WHY HUMAN RIGHTS ARE ESSENTIAL

ABOUT THIS CHAPTER ...

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All participants in community radio need to be aware of the fundamental role that human rights plays in their work. To maintain and protect our Bill of Rights, communities need to be made aware of their rights and how these rights impact on their lives.

This chapter gives a brief history of what led us to where we are today, the implications this has for the community radio sector, and ways in which to build our communities' social capital through our stations.

WHY HUMAN RIGHTS ARE ESSENTIAL

WHAT ARE HUMAN RIGHTS?

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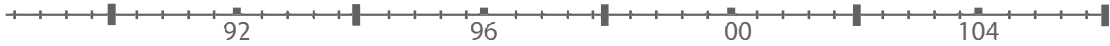
THINK ABOUT IT!

In South Africa, basic human rights have been denied to so many for so long that there is a great deal of human rights education to be done.

- How has the work of the Truth and Reconciliation Commission changed South Africa?
- When did you first hear about human rights?
- Has your life been affected by this knowledge?
- What does your station do to tell people about their human rights?
- Have you ever read the Bill of Rights? Or the Constitution?
- Does your station have a copy of either on hand?

PRESERVING INTEGRITY

Community radio needs to preserve the integrity of our society. Because community radio is so close to the community it serves and in touch with the problems and issues that affect it, it is the ideal medium to educate the public. Issues such as gender discrimination and sexual preference, abortion, freedom of religion, and freedom of the press and media, all affect every citizen.

That is why it is important that there are enough trained people among the news staff of every community radio station who have read – and understand – the Bill of Rights.

- It is their professional duty to conscientise their listeners, making them aware of their individual rights and showing them how they can benefit from these.
- It is also their duty to report on the work of the Constitutional Court, and to analyse the laws that come from Parliament and the courts in terms of the provisions of the Constitution.

Rights on radio

When we set up Classic FM in 1997, we proposed that the newsroom take a special interest in what happened in the Constitutional Court. A hotline was thus set up with several Constitutional Court judges, who responded readily to enquiries, and were always ready with a soundbite. As a result, Classic FM news regularly carried important news and grew into the habit of recognising human rights and constitutional issues. This made the news more valuable and more interesting.

The Constitution itself is actually a `solemn pact´. It needs to be both lovingly protected and jealously watched, so that it does not revert to the old apartheid practices, where laws could be amended or repealed at will. It must continuously be tested by all citizens and all the media, so that its integrity is preserved. This, then, is a vital part of community radio work.

OUR CONSTITUTION AND THE BILL OF RIGHTS

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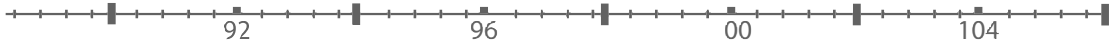
THE POWER OF COMMUNICATION

Nelson Mandela, the world's most famous political prisoner, was released in 1990. The winds of change that had been blowing over Africa since the 1960s became a hurricane in South Africa in the eighties and nineties. The desire for freedom, the yearning for human dignity and the respect for human rights by the people could no longer be denied.

Four years later, in 1994, the first democratic elections were held in South Africa. Now the country has a legitimate constitution. The amazing fact is that this constitution was created through real and significant consultation between the opposing parties on a scale never attempted before in modern history. This is why what happened in South Africa is sometimes called the `Negotiated Revolution´.

CODESA
Conference for a Democratic South Africa

Somehow, the many parties represented at the <u>CODESA</u> talks, ranging from far-right white conservative and religious groups to far-left Africanists and communists, **managed to communicate and to resolve their differences**. Without this communication, there might have been the same bloodshed experienced by other countries – such as East Timor, Bosnia and many African countries – during their state of transition from oppression to democracy.

Communication led to democracy

Because communication lies at the heart of community radio, we should never forget that communication led to democracy in South Africa. The Bill of Rights reminds us that the right to communicate is both an individual freedom and also a collective freedom.

On the one hand, there is the freedom to communicate, and on the other, the freedom from restrictions on communication. The **individual** promises to respect our right to freedom of communication. And the **state** guarantees the rights of individuals, institutions and groups to communicate.

Happily, democracy in South Africa has brought about greater individual freedom. This has not always been true of other newly independent countries, where human rights have often been infringed through undemocratic laws in the name of national consensus.

