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In the next issue
‘Science, faith and new technologies’ will be the theme of the 2/2006 issue of Media Development. Articles will explore the practical consequences and ethical implications of recent developments in ‘NBIC’ technologies: nanotech, biotech, infotech and cognitive science.
On 20 October 2005 UNESCO finally approved its Convention on the Protection and Promotion of the Diversity of Cultural Expressions. One hundred and fifty-one nations voted in favour of the text, including the 25 members of the European Union and Brazil, which also despatched its culture minister, Gilberto Gil, to vote in person. Only the United States and Israel voted against, with Australia, Nicaragua, Honduras and Liberia abstaining.

Two years of heated negotiations resulted in a document that is ‘clear, carefully balanced, and consistent with the principles of international law and fundamental human rights’ (UK Ambassador to UNESCO, Timothy Craddock).

Alternatively, depending on your point of view, it is a charter for unscrupulous governments to erect trade barriers, suppress minority cultures and block the free flow of information (US Ambassador to UNESCO, Louise Oliver).

For a decade there has been growing concern among certain nation-states and civil society movements over the consequences of global market expansion, privatisation and the challenge of maintaining a diversity of cultural knowledge and artistic expression. In 2001 UNESCO produced its Universal Declaration on Cultural Diversity, a document equating cultural rights with human rights, while simultaneously acknowledging the interdependence of media pluralism, democratic access to and use of information and communication technologies, intellectual property rights and the ability of community, grassroots and indigenous groups to protect their means of cultural expression.

In the ensuing public debate, it became clear that: ‘the aim of this battle is to prevent countries from mortgaging their future by giving up the right to introduce new cultural policies or adjust existing ones in response to changing circumstances. Protecting this capacity to introduce new policies in the future is a critical issue for all countries, but in particular for developing countries which in many cases do not yet have a comprehensive set of cultural policies in place but aspire to do so’ (Coalition for Cultural Diversity, 2003).

The UNESCO Convention directly raises the issue of the survival of different communities and cultural voices, the role and agency of nation-states, and existing market, trade and media structures. It is aimed at countering threats to cultural diversity such as the growth and consolidation of media concentration in terms of the production and distribution of cultural goods and services (including telecommunications), media ownership, linguistic standardisation, and homogenisation of contents.

Even before the Convention was approved it became the subject of political spin-doctoring. The Heritage Foundation posted WebMemo #885 on 17 October 2005 saying that the Convention ‘regrettably is more about trade protectionism and cultural prejudice than cultural diversity and understanding.’ It concluded that the US Administration ‘will be right to walk away from the convention next week if others adopt it.

Once such language is a part of the body of international law, it will be abused by those opposed to free markets, free speech and freedom.’ Shades of ‘You are either with us, or against us.’

Afterwards Foxnews.com posted a story on 1 November 2005, ‘Preserving Culture, or Curtailing Freedom’, claiming that the Convention is ‘a blatant attempt to place world culture under the control of governments’ and that it replaces the free flow of ideas and expression with ‘the equivalent of “culture cops” in every nation’.

Many experts believe that the Convention’s importance is purely symbolic: it offers no unambiguous definition of cultural diversity or how it should be promoted and protected, although it does voice widespread concern about the perils of excessive domination.

Others argue that merely acknowledging cultural diversity is not enough: it must be actively defended and promoted through public policies and regulatory frameworks. Another key concern is how the World Trade Organisation reacts to government pressure to subvert the Convention through the so-called ‘plurilateral’ approach.

WACC endorses the call for governments to ratify the new Convention, for civil society to use it to monitor future bilateral and multilateral trade negotiations, and as a means to transform for the better international and national policies on culture, media and communication.

Reference
Coalition for Cultural Diversity (2003). ‘As UNESCO starts work on the Cultural Diversity Convention, the challenge will be to hold the line on culture in trade talks’, Vol. 1, No. 5, December 2003.
How Europeans see cultural diversity

Jim McDonnell

At the end of December 2000, the Council of Europe agreed its Declaration on Cultural Diversity. Article 1 affirmed that ‘Cultural diversity is expressed in the co-existence and exchange of culturally different practices and in the provision and consumption of culturally different services and products; Cultural diversity cannot be expressed without the conditions for free creative expression, and freedom of information existing in all forms of cultural exchange, notably with respect to audiovisual services. Article 2 made it clear that: ‘Cultural and audiovisual policies, which promote and respect cultural diversity, are a necessary complement to trade policies.’ The Declaration finished by encouraging Member States to ‘examine ways to’ sustain and promote cultural and linguistic diversity at all levels. The Council of Europe’s Declaration in turn paved the way for the November 2001, UNESCO Declaration on Cultural Diversity.

This affirmation of cultural diversity at the Council of Europe level is mirrored in the policy decisions of the European Union. Article 151 of the founding Treaty states that the EU will take cultural aspects of policies into account, ‘in particular in order to respect and to promote the diversity of its cultures.’ And the practical expression of that commitment in media terms has been the MEDIA programme of support for European production and distribution and the provisions of the Television Without Frontiers Directive.

It should come as no surprise, therefore, that the EU, as a whole, led by France, was a strong supporter of the UNESCO Convention. The hard fought battle to establish parity between the Convention and other international instruments is of particular importance in helping to bolster the EU’s position around the WTO/GATS negotiations where it continues to insist that audio visual services, because of their cultural significance, remain exempted from trade rules.

This so called ‘audio visual exception’ is one of the keystones of EU communications policy and is a source of much irritation to the US government and lobbyists for Hollywood. This exception is particularly important in enabling Europe to maintain its support for public broadcasting and for the system of subsidies and quotas which help national cinema industries.

Different perceptions of cultural diversity

However, declarations of principle and fine words cannot escape the realities of political interest and calculation. The weight attached to cultural diversity as a concept not only varies greatly between the political cultures and states of Europe, it also has different echoes within national borders. As the Council of Europe Culture Ministers said in 2003, there is a distinction between ‘intra-state diversity which refers to the respect of cultural rights, tolerance, political and cultural pluralism and the ability to accept otherness, and the inter-state dimension of diversity which identifies itself with the principle of equivalence between cultures.’ The EU was united in supporting the Convention as an expression of inter-state diversity, but not every EU state perceived what was at stake in the same way.

The UNESCO Convention was barely mentioned in the UK press and hardly adverted to by government or politicians. By contrast, the French press saw it as a major cultural victory and President Chirac called for its speedy ratification.

The difference in perceived importance
might owe something to the fact that in media terms, at least, the British generally feel little threat to their own cultural identity. The emphasis on cultural diversity in European communications policy-making which occurred in the 1990s arose out of a sense that particular European cultural identities were threatened by the global reach of the US popular media. The irony was that in the previous decades within the European Union the stress had been on promoting a specifically ‘European’ identity.

The problem was that the strongest media industry in the EU was an English language one closely linked to the US. As Richard Collins put it in 1994:

‘The stress on diversity in… community policy reflects the failure of transnational broadcasting by satellite in the 1980s and the consequential recognition that Europe was culturally and linguistically diverse. It also reflects the threat that the single market appeared to pose to national audio-visual and broadcasting markets (and thus to national media industries): a threat which is mainly perceived to come from Anglophone services and productions.’

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Take the film industry, for example. In 2004, the top nine films seen in Europe were all Hollywood productions, a number with significant UK involvement (the top rated film was Shrek 2 with over 43 million admissions). Bridget Jones: The Edge of Reason, was the highest-ranked European film, but only 10th in the ranking with a total of 17.4 million tickets sold; the highest ranked non-Anglophone film was Les Choristes (a French, Swiss, German co-production) with 11.4 million admissions.

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In the English press the concern over English language dominance and the Americanisation of (global) popular culture is often dismissed as French paranoia, but French concerns are widely shared, particularly by smaller European countries. In June 1995, for example, the Norwegian Minister of Culture thanked the French for their ‘front line position with respect to emphasising, strengthening and developing European culture’ and stressed that ‘We must safeguard a broader artistic profile in film production, we must safeguard the national film-idiom - and we must promote film as an element in our defence of our own languages and cultures and thus create a necessary counter-weight to the dominant Anglo-American influences.’

6

European differences about cultural diversity have also surfaced in the debates about the revision of the EU Television Without Frontiers Directive. The UK government has taken a sceptical line on the proposals that would extend existing obligations on European broadcasters to ensure that ‘a majority proportion’ of their transmission time is reserved for programmes made in Europe, to programmes delivered over the web. The UK is generally not keen on programme quotas and inclined to deride many EU proposals as a product of an outdated protectionism.

On the other side, the majority of EU states and the Commission have argued that intervention in the market is still needed. In this position they were supported by prominent film-makers and actors led by the Dardenne brothers, who signed an international petition to back the Commission proposals. Citing the UNESCO Convention, they claimed that ‘It would be paradoxical and ultimately tragic for Europe to undo at home what it has helped elaborate elsewhere.’

7

Cultural diversity, national identity and national policies

It would also be paradoxical, and certainly tragic, if European states were to pursue policies at a national level that contradicted their stance at European and international level. Unfortunately, though states are happy to cite cultural diversity in negotiating at the inter-state level in Europe or global fora, they tend to be inconsistent and ambivalent when it comes to internal policies. France, the strongest international defender of cultural diversity as an affirmation of the specific and unique identity of the state, has consistently promoted internal policies designed to promote a single ‘French identity’. Broadcasting was designed to strengthen that identity. The French state only reluctantly accepted the legitimacy of regional cultures and minority languages, Breton, for
example, and their expression through local media. Even in a multi-national state like the United Kingdom, the BBC often appeared less the ‘British’ than the ‘English’ Broadcasting Corporation.

In many states public policy has often been marked as much by fear of cultural diversity as by its celebration. So within the European context we have a situation in which public broadcasting is seen both a national bastion of cultural identity vis-à-vis the outside world, but within the nation is often regarded as the purveyor of a dominant culture and thus a site of struggle in which different groups and traditions claim their identity and struggle to assert their diversity.

The benefits of recognising and celebrating cultural diversity were sometimes hard to see in the 1990s. The break-up of the Soviet Empire and the disintegration of Yugoslavia demonstrated that asserting cultural identity could also lead to bitter conflict. Where particular cultural (ethnic, religious, linguistic, social) identities were felt to have been suppressed, and where the political, economic and social system was unable or reluctant to accommodate cultural differences in a peaceful way, the result could be ‘ethnic cleansing’ or worse.

In such circumstances (particularly in the Balkans) demands for more local or regional autonomy, for the recognition of minority rights and minority languages or for reform of the state broadcasting system could be, and were often, perceived as threats to the integrity and presumed ‘identity’ of the state. Cultural diversity as a concept had and has a quite different resonance in London compared to Belgrade.

Nevertheless, local, regional and linguistic identities did find their expression in the media. Countries have given more support to broadcasting, and films too, in minority languages, for example, the growth of radio and television in the Celtic languages in the British Isles (Irish, Gaelic, Welsh). Minorities are increasingly able to see themselves and their concerns reflected on screen or on air. And at a more local level Europe saw the growth of so-called community media: non-profit media designed to serve the needs and express the views and values of diverse communities and groups.

However, the rise of community media was, and still is, a matter of controversy in some countries. At the meeting of Communication Ministers of the Council of Europe in Kiev, 2005, a proposal to affirm the specific value of community media within the context of support for cultural diversity, had to be dropped from the final declarations because it proved too difficult to find a consensus on what it meant.8

The political difficulties in Kiev centred around the question of what ‘community’ actually meant. There was fear among many participants that supporting community media might mean encouraging the growth of exclusive or sectarian media. The unspoken anxiety was that such community media might give a voice to ethnic or religious groups challenging dominant ideas of ‘national identity’.

The ‘return of the religious’
Such anxieties in public discourse about what it means to have a ‘national identity’ in increasingly multi-racial and multicultural societies have gained in intensity and prominence especially since the events of September 11. That shocking and violent ‘return of the religious’ into public consciousness and debate has had ramifications for all discussions about cultural identity. The combination of religion, questions of ethnic and cultural identity and terrorism has confused and bewildered the political classes, religious leaders, civil society and the media.

In current social and political debates across Europe, the reflection of the changing face of religion has become a hotly debated (and sometimes violent) argument. It has become a struggle about society in general and the limits of ‘diversity’. The symbol of the argument over identity and diversity might well be the Muslim headscarf and the ban on wearing it now in force in different countries. To the champions of secular values the headscarf is not simply an expression of a religious identity; it is a direct challenge to the spirit of the Enlightenment.

From the point of view of the media, the debate in France, in Germany, in the Netherlands and elsewhere, has been whether the Muslim face reflected in the media mirror
has the right to be both present to view and, in some sense, hidden from full scrutiny. In choosing how and what (and who) they reflect in the media mirror, the media are implicitly articulating a vision of culture and society. They are on the front line of the debate about what cultural diversity means in practice. And it is noteworthy (if ironic) that one response to the riots and protests that took place in France in November 2005 was for President Chirac to call in the heads of the public and private broadcasting channels to ask them to ‘respect the diversity of French society’.9

Moreover, in the choices they make, the media will offer a perspective on diversity that has to engage, whether they like it or not, with the concerns and presuppositions of religion. And the interaction of the religious dimension with other aspects of cultural identity is an area in which few in politics, the media or the religious communities themselves know how to address. The complexity of the issue is well caught in this comment by Médine, (a Muslim rapper from Le Havre): ‘I’m not just a black guy or an Arab anymore; I’m a Muslim. And that’s a code word for alien, someone who’s determined not to fit in. But I was born and raised in France. I’ve been a citizen since birth. How more “French” can I be?’

Diversity, conflict and the public square
The complexity and multi-layered cultural diversity of modern European societies challenges the ability of democratic systems to find balance between the integration of all groups into a broad consensus around core values, hence the increasing preoccupation with notions of ‘citizenship’. That debate in turn has led to a broader debate about how nations can express and celebrate the multiple cultural identities of their citizens.

Three years after it issued its Declaration, the Council of Europe’s Culture Ministers meeting in Opatija, Croatia, produced a Declaration on Intercultural Dialogue and Conflict Prevention. In that document, they asserted that:

‘In all its dimensions, cultural diversity gives rise to the enrichment of individuals and groups, and produces not only new forms of social relationships, fuelled by migration and strengthened by exchange processes, but also new forms of multicultural identity… cultural diversity can bring about a strengthening of peace through knowledge, recognition and development of all cultures, including those originating in or existing in Europe, or arriving from geographical areas outside Europe.’11

If that ideal is to be put into practice, cultural diversity has also to mean, as the Council of Europe Declaration of 2000 says, real cultural exchange. As Jonathan Davis of the UK Film Council put it:

‘…We should be as interested in making sure that citizens across Europe get to know and engage with the lives of citizens from every other part of Europe, as we are in making sure that Europe’s citizens enjoy the fruits of cultures from all over the world, as we are that citizens throughout the world get to know what Europe’s cultures have to offer. The argument would be that, in order to have any one of these outcomes, you have to have all three.’12

In that vision the UNESCO Convention is one more important, if largely symbolic, affirmation that the market place is not equivalent to the public square and cultural exchange is more than the trading of consumer goods. But the UNESCO Convention does not address the challenge of a world in which cultural diversity is also expressed as the conflict between diverse identities, values, religions, traditions and languages. And that means that the challenge for European countries is to fight to retain and expand those spaces in the media environment (in broadcasting, the press, the Internet and the film world) in which people from diverse cultural identities and traditions have an opportunity to meet and interact.

Building cohesive but culturally diverse societies is no easy task, but without places of encounter and dialogue the project is doomed to failure. Europe will, in the words of the Opatije Declaration,13 have to create public
spaces ‘for dialogue and cultural citizenship in which it is possible to express disagreement, which is not only part of the democratic process but also its guarantor.’

Notes
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3 Conference of the European Ministers of Culture (2003) Declaration on Intercultural Dialogue and Conflict Prevention (Opatije, Croatia, October 22)
7 Dardenne, Luc et Jean Pierre et al. (2005). ‘Revision of the television without frontiers directive. Let’s defend the cultural diversity’ (October 25).
8 7th European Ministerial Conference on Mass Media Policy, (2005), Resolution No.2 Cultural diversity and media pluralism in times of globalisation and Action Plan Sub-theme 2. (Kyiv, March 10-11)
11 Conference of the European Ministers of Culture (2003) Declaration on Intercultural Dialogue and Conflict Prevention (Opatije, Croatia, October 22)
12 Jonathan Davis (2004). The challenges for European audiovisual policy: Note of presentation to the Committee on Culture, Youth, Education and the Media, European Parliament, (16 March)
13 Ibid.

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Cultural diversity is Latin American

Alfonso Gumucio-Dagron

seen from Latin America, the struggle for cultural diversity is as old as the invasion of the Spaniards, or even older. Before Cortés disembarked in Mexico and before Pizarro killed Atahualpa in Peru, civilizations within the region were fighting to impose their culture on other indigenous nations. In Mesoamerica the Maya kingdoms became enemies and attacked each other and when a Maya ruler subdued another one, he would build the temples of his reign on top of the temples of the previous ruler. In the Andean sub region, the Incas expanded over the territories of earlier civilizations, such as the Aymara who lived in the high plateau pertaining now to Bolivia. They were wiser, however, since their policy was to let the Aymara live with their culture and social organisation...

The Spaniards penetrated as bulldozers, destroying every symbol they could find of the indigenous civilizations. They built the main square in Mexico City over the remains of Aztec temples; they raised their churches in Cusco over the Inca sacred buildings. All over the Latin American region, from Mexico to Argentina, Spaniards used religion as the justification for defacing idols or breaking the monoliths of Tiwanaku into pieces to build churches.

Today, the justification is not religion, or maybe it is. The new religion is called free trade and the headquarters of this new faith is
Washington DC. Of course, as most fanatic enterprises, this one has a heavy charge of hypocrisy and double standards. Freedom of trade is not, as we know, its true nature. For years, the United States has attempted to impose on the rest of the world one set of values and one ideology. So much for cultural diversity, which is sustained precisely by values and ideology.

The ways of resisting the tidal wave of mono-culture coming from the United States have been far less organized than it would seem. Take for example Guatemalan Maya women: in spite of the obvious racism of the Guatemalan white minority who live under the influence of North America and Europe, and in spite of the genocide that violently took 200,000 Maya lives in less than twenty years during the 1970s and 80s, Maya women continue dressing today in their traditional *huipiles* and *cortes*, made of the finest cotton and woven into some of the most beautiful colour combinations. Isn’t this a form of peaceful resistance in face of the overwhelming dominant culture?

The above is not to deny the importance of cultural interaction and cultural exchange. The Kayapo indian tribes in the Brazilian Amazonian forest decided to add to their tools a modern one: a video camera that allowed them to show their culture and to defend it fiercely against attempts to reduce their territory or build dams that could harm their untouched environment. In some ways, the new instruments brought them the possibility of rebuilding an identity that was in danger of disappearing. In my own country, Bolivia, indigenous women from the highlands wear nice English bowler hats (made by Borsalino) that were adopted from the British engineers that helped to build the railways at the turn of the 18th century. Cell phones are today in the hands of millions of rural people all over Latin America (and the rest of the Third World, of course) who never before had access to landlines.

The issue here is that cultural diversity is made of multiple exchanges between cultures, and that no culture evolves within itself, locked into a glass bell without any external oxygen supply. In order to live and grow, cultures need to exchange with other cultures. They may incorporate new features and share some of their own characteristics. Food, dress and language are always the immediate recognizable face of cultures in development.

The borders are often blurred and it’s OK as long as they are not deep scars dividing us. We know when we eat a tortilla in Mexico, in Guatemala or in Nicaragua: it’s not the same tortilla, but back in its history there is a moment when it diverged and was adapted locally. We can find similar traits in more recent times; thirty years ago it was very unusual to see mariachis in Colombia or in Bolivia. Today, they are all over to animate marriages and popular parties.

**Horizontal dialogue**

Cultural exchange is a dialogue among cultures, and for a dialogue to be fruitful it has to be horizontal, it has to happen on even terms among two or more parties that are willing to be fair to each other; parties who are prepared to ‘trade’ their culture on terms where there will be no losers. The fact is, there are more losers than winners in the way cultural exchanges have been happening since globalisation became the fifth horseman of the Apocalypse. This is not too strong to say. UNESCO believes, for example, that one language of the 6,000 still surviving today is disappearing every week. How many will be lost in ten years, in one hundred years? The UNESCO report says that half of the total of living languages will disappear by the end of the century, if the current trend persists.

Which is why the approval of the UNESCO Convention for Cultural Diversity is so important. The essence of the convention is to support dialogue among equals. By protecting those that are in a weaker position, the Convention will help to re-establish a reasonable balance among international cultural exchanges.

Of course the convention could have been better, but everyone acknowledges it was the best the international community could get for now, without being sabotaged by the largest economic and military power in the world. In
fact, the massive approval of the convention by 148 votes against the pitiful two that opposed and the four that ran outside during the vote, was not an easy feat to achieve. None of the 28 amendments proposed by the US delegation received any support. Just hours before the vote, Condoleezza Rice, the US Secretary of State, wrote to Koichiro Matsuura, Director General of UNESCO and 190 ministers of foreign affairs threatening the organization once more: the US might leave UNESCO (as it did in 1984) if the Convention was passed.

It passed, of course, and so overwhelmingly that the US had to swallow its words and stay. But that approval is only the first important step; as previous experience with other international conventions shows, the hardest part is to get countries to ratify it. This time, however, it will not be too problematic to get the 30 countries that are necessary to ratify the convention. Europe has been committed to it from the beginning, and many countries in Latin America will follow. As usual, as happened with the Convention on the Rights of the Child and the Kyoto Convention on Climate Change, the US will remain alone with Israel (but two lonelines do not make one good friend).

