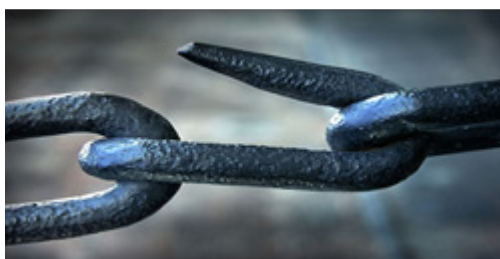


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# THE MEDIA FREEDOM REPORTS

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UNIVERSITY OF SHEFFIELD



Centre for Freedom of the Media  
(CFOM)

*Freedom of information and expression at  
the service of justice in a world of inequality*

by Andrés Cañizález

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*Freedom of information and expression  
at the service of justice in a world of  
inequality*

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## Abstract

Poverty and marginalization usually lead to the erosion of democratic institutions and very often to violations of human rights, such as the right to inform and be informed. The poor have very low levels of participation within society, as their voices and needs are frequently ignored. Andrés Cañizález argues that an effective respect for freedom of expression is a basic tool to incorporate them into the public opinion. The poorest layers of society should stop being considered mere passive subjects but active actors with full rights in order to be part of policy and decision-making processes. In this framework, the educative and informative role of the media becomes crucial, paying special attention to alternative media like community radios.

**T**he poverty and social marginalization endured by large sectors of society in Latin America affect the freedom of expression of the citizens, as their voices are ignored and consequently left out of any debate.

Poverty can lead to violations of different human rights. The preamble to the American Convention of Human Rights states that "the ideal of free men enjoying freedom from fear and want can be achieved only if conditions are created whereby everyone may enjoy his economic, social, and cultural rights, as well as his civil and political rights."

A World Bank document "Can Anyone Hear Us? (Voices of the Poor series)" described how the poor enjoy of very low levels of participation around the world, particularly, in Latin America. Historically, the poor have been denied the access to information and the ability to influence decisions with a profound impact on their everyday lives, and as a result, they are denied their right to actively participate in the daily business of their countries.

Experience shows that extreme poverty has the potential to seriously erode the democratic institutional framework, as it tends to thwart democracy and render illusory citizen participation, access to justice, and the effective enjoyment of human rights.

The lack of equal participation makes impossible for democratic, pluralistic societies to prosper, while exacerbate intolerance and discrimination. Including all sectors of society in communication, decision-making and development processes is essential to ensure that their needs, opinions and interests are taken into account in policy-making and decision-making.

Effective respect for freedom of expression is a basic tool for the incorporation of those who, because of poverty, are marginalized from information and all dialogue. Within this frame of reference, it is the state's duty to guarantee equal opportunities to receive, seek out and share information through any communication channel to its citizens, to integrate them into the state's political, economic, and social life. This right guarantees that the whole population has the chance to express its needs and whishes, which is an indispensable requirement for the subsistence of democracy.

### **Expression and democracy vs exclusion and**

### **lack of access**

The right to freedom of expression serves as an instrument to exchange ideas freely, strengthens democratic processes, and offers citizens an indispensable tool for informed participation. The Inter-American Court of Human Rights has said that: "Freedom of expression is a cornerstone upon which the very existence of a democratic society rests. It is indispensable for the formation of public opinion [...] It represents, in short, the means that enable the community, when exercising its options, to be sufficiently informed". Consequently, it can be said that a society that is not well informed is not a society that is truly free. Freedom of expression, therefore, is not just a right of individuals, but of society as a whole.

The lack of equal participation makes it impossible for democratic, pluralistic societies to prosper, thereby exacerbating intolerance and discrimination. Including all sectors of society in communication, decision-making, and development processes is essential to ensure that their needs, opinions, and interests are taken into account in making policies and decisions. In this regard, the Inter-American Court of Human Rights has stated that: "A democratic society requires the guarantee of the widest possible circulation of news, ideas and opinions as well as the widest access to information by society as a whole [...] It is also in the interest of the democratic public order inherent in the American Convention that the right of each individual to express himself freely and that of society as a whole to receive information be scrupulously respected".