The South African **Constitution** has become the envy of the world. Every community radio station should have a copy in their library. (It is quite easy to order a free copy from the South African Human Rights Commission.) The main reason why the Constitution is the envy of the world is because it is so closely linked to the **Bill of Rights**. In fact, Chapter 2 of the Constitution is the Bill of Rights.
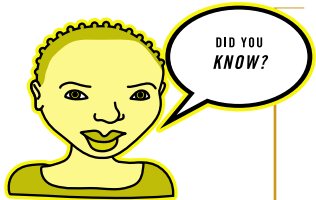
DID YOU KNOW?

The Bill of Rights is modelled on the International Bill of Human Rights, which was passed by the General Assembly of the United Nations in 1948. This document is the most important source of information about every aspect of human rights, from every individual's right to life to the proper conduct of nations towards each other.

The 'bible' for communication

Human rights declarations are the `bibles´ for communication. Part One of the United Nations document is the Universal Declaration of Human Rights, which consists of 30 Articles. Again, if you are involved in communication (like every community radio broadcaster is) you should read and memorise all these Articles, because they are as important to all communicators as the Bible or Qu'ran or Torah is to a religious person.

For instance, Article 1 states:

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards each other in a spirit of brotherhood.

Of great importance to community radio is Article 19:

Everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference, and to seek, receive and impart information and ideas through any media and regardless of frontiers.

RIGHTS FOR ALL!

The South African Constitution is a giant leap from apartheid thinking. The South African Bill of Rights carefully explains the human rights of every citizen and how these rights should protect all aspects of life, from freedom of expression to equality before the law.

It is easy to confuse the Constitution and the Bill of Rights. What is the difference? The Bill of Rights is the foundation of the Constitution, and that is why it makes up Chapter Two of the Constitution. It follows the Preamble and the Founding Provisions of Chapter One.

THINK ABOUT IT!

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The Preamble to the South African Constitution starts with the proud words:

`**We**, the people of South Africa,
Recognise the injustices of the past,
Honour those who suffered for justice and freedom in our land,
Respect those who have worked to build and develop our country,
Believe that South Africa belongs to all who live in it, united in our diversity…´.

Make a point of reading it in its entirety. The remaining 14 chapters of the Constitution describe the role of Parliament, the President, the Provinces and so on. Our Constitution is an enviable achievement if one thinks that apartheid – a crime against humanity – was the ruling ethos in South Africa until 1994. But you must also remember that the Bill of Rights underpins the Constitution and that all aspects of human rights are woven into our legislation.

COMMUNICATION AND THE TRUTH AND RECONCILIATION COMMISSION

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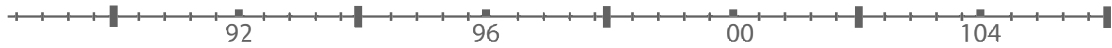
TEACHING THE WORLD TO COMMUNICATE

Apart from the communication at the CODESA talks, there is another example of communication of which South Africa can be proud. This is the **Truth and Reconciliation Commission (TRC)**. It would have been very difficult to establish this notable international first in 1996 without the background of human rights created in South Africa by the Bill of Rights.

The TRC provided a forum where ordinary citizens could tell their stories and bear testimony against the gross violation of their human rights through the inhuman cruelty and violence of apartheid. Suddenly, they had a language and a place to communicate their suffering.

Other examples of the inhumanity of apartheid were revealed by perpetrators under the protection of amnesty. Most South Africans were made aware – for the first time – of the fact that apartheid had been declared a crime against humanity by the United Nations. This means that many of the injustices of apartheid, such as forced removals, job reservation and the Group Areas Act, which had been given legal status by the white parliament, were actually illegal because they violated the basic principles of the Universal Declaration of Human Rights.

The TRC is a model that is now being used all over the world where societies are moving towards some form of democracy. The principles of the TRC are being applied successfully in East Timor, Ghana and Peru, for example.

A LANGUAGE AND CULTURE OF HUMAN RIGHTS

The TRC is important because it taught South Africa that there was a language and a culture of human rights. But, in the beginning, it was not easy. The fact that South Africa was expelled from the United Nations and all its deliberations for so many years had given the racist apartheid regime the opportunity to create a campaign of anti-UN propaganda. Through its mouthpiece, the SABC, it accused the UN of being communist-orientated and against all white South Africans. South Africa's absence from the UN meant that it missed out on many important UN and UNESCO resolutions concerning the media and communication.

An important example is the **1978 UNESCO Paris Declaration on Fundamental Principles** concerning the role of mass media in the promotion of human rights. Its 11 Articles spell out in detail the contribution the media should make in actively encouraging freedom of opinion, expression and information by ensuring a diversity of sources and means of information available to the public.