**Missed opportunities**

The Convention failed to address some important issues that hopefully will be taken into consideration in the context of each country, since the Convention doesn’t limit how far countries can go in reforming their legislation to accommodate the recommendations. One of the issues not well tackled in the Convention is the inequality that exists within countries, particularly in countries with large indigenous populations. The protection of indigenous cultures is not emphasized enough, and this is risky because of the situation in some Latin American countries, where a sort of Apartheid has been tacitly established.

This is not to say that the Convention would improve the situation, since some of those countries already have legislation favouring the indigenous population. However, that legislation is seldom applied. Guatemala, again, is an unfortunate emblematic example: a white *ladino* minority rules and imposes itself on a Mayan majority. Can social change happen with the help of legislation? And how to enforce the Convention? ‘Perhaps the weakest point of the convention is its inadequate provision for its implementation and sanctions should it be infringed. Nor is it clear how disputes will be settled’, observes Armand Mattelart.

There are other important aspects missing from the Convention, which have been mentioned by CRIS and other progressive organisations. The omission in the text of references to public domain and creative commons as forms of copyright is one aspect that also affects indigenous populations, since we have seen, for example, the irony of laboratories producing new medicines and patenting the very same herbs that Indians from the Americas have been using for centuries.

In many ways the Convention is a victory for the civilised world. The fact that culture and art manifestations are not ranked among merchandise is crucial. Culture is part of peoples’ memory and daily lives, and without it they would lose identity. It is precisely what the US would like to happen to maintain their hegemony. By demonising the Convention, the United States only alienates itself further from the international community. What, in the ideas contained in the Convention, can be so dangerous for the United States?

The Convention seeks to reaffirm the links between culture, development and dialogue and to create an innovative platform for international cultural cooperation; to this end, it reaffirms the sovereign right of States to elaborate cultural policies with a view ‘to protect and promote the diversity of cultural expressions’ and ‘to create the conditions for cultures to flourish and to freely interact in a mutually beneficial manner’ (Article 1).

At the same time, a series of Guiding Principles (Article 2) guarantees that all measures aimed at protecting and promoting the diversity of cultural expressions does not hinder respect for human rights and fundamental freedoms ‘such as freedom of expression, information and communication, as well as the ability of individuals to choose (them)…’ In addition, the ‘Principle of openness and balance’
ensures that when States adopt measures in favour of the diversity of cultural expressions ‘they should seek to promote, in an appropriate manner, openness to other cultures of the world.’

The rights and obligations of Parties (Articles 5 to 11) include a series of policies and measures aimed at protecting and promoting the diversity of cultural expressions, approaching creativity and all it implies in the context of globalisation, where diverse expressions are circulated and made accessible to all via cultural goods and services.

Thus, Parties, recognizing the fundamental role of civil society, will seek to create an environment that encourages individuals and social groups ‘to create, produce, disseminate, distribute and have access to their own cultural expressions, paying due attention to the special circumstances and needs of women as well as various social groups, including persons belonging to minorities and indigenous peoples’, and ‘to recognize the important contribution of artists, others involved in the creative process, cultural communities, and organizations that support their work, and their central role in nurturing the diversity of cultural expressions.’

It should be stressed that international promotion and cooperation, especially in the case of developing countries, is at the heart of the Convention (Articles 12 to 19). To this effect, the creation of an International Fund for Cultural Diversity has been provided for (Article 18). Resources for this Fund will come from voluntary contributions from Parties, funds allocated by UNESCO’s General Conference, diverse contributions, gifts or bequests, interest due on resources of the Fund, funds raised through collections and receipts from events organized for the benefit of the Fund, or any other resources authorized by the Fund’s regulations.

The concern to ensure coherence between the Convention and other existing international instruments guided States to include a clause (Article 20) aimed at ensuring a relationship of ‘mutual supportiveness, complementarity and non-subordination’ between these instruments. At the same time, ‘nothing in the present Convention shall be interpreted as modifying rights and obligations of the Parties under any other treaties to which they are parties.’

The Convention establishes a series of follow-up mechanisms aimed at ensuring efficient implementation of the new instrument. Among these, a non-binding mechanism for the settlement of disputes allows, within a strictly cultural perspective, possible divergences of views on the interpretation or application of certain rules or principles relatives to the Convention (Article 25) to be dealt with. This mechanism encourages, first and foremost, negotiation, then recourse to good offices or mediation. If no settlement is achieved, a Party may have recourse to conciliation. The Convention does not include any mechanism for sanctions.

Heritage and contemporary creativity
Finally, it should be recalled that UNESCO’s Constitution provides a mandate to both respect the ‘fruitful diversity of (…) cultures’ and to ‘promote the free flow of ideas by word and image’, principles that are reaffirmed in the Preamble to the Convention. The Organization, which celebrates its 60th anniversary next month, has spared no effort to fulfil this double mission. With this Convention, it completes its normative action aimed at defending cultural diversity in all of its manifestations, and most especially the two pillars of culture: heritage and contemporary creativity.

It is interesting to see reactions in Latin America after approval of the Convention. On the one hand, our region has celebrated the UNESCO feat, on the other hand, there is disbelief about the extraordinarily arrogant and conservative position officially taken by the US government. They’ve gone too far again, but on this issue it hasn’t been easy for the US to manipulate the vote and put pressure on poor countries.

In Latin America, as in other regions of the world, culture is valued for reasons that have to do with sustainable development and identity: it’s an important economic resource in many developing countries, adds value to local industry, creates employment, is an essential vehicle of communication and strengthens community and shared values, among others.

The bottom line is that cultural diversity is
Globalization, culture and China’s search for identity

Wu Mei and Guo Zhenzhi

China faces the predicament of maintaining an official version of its ‘national culture’ while being confronted with globalization and diverse searches for cultural and local identities. Chinese endeavours to protect and preserve Chinese culture reveal two orientations: one is the state strategy which emphasizes creating and reinforcing an official version of ‘national Chinese culture;’ the other features the different and innovative efforts of many individuals and grassroots communities, who have taken into their own hands the mission of conserving traditional and local customs, cultures and diversity.

‘Culture is the map of human livelihood.’
An anonymous netter

On 29 August 2004, the night of the closing extravaganza of the Athens Olympics, hundreds of millions of Chinese stayed up into the early morning to watch an eight-minute ‘spectacle of China’ on TV by Zhang Yimou, the country’s best known director. Staged in Athens’ Olympic arena for the global audience, the show had been expected to extol the cream of Chinese culture. The theatrical event combined many well known ‘Chinese symbols’ such as red lanterns, dragon dancing, kung fu, Peking opera costumes, Chinese musical instruments, Oriental women in modified changshan, etc. and triggered an
immediate outcry nationwide and on the Internet despite flattering coverage by the state media.

It was criticized as an embodiment of ‘pseudo-Chinese’ symbols appealing to western tastes with commercial interests. This exemplifies the dilemma that the Chinese government’s strategy of national culture faces today: What is Chinese culture? Who is in a position to define it? Are centralized approaches adequate to protect and preserve the cultural heritage of a nation with a 5,000-year-old history and 1.3 billion people?

Never before has China been so committed to globalization and the world system of capitalism. It has transformed so rapidly into an industrialized and market-oriented society that it seems remote from the cultural tradition that has been uniquely ‘Chinese’ for thousands of years. Every aspect of Chinese culture, from its language, political system, modes of production, law, military, education, architecture, to customs, values, family structure, entertainment, even costume and cuisine, has undergone tremendous change. Modern Chinese people, in the hasty break with anything deemed ‘traditional’ and the headlong rush for economic wealth, have suddenly found themselves at a sad loss within Chinese culture, identity and even the landscape.

Amid perplexity about national identity, there are endeavours along two paths engaged in protecting and preserving Chinese culture. One is the state strategy that emphasises creating and reinforcing, mainly through government sponsorships and the mass communication system, an official version of ‘national Chinese culture.’ The other features diverse and innovative efforts by many individuals and grassroots communities throughout the nation, who have taken into their own hands the mission of protecting and preserving local customs, cultures and diversity. Sometimes, the undertakings of these two tracks join in a similar trajectory; at other times, they proceed on separate courses, or even clash in the form of control and contestation.

What has been most significant in the Chinese people’s pursuit for cultural diversity is vibrant and spontaneous individual efforts aimed at rediscovering and reclaiming the Chinese heritage that has been sidelined by the state drive for development and not been explicitly sanctioned in the official ‘national culture,’ such as the Confucian, Taoist and Buddhist traditions and regional diversity.

**National culture and grassroots efforts**

State efforts to preserve an ‘official’ national culture have always complied with the national development strategy. As the state has made economic development its top priority in the past decade, ‘national culture’ has inevitably been wrapped in the rhetoric of ‘development, progress and globalization’. Destruction of many traditional buildings, cultural heritage sites and ancient artefacts are often explained as a necessary move towards advancement.

One the other hand, for millions of Chinese, this tremendous change in the natural environment, landscape, neighbourhoods, dwellings, lifestyles etc. is uprooting the basis on which they have nurtured a sense of belonging for generations. Striving to maintain their own meanings of existence, they are engaged in their own initiatives, outside of the state sponsoring system, to preserve and protect the cultures they have identified with and cherished dearly.

Grassroots efforts are multidimensional. One area is the protection of traditional housing and neighbourhoods. As old-style quarters and markets have been bulldozed in every Chinese city to make a way for commercial high-rises and modern blocks, many individuals have started their own campaign for cultural preservation. Xu Yong, a photographer in Beijing, was the first to organize a hutong (alleys) tour in the capital 10 years ago to promote local architecture and enhance awareness of preserving native courtyard life.

This project was derived from his love of traditional Beijing alleys. In 1990 he took a camera to photograph old houses, streets, lifestyles and landscapes in the city (China Business, 2002). Now, with the government’s new policy encouraging individuals in hutong conservation, a rising number of people are investing in the purchase of old-style houses ‘Siheyuan’ in Beijing, hoping to preserve this unique architecture.
Feng Jicai, a writer and native of Tianjin, has been fighting since the mid-1990s against the local government’s plan to demolish city quarters with a 600-year history. He had persistently appealed to the authorities to halt the plan, but his petition fell on deaf ears. He then gathered a group of people with a similar interest to draw a street map of the ‘Old City’ and photograph numerous historical houses. By the time the picture album *Perishing Images of Old City* came out, half the city was in ruins.

A few years later, when he heard that another old business street was to be demolished, he immediately organized a team of volunteers. They first published a set of postcards with photographs of the street, then they organized a public sale of the postcards on the site. Tens of thousands of people came to the event. Days later, many local business owners and residents in the street put up signs demanding that the government shelve the plan. Under public pressure, the government finally came up with a modified plan taking cultural preservation into consideration (Dong, 2001).

In recent years, more and more local governments have started to recognize that the preservation of cultural heritage is not a financial burden, but a precious legacy. It could also contribute to economic growth. Many cities and towns have taken advantage of their respective cultural heritages in developing a tourist industry with local themes. Various cultural festivals sponsored by local governments and actively participated in by residents and business communities are popular everywhere.

During these two days, 67 famous heritage sites, museums and parks were open to the public for free and received an extraordinary response from local residents. The well known historical sites in Zhengzhou, Luoyang and Anyang alone attracted over 3 million visitors (Chen, 2005)! This indicates that ordinary people have a deep passion for their cultural heritage and can sustain cultural preservation when governments have a committed policy.

**National culture and traditional knowledge**

The official ‘national culture,’ in particular, reflects a hybrid ideology of the current state establishment, embodying such inherently contradictory elements as Maoism, socialism, capitalism, modernism and globalism (Liu, 2003). Such an ideological medley contributes to an ambiguous and inconsistent vision in the conservation of national culture. With the withering influence of communist ideology, the government has increasingly resorted in recent years to the cultural repertoire of Confucianism, Buddhism and Taoism in its reconstruction of ‘national culture’. Several traditional rituals of memorial services have been instituted to worship Confucius and the legendary Chinese founders Yan and Huang. Sacred tours of Buddha’s revered finger bones are authorized. Traditional holidays like the Chinese New Year, Lantern Festival, Dragon Boat Festival, and Moon Festival are given more attention and coverage in the national media.

This shift comes as a semi-official ratification of what has been practiced and advocated by many individual Chinese in reviving Confucianism and Classical Chinese studies. One of the most vocal advocates of modern Confucianism is Jiang Qing, who used to be a college teacher in Shenzhen. In 1996, Jiang started building his Confucius-style lecture house in a remote mountain village in Guizhou. The place now is not only a home for Jiang to practice and lecture on Confucianism, but also a centre for the neo-Confucian movement in China.

Jiang has written many books on Confucianism and its values in modern society, and compiled a 12-volume series of ‘Recital Books of Chinese Cultural Classics’ aimed at educating children in Confucian values. It was finally published by the Higher Education Press in 2004, the first time that such a complete series of Classics for children was published in China since 1912 when the Chinese Republic abolished the Classics Recital classes in elementary schools (He, 2005).

Jiang’s devotion is resonant of one of the consistent sentiments in the country about Confucianism. More parents, teachers and pupils have participated in Classics recital rituals and turned to old-style private schools to learn traditional Chinese virtues and values. On 30 July 2005 thousands of teachers and pupils
attended a mass recital of Confucian Classics on the Great Wall to demonstrate their devotion to the Chinese tradition (Feng, 2005). Three months later, another old-style private school, Juzhai Sishu was opened in Suzhou to teach children, in particular, Confucian Classics (Nanjing Morning Post).

This trend of introducing the Classic Recital into elementary education was pioneered by an elementary school in Guangzhou in 1998. Starting from the fall semester 2005, over 50 elementary schools in Jinan, Shandong Province, have incorporated the Confucian Classics Recital in their curriculum (Jiang, 2005). Overall, it is estimated that more than eight million children in over 100 cities have participated in the Classics Recitals, and more private Confucian schools are in demand.

Higher education institutions have also joined the trend to train more scholars with Confucian Classics expertise. Wuhan University set up an experimental programme in Chinese Classics four years ago. In May 2005, People’s University announced that it would establish the College of Chinese Classics, the first of its kind in China since 1949 (Jiang, 2005). It was inaugurated on 17 October 2005.

Another concession that official ‘national culture’ has made to Chinese traditions is the re-establishment of memorial rituals to Yan and Huang, the legendary founders of the Chinese nation. The annual homage services at their tomb sites by emperors and high officials were institutionalized in the imperial system in ancient China for thousands of years. This tradition was interrupted after the founding of the People’s Republic of China, although unofficial worship rituals by local communities never stopped.

Since the mid-1980s these annual services have been resumed by non-governmental groups and become increasingly magnificent and ceremonious in their displays and procedures (Bai, 2004). In recent years, more officials of higher rank in the central and provincial governments took part in the worship ceremonies, giving the events a more authoritative status through nationally televised media coverage.

However, there has been ongoing debate about the values and usefulness Confucianism and other indigenous knowledge offer to Chinese society in modern times. It is still unclear how far these traditions could be reclaimed and incorporated into the official ‘national culture’ and into the everyday life of ordinary people.

**National cultural and local diversity**

Although the official ‘national culture’ has been compromised ideologically to some extent to accommodate Confucianism, it persists in adhering to its principle of uniformity, particularly in the national TV system. Cultural representations on CCTV tend to be too uniform – a uniformed nation with a uniform language. Such a holistic image conceals and suppresses a rich variety of regional diversity within China which, besides 55 ethnic minorities, also entails astonishingly diverse local cultures within the Han nationality alone.

Not only are the states increasingly unable to handle on their own the cross-border flow of ideas, images and resources that affect cultural development (UNESCO, 2003), the state-cultivated ‘national culture’ itself would likely have a homogenizing impact on the cultures in question, as in the Chinese context. Considering China’s long history and huge population, of which 91.6% are of Han nationality, it is important to state that the issue of preserving regional/local diversity in China should be an indispensable element of protecting cultural diversity.

Regional identity is one of several primary identities a Chinese person holds. Each major region is distinguished from others by its own dialect, landscape, native crops, cuisine, history, famous persons, heritage sites, regional customs and characteristics. It is these rich and diverse regional cultures that have made Chinese culture so unique and mesmerizing. However, this regional diversity, particularly the diversity in dialects, is not represented on China’s television. Central government has a strict rule against using vernaculars on the local screen, although there are several formally approved ethnic minority languages (Tibetan, Mongolian, Uigur, and so on) used in their respective regions. TV programmes from various regions
are strikingly similar; they are almost all in Putonghua, and thus lose the most distinctive flavour of local cultures.

Recently more and more local TV stations have started producing sitcoms and news programmes in local dialects to attract audiences. One of the first dialect TV sitcoms ‘Night Talk of Foggy City’ was initiated by Chongqing TV and has been the most popular programme of the local station for 11 years (Cai, 2005). In 2000, Guangdong TV launched the Cantonese dialect sitcom series ‘Local Boys and Wives from Afar,’ which immediately became a hit programme with top rating for the local station (Zi, 2002).

Hangzhou TV in 2004 introduced a news column in the Hangzhou dialect ‘Ah Liu Tou on News’ and was immediately successful. Many local stations in neighbouring cities of the Yangtze River Delta followed suit and started news shows in local dialects (Cai, 2005). GDTV, with three Cantonese channels, launched a satellite channel in Cantonese in July 2004, which is the only authorized dialect channel transmitted through the national satellite system (Cai, 2005). There were also projects to make foreign TV shows in local dialects.

To reverse this trend, the State Administration for Radio Film and Television (SARFT) issued a new regulation on 28 October 2005 reiterating that local dialects should not be used in TV soaps and sitcoms. This is the third directive in two years that reaffirms a ban on using local dialects in TV programmes. These new regulations have set off a heated debate, and in particular have met with unyielding resistance from TV stations in southern provinces. Claiming that the new language rules favour northern dialects, southern TV stations insist on producing TV shows in local tongues (Cai, 2005). The Ningbo Station in Zhejiang Province even defied the rules by launching a dialect programme immediately after the new regulation came into force (Yu, 2005).

Control and contestation over dialect programming on TV indicate the predicament facing ‘official’ national culture, which is essentially mediated through the state TV system. By rejecting regional dialects that are the daily communicative languages of a majority of population in their respective localities, this formal national culture maintains an aloofness from the livelihood of people at the grassroots level. It therefore becomes a form of culture engaged and communicated, for a large part of the population, merely in a more superficial and outside layer of social life. Its standard form tends to homogenize the kaleidoscopic vista of regional diversity that has been a sustaining source for Chinese civilization. Such an ‘outsider’ culture may not be as strongly identified with as local ways of life and therefore lack vitality to re-invent itself creatively and resourcefully under the siege of globalization and western commercialism.

New vision: Harmony in diversity
It is important that a new vision conceptualize cultural pluralism within Chinese national culture. Four principles should be established. First, harmony of diversities (heer butong): this holds the central value in Chinese cultural pluralism. Diversity is a natural environment and foundation for achieving harmony, an ideal state of human society (Liu et al, 2003). Secondly, one entity with plural elements (duoyuan yiti): this indicates how to conceive cultural pluralism (Liu et al, 2003). In this way, Chinese culture should be viewed as a single whole that contains a multitude of different elements. Accordingly, the Chinese nation encompasses 56 ethnicities; the Chinese language includes a Chinese written system (two types: old characters and simplified characters), a common spoken language (Putonghua) and varieties of local dialects.

Thirdly, incorporating elements of a diverse nature (jianshou bingxu): the goal for cultural pluralism is not to homogenize differences, but to maintain the environment that respects diverse elements and allow them to exist side by side. Lastly, internalization of heterogeneous elements (neihua yizhi): the capability to accommodate and absorb heterogeneity.

To conclude, Chinese society is undergoing an unprecedented transformation with its romantic embrace of globalization of capitalism and commercialism. Never before have the
issues of ‘Chineseness’ and how to preserve it become so pressing for every individual Chinese. Who are we Chinese? Where do we come from? Where do we want to go?

State efforts to recreate ‘Chinese culture’ are not only limited in their efforts to protect and preserve all cultural heritages from disappearing, but also ambiguous and inept in envisaging the course and direction of cultural protection. Beyond the state system, millions of ordinary Chinese are striving to re-define ‘Chineseness’ by themselves and thus to reclaim their own ‘Chinese culture.’ With growing penetration of the Internet and mobile communications, this vigorous search for diversity and identity is gaining momentum. Its impact on Chinese society is still unfolding. ■

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L’émancipation des cultures minoritaires et la Convention

Ary Régis

Les porte-paroles du système mondial ne cessent de clamer que l’ère actuelle - celle des technologies de l’information et de la communication (TIC), puissant levier du processus de mondialisation actuel - c’est l’ère de la grande opportunité. Opportunité pour toutes les opinions d’atteindre toutes les audiences, pour tous les produits de pénétrer tous les marchés, pour toutes les cultures de s’exprimer et de s’épanouir. Car, promet-on, c’est l’ère de la libre circulation des flux de biens, de valeurs et des idées. Pourtant, si on tient compte des résultats inégaux de la libéralisation des marchés et de ceux résultant de l’instauration d’une démocratie mondiale, on est en droit de se préoccuper pour la libre expression et l’épanouissement des cultures.