The UNDP's Human Development Report notes that, in general, the poor are least able to obtain information about the decisions and public policies that affect them directly than other sectors of society. They are normally unable to access information which is vital for their lives, like that related to free services, legal rights, etc. On the contrary, these sectors enjoy only limited access to traditional information sources when expressing their opinions or making public allegations about violations of their basic rights.

Without this information, the right of free expression cannot be fully exercised as an effective mechanism for citizen participation or for democratic oversight of governance. These controls are even more necessary, because one of the main obstacles that stand in the way of strengthening our democracies is corruption involving public officials. The absence of effective control can "imply activity utterly inimical to a democratic state

and opens the door to unacceptable transgressions and abuses". Guaranteeing access to official information helps to increase transparency in government affairs and thus serves to reduce government corruption".

The report *Can Anyone Hear Us?* (Voices of the Poor series) also claims that the poor encounter endless obstacles in attempting to access the services offered by the government. In general, these sectors of the population have little information about the decisions of governments and private agencies that profoundly impact their lives: "when state institutions deteriorate, services such as health and education become privileges accessed primarily by those who already have resources and power."

*Alternative media, like community radios, help to fill the gap left by mass media through educational, participatory and interactive contents*

There is thus an urgent need, on the one hand, to guarantee adequate channels to allow the poor to strengthen their own organizations, both within their own communities and through intercommunity networks, and thereby exercise their right to information and to full accountability, without fear of negative personal repercussions. On the other hand, there is a need for states to develop laws and rules governing access to information that are nondiscriminatory and easy to use. Lack of access to information clearly places the neediest sectors of society in a vulnerable situation vis-à-vis potential abuses by private citizens and acts of corruption on the part of state agencies and their officers.

The right of access to information constitutes a legal tool for securing transparency in government as well as assuring oversight and effective participation by all sectors of society on a non-discriminatory basis. Encouraging and promoting access to information among the poorest sectors of the Latin American societies will enable their active and informed participation regarding the design of public policies and measures that directly affect their lives.

It is important to overturn the conception of poor people as objects requiring attention and convert them into active subjects of opinion, action, and decision-making. It can be said that one fundamental element in strengthening democracies is the establishment of a legal framework

that protects the rights of participation and free expression of all sectors of the population.

However, that is not a reality nowadays. Our Latin America's most impoverished sectors encounter discriminatory policies and actions, their access to information about the planning and execution of measures affecting their daily lives is nascent at best, and, in general, traditional channels of participation used to publicize their complaints are frequently blocked off to them. Faced with this, in many countries of Latin America, protests and social mobilizations have become a tool to denouncing human rights abuses and violations and make petitions to the governments. The freedom of individuals to discuss openly and criticize policies and institutions provides a framework to denounce violations and abuses of human rights. Openness of the media not only advances civil and political liberties—it often contributes to reinforce economic, social, and cultural rights.

### **The role of community media**

In some instances, the use of the mass media has helped to drive public awareness and bring pressure to take measures which could improve life standards within the most deprived sectors of the society.

However, the traditional mass media are not always accessible for disseminating the needs and claims of society's most impoverished or vulnerable sectors. Thus, community media outlets have for some time been insisting that strategies and programs that address their needs should be included on national agendas.

Radio stations that style themselves as community, educational, participatory, rural, interactive, alternative, and citizen-led are, in many instances and when they act within the law, the ones that fill the gaps left by the mass media; they serve as outlets for expression regardless of social class or income, and generally offer the poor better opportunities of participation and access than the traditional media.

UNESCO defines community radio in terms of the word "community," which designates "the basic unit for horizontal social organization". Thus, community radio "is usually considered complementary to traditional media operations and as a participatory model for media management and production".

Finally, there is a close relationship between full enjoyment of the right of free expression—or, rather, the absence thereof—and poverty. One of

the main goals of democracies is to increase political participation and decision-making at all levels and to develop policies that facilitate the population's access to issues that affect them directly. In this way, democracies empower societies for active participation through access to information, the creation of forums for participation, and tolerance toward dissent.

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