It was, therefore, no simple matter for a country that had been deprived for many years of a culture of human rights (such as respect for life and the dignity of the individual) to suddenly accept an entirely new way of looking at human behaviour.

Many people were suspicious:
- Black people who had been oppressed and suppressed felt that this new culture of human rights served to entrench the power and privilege of white people.

- White South Africans, however, thought that this new culture protected criminals and was `easy on crime´, while neglecting victims of crime.
- Other South Africans, like some Asian and African cultures, felt that human rights was a purely Western concept, and refused to apply it either to such cultural practices as female genital mutilation or social practices such as child labour.
- Some traditional leaders also failed to understand the concepts of democracy and freedom of speech.

Yet, in South Africa, ordinary people now began to understand that they could speak out when they felt that their human rights were being violated. And journalists had a new vocabulary to use when describing events they previously could only call `unfair´ or `wicked´. If you realise that the right to strike, or to demonstrate peacefully and unarmed, or not to have your body or house searched, for example, are among the rights dealt with by the Bill, then it gives you – as a journalist – a starting point on which to base your story.

THINK ABOUT IT!

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As a community radio broadcaster, you need to remember that until the 1990s, the subject of human rights was not even taught in university law schools! That means that many policemen, lawyers and even judges had never been educated in human rights – not to mention politicians! Today, this process is still being developed by the state and has been undertaken by NGOs and some education institutions.

REBUILDING MORALITY

Community radio needs to help rebuild a sense of morality in our communities. Justice Richard Goldstone, known internationally as one of South Africa's most respected judges, said the following at the conference on `The TRC and Human Rights Journalism in South Africa´ on 3 October 1997:

My own strong view is that fundamental human rights are by no means a Western invention. Recognition of human rights is fundamental to all peaceful and democratic societies. Respect for life, for liberty and for human dignity is shared by all decent people in every corner of the world. Of course, there are differences in a society's attitude to property rights, or to workers' rights. There should be a healthy debate concerning these matters – a debate which should be provoked by the very terms of our Constitution. There is a rich area here for constructive and fascinating discussion. Instead there is really a silence.

At the same conference, Dr Alex Boraine, the Deputy Chairperson of the TRC, warned every one in civil society:

In South Africa the rule of law was abandoned… Lawlessness has its roots in a society fashioned by a system which paid lip service to that rule of law and where human rights were violated with impunity… We have a very long way to go before we have a human rights culture. The law has been in disrepute and the evidence is there for all to see. Life is cheap and crime defeats the strongest commitment of government, the security forces and civil society.

So the responsibility for the restoration of a moral order should be high on everybody's agenda, but it has to start in the family and in the community – the audience of community radio.

LET'S MAKE IT CLEAR!

So every community radio station management has to realise:
- Basic human rights in South Africa have been denied for such a long time that it has been lost from popular consciousness – it's not something that everybody knows instinctively.
- The basic unit of the family and community has been damaged and eroded by the migrant labour system, the ravages of the AIDS pandemic, unemployment and crime.
- Ultimately, the concept of civil society and social capital has been lost.

UNDERSTANDING AND REBUILDING

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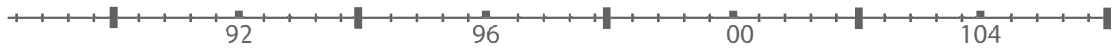
Community radio aims to spread an understanding of human rights and help rebuild civil society. Peace and security must be established and developed in every community in South Africa. In order to do that, it is essential to **rebuild civil society**, to rediscover its values and create some form of social capital.

South African society, although it enjoys the benefits of almost 10 years of democracy, is still broken and fragmented – nearly a century of the migrant labour system of apartheid almost destroyed family life. This is now made worse by the ravages of HIV and AIDS. The AIDS pandemic has not yet run its course and researchers believe that it will probably peak in about 2015. Unemployment, too, runs to 50% of the working population in some areas.

Eroding our society

Fear, alienation, violence and poverty continue to erode our society. In the wake of the fragmentation of family life and the diminishing of family structures comes irresponsibility and crime. Often, this crime is not driven by poverty, but is more the expression of violence and alienation. It is hardly surprising, then, that profound insecurity and fear results in the disappearance of the four cornerstones of civil society.

HANDY HINT!

All community broadcasters should draw up a poster showing the following qualities, place it on the wall above employees' desks and do everything in their power to foster them:

- altruism
- trust
- empathy
- social capital.