En effet la mondialisation telle qu’elle se fait actuellement favorise-t-elle la diversité culturelle? Est-ce vraiment possible d’espérer l’épanouissement équitable de toutes les cultures dans la mondialisation? Que peut réellement la Convention pour la Diversité Culturelle pour l’émancipation de toutes les cultures? Une visite dans l’oeuvre de différents auteurs du Nord et du Sud peut permettre de réaliser une réflexion critique sur la Convention et de faire ressortir la responsabilité des organisations des sociétés civiles nationales pour, non seulement en faire respecter les termes par leur Etat, mais surtout pour maintenir et consolider cette société civile mondiale engagée qui en a permis la ratification.

Pour cela, une mise en évidence du potentiel de la Convention pour l’émancipation des cultures et sa confrontation à la réalité des cultures à l’ère de la mondialisation deviennent nécessaires. Ce qui permettra de relever certaines limites de la Convention pour l’épanouissement des cultures dites minoritaires, le rôle des groupes sociaux et des peuples ainsi que l’importance de la communication pour limiter les ravages de la mondialisation.


Etant son objet principal, la Convention définit la culture comme ‘l’ensemble des traits distinctifs spirituels et matériels, intellectuels et affectifs qui caractérisent une société ou un groupe social et englobe, outre les arts et les lettres, les modes de vie, les façons de vivre ensemble, les systèmes de valeurs, les traditions et les croyances’. Aussi considère-t-elle la diversité culturelle comme la ‘multiplicité des moyens par lesquels les cultures des groupes sociaux et des sociétés trouvent leur expression’.

Dans la diversité culturelle, elle inclut ‘la culture matérielle’, les réalisations issues de l’activité et de l’expression créatrice, ainsi que les biens et services culturels institutionnalisés et commercialisés. Y sont alliés les ‘dispositifs sociaux - institutions et politiques officielles ou non - qui encouragent ou découragent la vitalité et la diversité culturelles, l’éthique universelle, la participation à l’activité créatrice, l’accès à la culture et le respect de l’identité culturelle’ (Mattelart, 2005: 98).

Et pour assurer le respect de la diversité culturelle, cette Convention engage les Etats parties, entre autres, à : protéger et promouvoir la diversité des expressions culturelles; créer les conditions permettant aux cultures de s’épanouir et interagir librement de manière à
s’enrichir mutuellement; promouvoir le respect de la diversité des expressions culturelles et la prise de conscience de sa valeur aux niveaux local, national et international. Les expressions culturelles ‘ce sont les différentes manières par lesquelles les biens et services culturels, ainsi que les autres activités culturelles, peuvent être porteurs d’une signification symbolique ou transmettre des valeurs culturelles’. Mais dans la mondialisation que nous vivons actuellement, une telle diversité est-elle possible?

La culture au défi de la mondialisation

Nestor García Canclini constate que ‘l’expansion des marchés n’est pas synonyme de diversification culturelle ni de reconnaissance de la complexité’ et les entreprises productrices qui réussissent sont celles qui ont des centres dans les métropoles ou s’y associent, alors que dans les pays périphériques c’est la consommation qui augmente et dans la périphérie on ne fait que s’approprier, chaque fois plus, de ce que produisent d’autres...’ (Canclini, 18). Ce qui montre comment la mondialisation est aussi bien un ensemble de processus d’homogénéisation que de fractionnement du monde, qui réordonnent les différences et les inégalités sans les supprimer; étant à la fois ‘un processus d’unification et/ou d’articulation d’entreprises productives, systèmes financiers, de régimes d’information et de récréation et un processus de constitution de communautés transnationales de déteuteurs de cartes de crédit, de services informatiques, films, d’information et de vidéo-clips...’

Ignacio Ramonet en fait le même constat et en déduit que ‘la marchandisation généralisée des mots et des choses, des corps et des esprits, de la nature et de la culture provoque une aggravation des inégalités...’ (Ramonet, 52: 6)

Dire que, pour atteindre ses objectifs, la Convention compte sur les États, donc sur le pouvoir politique des différents états. Pourtant, selon Ignacio Ramonet, il existe un pouvoir parallèle qui supplante le pouvoir des états. Car, écrit-il, ‘les vrais maîtres du monde ne sont plus ceux qui détiennent les apparences du pouvoir politique, mais ceux qui contrôlent désormais les marchés financiers, les groupes médiatiques planétaires, les autoroutes de la communication, les industries informatiques et les technologies génétiques.’

Et, poursuit-il, ‘Indifférents au débat démocratique et non soumis au suffrage universel, ces pouvoirs informels pilotent de fait la Terre et décident souverainement du destin de ses habitants. Sans que nul contre-pouvoir ne vienne corriger, amender ou repousser leurs décisions. Car les contre-pouvoirs traditionnels - Parlements, partis, médias - sont soient trop locaux, soit très complices...’

Et à juste titre, Dominique Wolton avance que ‘les processus de mondialisation, facilités par l’évolution rapide des technologies de l’information et de la communication, s’ils créent les conditions inédites d’une interaction renforcée entre les cultures, représentent aussi un défi pour la diversité culturelle, notamment au regard des risques de déséquilibres entre pays riches et pays pauvres’.

Ainsi, ‘la mondialisation de l’information aboutit naturellement à l’élargissement de notre vision du monde mais, contrairement à ce que l’on prédisait, pas nécessairement à une meilleure connaissance de celui-ci, puisque par les mécanismes qui s’y développent, notre perception du monde repose sur une multiplication des stéréotypes’ (Wolton, 2004: 93). Et ces stéréotypes fonctionnent comme des opérateurs qui établissent des rapports de domination entre les cultures et c’est de là que surgit le plus grand danger pour l’épanouissement des cultures.

En ce sens, Artilio Boron expose que ‘l’une des nouveautés de la phase actuelle de la globalisation est l’extraordinaire universalisation des images et messages audiovisuels, un processus contrôlé presqu’exclusivement par une poignée d’énormes oligopoles médiatiques qui opèrent à l’échelle planétaire.’ Et il se produit ce qu’il appelle une espèce de « macdonalisation », c’est-à-dire, l’uniformisation culturelle résultante du phénomène qui implique l’imposition ou adoption consentie de valeurs, styles culturels, icônes et images projetés planétairément à partir de la singularité de l’expérience nord-américaine et d’un modèle de consommation complètement standardisé, décontextualisé, avec un certain fétichisme de l’égalitaire, bon marché et de basse qualité, dont la représenta-
tion paradigmatique est donnée par la chaîne de ventes d’hamburgers...

Cette homogénéisation culturelle croissante a été un très puissant instrument pour la création d’un ‘sens commun’ néolibéral qui exalte les opportunités qu’offre le marché... Un processus facilité par le caractère profondément antidémocratique des médias de masse qui, dans la plupart des pays, arrivent à exercer une influence publique sans contre-poids face à l’inexistence de dispositions légales effectives et de pratiques institutionnalisées pouvant garantir un niveau minimum de contrôle démocratique sur eux...

Ces changements vinrent sanctionner le triomphe du temps sur l’espace, provoquant une « compression » dramatique du monde grâce aux nouvelles technologies, qui permettent d’envoyer des messages et de mobiliser de fortes sommes d’argent d’un coin à un autre de la planète en des millièmes de seconde. A noter que ce fabuleux progrès technologique est loin d’être neutre dans ses impacts sociaux, dans la mesure où il permet de transférer d’énormes ressources économiques, politiques et symboliques aux mains du nouveau « pacte de domination » global, dominé par le capital financier qui détient le contrôle de tels instruments.... (Boron, 1999: 226)

Les dispositions de Convention et l’épanouissement des cultures

Là encore et au-delà de tous stéréotypes, la Convention pour la Diversité Culturelle essaie de parer à tout danger en engageant les Etats parties, entre autres, ‘à créer les conditions permettant aux cultures de s’épanouir et interagir librement de manière à s’enrichir mutuellement; à créer sur leur territoire un environnement encourageant les individus et les groupes sociaux à créer, produire, diffuser et distribuer leurs propres expressions culturelles et à y avoir accès, en tenant dûment compte des conditions et besoins particuliers des femmes, ainsi que de divers groupes sociaux, y compris les personnes appartenant aux minorités et les peuples autochtones’ (art. 7.1a); à diagnostiquer l’existence de situations spéciales où les expressions culturelles, sur son territoire, sont soumises à un risque d’extinction, à une grave menace, ou nécessitent de quelque façon une sauvegarde urgente (art. 8); à faire en sorte que les pays développés facilitent les échanges culturels avec les pays en développement en accordant, au moyen des cadres institutionnels et juridiques appropriés, un traitement préférentiel à leurs artistes et autres professionnels et praticiens de la culture, ainsi qu’à leurs biens et services culturels (art 16).

De même elle proclame des principes sur lesquels repose la promotion de la diversité culturelle, tels que: respect des droits humains et des libertés fondamentales; préservation de la souveraineté; égale dignité et respect des cultures; solidarité et coopération internationale; développement durable; complémentarité des aspects économiques et culturels du développement; accès équitable; ouverture et équilibre...

Malgré tout, les cultures minoritaires en sont-elles protégées? Leur épanouissement est-il pour autant garanti par l’adoption de la Convention et la mise en œuvre de ses programmes?

Quel avenir pour les cultures minoritaires? Le sociologue Jean-Charles Lagrée montre les limites des conceptions de culture qui se fondent sur l’oeuvre ou sur les objets de l’élite et propose une définition où la culture est mode de vie et donc essentiellement déterminée par la place des individus dans la production. Au regard de cette conception de culture, pratiques et symboles constituent tout à la fois la réponse aux conditions sociales du milieu et un masque qui permet de les occulter. Et dans la mesure où la culture apparaît comme la structuration de la conscience d’un groupe qui se construit et se renforce dans les rapports sociaux, elle est caractérisée par une unité de pratiques quotidiennes que vient expliquer l’identité de situation dans la division du travail, la hiérarchisation du savoir et la perception du réel (Lagrée, 184).

C’est donc dans les rapports sociaux que s’élaborent les matériaux de l’expression. Et c’est donc le groupe social, considéré dans sa dimension historique, le véritable auteur des formes symboliques (id. 197). Une conception qui rend possible la prise en considération de celle de culture minoritaire.
Le concept de culture contenu dans l’appellation ‘culture minoritaire’ dépasse la définition de culture considérée dans la Convention. Cette dernière semble considérer la culture comme une entité neutre, sans aucun rapport avec les formations sociales. Pour cela, en accord avec François Houtart et Anselme Rémy, la culture est considérée ici comme ‘l’ensemble des représentations produites par la pensée dans des conditions sociales précises, qui introduisent la réalité naturelle et sociale dans le champ de la conscience et permettent, simultanément, la reproduction des pratiques nécessaires à la maîtrise de la nature et à la construction des pratiques nécessaires’ (Houtart et Rémy, 14).

En ce sens la culture minoritaire serait comprise à partir du concept de culture opprimée, introduit par l’anthropologue haïtien Jean Casimir pour qui la culture opprimée est ‘un ensemble idéologique construit durant la sédimentation des groupes et classes d’une société nationale par l’une ou l’autre de ses couches en mesure de conserver l’organisation de sa vie quotidienne et de certaines activités de production de la vie matérielle relativement isolée du développement des entités constitutives du mode de production capitaliste... Ensemble idéologique qui dérive d’un système de connaissances dont le mode de production de portée locale est incapable d’assurer le développement de ses bases matérielles, et incapable d’une négociation des relations entre ces économies locales et les structures économiques nationales dominantes...’

Casimir révèle que ‘la culture dominante ne peut pas gérer l’altérité de la culture opprimée. Elle récupère son altérité en niant l’existence de cette culture en tant que culture autonome et complète de connaissances. En échange, elle en cible les porteurs, pour en faire un antécédent du moi, un sauvage - affublé d’une longue série de qualificatifs...- qu’il faut ‘édquer’, ‘pendant qu’elle proscrit ses expressions culturelles - la langue créole par exemple. (Casimir 2001: 296-301). Et c’est le mode propre de l’impérialisme culturel.

L’impérialisme culturel est ‘l’ensemble des processus par lesquels une société est introduite au sein du système mondial moderne et la manière dont sa couche dirigeante est amenée, par la fascination, la pression, la force ou la corruption, à modeler les institutions sociales pour qu’elles correspondent aux valeurs et aux structures du centre dominant du système ou à s’en faire le promoteur’ (Schiller cité par Mattelart, 2005: 52). Comme les dominations de genre ou d’ethnie, l’impérialisme culturel est une violence symbolique qui s’appuie sur une relation de communication contrainte pour extorquer la soumission et dont la particularité consiste ici en ce qu’elle universalise les particularismes liés à une expérience historique singulière en les faisant méconnaître comme tels et reconnaître comme universelles (Bourdieu et Wacquant, cité par Mattelart, 2005: 52)

Prenons un exemple. Aujourd’hui considérée comme un pays non-avancé, dans la périphérie du village global, la société haïtienne s’est inscrite, dès le début de son histoire, dans une trajectoire culturelle, fruit de rapports économiques mondiaux, depuis le temps de l’esclavage jusqu’à celui du néolibéralisme. C’est celui qui lui donne à la fois ses traits communs avec d’autres sociétés du continent et sa profonde originalité (Pierre-Charles cit. in Rémy et Houtard, id. 13).

La configuration culturelle d’Haïti procède de la rencontre de plusieurs courants de civilisations amérindien, africain, européen, qui se sont affrontés dans le Nouveau Monde, lors de l’étape esclavagiste de la mondialisation de l’économie capitaliste. En effet, la culture et la société haïtiennes, dès leur période de gestation, ont été marquées par la mondialisation, fruit de la poussée hégémonique de l’Europe de la fin du XVé siècle... (id. 19). Mais ‘demeure encore opérant à travers la production intellectuelle haïtienne, comme à travers les pratiques sociales et politiques, un dispositif de pensée organisé autour du vieux couple barbare/civilisé’ alors que ‘toute l’élite d’Haiti, dès les premiers moments de l’indépendance, s’acharne à fournir la preuve de la non-barbarie du peuple haïtien, et en quelque sorte à poursuivre éperdument une quête de guérison de la barbarie que le maître-colon lui imputait...’ (Hurbon 1987:14-15).

Le créole, langue créée par la majorité esclave originaire d’Afrique de l’Haïti coloniale,
ainsi que diverses expressions culturelles haïtiennes sont perçues comme incapables d’être diffusées dans les médias nationaux et internationaux, au profit d’expressions culturelles étrangères sans aucun rapport avec l’identité culturelle haïtienne. Quand on en fait appel, c’est pour les utiliser du point de vue folklorique.

Ainsi, au lieu d’affirmer leur identité et leur culture dans la mondialisation, les élites productrices d’œuvres culturelles des pays en développement coïncident, par l’adoption de cette même attitude, avec les élites haïtiennes. Elles cherchent plutôt à respecter les canons et critères dominants dans les échanges mondiaux, excluant ou méprisant même les éléments culturels et identitaires des groupes traditionnels et minoritaires, qu’elles considèrent souvent comme ‘indignes’ des standards de la mondialisation. Souvent, elles deviennent même hostiles à tout type de résistance culturelle de la part des porteurs des cultures minoritaires.

Le respect des droits de la communication comme fer de lance
Dans le dernier numéro de *Manière de voir*, Ignacio Ramonet, Samir Amin et François Houtart, respectivement du *Monde Diplomatique*, du Forum Mondial des alternatives et du Centre Intercontinental de Louvain-la-Neuve, avertissent qu’‘En ce début de XXIe siècle, deux projets paraissent l’emporter: celui de la Triade (EU, UE, Japon), et, en son coeur, celui de l’hégémonisme des États-Unis. Ceux-ci abolissent l’autonomie des pays du Sud et réduisent celle des « alliés »… Les défis auxquels la construction d’un monde authentiquement multipolaire est confrontée sont donc plus sérieux que ne se l’imaginent nombre de mouvements alter-mondialistes pourtant directement ou indirectement concernés par cette situation…’ Ramonet, Amin et Houtart pensent qu’un ‘vrai’ monde multipolaire pourrait constituer un cadre adéquat aux aspirations et revendications des luttes populaires’ si:
- l’Europe prend distance avec son passé et son présent impérialistes;
- la Chine réussit dans la voie du ‘socialisme de marché’;
- les pays du Sud réussissent à construire un front commun… et substituer aux blocs dominants, alliés aux intérêts du Nord, des blocs nationaux, populaires et démocratiques;
- se construisent des systèmes juridiques nationaux et internationaux conciliant le respect des souverainetés nationales et celui des droits individuels et collectifs;

En même temps ils constatent que ‘les classes dirigeantes du Sud n’ont plus de projet autonome… Quant aux pays du Sud les plus vulnérables (le quart-monde)... c’est le Nord qui prend, seul, l’initiative d’avancer pour eux - ou plus exactement contre eux - ses propres projets tel ACP, ZLEA, etc.’ (Amin, Houtart et Ramonet, 2005: 6).

En outre, prenant encore l’exemple d’Haïti, le sociologue belge François Houtart et l’anthropologue haïtien Anselme Rémy rappellent que pendant le XVIIIe siècle l’identité culturelle a été un élément de résistance à l’imposition de rapports sociaux dramatiquement inégaux. En effet, comme le montrent ces auteurs, les cultures locales dites minoritaires contiennent en eux-mêmes le potentiel de leur émancipation. La Convention sur la diversité culturelle ne fait que leur offrir un cadre universel légal favorable.

En effet, le grand affrontement entre la culture mondialisée et les univers de représentations et de valeurs construits socialement en fonction des expériences collectives des peuples, n’est pas gagné d’avance. Ceux qui annoncent l’avènement d’une civilisation mondiale unique, portée par les valeurs du marché et signifiant le sommet de l’histoire humaine ont toutes les chances de voir leurs prévisions se transformer en illusions… La mondialisation de la culture se réalisant sous l’hégémonie du marché et les cultures locales constituent la base de nombreuses formes de résistances… (Houtart et Rémy, 173).

D’où l’invitation aux organisations des sociétés civiles nationales et internationales à la créativité et la combativité pour gagner la bataille de la diversité culturelle en faveur des groupes sociaux, des peuples et des cultures minoritaires. Bataille dont la promotion des droits de la communication pour la démocratisation de la communication constitue le fer de lance. Car, selon Wolton, la culture et la com-
munication sont les véritables enjeux du XXIe siècle puisque la mondialisation de la communication pose une fois pour toutes la question de l’altérité et qu’étant une question politique, il faut la traiter politiquement.

En effet, ‘communication et politique, l’enjeu est le même: il s’agit d’organiser la cohabitation... En résumé, dans un premier temps, il faut admettre l’importance de l’identité culturelle. Dans un deuxième temps, il faut reconnaître que la diversité culturelle est indépassable. Dans un troisième temps, il faut organiser la cohabitation culturelle qui est le complément de la démocratie politique’ (Wolton: 96).

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**Los derechos culturales, patrimonio nuestro**

*Dafne Sabanes Plou*

Miro con fastidio la programación de los multicines que funcionan por la zona donde vivo, en el poblado sur metropolitano que rodea a la Ciudad de Buenos Aires. No dan la película francezia que quiero ver. Debería conformarme con alguno de los filmes hollywoodenses, donde para ser héroe hay que ser policía o agente secreto y en los que sobran los efectos especiales, las explosiones, la violencia, el individualismo y la agresión al buscar soluciones a los problemas y, como no podía faltar, la bandera de las bandas y las estrellas que casualmente aparece en varias escenas...

Tendré que tomar el tren y hacer 25 kilómetros para ir a uno de los pocos cines de la gran ciudad donde todavía se pueden ver películas que no pertenezcan a alguna de las grandes corporaciones estadounidenses que dominan el mercado audiovisual no sólo de mi país, sino de toda América Latina.

La peregrinación también se repite si quiero ver alguna película de producción nacional, aunque en este caso, como el cine argentino ha recobrado fuerzas y el público suele responder con interés, los multicines le hacen un lugarcito cada tanto. Es bueno reconocer que el Instituto Nacional del Cine ha tenido una política activa no sólo con apoyo crediticio para la financiación de filmes, sino también en la apertura de oportunidades para directores y actores nuevos, muchos de ellos muy jóvenes.

Esta apertura también está acompañada por el funcionamiento de dos multicines en pleno centro de la Ciudad de Buenos Aires, el ‘Tita
Merello’ y el ‘Gaumont’, donde las producciones argentinas encuentran la posibilidad de estar en cartel al menos por unos días, a precios muy accesibles y con una convocatoria de público interesante, entre ellos muchos estudiantes de cine y de los que pueblan los estudios de arte escénico.

Pero en los multicines corporativos las películas no vienen solas. Están acompañadas por la oferta de grandes vasos de pochoclo y gaseosas que se venden por unos centavos más sobre el precio de las entradas, promoviendo una costumbre de comer en el cine que a los argentinos nos era desconocida, salvo por saborear algún caramelo en la oscuridad. Los nuevos ‘combos’ traen también las restricciones impuestas por aducidos derechos de los propietarios transnacionales de estos complejos. Hace unos días vi como a una parejita de adolescentes les quitaban las gaseosas al entrar a la sala porque no las habían comprado en el kiosko del multicine. ¿Cómo pudieron saber esto los acomodadores? ¡Las gaseosas no eran de la marca que promociona con exclusividad el multicine!

Me di cuenta que este hecho además de enojarme, me provocó una profunda desazón. No sólo se pretende modelar nuestro entretenimiento para que nos conformemos con un único patrón de sensaciones, colores y ritmo audiovisual, sino que también se quiere ajustar nuestro paladar a un único sabor. ¿El ansia de hegemonía cultural implica, por ejemplo, no sólo mantener intacto el amor por los personajes de Disney en las nuevas generaciones (y también la avidez por consumir los videos, los DVD y CDs, las camisetas, los juguetes y cuanto objeto pueda llevar sus rostros) sino también lograr esa homogeneización ideológica que permita que se naturalice lo inaceptable y se acepten reglas de juego que implican el dominio de unos pocos sobre el resto de la humanidad.

