at state and central levels in India that was in dire need of an overhaul.

3. Unlike in the West and other parts of the world where the right to information is tied to freedom of expression and press freedom, the struggle in India has tied this right to the basic rights to life and survival (to issues such as drought, employment, health, electoral politics) marking a distinct and in fact radical departure from other struggles around information rights. In the words of Sivakumar (2004) " It really is this integration taking place with a wide range of issues, from food security, to displacement to communal violence that is relatively new and continues to give it life and sustenance". This tying in to the politics of basic needs is an important statement that India today, irrespective of its emergence as a software manufacturing centre is still home to 350 million people who are below the poverty line, half the population who are illiterate, high infant mortality and among the highest child labour rates in the world (See UNDP Development Index and Weiner:2001).

4. The right to information movement, through its innovative struggles has revitalised the project of participatory communication in India. The creation of the Right to Information Bill (2004) and the various state level legislations on the right to information have been unprecedented. Notwithstanding variations in these legislations in terms of the caveats, exceptions, exemptions, procedures for redressal and other issues, the nation-wide espousal of the RTI movement remains a unique footnote in the history of the democratisation of information in India.

Conclusions:

While the CRIS campaign has become a global project on communication rights and media reform, its policies, vision and directions are currently set by a small group of people belonging to its International Organisation Committee (IOC). During the last two months there have been discussions related to the re-branding of CRIS in the post-Tunis period although there remains a lack of consensus on its vision, structure and programmatic priorities. Whereas CRIS advocates have consistently shown an admirable grasp and knowledge of global media governance issues, they need to be open to grassroots-based understandings of communication rights. The biggest task facing CRIS today is the need to globalise communication rights, to transform these rights into everyday concerns. In order to do so, CRIS needs to strategically define its understanding of communication rights, balance its lobbying efforts at a global level while addressing information/communication issues/deficits that are of most concern to different sectors of society.

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