El dominio cultural pasa a cumplir un papel importante en la lucha contra los movimientos antiglobalización y todos aquellos que pretenden seguir produciendo pensamiento, conocimientos, arte, música con pluralismo, aprecio por la diversidad y una creatividad no sujeta al registro en sistemas de patentamiento, sino lista para ser compartida y recreada en procesos ilimitados, donde las comunidades y las personas intervienen con libertad y expresan su lucha por su dignidad, por la plena vigencia de los derechos humanos y por una cultura de paz.

¿Todo es mercancía?
Cuarenta y cinco mil personas marcharon por las calles de Mar del Plata, Argentina, en la III Cumbre de los Pueblos de América, celebrada paralelamente a la IV Cumbre de las Américas, que reunió a los jefes de Estado de todo el continente. En esta marcha multitudinaria y pacífica, encabezada por un famoso ex jugador de fútbol, Diego Maradona, y el Premio Nobel de
la Paz 1980, Adolfo Pérez Esquivel, los integrantes de cientos de movimientos y organizaciones sociales expresaron su oposición absoluta al Acuerdo de Libre Comercio de las Américas (ALCA), que se viene discutiendo en las cumbres presidenciales desde la primera de ellas que se celebró en Miami, en 1994.

En decenas de talleres y seminarios celebrados durante tres días, los representantes de la sociedad civil de todo el continente se opusieron a las políticas que, bajo el discurso de generar un espacio continental de libre circulación de capitales, mercancías y servicios, proyectan como primordial la seguridad jurídica de las inversiones externas, las patentes y los derechos de la propiedad intelectual, con una libertad restringida a los intereses económicos de las grandes corporaciones transnacionales.

Una vez más quedó al descubierto la paradoja de que siendo el ALCA un tratado negociado por los Estados, los principales beneficiarios no son los pueblos (como sería lógico suponer), sino las corporaciones y toda la retórica sobre la necesidad de superar la pobreza que aflige a un alto porcentaje de la población de la región queda sepultada bajo las intenciones de estrechar una apertura de libre mercado a la manera de las corporaciones, o sea subordinada a los intereses de los monopolios transnacionales.

Los contenidos del ALCA fueron mantenidos en secreto hasta que por presión de la sociedad civil se dieron a conocer en abril de 2001. Antes de ello, los reclamos populares se escucharon en las calles de Santiago de Chile, en 1998, cuando se celebró la primer Cumbre de los Pueblos de América en concordancia con la segunda Cumbre de jefes de Estado. Continuaron con la exigencia de transparencia e información en Québec, Canadá, en 2001, cuando se realizó la segunda Cumbre popular enfrentando a la tercera Cumbre de presidentes. Ante tantos cuestionamientos y viendo que el ALCA no entraría en vigencia en la fecha anunciada en un comienzo, el 1 de enero de 2005, Estados Unidos comenzó a negociar tratados bilaterales con un buen número de países del continente, algunos de los cuales ya están vigentes.

Una de las principales trabas para la aceptación de este tratado de libre comercio es que los principales productores agrícolas de la región, que compiten con los de Estados Unidos en el mercado mundial, reclaman la eliminación de los subsidios agrícolas por parte de este país, mientras que Estados Unidos exige a cambio la eliminación de la protección industrial y de servicios, que incluye finanzas, seguros, salud y educación, además del régimen de patentes y derechos de propiedad intelectual.

Es bueno recordar que la introducción del tema de la propiedad intelectual en los acuerdos de comercio internacional estuvo a cargo de los Estados Unidos, que en 1995 logró que entrara en vigor el Acuerdo sobre los Aspectos de la Propiedad Intelectual relacionados con el Comercio (ADPIC), con el objetivo de proteger sus inversiones en investigación y generación de conocimientos, sin tener en cuenta las consecuencias sociales y culturales. Este acuerdo es de cumplimiento obligatorio para todos los países miembros de la Organización Internacional del Comercio (OMC).

A partir de la vigencia del acuerdo ADPIC, la cuestión de la propiedad intelectual comenzó a ser incluida en acuerdos de libre comercio, tanto multilaterales como bilaterales, reforzando los niveles de protección exigidos y sometiendo las soberanías nacionales y los derechos culturales de los pueblos a los intereses corporativos.

Dentro de las propias Naciones Unidas, las reacciones no se han hecho esperar y es así como la Comisión de Derechos Humanos a través de una resolución planteó las contradicciones reales o potenciales entre la aplicación del Acuerdo sobre los ADPIC y la realización de los derechos económicos, sociales y culturales, considerados indivisibles. La resolución considera que con estos acuerdos se vulnera el derecho de las personas a disfrutar del progreso científico aplicado a áreas como la salud, la alimentación, la educación y que existe una contradicción aparente entre el régimen de propiedad intelectual y el derecho internacional relativo a los derechos humanos.

Teniendo en cuenta estas cuestiones, la declaración final de la III Cumbre de los Pueblos de América enfatiza que “todo acuerdo entre naciones debe partir de principios basados en el respeto a los derechos humanos, la
dimensión social, el respeto a la soberanía, la complementariedad, la cooperación, la solidaridad, la consideración de las asimetrías económicas favoreciendo a los países menos desarrollados’. También agrega en otro apartado que ‘acordamos promover la diversificación de la producción, la protección de las semillas criollas patrimonio de la humanidad, la soberanía alimentaria de los pueblos, la agricultura sostenible y una reforma agraria integral’.4

Es sabido que las patentes han llegado al desarrollo de las semillas y a la apropiación por parte de las corporaciones de productos y procesos que pertenecían al conocimiento comunitario de los pueblos, en especial de los pueblos indígenas. Esta preocupación fue expresada por los participantes en la Cumbre Continental de Pueblos y Organizaciones Indígenas, realizada también en Mar del Plata, junto a la III Cumbre de los Pueblos de América. En una apreciación dada a conocer por miembros de comunidades indígenas argentinas, se enfatizó el rechazo ‘a los tratados de libre comercio que ponen a nuestros territorios y culturas como producto y fuente para el mercado’.5

En una interesante publicación que se realizó compilando la posición de mujeres de los movimientos sociales latinoamericanos contra el ALCA,6 las mujeres indígenas sostienen que los acuerdos de propiedad intelectual que propicia el ALCA representan un riesgo para las poblaciones indígenas porque favorecen a las grandes empresas, como las farmacéuticas, en detrimento del reconocimiento de la propiedad compartida que tienen pueblos y comunidades, en materia de plantas medicinales y semillas criollas, entre otros.

Considerando que las comunidades y los pueblos originarios son guardianes de la biodiversidad, las mujeres alertan sobre el patentamiento de los saberes de sus pueblos por parte de las transnacionales. También expresan su preocupación porque el arte tradicional indígena, sus vestimentas, sus técnicas de hilado y de tejido, y los diseños artesanales corren el riesgo de ser patentados sin miramientos por empresas extranjeras. Encuentran que los pueblos indígenas no tienen forma de hacer frente ni a la biopiratería ni a la copia y fabricación de vestidos y tejidos con los diseños tradicionales indígenas, que muchas veces resultan patentados por las firmas que se apropiaron de los mismos.7

**Haciendo frente a la hegemonía cultural**

Cuando el 20 de octubre de 2005, la Conferencia General de la UNESCO adoptó de forma casi unánime la Convención para la Protección de la Diversidad de Contenidos Culturales y Expresiones Artísticas, luego de tres años de arduas negociaciones, hubo lugar para el festejo. Por el momento, Estados Unidos no ha podido salirse con la suya, a pesar del tono amenazador de Rice, quien señaló que su país podía pensar en volver a retirarse de la UNESCO, tal como lo había hecho 19 años atrás.

En el momento de la votación, la soledad de la potencia del Norte fue grande, cuando quedó aislada votando en contra de la aprobación, junto a su aliada Israel. Fue lamentable que dos naciones latinoamericanas, Nicaragua y Honduras, se abstuvieran en la votación, como si dudaran sobre el camino a seguir en la defensa de los valores culturales y artísticos de sus pueblos.

No obstante, no hay lugar para el descanso. Si bien el documento enmarca a la Convención en el respeto a los derechos humanos y las libertades fundamentales y reafirma el derecho soberano de los Estados a elaborar políticas culturales para ‘proteger y promover la diversidad de las expresiones culturales y ‘crear las condiciones para que las culturas puedan prosperar y mantener interacciones libremente de forma mutuamente provechosa’, no ha logrado evitar que la Convención no tenga preeminencia sobre otros acuerdos comerciales. Una formulación ambigua que habla de ‘potenciaciación mutua, complementariedad y no supeditación’ con otros instrumentos internacionales siembra incertidumbre en posibles litigios, por ejemplo con la OMC.8

Como siempre, los pueblos no pierden la esperanza y todo pequeño resquicio abierto permite entrar la brisa de la libertad. Por ello, es importante sostener junto a miles de personas en este continente que hay espacio para ‘proponer y construir desde abajo una visión propia de integración y desarrollo, alternativa al neoliberalismo y el “libre comercio”; que
ponga por delante la complementariedad de las naciones antes que la competencia; que ponga por delante los derechos humanos, económicos, sociales, culturales, ambientales y de igualdad de género; que parta de reconocer las desigualdades y asimetrías; que reconozca el derecho de las naciones a proteger y desarrollar sus recursos estratégicos y naturales, las áreas vitales para su sobrevivencia; que haga posible, en fin, otra América más justa, libre y verdaderamente democrática’.9

Notas
3 ‘A propósito de la convención de la diversidad cultural’, por Lillian Alvarez Navarrete, 19/10/2005 www.alainet.org
4 Declaración Final de la III Cumbre de los Pueblos de América.
5 ‘Análisis y proyección política de las Naciones Originarias luego de las Cumbres Indígenas en Argentina, www.cumbrecontinentalindigena.org
6 Irene León y Magdalena León T., coordinadoras, Mujeres contra el ALCA: razones y alternativas, ALAI, FEDAEPs, REMTE, Quito, 2002.
9 Declaración Final del IV Encuentro Hemisférico de Lucha contra el ALCA, La Habana, 2005.

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CRIS Campaign statement on cultural diversity


The Convention is a clear demonstration that governments recognize that culture cannot be reduced to a mere commodity. By endorsing the Convention, governments have shown that they are prepared to take positive steps to support cultural diversity in an age of global cultural industries.

However, while we support and encourage the ratification of the treaty, we have the following concerns.

We would have liked to see stronger emphasis on the protection and promotion of cultural diversity within countries, especially indigenous cultures. We denounce the hypocrisy of those countries that suppress and destroy indigenous cultures internally while claiming to support cultural diversity beyond their borders. The CRIS Campaign will remain vigilant, and will condemn and mobilise against any attempt by any state to try and use this Convention to marginalise women, or to repress ethnic minorities, migrants, sexual minorities, or indigenous peoples.

We applaud the elimination of language from earlier drafts of the Convention that would have supported and strengthened the current extremist copyright regime. However, the remaining unbalanced language on copyright in the Convention’s preamble is a clear step backward from the 2001 UNESCO Universal Declaration on Cultural Diversity.

We are deeply concerned by the failure to stress the importance of the public domain, fair use and creative commons.

We deplore the fact that there is no mention of the need to end the theft of indigenous culture and traditional knowledge by the transnational copyright and patent industries.

We will remain vigilant with regard to the Convention’s relationship to other treaties, which as it stands is extremely ambiguous and, therefore, may encourage some trade ministers to ignore the Convention altogether in their negotiations.

We call on:

Governments to ratify the Convention;
Civil society closely to monitor their national trade ministers first as they head to Hong Kong for the WTO negotiations and in all future bilateral or multilateral trade negotiations;
Civil society to mobilize and use the UNESCO Convention as a means to transform domestic cultural, media, and communications policy in order to bring about cultural justice.

See www.crisinfo.org
Disability culture and cultural identity

Gregor Wolbring

What does UNESCO’s Convention on the Protection and Promotion of the Diversity of Cultural have to do with disabled people? The following article introduces the concept of a disability culture and of seeing disabled people as a social group with a distinct identity. It explores how this interpretation accords with wordings in the declaration and the convention and why the acceptance of disability culture and the social group of disabled people is important to and for disabled people.

UNESCO’s Declaration on cultural diversity has 17,300 hits on Google, but only one hit together with disabled people in which it is suggested holding a workshop for disabled people in Colombia.1 Similarly, the Convention on cultural diversity has 12,300 hits but 0 together with the term disabled people. What does this imply?

Many groups, governments, NGOs and others were involved in the deliberations. Did no one see disabled people as having a cultural identity or as a social group? Do disabled people not see themselves as a culture or social group? Why did disabled people not try to get themselves heard? Are they so disempowered that they do not even feel it useful to be involved in political deliberations in this area? Or did they try, but were rejected?

What is disability culture?
The question whether there is a disability culture can be answered with a yes. Disability culture has 69,300 hits on Google. One description of disability culture is:

‘People with disabilities have forged a group identity. We share a common history of oppression and a common bond of resilience. We generate art, music, literature, and other expressions of our lives and our culture, infused from our experience of disability. Most importantly, we are proud of ourselves as people with disabilities. We claim our disabilities with pride as part of our identity. We are who we are: we are people with disabilities.’

Another description is the following:

‘Many disabled people, people with non-normative body compositions, functioning and abilities have forged a cultural identity based on a common history of oppression and a common bond of resilience. They see able-ism (discrimination based on non-normative abilities, functioning and body structures) as equal to racism, ageism, homophobia, and other other-isms.’

And another

‘It is not simply the shared experience of oppression. If that were all our culture was, I would agree with those who doubt the probability of a disability culture. The elements of our culture include, certainly, our longstanding social oppression, but also our emerging art and humour, our piecing together of our history, our evolving language and symbols, our remarkably unified worldview, beliefs and values, and our strategies for surviving and thriving. I use the word “remarkable” because I find that the most compelling evidence of a disability culture is the vitality and universality of these elements despite generations of crushing poverty, social isolation, lack of education, silencing, imposed immobility, and relentless instruction in hating ourselves and each other. Our culture has been submerged by the profundity of our oppression and the forces that have divided us from each other. But any time disabled people have been able
to come together, culture has flourished – in hospital wards, in special schools, at charity camps, during sit-ins, during creative workshops, in peer-support groups, in the hotel corridors of disability conferences, in jail. Furthermore, these scattered spurts of cultural development bear a significant resemblance to each other.\textsuperscript{4}

In the UK the expression of disability culture in particular through the arts is very strong. Examples are the London Disability Arts Forum,\textsuperscript{5} and the Workhouse, a fortnightly disability cabaret club at the Tabernacle Arts Centre in west London which was started by the London Disability Arts Forum in 1986.\textsuperscript{6} Another current example is the statue on the fourth plinth in Trafalgar Square, which shows the thalidomider Alison Lapper pregnant in white marble.\textsuperscript{7} Many other expressions and examples of disability art and culture exist around the world.\textsuperscript{8}

Is disability culture as outlined in the above three quotes in sync with the definition of cultural identity as outlined in the UNESCO Declaration and Convention? I would say, yes. The Declaration states:

‘Reaffirming that culture should be regarded as the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and that it encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs.’

In Article 4 - Definitions, The Convention states:

1. Cultural diversity
   “Cultural diversity” refers to the manifold ways in which the cultures of groups and societies find expression. These expressions are passed on within and among societies. Cultural diversity is made manifest not only through the varied ways in which the cultural heritage of humanity is expressed, augmented and transmitted through the variety of cultural expressions but also through diverse modes of artistic creation, production, dissemination, distribution and enjoyment, whatever the means and technologies used.

3. Cultural expressions
   “Cultural expressions” are those expressions that result from the creativity of individuals, groups and societies, and that have cultural content.

The definition of cultural diversity, cultural expression and culture as quoted from both the Declaration and the Convention seem to fit the disability culture and disability identity on the basis of the views of disabled people quoted above. So the real questions are those addressing why disabled people are not mentioned and what role disabled people played – if any – in the deliberations?

Why acceptance of disabled people as a cultural identity and social group is needed

Carol Gill sees four functions for disability culture. They are: 1) Fortification. The definition and expression of our value as a community charges us up and enriches our lives, giving us energy and endurance against oppression. 2) Unification. As we hear ad nauseam, people with disabilities are a heterogeneous community encompassing different ages, races, genders, socio-economic statuses, etc. The expression of our beliefs and heritage in cultural activities, however, brings us together, encourages mutual support and underscores our common values. 3) Communication. Our developing art, language, symbols, and rituals help us articulate to the world and signal to each other who we are as a distinct people. 4) Recruitment. The expression of our culture is a positive and defiant conversion of our social marginalization into a celebration of our distinctness. It encourages people with disabilities (particularly new and young disabled persons) to ‘come out’ as part of the community, allowing them finally to integrate their disabilities into their individual identities and offering them a sense of group ‘belonging’.

How does this perception of functions for disability culture fit with how the Convention defines the usefulness of culture? The parts of
the Convention quoted below seem to express the same views as Carol Gill in regard to why
disability culture is needed.

Preamble:
3. Being aware that cultural diversity creates a rich and varied world which increases the
range of choices and nurtures human capacities and values and therefore is a mainspring
for sustainable development for communities, peoples and nations;
5. Celebrating the importance of cultural diversity for the full realization of human
rights and fundamental freedoms proclaimed in the Universal Declaration of Human
Rights and other universally recognized instruments;
6. Emphasizing the need to incorporate culture as a strategic element in national and
international development policies, as well as in international development cooperation,
taking also into account the United Nations Millennium Declaration (2000) with its spe-
cial emphasis on poverty eradication;
7. Taking into account that culture takes diverse forms across time and space and that
this diversity is embodied in the uniqueness and plurality of the identities and cultural
expressions of the peoples and societies making up humanity;
13. Recognizing that diversity of cultural expressions, including traditional cultural
expressions, is an important factor that allows peoples and individuals to express
and to share with others their ideas and values;
14. Recalling that linguistic diversity is a fundamental element of cultural diversity
and reaffirming the fundamental role that education plays in the protection and pro-
motion of cultural expressions,
15. Taking into account the importance of the vitality of cultures, including for persons
belonging to minorities and indigenous peoples, manifested in their freedom to create
and to disseminate and distribute their traditional cultural expressions, to have access
thereto, so as to benefit them for their own development.

Article 2 – Guiding Principles
3. Principle of equal dignity of and respect for all cultures
The protection and promotion of the divers-
ity of cultural expressions presuppose the
recognition of equal dignity of and respect
for all cultures, including the cultures of per-
sons belonging to minorities and indigenous
peoples.

6. Principle of sustainable development
Cultural diversity is a rich asset for individu-
als and societies. The protection, promotion
and maintenance of cultural diversity are an
essential requirement for sustainable devel-
opment for the benefit of present and future
generations.

The need for the acceptance of disabled people
as a cultural identity and social group specific
examples
The preceding section cites arguments as given
in the convention to highlight why the ability
to form a cultural identity and the attached
ability for cultural expression is important.
The next section gives three concrete examples
to highlight why the ability to form a cultural
identity and the attached ability for cultural
expression is important.

New technologies and the identity of disabled
people
Creating an uneven playing field in regard to
public policy and the governance of new tech-
nologies such as Nanotechnology,
Biotechnology, Information technology and
Cognitive Sciences (NBIC) in such a way that
disabled people are forced to accept a certain
identity and a certain perception of self could
be seen as violating both the UNESCO
Declaration and Convention.
Many disabled people, people with non-nor-
mative body compositions, functioning and
abilities have forged a cultural identity.
However, the perception of disabled people by
so called non-disabled people is often not in
sync with the self-perception of disabled peo-
ple. Those governing science and technology
for the most part refuse to accept and act on
the disability culture and the social model self-
identity of many disabled people. Instead many insist on using a simple medical or transhumanist/enhancement model of disabled people to characterize their problems and solutions, even if the disabled tell them to look at the social model instead. Pushing people to accept a certain identity (in this case to push disabled people to accept a negative deficiency self image despite the fact that many disabled people do not perceive themselves as negative deficient) could be seen as discrimination against a cultural minority (the disabled).

Social group approach to ethical reasoning
A social group approach is one way to look at bioethics theories. Feminist approaches to bioethics theories and issues are now credible and well developed. There is considerable evidence for the lack of acceptance and visibility of a disability rights approach to bioethics theories and issues. Debate over sex selection and disability ‘de-selection’ can be used to argue for the acceptance of a disability rights approach to bioethics issues and theories and also for a broadening of the view of disabled people away from a simplistic medical view towards a social justice one.

Disability rights approach to freedom of thought, expression and information
The Convention states in the Preamble: ‘Reaffirming that freedom of thought, expression and information enable cultural expressions to flourish within societies.’ What does that mean for disabled people?

If disabled people are a cultural identity, if cultural expression is essential for the maintenance and flourishing of a cultural identity, then both Declaration and Convention lead to certain obligations for the signing countries. They have to make sure that disabled people can express themselves. That means public places, the education system, the communication systems and other areas of expression have to be accessible. If freedom of thought is important, certain actions in regard to disabled people have to be taken.

Many thoughts are a response to other people’s thoughts. However if, for example, 98% of web pages are inaccessible to the blind, if many places where one talks about disabled people are not accessible (most academic and other conferences), if many places where one teaches about disabled people are not open to disabled people (the employment rate of disabled people in academia is far below the percentage of their representation in society), then freedom of thought is dramatically impaired as disabled people cannot shape opinions on many issues as they cannot read or hear many of the thoughts opinions out there.

Many use the term freedom of speech to defend their right to speak publicly about disabled people without opposition. If these people would take that concept seriously, they first would ensure that disabled people have the same possibilities. This would entail a demand for accessible material (web pages, audio, video, reading material), accessible conferences, accessible education, increase in academic presence of disabled people, increased presence of

Emmanuel Ofosu Yeboah bicycles across Ghana and runs marathons to change the image of disability in his country. His story has been filmed as Emmanuel’s Gift. See http://www.disabilityworld.org/12-01_06/emmanuelsgift.shtml
disabled people on the policy level, and all other areas of society. For too long the term freedom of speech has been misused detrimentally in regard to disabled people.

This article has shown that the wording of the UNESCO declaration and convention allows disabled people to perceive themselves as a cultural identity with the right to cultural expression. There are examples of why it is vital for disabled people to be accepted within a cultural identity as they define it. However, I also raised the following question: Did no one involved in the deliberations about the declaration and the convention NGO’s, governments, UNESCO itself, or others see disabled people as a cultural identity or social group? If not, why not?

Why did disabled people not try to get themselves heard? Are they so disempowered that they do not even feel it useful to be involved in political deliberations in this area? Or did they try, but were rejected? From interactions with Disabled Peoples International (DPI) I can say that there was no effort by UNESCO to involve DPI. Furthermore, as no hits show up in Google with the keyword combination “UNESCO International Declaration on Cultural diversity” and “disabled people” or “UNESCO Convention of the Protection and Promotion of the Diversity of Cultural Expressions” and “disabled people” it might be reasonably assumed that disabled people were not involved by key players in this process.

It is more difficult to answer the question whether disabled people tried to be involved. However, it is my experience that disabled people are still fighting for access to buildings, employment, education, and income and that there are very few who can work politically. Their time is mostly taken up by the fight for basic needs and by their efforts to obtain a UN convention on the rights of disabled people.

To get disabled people involved in issues even a little bit removed from the concerns they struggle with all the time requires a concerted effort by others to involve them. Furthermore, as disabled people and their organizations lack money, money has also to be provided. What is certain is that, within my Canadian sphere of involvement in the disability movement and in UNESCO, I did not hear of any such concerted effort, which speaks to a vital failure of communication.

Notes

1 unesdoc.unesco.org/images/0013/001345/134556e.pdf
6 http://www.artsround.org.uk/documents/publications/781.rtf page 7
7 http://www.fourthplinth.co.uk/marc_quinn.htm
8 http://www.bioethicsanddisability.org/disartsadv.html

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Cultural diversity in the context of global empire

Kim Yong-Bock

Languages, their interactions and interrelationships are the key to cultural diversity in North East Asia. The following article argues that this is not a matter of simply teaching language skills as tools. Language must be understood as a way of life embodying the wisdom of life. It is also a matter of how all living beings – not just human beings – live side by side.

Persons travelling on Korean transportation (trains, limousine buses and airlines) can hear travel information announced in four languages: Korean, Japanese, Chinese and English. The subway system announces such information in Korean and English. With the purpose of creating a friendly atmosphere for international travellers in Korea, the Korean transport system has been made multilingual.

This phenomenon of multilingual communication is a sort of cultural interaction. That does not mean, however, that the Korean people are multilingual. Far from it. One main purpose of the Advanced Institute for Integral Study of Life, therefore, is to engage in learning to be a multilingual community, where each member will speak and understand at least three or four languages at an advanced level. Korean people have a natural cultural advantage in learning Japanese and Chinese, both of which are closely related to Korean; and since English has become a global language it is also imperative to learn it.

There is a further necessity for Koreans to learn these languages due to geopolitical, political and economic reasons. The Korean people must deal with the big powers that surround the peninsula. For obvious reasons, North Koreans have learned Russian. Historically, the powers around the Korean peninsula – and their cultures – have had a great impact, whether Koreans welcomed it or not. At the same time, it has been the destiny of the Korean people to overcome outside domination and to maintain peace for life in and around their land.

It is against this background that we are developing language policy as a way for creative cultural interaction and cultural evolution in and around the Korean peninsula.

What is culture?

In the social sciences, differentiation has generally been made between ‘cultural’ and ‘natural’: the cultural and the natural have been viewed as mutually exclusive. The differentiation, however, is ambiguous and therefore problematic; it is difficult to make a sharp demarcation between the natural and the cultural. Rather, there is a close ‘interface between the cultural and the natural.’ The cultural influences the natural and vice versa, for culture is the interaction of human beings with nature as well as with all living beings. This interaction is both human and natural, and therefore is both cultural and natural.

Of course, human beings regard themselves as ‘special’ living beings, different from others, and therefore understand culture as a special human creation. Is this so? With just a bit of questioning, we can realize that culture is a dynamic, interactive process in which all living bodies participate, in the theatre of the universe. When we discuss cultural identity, cultural diversity and cultural interaction, we need to account also for the natural within the cultural. When we discuss the issue of cultural diversity and identity, it is necessary to understand culture as a dynamic process of interaction with nature as well as with other cultures, and none of these are static objects.

Therefore, culture is not to be objectified in a simple manner. It involves the cultural subjecthood of all living beings and their interac-
tions. In this sense, it would be more accurate to say that culture is ‘communication among living beings’. Culture is not a simple accumulation of cultural artefacts, but a dynamic process of interactions among all living beings in the universe. It is the spirit embodied in the cultural process, and the subject embodied in the interactive process.

**Diverse languages and cultural interaction as communication**

With these preliminary observations, I would like to propose a language policy for our graduate school in North East Asia. The policy is for our academic and research community of scholars to learn at least five languages for communication for life and peace. Our region has a long history of interaction among many peoples and living beings. Some people tend to reduce East Asian culture to the Confucian civilization. This is certainly an over-simplification of the cultural history and life of the peoples in this region.

In the first place, our peoples have a wide linguistic diversity and these languages have interacted among themselves, generating rich confluences. Chinese, Korean, Japanese, Mongolian, Russian, and now English and other Western and Asian languages have interacted through the history of the North East Asian region. It is a truism to say that our languages are diverse. Linguistic diversity is one of the bases of cultural diversity.

The history of cultural interactions has several distinct features. Different cultures have interpenetrated and interacted with each other, a classical example being the transmission of Buddhism and its culture from India to China, to Korea and to Japan. Buddhism has transformed the cultures of East Asian peoples, just as the cultures of East Asian peoples have transformed Buddhism. Buddhism has manifested itself in diverse ways in East Asia. Similarly Chinese linguistic characters have transformed the languages of the Korean and Japanese peoples.

This interaction has been very creative and transformative in the cultural life of the peoples. The communication of Buddhist teachings and life has been realized through translations and interpretations, an intensive linguistic and cultural relationship. When the Buddhist scriptures were translated into Chinese, Korean and Japanese from the original language, a process of cultural and religious evolution took place as they interacted with the diverse linguistic and cultural environments.

Modern Western culture has penetrated Asian civilization during the past several centuries, making a great impact upon the cultural life of Asian peoples. The first feature of this impact has been cultural corrosion. The second appears to be a homogenization into Westernization on the one hand (technocracy) and a cultural marginalization of Asian cultures on the other.

In the context of cultural domination by the political and economic powers, the cultural, religious and linguistic diversities of different peoples have not been duly respected. This tendency is clear in the recent history of North East Asia as well as in its past. The first instance of this phenomenon has been the cultural domination and impositions by powerful kingdoms, nations and empires. For example, the Chinese empire imposed its cultural hegemony upon peoples living in nearby countries, including Korea.

As a colonial power Japan imposed its own culture upon the Korean, Chinese and Taiwanese peoples. Later the global empire imposed US culture upon the people of South Korea and Japan, both of which were occupied by the US military after WW II. Now, in the context of globalization, (capitalist) global market culture and technocracy, the diversity of Asian cultures, along with their creative and transformative interactions, is being undermined. Cultural identity and diversity are threatened, sometimes to the point of extinction, especially the cultures of minority peoples.

Based mainly in the economic and political powers, communications structures and the media have been used for cultural domination, producing alienation, oppression and ‘desertification.’ The initial response to cultural domination is to turn to traditional cultural resources for identity. In this context of cultural domination and homogenization, respect for cultural identity and diversity is important, so that the
cultural life of the people may not be destroyed or eroded.

But the global cultural situation is not so simple as to allow cultural identity and diversity to continue in static, traditionalistic ways. Already various forms of cultural interaction are taking place under the influence of the global market and global empire. There are processes of cultural ‘hybridization’ and cultural fusion in the vortex of cultural interactions. The current situation demands cultural resistance and cultural liberation as well as cultural identity, diversity and cultural tolerance in the midst of dynamic cultural interactions. What we need is a creative cultural evolution for resistance and liberation as well as identity and diversity.

**Dynamic understanding of cultural life**

The cultural diversity of our peoples in North East Asia should be understood beyond national, ethnic and geopolitical boundaries. In particular the cultures of the people must not be understood in nation-state terms, for in such a situation cultural minorities would be suppressed. Diverse cultural identities are to be understood without the boundaries imposed upon people by external forces.

Cultural identity is formed in the context of diverse people’s interactions; it is a product of those interactions. No identity is formed in an isolated situation, but rather it is a moment in the process of interaction. Identity is a manifest form of the subjecthood of people in a particular historical and social context. Therefore, when identity is denied, the subjecthood of the people is denied. Recognition of the diversity of the culture is an affirmation of the identity and subjecthood of the people. When identity is a dynamic reality of interactions among diverse cultures, diversity is also a dynamic reality in the midst of the cultural interactions.

With this preliminary understanding of cultural identity and diversity, we propose a language policy for international graduate schools, particularly for the Asia Pacific Graduate School for the Study of Life. The school is planning to establish a cultural centre where the participants will become familiar with five languages: Korean, English, Japanese, Chinese and Russian. The Korean people have had to live in interaction with the four other nations and their cultures for geopolitical, political and economic reasons as well as geographical and cultural influences. Korea has been the pivot where all four of the other cultures met.

Understanding the Korean people cannot be pursued in isolation from the reality of their interaction with these four cultural universes. While the Korean culture is unique, with its own identity, yet it is a product of its interaction with the diverse cultures of China, Japan, Russia and the USA. This does not mean that Korean culture did not need to interact with other cultures. It means that any interaction of Korean culture involves its interaction with the four other cultures. Therefore the cultural centre must consciously be a community of interactions of at least five cultures.

In this centre there will be three-pronged programme focus: 1) A historical study of interactions among the five cultures, seeking to understand the history of life among the peoples in North East Asia. 2) A study of the five languages and their cultural manifestations for interactive relations. 3) A study of interactive modes for transformation toward a new identity and a new diversity for integral life on earth.

The basic rationale of the centre and its language policy is not exceptional. Throughout history, cultural interactions have been a normal process among peoples; and through such interactions there has been a dynamic process of cultural evolution or revolution. The question is how to enhance cultural interaction among peoples for authentic cultural identity, creative and enriching cultural diversity. It can be compared to a feast or a festival, where the senses are pleased by different foods with unique tastes, and there emerges a creative mixture of different foods for enhanced tastes and nutritional and aesthetic values. Such cultural feasts have been taking place in villages around the globe throughout history.

Recent history in North East Asia has not shown the region to be an ideal place for creative and fruitful cultural action. The political and geopolitical rivalries among the powers and the dominance of the global empire have created a detrimental situation. Now the regime
of the global market has created a market-ori-
ented cultural process. This situation calls
attention to the urgent need for new cultural
life among the peoples of North East Asia.

Unfortunately, however, most cultural and
educational institutions around the world are
busy serving the political powers of nation
states, the global empire, and the powers of the
global market, rather than fulfilling their
responsibility to serve true, integral, just, peace-
ful and convivial life on earth. The need is for
alterative languages and cultural policies. Our
graduate school is seeking to respond to this
need.

Counter-posed to the destructive and deadly
cultural processes bestowed by globalization,
the world’s peoples need a movement for new
culture, for fullness of life on earth. The ques-
tions of subjecthood, identity, diversity, inter-
action and evolution of cultural life on earth are
all at stake in our cultural and educational
institutions and processes. Our centre for lan-
guages and cultures will attempt to start
addressing these important questions.

The task of overcoming cultural hegemony,
cultural suppression, cultural alienation, cultur-
al conflict and cultural desertification is closely
associated with creativity, identity and diversity
of cultural life. Our centre seeks wisdom for
cultural liberation and creativity through the
modalities of cultural interaction. It will pro-
vide the opportunity to learn languages and
cultures for cultural interaction – what may be
called ‘cultural communication for life’. It is
not a matter of simply teaching language skills
as tools, but of understanding language as a
way of life and the wisdom of life. It is a mat-
ter of conviviality for all living beings, not just
human beings.

Learning languages is a basic step for inter-
cultural communication and interaction toward
creative cultural evolution. This has profound
implications for the formation of an order of
life in justice and peace for all living beings on
earth and in the universe. Communication in a
multi-lingual manner can never be contained
within modern mono-cultural mathematics. It
can expand infinitely to include the rich con-
tents of all cultures and languages. It has power
as a liberating process of creative interaction.

Since culture is a dynamic process of inter-
action and communication with all living
beings on earth, cultural interaction will create
an order of life for conviviality of all living
beings. For example, East Asian languages will
provide a strong cultural foundation for the
common life of all living beings. Therefore, our
language centre affirms its core values as being
a place for and a process of multi-cultural
interaction.

Notes
1 Asia Pacific Graduate School for the Study of Life
2 Korean, Japanese, Chinese, Russian and English.
3 Nakamura, Eastern Ways of Thinking
4 Arnold Toynbee, The World and the West
5 Toynbee’s theory of civilisational encounter is a good
example.

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Pluralism and the right to communicate in Canada

Aliaa I. Dakrouy

Was Jean d’Arcy, pioneer of the concept of the right to communicate, correct in his assumption that the wealth of humanity derives from its diversity rather than from any artificially imposed unity? Canada’s policy of multiculturalism offers a case study for the right to communicate in practice. Can the ideals of pluralism and good citizenship exist side by side?

The birth of the concept of the right to communicate (RTC) is marked by Jean d’Arcy’s 1969 European Broadcasting Union paper ‘Direct Satellite Broadcasting and the Right to Communicate’ in which he predicted that the communication rights as then outlined in the language of various legal documents would not be sufficient to accommodate future development of technologies, nor their social effects on the public. As he pointed out:

‘The time will come when the Universal Declaration of Human Rights will have to encompass a more extensive right than man’s right to information, first laid down twenty-one years ago in Article 19. This is the right of man to communicate. This is the angle from which the future development of communications will have to be considered if it is to be fully understood’ (d’Arcy, 1969: 1)

However, Richstad, Harms, and Kie contended that while d’Arcy launched this concept, in reality, he ‘did not specify in detail what he meant by the Right to Communicate... [instead, his article] inspired others to attempt formations over the following years’ (1977: 114). In trying to ground a practical basis of the RTC, we can consider that the foundation of the RTC is pervaded by the expression of one’s thoughts, ideas, and culture. Following that, we have to question where and how we can achieve this idyllic principle.

Interestingly in 2005, Article (2-1) of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, clearly states that ‘Cultural diversity can be protected and promoted only if human rights and fundamental freedoms, such as freedom of expression, information and communication, as well as the ability of individuals to choose cultural expressions, are guaranteed.’

In this sense, and applying the former concept of cultural diversity to the multi-cultural and diverse reality of the Canadian society, it is interesting to examine the degree to which that society’s immigrants have a right to live as did before coming to their new homeland. For instance, to what degree does Canadian society welcome newcomers and immigrants to practice their right to communicate their cultural identity, such as wearing traditional clothes, speaking their native languages, enjoying the same celebrations, and keeping and expressing the same values of their homelands.

Additionally, what aspects of Canadian society either allow those rights to be practised freely or limit them? Is it only laws that dictate this? Or is there rather a set of values embodied in the society in which these rights are practiced? Here, I will argue that the back-bone of Canadian cultural diversity, as illustrated in the Canadian Multiculturalism Act (1985), is the practice of the ‘right to communicate’ (RTC) in different arenas, among them Canadian media.

The right to be ‘different’ in practice in Canada

Communication media are one of the significant indicators of the practice of pluralism, diversity, and a RTC in everyday existence in Canada. In this sense, a Canadian RTC signifies acceptance of ‘other’ points of view and a
commitment to the diversity principle, or as McLennan specifies, the practice of ‘free and equal discursive exchange’ (1995: 54).
Congruently, Article (12) of UNESCO’s *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*
Preamble clearly outlines the importance of media in this context, arguing that ‘freedom of thought, expression and information as well as diversity of the media enable cultural expressions to flourish within societies’ (2005).

To illustrate this point, take broadcasting as an example. If a government in a given country is monopolizing and controlling all different forms of broadcasting, opposing opinions will seldom be heard in public. In other words, such totalitarian systems will limit broadcasting of opinions to those that conform to the system’s perspective; hence there will be few outlets for ‘other’ points of view. Therefore, based on their communication media, such a society could be considered as one that does not practice RTC in general.

Viewed in this manner, the right of minorities, immigrants, aboriginal people, etc., to self-expression and true representation of their opinions in the different media systems, and indeed, the right to their distinctive culture in general, are important to the practice of a RTC in real life. In response to three landmarks in the history of pluralism and diversity both nationally and internationally, the government of Canada adopted its *Multiculturalism Act* in 1985. It conceptualized this Act based on the *Canadian Citizenship Act* that confirms all Canadian citizens’ equality of rights, privileges and responsibilities; the *Canadian Human Rights Act* that grants individuals equal opportunities to life as members of Canadian society without any discrimination based on race, colour, ethnic or national origins; and finally, the *International Covenant of Civil and Political Rights* that identifies the right of ethnic, religious and linguistic minorities not only to enjoy their own culture, religion and language, but equally importantly to practice them in real life.

‘[The government of Canada’s policy is to]...recognize and promote the understanding

**Inuktitut**, the language of Inuit, has a rich history as an oral language, but its writing systems are fairly new. There are some seven or so major dialect groupings of Inuktitut in Nunavut. In the western Kitikmeot Region, the dialect is known as Inuinnaqtun and is written in roman orthography, just as it is in Labrador, the Canadian western Arctic, Alaska, and in Greenland, where a tradition of literacy based on the roman alphabet goes back centuries. **Inuktitut** is written in syllabics, a phonetic form of writing developed by Rev. James Evans for the Cree, adapted for the Inuit in the latter part of the 1800s by the Anglican missionaries John Horden and E.A. Watkins, and brought to the Arctic by their colleague, Edmund Peck. A standardized dual orthography for both roman and syllabics was established in the late 1970s by the Inuit Cultural Institute. See [http://www.nunavut.com/nunavut99/english/our .html](http://www.nunavut.com/nunavut99/english/our.html)

that multiculturalism reflects the cultural and racial diversity of Canadian society and acknowledges the freedom of all members of Canadian society to preserve, enhance and share their cultural heritage’ (Canadian Multiculturalism Act 1985, Article 3-a).
To help ensure rights are protected for these minorities, one opinion argues that the publicly owned media should dedicate at least a small percentage of its content to minorities in order to represent their opinions. Canada, through its *Canadian Multiculturalism Act* (1985), enforces what could be seen as ‘cultural mosaic’ policy in which immigrants and residents are encouraged to maintain their identities, cultures, languages, etc. within the Canadian context. This is the opposite of the idea of the American ‘melting pot,’ where immigrants and residents are expected to subsume their previous identities into a general sense of ‘Americaness’. On the contrary, the Canadian Act upholds the right to maintain one’s culture in practice. Highlighting this point, Article (3-c) states that: ‘It is hereby declared to be the policy of the Government of Canada to... c) promote the full and equitable participation of individuals and communities of all origins in the continuing evolution and shaping of all aspects of Canadian society and assist them in the elimination of any barrier to that participation’ (Canadian Multiculturalism Act, 1985).

In other words, at the heart of Canadian culture a belief that its role is not only to recognize people’s differences, but its duty is to encourage the practice of ‘different’ cultures: ‘to foster the recognition and appreciation of the diverse cultures of Canadian society and promote the reflection and the evolving expressions of those cultures’ (Canadian Multiculturalism Act, 1985).

This point accords with the UNESCO *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*, which upholds in article (6) the importance of taking all necessary measures to ensure cultural diversity for the benefit of future generations: ‘Cultural diversity is a rich asset for individuals and societies. The protection, promotion and maintenance of cultural diversity are an essential requirement for sustainable development for the benefit of present and future generations.’

This example of the acceptance and inclusion of minorities in a Western country may be the exception rather than the rule. A model for assimilating immigrants – the ‘melting pot’ – has also been employed in the West. This technique was defined with reference to the United States in the late 1800s and early 1900s, as ‘a popular way of describing the assimilation process of European immigrants to the United States, [who]... within a relatively short period of time, cast aside their European identities, cultures, and languages as they forged or were forced to adopt the loyalties, customs, and languages of their new home’ (Wilson & Gutiérrez, 1995: 6).

Even in recent years, some criticism has been expressed toward American policies regarding minorities. For instance, Chan says of the treatment of the Chinese community that ‘public policy has affected the lives of Chinese Americans through discriminatory taxation policy, the passage of anti-Chinese laws, statutes, and states constitutional articles’ (1981: 5). Other countries may see the acceptance of minority cultures in social life, but fail adequately to represent them in broadcast or other media. In Hungary, for example, in the early 1990s radio broadcasts dedicated only 30 minutes every two weeks to gipsy languages (Gomien, 1992: 53-54).

**Fostering multiculturalism in Canada**

Contradicting these models, there are many real-life examples of the ideal of endorsing different ethnic cultures within the Canadian context, especially in the media. For instance OMNI-TV is dedicated to giving different cultures the opportunity to express their opinions, traditions, rituals, music, religion, etc. in their own languages.1 There are in fact two TV channels: OMNI 1 founded in 1986, broadcasts more than 15 languages to up to 18 communities, and OMNI 2 founded in 2002 serves more than 22 communities including Asian and African ones.

Another good example of the acceptance of the pluralism ideal2 in Canadian life is VisionTV.3 It is a Canadian multi-faith and multi-cultural channel aired on basic cable television that celebrated its 15th anniversary in 2005. Reading the channel’s principles as cited in its ‘code of ethics,’ it is clear that VisionTV seeks to support pluralism and the rights and freedoms of minorities: ‘VisionTV affirms that
all eligible religious and faith communities have the right of access to its broadcast services. This right includes both the guarantee of freedom of expression and protection against comments that may incite or contribute to discrimination, hatred or violence.

In addition Canada has approved various Acts supporting ethnic channels in Canada. For instance, the Federal broadcasting regulator, the Canadian Radio-Television and Telecommunications Commission (CRTC) recently approved the distribution of controversial channels such as Al-Jazeera for Canadian viewers of Middle Eastern origin despite many debates and contentious arguments about it being a tool of hate speech and propaganda (Dakrouy, 2005).

Furthermore, in order to ensure the linguistic diversity which the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions asserts in Article (14) of its Preamble, the Canadian Multiculturalism Act maintains that Canada’s multiculturalism policy should ‘preserve and enhance the use of languages other than English and French, while strengthening the status and use of the official languages of Canada’ in real life (1985, Article 3-i).

One can see from these examples that the practice of the right to communicate, articulated within the right to culture, has been realized in practical ways in the Canadian context within the Canadian multiculturalism. However, while allowing foreign broadcasters is certainly a step in the right direction, a further step takes into account the need for a ‘big menu of choices.’ As Gvosdev argues, ‘the debate is no longer over whether citizens have a right to choose – but how many options should be made available to them’ (2002: 51).

Gvosdev goes on to say that these various international languages are only providing the ‘standard’ or the minimum degree of protection against the arbitrariness of existing systems. Therefore, it is up to the political system to ‘communicate’ these protections: ‘It is not people’s choices that need to change, but rather the ability of the institutions within societies... to reflect and process those choices’ (2002: 54).

Interestingly, within the discussion on the implementation of the right to communicate in real life, an excellent and somewhat ironic example of the restriction of this right can be seen. France, one of the first nations to realize and apply the principles of freedom of speech, is elevating the ideal of ‘secularism’ and abandoning the display of any ‘religious symbols’. In this case individuals have been denied the right to freedom of expression through clothing, including the wearing of the hejab for young Muslim girls in schools. Ironically, the same notion might be applied to many non-Muslim traditions, such as wearing the yarmulke for Jewish men, and head turbans for Sikh men.

Thus, a question remains: Is it possible to exercise pluralism within the framework of human rights and not adopt a monolithic view of the ‘citizen’? Another question that remains unanswered is: To what extent is the ideal of pluralism in societies and the individual’s ‘right to be different’ applied? Viewed in this manner, one can argue that cultural rights are one example of the right to be different, especially if cultural rights are considered as ‘a community’s way of life... [or as] the rights of members of communities, especially minority communities, to preserve their distinctive culture’ (Donnelly, 1990: 55).

Alternatively, a right to communicate perspective fits Jean d’Arcy’s own belief that:

‘After millennia marked by cultural expansionism, by the successive attempts of empires and religions to impose their own civilizations... from China to Egypt, from Greece to India, from Rome to Islam... our present age is slowly learning to respect others and is gradually realizing that, for mankind as a whole, our wealth derives from our diversity and not from any artificially imposed unity’ (1982: 9).

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Notes
1 For more information see
2 It is interesting to mention here that this environment of pluralism can be questioned according to some multicultural perspectives. Recently, multicultural groups sought to confront and amend the Radiocommunication Act (first reading on February 5th, 2004), which among other things restricts the receipt of satellite signals. Arab and Latino Canadians are challenging this bill, arguing that it will prevent them from watching their favourite channels which, due to the relatively small potential audiences, are not offered by cable providers. Among these channels are Al-jazeera, ART, Dubai Satellite Channel, ESC-1, Future TV, LBC, Nile Drama. For more information see: http://www.crtc.gc.ca/archive/ENG/Notices/2004/pb2004-51.htm.

3 It is stated that ‘linguistic diversity is a fundamental element of cultural diversity, and reaffirming the fundamental role that education plays in the protection and promotion of cultural expressions’ (2005).

4 It is argued that the first realization of the freedom of speech principle is grounded in both the American Bill of Rights, and in the Declaration of the rights of the man and of the citizen in 19th century France, after the French Revolution.

5 On 17 December 2003, the Washington Post published the following statement from French President Chirac: ‘Secularism is not negotiable. The schools will remain secular. The Islamic veil, whatever name it is given, the kippa [the Jewish skullcap] or the cross, if it is of manifestly excessive dimensions, does not have a place within the walls of public schools. Small, discreet signs, such as tiny crosses or Stars of David, should be allowed.’ (For details, see: http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node= &contentId=A8009-2003Dec17&notFound=true).

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A right to communicate as an open work

William F. Birdsall

When Jean d’Arcy identified the need for a right to communicate (RTC) in the late 1960s, it immediately struck a chord among those attempting to link human rights with recent developments in communications technology, in particular, satellite communications (d’Arcy, 1969). However, by the early 1980s, efforts within UNESCO to formulate a RTC collapsed. Since then individuals and organizations have attempted to keep the concept alive but its acceptance has been constrained by the historical baggage of the 1970s and 80s and the underlying problem of defining such a right.

The debate on human rights, as Alan McKenna relates, has been a discourse surrounding philosophical, legal, and political issues (McKenna 2005: 37). This characterization certainly applies to the extended philosophical and legal debate over a RTC, a debate that focuses on finding a definition embracing both universality and legalistic precision. However, this philosophical-legal approach to defining a RTC is at an impasse that persists to this day (Kuhlen, 2004).

As an alternative to the unproductive philosophical-legal approach that seeks a philosophically universal, legalistic definition, I propose the adoption of a cultural-rhetorical strategy embracing a vision of a RTC that encompasses cultural diversity and ambiguity in meaning. I will argue early proponents of a RTC favoured respect for cultural diversity and ambiguity in the conceptualization of a RTC over a legalistic formulation. However, as I will show, under the formal auspices of UNESCO, consideration of a RTC took a philosophical-legal route, resulting ultimately in the current deadlock between advocates and opponents of a RTC.

Returning to the work of the RTC pioneers, along with the ideas of Umberto Eco, I will propose a RTC be conceived as an ‘open work’ that is sensitive to local diversity and interpretation. It is hoped such an approach provides a way out of the impasse that has plagued efforts to achieve the entrenchment of a RTC.

Cultural diversity and a RTC

Jean d’Arcy proposed the need for a RTC because he believed the rapid developments in satellite communication would provide an abundance of communication channels never available before to individuals and communities. This abundance would allow for the development of personal, one-to-one global interactive communication by individuals. As well, satellite communication would provide access to global communication by local communities as a means of addressing the challenge of preserving cultural diversity against the dominance of powerful media monopolies.

For d’Arcy the potential of interactive, two-way communication at the local level reflected the horizontal, interpersonal oral traditions that prevailed at village, parish, tribe, and neighbourhood level. He envisioned a future leading to ‘societies drawn on a human scale (“microsocieties”)… where communication flows freely.’ He felt, ‘The very technology which once subverted these local, small-scale communities can now be applied to their revival’ (1983: xxiv; d’Arcy 1979: 122).

Jean d’Arcy never provided a precise definition of a RTC. Rather, he considered it initially a ‘hypothesis’ to be explored. Accordingly, he outlined potential lines of research to be tested empirically at the local and regional level (d’Arcy 1979: 6-9, 118). He believed any attempt to achieve an all encompassing international agreement would be more fruitful by starting through an open-ended, bottom-up approach with groups of neighbouring countries sharing a common culture. Based on his experience with the founding of Eurovision he
expected legal international agreements would emerge gradually from the daily operational working together of smaller regional communities (d’Arcy 1969: 8).

Open-endedness versus legalism
In the 1970s, those involved in the early discussions of a RTC in the International Broadcast Institute (IBI), recognized political, social, economic, and technological changes called into question the traditional principles and vocabulary formulated in the field of communication including Article 19 of the UN Universal Declaration of Human Rights (UHDR). For them, ‘The world has changed but the discussion still remains tied to a number of highly abstract, often purely legal if not legalistic concepts.’ They saw the need to approach the changes with multi-cultural conceptualizations ‘based on the assessment of the communications needs of societies and individuals’ (International Broadcast Institute Memorandum, 1975). Notes of the IBI discussions reflect their view that ‘Defining terms is like putting cart before the horse’ and that it was ‘Important to keep issue open.’

For d’Arcy, ‘A first step for this broader RTC concept [in contrast to Article 19] might be an attempt at describing or interpreting instead of immediately defining, and to test the applicability and validity of the various aspects of the RTC’ (International Broadcast Institute Working Group IV 1975). Other participants in the IBI discussions also cautioned against moving too quickly to a definition. It was pointed out that by defining a RTC too soon sets limits to the concept; what was first needed was a greater understanding of the concept (McKenna 2005: 282). Stan Harms argued that the RTC be conceived as a dynamic ‘open concept’ (Harms 1978: 3).

However, instead of an open-ended approach, what incurred was an effort to arrive at a universal definition of a right to communicate through a series of UNESCO meetings of experts. Jean d’Arcy and his IBI colleagues were active participants in this process but it never devolved to the local level they envisioned. Instead, the process, confined to abstract discussions by a relatively small body of experts, became entwined in the process of formulating a philosophical-legalistic definition.

As the debates on the RTC and New World Information and Communication Order (NWICO) converged and intensified within UNESCO, the matter of definition increasingly moved further towards a philosophical-legal approach to defining rights. As a result of a round of consultation with UN National Commissions a panel of three consultants with legal expertise was formed to advise the UNESCO Secretariat on how to deal with the contention surrounding the RTC. Following their report the Secretariat then undertook a further consultation process with NGOs, some of which supported further action on a RTC while others objected. In the end, by 1985, the RTC quietly slid from the UNESCO agenda. Throughout these series of consultations how to define and establish such a right and its perceived connection with NWICO remained unresolved issues (McKenna 2005: 287-288).

Desmond Fisher, a participant in the IBI and UNESCO deliberations and whose status report for UNESCO on the RTC remains a seminal document (Fisher, 1982), has looked back decades later on the UNESCO experience. His comments reflect the change in the RTC discourse when it became enmeshed in the formalities of the UNESCO initiative. He observes:

‘Of course, the essential task for future workers on the concept of the right to communicate remains that of agreeing on a definition. However, it seems clear in retrospect that the approach taken under UNESCO guidance by the earlier group of experts in making that the immediate objective was mistaken. Previously, while the meetings were being arranged by the IIC [formerly the IBI], the experts could pursue several lines of approach simultaneously and ideological differences could be kept in the background. Once UNESCO had taken over the financing and running of their meetings, it set the agenda and steered the group of experts into a precipitate attempt to define the right to communicate, with the inevitable result of stirring up the ideological argument. It was a classic example of putting the cart before the
The collapse of the UNESCO project was not the end of efforts to define and promote a RTC. But the initiative did not shift to the local or regional level, as d’Arcy might have hoped, but instead to the civil society sector of non-governmental organizations (NGOs), thereby, remaining at an abstract, international level of discourse. Like the earlier UNESCO initiative, these more recent efforts continued to delineate a RTC in philosophical-legal form, which continues to generate opposition from the mass media.

An example of a recent controversy is a draft Declaration on the Right to Communicate circulated by the NGO, Communications Rights in the Information Society (CRIS), in preparation for the United Nations World Summit on the Information Society. (I could not locate this document on the CRIS website but a CRIS response to criticism of the draft is available at http://www.crisinfo.org/news-room/cris/cris_and_the_right_to_communicate_a_brief_response_to_article_19). This extended and complex draft spawned renewed attacks from the media sector including a submission to the U. S. Department of State by the World Press Freedom Committee (United States, 2003).

Many in the traditional mass media sector saw the draft as a renewed attempt to revive NWICO and its perceived threat to freedom of the press. The RTC is characterized, in the words of the World Press Freedom Committee, as new code words for censorship (Bullen, 2002). By continuing to approach a RTC at an international, abstract, legalistic level within the context of the WSIS, all the old NWICO issues were cast up again; NGOs from all sectors locked in the past. (The ghost of NWICO not only continues to haunt the RTC at WSIS but also current efforts to reform the Internet Corporation for Assigned Names and Numbers (ICANN) (see Cukier, 2005).

**A RTC as an open work**

It is interesting that at the time d’Arcy was conceiving the RTC, Umberto Eco, Italian literary and media scholar and novelist, was exploring the concept of literary texts as open works. Eco’s concept of the open work provides a cultural context and conceptual reinforcement for an open-ended approach to the RTC. Like d’Arcy, Eco shared in the experience of the early days of European television when he took the position of Editor for Cultural Programs in the new Italian network, RAI. And like d’Arcy he gave intense consideration to the cultural implications of new communication media and information theory. Finally, Eco values ambiguity and open-endedness. For Eco, ambiguity is a very important device ‘... when, instead of producing pure disorder, it focuses my attention and urges me to an interpretive effort ...it incites me toward the discovery of an unexpected flexibility in the language with which I am dealing’ (Eco 1979: 263).

Eco puts forth the concept of texts, music, and visual art as open works as opposed to the traditional closed conception of individual works (Eco, 1989). According to Eco, traditional literary texts and other works of art generate various responses but are essentially unambiguous in the direction of understanding the reader is expected to take as designed by the author. In contrast, the modern open work is deliberately ambiguous. For Eco a text can be an ‘*empty form to which can be attributed various possible senses*’ (his emphasis, Eco 1979: 139). Furthermore, he observes, ‘The multiplicity of codes, contexts, and circumstances shows us that the same message can be decoded from different points of view and by reference to diverse systems of conventions’ (139).

In literature and rhetoric, ambiguity can be conceived as a virtue, a useful stylistic device. This can also true of the law, especially with regard to constitutional rights. The scholar of rhetoric, Kenneth Burke, observes that a constitutional principle can only be considered universal when it ‘is raised to a sufficiently high level of generalization.’ It is only then that, ‘The strategy is... couched in terms sufficiently general to serve as a response to the “human situation” in general’ (Burke 1969: 365). It is ambiguity that allows a right to become accepted as a *universal* human right. At this level of conciseness and generality a right can be open
to interpretation and reinterpretation over time and from place to place; it is, in short, an open work.

The law, then, is not so different from literature. (Indeed, Clarence Darrow, early 20th century American crusading lawyer, asserted that ‘Inside every lawyer is the wreck of a poet.’) It has been observed, ‘All forms of interpretation, whether of a poem, a novel, a statute or judge’s opinion, have one thing in common: the object of the interpretation is a text which must be read in order to understand its meaning’ (Abraham, 1976). In law, the ‘meaning is not found or revealed by a text, it is constructed from the text and is affected by the prior knowledge and understanding that readers bring with them to the text’ (McIver, Jr., Birdsall, and Rasmussen, 2003).

The enunciation of a human right is a rhetorical statement of principle, not a statement that can address every circumstance that can arise over time and place. Thus, the meaning of a right will arise over time through political debate, legislative action, and judicial interpretation. In this context, the law itself can be seen as an open work.

Controlled disorder

Eco’s concept of a text as an open ended, ambiguous work in progress reinforces an alternative path to the traditional philosophical-legal efforts to delineate a RTC. While advocating an open work concept of the RTC, it is important to keep in mind that Eco’s concept of the open work does not deny that texts have a ‘controlled disorder’ (his emphasis, Eco 1989: 65). Likewise, while early advocates of a RTC cautioned against moving too fast to a definition, nonetheless, they did try to provide a framework for considering such a right.

Jean d’Arcy saw a RTC as the crown of an ascending progression of freedoms (of opinion, of expression, of press, to communicate) that formed a fabric achieved through a people’s historical struggle at the national level (d’Arcy 1983: xxvi). In his discussion of a RTC as ‘an open concept’ Stan Harms set out a ‘working formulation’ whose components included existing rights enunciated in the UDHR as well as the possibility of new communication rights.

He proposed a framework ‘...to provide the amount of structure required to focus and refine the concept, and, at the same time, to keep the concept open to new content’ (Harms 1978: 3).

As well, Desmond Fisher warned that, ‘It is hardly sufficient to introduce an important new concept like the right to communicate, declare it to be a basic human right, and expect it to be as generally and exactly understood as are other rights – to life, to liberty, to freedom of expression – that have been discussed for centuries and embodied for decades in a wide range of national and international instruments’ (91). To aid discussion of a RTC, Fisher proposed a framework consisting of a hierarchy of rights, freedoms, responsibilities, and entitlements (100; Fisher, 1982).

Jim Richstad, a colleague of d’Arcy, Harms, and Fisher, looking back to the early RTC discussions, notes that all the pioneers recognized that formulating and achieving a RTC could take decades but such a right should be within a structure that embodies participatory, interactive, horizontal, and multi-way communication. (Richstad, 2003).

Each of these individuals, then, recognized the need to keep the discussion of a RTC open to research, debate, and experience while providing a general framework within which to contain a ‘controlled disorder’. Nonetheless, some will feel threatened by an approach to a RTC that sees ambiguity as a virtue. Therefore, it is instructive to examine briefly the form of the rhetoric of accepted statements of human rights. They are decidedly ambiguous.

The drafters of the Universal Declaration of Human Rights (UDHR) were pioneers in the exercise of defining universal human rights in a global context and yet their work has endured to the extent that the UDHR has almost attained the status of international law. The drafting committee, consisting of representatives from a variety of cultural and political backgrounds, strove to formulate a statement of rights as concise as possible (Morsink, 1999). For example, Article 19 on free speech states:

‘Everyone has the right to freedom of opin-
ion and expression: this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.’

The Canadian Charter of Rights and Freedoms states that everyone has the fundamental ‘freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication.’ The US Bill of Rights states that ‘Congress shall make no law ...abridging freedom of speech.’ The French Declaration of the Rights of Man and of the Citizen states, ‘The free communication of ideas and opinions is one of the most precious of the rights of man. Every citizen may, accordingly, speak, write, and print with freedom, but shall be responsible for such abuses of this freedom as shall be defined by law.’

Similar concise statements can be found in the constitutions of other nations (Fisher, 1977). Ambiguity is the norm in international and national rights instruments - a recognition that the definition of rights is forged through political processes over time in response to local needs.

The local struggle for human rights

The early pioneers of a RTC saw the need for experiment and research at the local level. They recognized human rights arise out of the confluence of a universal vision and struggle at the local level. Harvard law professor, Alan Dershowitz, argues that rights are not God given or natural rights but arise out of peoples’ response to wrongs confronting them. Dershowitz recognizes that ‘...arguments about rights tend to be made at levels of abstraction that maximize their persuasiveness and minimize their inconsistency’ (Dershowitz 2004: 190).

Echoing d’Arcy and his colleagues, Dershowitz advocates taking a pragmatic, bottom-up approach to entrenching rights through political processes at the national level that address real wrongs in the context of the time and place. He declares ‘Virtually every newly recognized right – whether it be the right to leave a country or the right to marry a person of the same sex – has been invented by human beings based on the wrongs they experienced or observed.’ He makes a convincing case that ‘This dynamic process will continue until the end of human existence’ (191).

Based on the failure over a period of thirty years to achieve agreement on defining a RTC, the Canadian constitutional lawyer Merrilee Rasmussen asserts:

‘It is now clear that the right to communicate cannot be defined in specific terms, but must be understood ... more generically so that it can adapt to the fast pace of changing technology. It is also clear that the generic nature of a right to communicate can only attain specific meaning in the context of individuals and communities’ (Rasmussen 2004, 137).

A cultural-rhetorical approach suggests that a RTC should be advanced at the international level that is concise but deliberately open to interpretation. A RTC as an open work will be more specifically defined and implemented at the national level in accordance with national needs and culture. This approach acknowledges
that while rights rhetoric may be stated in general terms, the implementation and interpretation of a right can differ from country to country and over time, reflecting the ongoing unique 'rights talk' of a nation (Glendon, 1991).

Conclusion
The international enunciation of a general vision of a right can play a valuable role in advancing human rights at the national level, as demonstrated by the impact of the Universal Declaration of Human Rights. However, in the end, human rights must be entrenched at the national level and will only happen if there is bottom-up political struggle and political will at the national level for such a right. The pioneers of a RTC recognized the need for research and experience at the local and regional level that addresses real situations. It is only recently that a younger generation of scholars is undertaking such work. As an example, Aliaa Dakroury is examining specific current Canadian public policy issues in the context of a right to communicate (Dakroury 2005a; Dakroury 2005b).

At the present time, when there is international debate over the meaning and implications of globalization, multi-culturalism, individual and collective intellectual property rights, the commodification of information, and the concentration of mass media ownership, a culturally sensitive, open-ended RTC strategy is more relevant than ever before.

As people gain a better understanding at the local level how these developments can impinge on their privacy, compromise their intellectual freedom, deny access to information and participation in communication, and foster media concentration, a critical mass of issues will drive the need for a RTC at the national level. It is then that citizens will look to the vision of a RTC as an open work that can be interpreted in response to their national needs.

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Success for media education in Slovenia: What next?

Zala Volcic and Karmen Erjavec

Unlike many other countries media education is officially part of Slovenia’s educational curriculum. What has been the impact of ten years’ work? What needs to be done in the future?

Recent literature on media, education and youth portrays young people as agents of social change (Bucholtz, 2002) and as a site for imagining national futures (Hall, 2002). In most of the literature on nationalism, youth, media and education alike are prioritized as means to unify and develop national states. This is because schools and media are primary sites in which images and ideas about the nation are disseminated, and it is here that attachments to national states are formed (Anderson, 1991).

There has been a growing scholarly interest in the concept of media, citizenship, and education in the era of globalization (Hall, 1999), especially in the context of the expansion of the European Union. Slovenia was among the first post-socialist countries of Central-Eastern Europe to introduce and implement a Media Education course into its educational curriculum. In a way, the Slovenian Media Education model has set the framework and normative for the rest of the former Yugoslav countries, which after the wars were in desperate need to restructure their educational systems.

A comprehensive media education project offered an important site to investigate and develop the dynamic relationship between citizen-making and media in post-conflict situations. Following the Slovenian model, for
example, Croatia and Serbia have similarly employed optional media education courses, while Bosnia is in the process of passing new (media) educational policies. In Bosnia especially, the course itself envisions playing an important political role in a reconciliation process, since the conflicting visions of the Bosnian-Herzegovinian past and future are especially visible in the domain of media and education.¹

It is hoped that the media education courses will provide a space for addressing the tensions described above and the ambivalent role of media. As in the case of Slovenia, it is further hoped that critical issues that would otherwise have no space to be explored, will be addressed in media education courses: for example, how media propaganda works, or how nationalistic media representations may codify the world into ‘friends’ and ‘enemies’, of separating ‘us’ from ‘them’, the ‘national’ from the ‘alien’.

In Slovenia, media education is defined as a process of teaching about media through the media. If media education attempts to develop and create critical understanding and active participation in classrooms, media literacy denotes a larger project that involves not only students in classrooms, but includes parents, teachers, and in short, the general Slovenian public. Different media events, lectures, performances, workshops are continuously organized on a national, regional, and local level in different places, such as public squares, public libraries, and city-halls. In that way, the public is included in an overall process of thinking, negotiating, and understanding the media practices.

From 1996 a media education course has been officially and formally a part of the educational curriculum – from kindergarten to university levels. The course involves an examination of the techniques, technologies and institutions that are a part of media production and consumption, and furthermore, provides the ability to critically analyze media messages, and the recognition of the active roles that audiences play in making meaning from media messages (Curriculum for Media education, 1997).

However, how successful is the integration of the course into the Slovenian educational system really? Almost ten years on, it seems appropriate and necessary to explore the situation on the ground. On the basis of participant-observation and in-depth interviews, the aim here is to briefly present and critically assess the media education project in Slovenia and to offer some creative suggestions for the future.

The development of the media education in Slovenia

During the transformation of the education system in Slovenia (1990-98), the media education project received political and public support, and a detailed national programme was created by the Media Education Curriculum Research Group. This group framed the curriculum in a theoretical and practical manner. Ultimately, the reasoning behind the course was to craft an educational framework that makes it possible for the students to be able to speak independently, politically, and with confidence about the forms and pleasures of a range of different kinds of media texts.

This process, the authors argued, necessarily involves and encourages students to become more active media agents, citizens, and not merely consumers. Thus, during the transformation processes of political and economic systems, the Slovenian media education project did fulfil its potential for a democratic empowerment and social change and did encourage the creation of open democratic spaces of dialogue and discussions. Media education textbooks for teachers and students alike were written and translated. In addition, video-material was introduced to support the course.

At the university level, the Faculty of Social Sciences in Ljubljana started to offer a media education training course (90 hours) to students who may want to teach media education course in primary schools. The course covers both the concepts and knowledge of media studies and the pedagogical skills required to teach them effectively. Media education course teachers are organized in the Slovenian Association of Media Education Teachers, which provides opportunities for individual initiatives, project proposals, workshops, and summer schools.

In what follows, two different Media education models, as integrated into curriculum, are
presented and evaluated, based on qualitative research methodologies.

**Media education as an optional, independent course**

The optional Media Education course is a part of a nine-grade primary school system, designed for the last three grades. In that, Media education is composed of three different one-year independent courses: the Press; Radio; and Television and the Internet. Overall, this adds up to 35 hours per year or one hour per week.

The first year focuses on topics related to print media. Media education informs students about how the press functions in a democracy, why it matters that citizens gain information and are exposed to diverse opinions, and why people need to participate in policy decision-making at the community, state and federal levels. Students learn the basic principles of mass media, and the similarities and differences between media messages.

Our evaluation shows that, after the first year course, students do indeed understand that the media create and construct the world and do not reflect it. Furthermore, they are able to comprehend how messages have social, political, aesthetic and economic purposes. They familiarize themselves with the history of media, and the role that the press plays in private and public spheres. At the end of the year, students produce their own newspaper.

The second year course explores the medium of radio and its characteristics. Students are invited to create their own radio show and they discover how individuals actively construct and make meaning from messages. According to our evaluation again, they learn successfully about the different effects of the mass media. The most popular topics discussed in classes include themes such as media violence, media heroes, and predominant media stereotypes.

The third year course deals with television and Internet. The students address questions of global imbalance of power, the history of broadcasting, and concepts such as public television, and global media. In cooperation with local TV stations, students are encouraged to create their own TV show, as imagined. The most popular format chosen among the students is a talk-show. At the end of the year, students analyze media content and write a letter to various editors in which they present their initiatives for changing television content.

It seems that the advantages of establishing media education as an independent course, i.e. as a subject specialty, are considerable. The objectives and goals of media education are easier to achieve within a specialized, independent course that has its own identity, its own teachers, class-rooms, equipment, and resources. Research shows that in the 2004/2005 school year, approximately 37% of Slovenian students in 7th grade chose media education as an optional course.

Indeed, interviews with students further show that they are very content. Out of 1,230 students currently taking media education in primary school, 81% claimed it is their favourite course because of topics that are close to their own life-experiences. They enjoy practical work, and appreciate research and production work (filming, editing). At the same time, they are interested in visiting media institutions and conducting their own media research.

Media education’s potential – so it seems – lies in its promise of including everyone in class lectures, seminars, projects, and discussions. Students respond positively when they are invited to participate and share their own media habits and experiences (67%). They appreciate reflecting critically on their personal media habits. Most of the students claim that they find topics of media education useful for their everyday life, and future studies.

Why do students choose media education? Mostly, they say, because they are interested in media, and because they spend a lot of time with the media (86%). When asked what is the most important media topic that they will remember, the students cite the argument how media do not mirror reality (65%). They want to be prepared for a mediated world and they expect to get some knowledge and skills out of this course. An important part, unsurprisingly, in the selection process of this course is the teacher – if she/he has a good reputation among the students, they also select a course.
Interviews with media education teachers show that they are very supportive of the course. They stress the importance of teaching critical media skills, and feel that the structure and organization of the course meets their needs. Most of them use textbooks and video-material, and have done some kind of media education training. The teachers belong to younger generations and they claim that they are able to understand the children more, since they share the experience of growing up in an increasingly mediated world.

The teachers were, however, critical of the educational authorities on local and national levels. Most of them expressed frustration and anger because they have to justify the course to the authorities over and over again. In the words of one teacher, ‘The course has not established itself as a really “necessary” one… so I am not taken seriously yet… as if teaching history gives you credibility and teaching media education is only for fun… No one understands and really supports the course within my school, except the students.’

A teacher in Ljubljana claims that, ‘My dean has no idea about the importance of this course. He is 65 years old, and does not take media seriously at all. He believes it should not belong in school… so I need to fight back constantly.’ Also, the teachers are unsatisfied with the technical equipment – they lack, for example, video cameras for filming. In general, there is a lack of financial support, so teachers have limited resources to work with.

In the words of another teacher, ‘This is a poor region, and we have little money at the school level… but the Ministry of Education doesn’t help us. More and more, they require us to find private, commercial sponsors for our courses… What are we supposed to do? Go to McDonalds and ask them to give us money for video-cameras?’ This is a standard response: there is a lack of institutional support for the course, and a lack of moral support from school authorities.

**Media education within an integrated curriculum**

Media education that takes a form of a theme *within* other courses starts at a pre-school level. It was envisioned and developed as an experimental integration of media education in 46 carefully selected kindergartens all over Slovenia in 2000. The main aim of the initiative at this level is to help pre-school children (4-6 years) to develop an understanding of the difference between fiction and non-fiction, ads and news, real and make-believe.

Our evaluation of how and if teaching of media topics on the ground takes place, shows the limited inclusion of media themes. Media activities seem to be rare – and according to most of the teachers interviewed, this is because of lack of resources, unwillingness and ignorance of teachers and educational authorities alike.

In this sense, teachers replace media education with teaching *through* the media. For most of them, media education means *using* the media. A typical statement of a teacher represents this view: ‘Yes, of course we teach media education. We use radio, camera, television, and a video-recorder. Children listen to diverse music… they watch fairy-tales on television… and we use computers sometimes to draw…’

Our evaluation also shows that teachers themselves are not really familiar with media education and its main goals. Even more, while discussing media themes and some of the main media theories, most of the teachers show no essential media knowledge. In short, teachers themselves are media illiterate.

Furthermore, at the primary school level, media education is an obligatory part of the Slovenian language course from the 5th to 9th grades. Media topics within the Slovenian language course provide information about the characteristics of media texts (genres, media language and media aesthetics). Media education continues to be an important part of a course in grades 7 and 8 ([Curriculum for Civic education and ethics course, 1997](#)). The attempt here is to become well informed about ethical issues in different areas of communication: advertising, television, film, print journalism, the Internet.

Research on how well media education is practiced within these two courses shows that realizing the objectives depends on the personal commitment and enthusiasm of teachers them-
selves. Most of the teachers interviewed feel very alone, without any support or guidelines from educational and school authorities and do not have any training in media education. The majority are self-taught. They regularly experience fear and difficulty in finding solutions to financial and organizational issues within their courses.

Thus, the main problem in teaching media education across the curriculum lies in the lack of a long-term strategy and support for teachers from the educational authorities – there is no serious continuous vision, plan, or policy. The Ministry of Education and Sport did not specify any financial support for media equipment, teacher training, material support, etc. Lack of institutional support for instruction for those teachers who are interested is one of the main problems facing media education in Slovenia. This reduces the possibility of integrating media education into the curricula of Slovenian schools.

Similarly, findings show that in secondary schools (since there is no independent course available), media education has also been integrated into the secondary school curriculum as a compulsory subject, like the Slovenian language, sociology, psychology and history of art. Thus, the media construction of reality is central to the sociology course. Students also learn about media institutions, the political, economic, social and cultural contexts of media environments, media persuasion and media propaganda techniques (Curriculum for Sociology, 1993).

According to the National curriculum for the Slovenian language for secondary schools (1993: 10-12), the aims of media education within the Slovenian language course are focused on linguistic aspects of media: to examine different media text and style forms, to develop the skills of analyzing the grammar of media language and to understand the basic characteristics of journalistic genres. Students taking psychology familiarize themselves with the theories of media effects, and the focus is on psychological aspects of media violence and stereotypes (Curriculum for Psychology, 1993). In the History of Art course, students learn how to evaluate different media products and how to produce them (Curriculum for the History of Art, 1993).

Our research shows that media education is rarely a part of courses in secondary school. For example, textbooks for the Slovenian language course do not include any of the recommended media topics. Slovenian language teachers themselves do not advocate media education as a part of their courses. In the schools visited, there is rarely any media equipment in the Slovenian language classroom. Slovenian language teachers interviewed claim to have no media knowledge, express no willingness to teach media topics, and generally want to reclaim a high-culture approach in teaching only ‘traditional’ courses.

Teachers see a real danger in the decline of classical literacy, and they want to encourage traditional reading habits. Most agree with a teacher in Ljubljana, who stated that ‘students watch too much television, they play too many video-games per day, and they don’t read books anymore. The role of education is to encourage readings of high-culture, and not popular culture’.

In that sense, we recognised two distinctive groups of teachers: the ‘critical users’, who follow media/technological developments and recognise that one has to understand the realities of how the media operate in order to become critical citizens. In contrast there are those who ‘protect’ high culture, who see the media and new technologies as a threat to national culture, language, and identity. They see the audience, and students, as part of a mass of passive consumers who accept produced commodities in order to obtain false satisfaction.

**Conclusion**

Research shows that media education skills can indeed inspire young people to become more socially interested in increasing their access to diverse sources of information. Media education is one of the most popular courses in primary schools in Slovenia, and most of the students see it as a positive asset as it raises awareness of the vital importance of being exposed to a rich array of diverse opinions and ideas.
However, it is not enough to include media education in the school curriculum. We need (to encourage the adoption of media education as a lived and well-practiced course, with a strong identity of its own. At the same time, what is needed is an engagement with teachers of the course. Educational authorities must offer teachers clearer guidelines and support, since the realization of media education objectives depends on the personal commitment of teachers.

As others have pointed out (Butts, 1992; Boeckmann, 1992) training and workshops must be provided for teachers, thus enabling them to teach specialized courses and the ultimate aim of training should not be to transmit specialist information, but to find teachers with enthusiasm for media education in order to place the cross-curriculum principle on the road to success.

Note
1 The International Community made education a central component of the country's future by making the reunification of ethnically divided schools and reconciliation among ethnically divided young people the main goals for successful nation-building and democratization. As a result of this plan, 25 ethnically divided schools in Bosnia-Herzegovina were unified in the last four years. However, reunification maintained separate national curricula for the students of the three majority ethnic groups, Serbs, Croats, and Bosnians, thus preserving ethnic segregation.

References

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Otra sociedad boliviana es posible
Carlos A. Camacho Azurduy

¿Por qué no una sociedad multicultural sustentada en el reconocimiento y ejercicio pleno del derecho a la comunicación? El país de Bolivia está atravesando y experimentando una transformación fundamental, que marca un periodo de transición (hacia qué o hacia dónde?) que, me animaría a decir, no tiene un futuro predecible. Asimismo, se aprecia una conflictividad sin demandas unificadas ni articuladas y, a veces, contradictorias entre sí, con múltiples interlocutores o sin interlocutores visibles o legítimos. En síntesis, debemos comprender que los conflictos han cambiado de terreno, de actores y de lógica de acción, en busca de un cambio social (de hecho).

Este proceso histórico, y por lo tanto, dinámico, anuncia un cambio estructural en todos los aspectos de nuestras vidas; tal vez uno de los más importantes que hayamos experimentado luego de la Revolución ‘modernizadora’ de 1952 con la crisis del régimen oligárquico. La Asamblea Constituyente en Bolivia se ha convertido actualmente, no sólo en tema ineludible de la agenda nacional y de las expectativas de la población — a partir de las demandas y marchas de los pueblos indígenas y originarios que datan de la década de los años ’90 —; sino, en una ‘fuerza social con capacidad de movilización colectiva (…) cualquiera sea el camino que se tome’ (Lazarte, 2005), en el sentido de que se funde o constituya un nuevo Estado desde la ciudadanía (y no promovido por las élites políticas gober-
nantes ni empresariales), en una coyuntura de grave crisis del régimen político, económico y social.

No se trata de una afirmación insignificante, en tanto que, como planteo aquí a manera de hipótesis, es concebible que podría resultar en un impulso para el desarrollo humano y la interculturalidad, esto es, del poder ciudadano — que conlleva asumir derechos y responsabilidades, en un marco de oportunidades, para la toma de decisiones/acciones sobre temas de interés colectivo —, a partir de la formación de la ciudadanía democrática participativa.

Esta hipótesis se sustenta y se hace posible, entre otros aspectos, a través del ejercicio pleno del derecho a la comunicación y a la información, como aspecto central en la construcción de la cultura política de las personas. Por supuesto, aunque se promete y se espera cambios fundamentales de facto en todos los aspectos de nuestras vidas, no hay parámetros claros que nos indiquen que este cambio será para mejor o peor. Todo depende del gran encuentro posible que se pueda generar a partir de procesos comunicacionales horizontales, tal como plantearé ahora… una reelaboración del sentido ético y político de la democracia y de la ciudadanía, sobre el postulado de la solidaridad de quien se sabe y se siente responsable del ‘otro’.

Apelo a estos derechos porque necesariamente la Asamblea Constituyente supone una resignificación y comprensión de multiplicidad de sentidos, en torno a una apelación simbólica para dar a entender un nuevo comienzo, que requiere un proceso para alcanzarse y consolidarse en el largo tiempo.

Derecho a la comunicación como derecho humano fundamental

Debemos comprender que ahora, más que nunca, la interacción entre comunicación y política es muy estrecha, ya que ésta última se establece —o por lo menos debería hacerlo— como relación entre hombres/mujeres, que juegan algún papel en la toma de decisiones que les afectan más directamente en su vida cotidiana. La política nace, precisamente, como el gobierno del poder público en público … un régimen del poder visible que los medios masivos de comunicación deberían coadyuvar
en fortalecer; pero que sin embargo no lo hacen.

En el segundo Foro Social Mundial, realizado finalizando en Porto Alegre, Brasil, en enero de 2002, figuró el derecho a la comunicación como demanda social fundamental para la concreción de ‘otro mundo posible’. El reconocimiento del derecho a la comunicación como derecho humano fundamental, no es una propuesta nueva, pero ha adquirido un nuevo sentido y urgencia ante los recientes cambios en la sociedad ‘informacional’ (¿y por qué no una sociedad de la comunicación?).

El proceso de globalización se ha acelerado y afianzado en buena medida por la comunicación y las nuevas tecnologías de información (TICs), en función de la importancia estratégica que ha adquirido la comunicación como sector de punta de la economía mundial. Las fusiones que tienden hacia la concentración monopolística del sector, son expresión de grandes y cada vez más poderosos intereses económicos.

En este marco, las nuevas tecnologías de información y comunicación —y sobre todo la Internet— se presentan como un factor de cambio inevitable y unidireccional, al cual la sociedad debe adaptarse para progresar. Se dice que la tecnología rige el cambio de la sociedad. No se nos plantea, siquiera, la posibilidad de que la sociedad pueda opinar e influenciar el rumbo del desarrollo de la tecnología.

Bajo este modelo, la información se ha convertido en una mercancía más en busca de compradores, por lo que el sentido de servicio público y la responsabilidad social que implica la comunicación se está perdiendo. Para las empresas y los medios ya no contamos como ciudadanos(as), sino solamente en calidad de consumidores.

Frente a esta situación y con miras a la Cumbre Mundial de la Sociedad de Información (realizada en Ginebra el 2003), en Porto Alegre se lanzó la Campaña Mundial por el Derecho a la Comunicación en la Sociedad de Información (CRIS, por sus siglas en inglés), cuyo propósito es abrir un amplio debate en la sociedad sobre el sentido y porvenir de la ‘Sociedad de la Información’.

La campaña propone una visión de la Sociedad de la Información ‘fundada en el Derecho a la Comunicación, como medio para afianzar los derechos humanos y fortalecer la vida social, económica y cultural de la gente y las comunidades. La sociedad de la información que nos motiva está basada en principios de transparencia, diversidad, participación, así como justicia social y económica, e inspirada por una perspectiva equitativa de género, cultura y religión’.

Claves del derecho a la comunicación

Desde 1948, cuando la Organización de las Naciones Unidas aprobó la Declaración Universal de los Derechos Humanos, la cultura, el conocimiento y los organismos relacionados con esta materia han avanzado sustancialmente; sin embargo, hay áreas de la vida en las que los derechos son todavía exclusivos de unos cuantos. Una de esas áreas es la relativa a la comunicación y la información.

En 1969, el francés Jean D’Arcy introdujo el derecho a comunicarse por escrito, ‘vendrá el día en que la Declaración Universal de los Derechos Humanos tendrá que incluir un derecho más amplio que el derecho del hombre a la información (...) Este es el derecho de los hombres a comunicarse’.

La fuerza motivadora para este nuevo enfoque es la observación de que las disposiciones en el actual sistema universal de protección de los Derechos Humanos son inadecuadas para tratar con la comunicación como un proceso interactivo, bi o multilateral, dialógico, participativo, rescatando el planteamiento y la utopía (que marca el rumbo y nos ayuda a caminar) del comunicólogo boliviano y orureño, Luis Ramiro Beltrán, de la comunicación horizontal, en el clásico ‘Un adiós a Aristóteles’ (1981).

El reconocimiento de un derecho a comunicarse es esencial si queremos que la gobernabilidad global de las ‘sociedades de la comunicación’ esté inspirada en una preocupación por los derechos humanos. Esto significa que no aceptamos a los Estados, mercados o tecnologías, como las fuerzas dirigentes, sino que preferimos los intereses de los pueblos a manera de mapas de rutas, aunque como decía Martín-Barbero, sean ‘mapas nocturnos’.

Como afirma Cristina Romo, los derechos,
que todavía no están generalizados se refieren a la posesión, emisión, uso, objetivo, destino, beneficio, recepción de los medios tecnificados. Los avances tecnológicos y la irrupción de medios cada vez más sofisticados, están haciendo que la brecha entre ricos y pobres sea cada vez más profunda. Todo esto hace necesario el estudio, propuesta, aceptación y firma de un documento que garantice el derecho a la comunicación.

La Asamblea Constituyente se plantea como un espacio fundamental para reivindicar no sólo el derecho de acceso a la información pública (obtener la información y los conocimientos básicos necesarios para participar en la comunicación, el debate público y la toma de decisiones sobre temas de interés común) y a ser debidamente informado sobre los asuntos públicos, sino, además, el derecho a comunicar, que también incluye:

- La libertad de expresión y la libre circulación de las ideas.
- Tener presencia y sentido de pertenencia en los medios de comunicación como fuente de información; sujetos representantes o voceros de una determinada identidad social, cultural, étnica, sexual, generacional o de género; sujeto político activo (actor social) de la construcción ciudadana y democrática.
- Contar con canales (tecnologías, recursos, medios) y a producir mensajes comunicacionales, lo que implica el manejo de los lenguajes mediales y, especialmente, la propiedad de los medios, más allá del discurso del acceso y, en algunos casos, del uso/utilidad de los mismos.
- Contar con marcos jurídicos, condiciones económicas y tecnológicas para desarrollarse como identidad cultural o sector social en el campo de las comunicaciones.
- Participar en los niveles de decisión en organizaciones públicas y privadas, consejos reguladores, veedurías ciudadanas (observatorios de medios) y otras instancias donde se definen políticas públicas de comunicación e información.

Redemocratización de la sociedad, de la política y de los medios
Es indudable que se deben crear las condi-

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In memoriam
George Gerbner (1919-2005)

George Gerbner, a pioneer researcher on the effects of television on society, has died of cancer at the age of 86. Gerbner, dean of the Annenberg School for Communication at the University of Pennsylvania for 25 years, spent three decades studying television. He concluded that there is a ‘cultural environment’ into which children are born that has crucial influence on their perceptions.

Gerbner believed that whoever tells the stories of a culture really governs human behaviour. ‘It used to be the parent, the school, the church, the community. Now it’s a handful of global conglomerates that have nothing to tell, but a great deal to sell.’

Gerbner founded the Cultural Indicators Research Project in 1968, tracking changes in television content and monitoring how they affected a viewer’s perceptions of the world. Its database contains information on more than 3,000 TV programmes and 35,000 characters. His investigations discovered that people who watch a lot of TV tend to think of the world as an unforgiving and scary place – something he called the ‘mean world syndrome’.

Gerbner described violence on television as having a powerful effect on viewers’ perceptions of the world. ‘Fearful people are more dependent, more easily manipulated and controlled, more susceptible to deceptively simple, strong, tough measures and hard-line measures,’ said Gerbner when he testified before a congressional subcommittee in 1981.

Born in Budapest in 1919, Gerbner fled Hungary in 1939 as a fascist government took over. He landed in the U.S. and graduated from the University of California with a journalism degree. After serving in the Second World War, he worked as a researcher in communications at the University of Illinois and then accepted a teaching position at the University of Pennsylvania.

George Gerbner was a contributor to WACC’s journal Media Development and a key-note presenter at WACC’s first international Congress in 1989, where he spoke prophetically of the challenge posed by commercial television and proposed a ‘new environmental movement’:

‘As the great movement addressed to issues of our physical environment is essential to our survival, the new environmental movement is addressed to the cultural environment, which is essential to the quality of that survival. That cultural environmental movement should unite the churches, the educational institutions, the professional organisations and all the many citizens’ groups that have sprung up in many of our countries and many of our communities.’

The following year Gerbner launched the Cultural Environment Movement (CEM), an advocacy group for greater diversity in the media. The aim was to offer a liberating alternative to a system that had drifted out of democratic reach. The CEM’s manifesto called for ‘an independent citizen voice in cultural policy-making, working for the creation of a free, diverse and responsible cultural environment for us and our children’.
Montreal 2005

*Kamataki* by French Canadian director Claude Gagnon caught the imagination of the crowds at the Montreal World Film Festival in August 2005. It tells the story of a young Japanese-Canadian sent to learn traditional pottery making from his uncle in Japan while recovering from attempted suicide. The film left audiences buzzing. Strangers lingered in the theatre talking about how the young man’s unwilling apprenticeship in kamataki, the ancient Japanese art of firing pottery, turns into an initiation in cross-cultural understanding and self-discovery. A woman leaned over the seat in front of me and said, ‘So many different cultural groups live side by side now. The future depends on us recognizing from stories like this what enormous benefit there is in learning from other cultures.’

The Ecumenical Jury agreed. In awarding its prize to the film, the jury praised *Kamataki* as an exceptional artistic achievement and a masterfully-told story of the potential for creativity and healing when two cultures meld. The film also won the award of the International Federation of Film Critics (FIPRESCI) and Gagnon was honoured by the festival as the best director.

Australian director, Robert Connolly, received a commendation from the Ecumenical Jury for his film *Three Dollars* about an engineer who risks career and his family’s comfortable life to expose plans to build homes on contaminated land. The story deals realistically and sometimes humorously with the engineer’s struggle to avoid what his conscience tells him he must do when he finds lives will be at risk if the housing sub-division is built. The jury’s citation noted in particular the film’s sympathetic portrayal of the street people who care for him when he cracks under stress.

Clearly these movies are winners. They are entertaining, beautifully crafted, and tell timely stories that resonate with audiences. But will they ever make it beyond the festival circuit? Too often great movies are poorly distributed and promoted. They have brief runs on art film house screens in big cities and then disappear from view. So one of the great joys for me, as a member of the Ecumenical Jury at the Montreal festival, was to hear *Kamataki’s* director Claude Gagnon say he was thrilled to win the Ecumenical Jury’s prize because he knew from experience that the award would attract audiences to the movie.

Gagnon told me that just a few days earlier he had attended a screening of *La Neuvaine*, another Québécois film awarded an Ecumenical Prize (Locarno 2005). The movie was playing to full houses and Gagnon was certain that prominent mention of the award in newspaper ads for the film was drawing those crowds.

Ads for *Va, Vis, et Deviens*, a film on screens in Montreal at the end of 2005, also feature prominent mention of the Ecumenical Jury award it earned in Berlin, 2005. The story of an Ethiopian child from a Christian family disguised as a Jew so that he can be re-settled as a refugee in Israel has been earning rave reviews and filling theatres.

The Protestant network, *Interfilm*, which sponsors ecumenical juries in collaboration with the Catholic film organization SIGNIS, can be proud of the recognition its awards receive in Canada. In supporting ecumenical juries at major film festivals like the Montreal World Film Festival, *Interfilm’s* objective is to promote ‘dialogue between theology and culture’.

The mandate of jury members includes publicizing award-winning films in their own countries in order to contribute to a ‘better understanding of contemporary film and to ques-
tions, values, and visions arising from it.’ Films speak to our faith, says James Wall, an experienced ecumenical jury member, film critic, and former *Christian Century* editor. Wall believes that film is ‘God at work through art… one way to relate to the transcendent.’

Celebrations of Interfilm’s 50th anniversary in 2005 are spilling over into 2006 with a retrospective planned at a film festival in California that will feature a sample of films screened at the Montreal World Film Festival over the past 26 years. The Whitehead Film Festival, to be held in Claremont in January, will open with the Israeli film *The Syrian Bride* awarded the prize of the Ecumenical Jury in Montreal 2004.

The story of a Druze bride in the Israeli-occupied Golan Heights who must leave her family and homeland forever if she is to marry her Syrian fiancé, introduces North American audiences to life in this region where families are divided by political, generational, and gender borders. The Whitehead Festival is organized by process theologian and former ecumenical jurist Marjorie Suchocki.

Montreal’s World Film Festival is the only North American festival to host an Ecumenical Jury and it is now uncertain whether the festival will be back next year to celebrate its 30th anniversary. A rival festival launched this year under the leadership of Moritz de Hadeln foundered when audiences stayed away in droves. De Hadeln, who invited the first ever ecumenical jury to the Locarno Festival in 1973, may not be back in 2006 to prepare another edition of the New Montreal FilmFest.

Further complicating the situation, a third Montreal festival, the Festival of New Cinema, unexpectedly emerged as the winner in the three-way battle for audiences. It had been widely predicted that this smaller festival would be the victim of the fall-out from the battle between its two heavyweight competitors. Instead, its selection of high-quality and daring
films drew critical praise and audience numbers exceeded expectations. The festival emerged stronger than ever, with its future assured.

Serge Losique, the controversial but unbowed founder of the Montreal World Film Festival, vows to be back in 2006 and has announced the festival dates. For their part, organizers of the New Montreal FilmFest are refusing to announce plans for 2006, pending a complete evaluation of the festival’s first edition. Meanwhile, commentary and letters by Québécois film critics, actors, and producers are flying in the media.

Recently French star, Gérard Depardieu, weighed into the fray in support of Losique’s festival. In an open letter to the Premier of the province of Quebec, published in the highbrow Montreal daily *Le Devoir*, Depardieu writes that his career was launched when Losique screened *Danton* at the Montreal World Film Festival in 1983 and urges the provincial government to support the festival so it can celebrate its 30th anniversary ‘with dignity’.

Members of the 2005 Jury were Thomas Kroll (Germany, president of the jury), Peter Malone (Australia), Kristine Greenaway (Canada), René Tessier (Canada), Marjorie Hewitt Suchocki (United States) and Denyse Muller (France).

Report by Kristine Greenaway

**Leipzig Festival 2005**

At the 48th International Leipzig Festival for Documentary and Animation Film, held 3-9 October 2005, the Ecumenical Jury awarded its Prize to *L’Avenir* (The Future) directed by Claudio Zulian (Spain, 2005).

This black and white film illustrates how the life of people in a small French town continues, in spite of increasing difficulties due to the lack of local work. Strictly composed as regards pictures and sound, the short film refers to current socio-political developments.

A camera travels through a town. It starts in a backyard, moves into the house, passes through narrow corridors and into a living-room stuffed with shabby furniture. The inhabitants of the house sit silently on the sofa. Only off-screen voices are distantly audible. They talk about the future in an industrial town without industry, about factories closing down and the factories’ sounds echo in the background and fade away again.

They talk about the hope of finding a job again – maybe, some time, and about the hope for their children seeking their fortune elsewhere and perhaps returning. While the people’s voices are still audible, their faces have disappeared, as the camera is on its way into the next house. It passes public squares, empty streets, a café, school, a hen-party, and it moves into the neighbourhood of the more affluent. What we find here is space, stylish interiors and hardly any children. Here there are people talking about culture. The camera’s journey ends at the river.

The Ecumenical Jury at the Leipzig Film Festival comprised Daniel Kölliker (Switzerland), Josef Lederle, Christiane Thiel and Rita Weinert (Germany).

**Prix Arte 2005**

The European Film Academy awarded the French film director Nino Kirtadzé the Prix Arte for the best European documentary film 2005. The film *Un dragon dans les eaux pures du Caucase* (The pipeline Next Door) is ‘a modern fable, the tragicomic fairy tale of a small village threatened by the global player BP,’ the jury noted. The film takes ‘a critical look at the conflict of cultures, at the unequal struggle between a global corporation and the inhabitants of the village.’

At the International Film Festival Visions du Réel (Nyon 2005) the film also won the Grand Prix from the International Jury and the John Templeton Special Award for a film about Science and Religion given by the Interreligious Jury.

**Kiev 2005**

At the 35th Molodist International Film Festival, held in Kiev 22-30 October 2005, the Ecumenical Jury awarded its prize to *Impar Par*
(Paired Off) by Esmir Filho (Brazil, 2005). It is a film about a young shoemaker, who tries to find the right pair of shoes for everybody. The jury said: ‘We find that this film is in praise of beauty, of joy, of life. In our world today – full of anger, pain and unhappiness – this humorous and well-made film has an important message: that life is a gift, a gift that we have to take care of. And the symbol that everybody needs to have the right shoes to be able to walk safely on this earth is simple, intelligent and funny.’

The Ecumenical Jury also commended Sorstalansag (Fateless) by Lajos Koltai (Hungary, 2005). The first impression is that this is another holocaust film. In fact it opens up a new aspect, because the point of the film is not evil, stupidity or violence. It is about a young man, who has to cope with adult life after the evil events.

In his long speech at the end of the film he points out that what he sees around him in Budapest, after he has returned, is the same kind of indifference as before. And that it was in the camp that he learned about self-esteem, about care for each other, about real humanity.

**Nordic Film Days Lübeck 2005**

On the occasion of the 47th Nordic Film Days Lübeck, 3-6 November 2005 the Ecumenical Jury awarded the Church Film Prize amounting to 2.500 Euros to Koti-ikäävää (Homesick). It justified its decision with the following statement: ‘Through its impressive aesthetics and dramaturgy Petri Kotwica’s debut feature film succeeds in portraying more than just an individual fate and momentary image of society. Homesick is a plea full of hope for a humane society that looks after those who are often overlooked: young people.’

The Jury consisted of Dr Julia Helmke, Pastor, House of Ecclesiastical Services, Hanover, and lecturer at the University of Erlangen, Germany; Prof. Dr. Angelika Henschel, Lecturer in social sciences at the University of Lüneburg, Germany; Jaan J. Leppik, Deacon of the Orthodox Church of Estonia and journalist; Juha Rajamäki, Head of TV department, Communications Centre of the Lutheran Church of Finland, and Vice-President of WACC-Europe.

**Tribute to Wim Wenders**

At the 2005 Locarno film festival the Ecumenical Jury marked its 50th anniversary by giving a special prize to German director Wim Wenders (b. 1945). Interfilm vice-president Denyse Muller posed a few questions on behalf of the newsletter Pro-Fil (No. 4/2005).

DM: What do you think of the Ecumenical Jury?

WW: For me it’s the most important of all the prizes. The others please me, but this one is truly the most important.

DM: Because it touches your heart?

WW: Oh, it’s more than that. What I express in a film is part of me. I cannot do it in any other way, and the Ecumenical Jury understands that. Not everyone understands what I
want to say. In one of my last films, there is a sermon, a man praying... It didn’t go down well with the audience. It was too obvious. To please them it should have been more discrete, more hidden.

DM: Are you a Christian?

WW: Yes, I was Catholic, now I am Protestant. I converted.

DM: Would it be indiscrete to ask why?

WW: Because of the hierarchical structure of the Catholic Church: everything comes top-down, it’s too authoritarian. The Protestant Church works with people, it’s much more democratic; for me it’s much closer to the Gospel. But you know I still have many friends in the Catholic world, ordained people and theology professors.

DM: You are very ecumenically minded?

WW: Yes, and I’m very keen on that. In the USA I used to go to a Presbyterian church. Now I live in Berlin and they are building a new Protestant church with a new pastor. I shall go there.

DM: You are leaving the States for good?

WW: Yes, I’m moving to Germany for good.

DM: Have you any film plans?

WW: None. I’ve just made three films. I’ve nothing immediate in mind.

Mannheim-Heidelberg

2005

At the 54th International Film Festival Mannheim-Heidelberg (17-26 November 2005) the Ecumenical Film Award went to Perry Ogden from Ireland for the film Pavee Lackeen (The Traveller Girl).

The Jury found that ‘The film authentically describes the living conditions of a large Irish family living in a caravan on the outskirts of Dublin. The director’s achievement lies in his portrayal of the courage and vitality of the young protagonists without giving rise to false hopes.’

Synopsis: Winnie is ten years old and lives with her mother and a couple of brothers and sisters in a caravan near a garbage dump in an industrial area in Dublin. Bravely she puts up with the everyday-life of the family on the edge of society. Once again being scared off by the local authorities, she has to search for water, she copes with welfare workers, who are not able help, and with her brothers and sisters playing in the dirt.

Winnie goes to school but that’s her whole life’s perspective. She sees herself as someone who has already experienced misery. Yet, Winnie is full of hope. As a daughter of an itinerant family (slang: ‘Pavee’) she has to get along with her milieu.

Between documentary and feature film, the characters narrate a moving socio-realistic story about their real life. For ten months, fashion photographer Perry Ogden shot this film in this strange environment with a digital mini camera and developed every scene with non-professional actors. The film recalls early Italian neorealism and teaches us that there is hope even on the lowest step of the social ladder.

The Jury also commended Ruxandra Zenide (Romania) for Ryna, a film about a young girl searching for her identity that convinces through sensitive and precise observation both of the protagonist’s inner landscape and her surroundings.

Ryna shaved off her hair. She always wears a dirty overall. At first glance Ryna is not identifiable as a girl. That’s intended. Her single dad wants to keep her to him as long as possible. Not only because Ryna helps him in his repair shop near the estuary mouth of the river Danube. He raised her like the son he never had. Her father rules in a strict way and watches all efforts of men trying to get to know his daughter with great mistrust.

However, Ryna begins to search for her female identity. Even a terrible incident initiated by her father cannot keep her from searching. The wild-poetic beauty of the Danube valley’s landscape with its stranded ships and wide open spaces complement the bewitching acting of the protagonist and help create a great atmosphere in this film about a difficult growing-up.

The Ecumenical Jury consisted of Lothar Strüber (President, Freiburg), David Fonjallaz (Bern), Manfred Koch (Bamberg), Bo Torp Pedersen (Copenhagen), Kveta Samanova (Prague).

Efforts to embed communication studies in theological studies of future priests and pastors have been going on for well over thirty years. In spite of this work, however, it seems that the case for taking communications seriously in theological education has to be constantly reformulated and argued. For some reason, most theological educators are unwilling to make space in their curricula to engage seriously with the world of modern mass communications and the pervasive influence that it has on today’s cultural environment. Even more worryingly, there is little time devoted to equipping students with the range of communication skills that they will need to be effective and credible ministers of word and sacrament.

Michael Traber continues to be one of the most passionate and effective advocates for taking communication seriously and this edited volume indicates that he has not given up yet. In the introduction he argues that ‘studying communication while doing theology is a new way of engaging in contextual theology’, because the mass media are in many ways the shapers of the socio-cultural ‘context’. On a positive note, the recognition of this context has led many Christian theological colleges in India to introduce communication studies. The book itself is a reflection of this interest being largely the results of a consultation of theological educators and communication specialists held at United Theological College, Bangalore in 2003.

The book does not offer a curriculum for communication studies, but it does put forward a ‘series of reflections and some principles’ which could be a guide for those attempting to build a curriculum. As Traber points out, the diversity of the contexts, interests and priorities of the different regions of India, and more widely of Asia, mean that there can never be a single ‘model’ curriculum.

The book is divided into three parts. The first section, Foundations, has six chapters on philosophical and theological insights into communication and communication perspectives on theology. The second section, New Directions, has five chapters which discuss the information technology industry, images, cinema and music. The final three chapters under the collective title, Bible Studies, consider the miracles of Jesus as communication events, the importance of ‘story’, and the language of weeping and lamentation.

Two contributions are particularly stimulating. Traber’s own chapter is a well structured rationale for communication studies in theological education. The core of his argument is that our conception of what it is to be a human being has changed. Today we understand human beings not so much as rational animals but as communicators, animals able to use language. Moreover, we can go further and say that through communication, human beings become authentically themselves. Traber quotes with approval, the words of Patrick Granfield, ‘Communication... constitutes our inter-subjectivity. Through communication one becomes a full human and cultural being.’ Moreover, this importance at the human level is complemented by our understanding of the centrality of God’s self-communication and God’s action in the world.

In turn this leads to a reflection on the ideal of the church as ‘communio’, a community of members who actively communicate with each other and the world through dialogue and witness. The insights of communication studies can throw light on how these ideals might be put into practice. Traber then goes on to
describe the main features of today’s culture as it is shaped by communications media and outlines the challenges facing churches which want to be models of dialogue and witness.

A counterpoint to the ideals and principles laid down by Traber is given in Pradip Thomas’ ‘Taking Stock of IT Developments and the Political Economy of Communications in India: Implications for the Curriculum’. When the political dimension enters communications studies in a theological context it generally tends to be focussed on questions of media influence and values. Issues of stereotyping, violence, and discrimination in the media are topics that can be relatively easily assimilated in a theological context.

Thomas, however, presents a challenge to go further. He argues that communication is a ‘confessional issue’, ‘a matter of faith, a test case for churches and Christians’. His focus is on the exercise of power through control of communications. He says that ‘Rampant forms of censorship, the privatisation of communication, concentrated forms of ownership and trade-related regulatory measures have fractured the recognition of communication as human need and a social necessity. The right to communication for all people is affirmed by the story of Pentecost… Just as the churches have committed themselves to covenanating on the debt crisis and globalisation, militarization, biodiversity and racism, there is a need for a covenant on global communications, arguably the most potent source of power in our world today’.

These two discussions indicate something of the breadth of the contributions. In this book those interested in the interaction between communication studies and theological education will find much to stimulate and much to reflect upon. Anchored as it is in the Indian context the book can stimulate and challenge anyone from any culture who continuing to grapple with these issues and continuing to argue that theological education must take communication more seriously.

Review by Dr Jim McDonnell, Director of Advocacy, SIGNIS (World Catholic Association for Communication)
Every year some 12,000 million people worldwide go to the movies. In 2004 the top five films were *Shrek 2, The Lord of the Rings: The Return of the King, Spiderman 2, The Passion of the Christ,* and *Harry Potter and the Prisoner of Azkhaban.*

*Can Movies Be A Moral Compass?* examines the values that people respond to in popular cinema. In particular it explores the kinds of moral guidance that such films offer.

The author discusses many popular films of recent decades, focusing on science, morality, heroes, angels, and priests.

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