This will help conscientise your station, which can in turn uplift the community.

LET'S MAKE IT CLEAR!

Altruism means placing the interests of others above your interests. It is the opposite of individualism, or `Every man for himself!´, and is embedded in the African concept of *Ubuntu*.

It can be seen in the actions of a mother who gives the last crust of bread to her child, rather than keep it for herself, or the father who struggles selflessly, going back again and again into the flames to save his family from a burning house.

In a less personal sense, it is the cooperative spirit in a community in which individuals give up some of their time to help a widow, who has also lost the use of her legs, to fetch food and water. Or offer a few rands to assist a 10-year-old AIDs orphan who is trying to look after her three younger siblings.

The opposite of altruism is the gang that hijacks the mini-bus or taxi that transports disabled children to school, or steals money meant for old-age pensioners.

Trust is what is left when you remove all the visible evidence of power. Trust means believing that it is possible to live a good and happy life without the threat of penalties and formal restrictions. Parents trust children to be good without having to threaten them all the time. An employer trusts that an employee will not steal or do any harm to the business. This trust comes without having to write down what the penalties would be for going against this belief. Trust also means believing that people will choose to be good rather than evil if free to do so.

Empathy is the ability to see sameness rather than separateness. It is to feel what another person feels, to `get into´ another person's mind. In order for this to happen, you need to see the other person as someone like yourself. Apartheid was the very opposite of empathy, since racists can never see a person of another colour or culture as someone like themselves. Racists regard themselves and their own people as superior, and see difference and otherness as being inferior – whereas being `different´ can be positively exciting.

Social capital is the sum of altruism, trust and empathy, plus the society's shared values. In South Africa, there is a real danger that – because of the general lack of altruism, trust and empathy – social capital will cease to exist.

But what exactly is `social capital´? Let's look at it this way. `Capital´ means `money in the bank´. It is usually safe and accrues interest, so that it increases all the time. Now think about human capital that is `banked´ in the community or society. This human money is a person's skills, the knowledge they have, their family and relatives, their history, and their pride in their school/work and community. This is all capital. Each member can `draw´ on this capital when they are in need, and each member contributes to the capital through his or her own actions.

It is always difficult to measure the amount of social capital in a growing and successful society (in the same way that it's difficult to measure just how healthy a healthy person is!). But one can always measure the absence of social capital in a community through the traditional measures of social dysfunction, such as the levels of crime, family breakdown, drug use, litigation, suicide and corruption.

In looking at these, it is clear that South African civil society is severely lacking in social capital, especially in the poverty-stricken and marginalised sectors. Violence in the form of party-political conflict, often based on cultural differences, has also played havoc with community life. The violence between Inkatha warlords and ANC cadres in KwaZulu-Natal has been well documented in evidence put before the Truth and Reconciliation Commission.

NOKUPHILA FM UPDATE!

Nokuphila FM was worried about the lawlessness and lack of personal responsibility in their community, particularly among the male youth. They decided to promote the shared values seen as empowering and positive in the community.

Nokuphila FM decided to focus on regular dialogue, through the voices of the youth who were achieving in the community. This was expressed through phone-ins and discussion programmes. The programme manager arranged:

- phone-in programmes
- walk-in discussion programmes
- consultation
- listeners' clubs
- focus groups.

Although they do not as yet have documented proof of a change in the attitudes of the youth, the interest, excitement and involvement this has generated is sure to have positive spin-offs.

REBUILDING CIVIL SOCIETY

The community radio sector can play an important role in rebuilding civil society by creating altruism, empathy, trust, social capital and fostering dialogue around uplifting shared values. This can be done in two ways, the internal and the external route.

The internal route

The `internal route´ allows the **community to identify itself through dialogue**. People who are dispossessed, poverty-stricken, and disempowered, who see themselves as alone and unique, suddenly see that there are others like themselves. That is where empathy comes in. After that comes trust. Each single voice finds an echo and that echo becomes a dialogue.

So the station becomes the voice of the community and through it the **community learns to recognise and represent itself**. Only then can it begin to accumulate social capital. The community hears and develops its voice through the radio station. The radio station becomes a live – and, indeed, lively – representation of the community.

The external route

Most communities are information-poor. A high rate of illiteracy keeps people from reading. Newspapers are often not available simply because people are too poor to buy them. Communication networks are also very poor. The national broadcaster does not have the flexibility to respond to the specific information needs of every community.

The community radio station, therefore, provides the community with access to information. It becomes a communication channel, providing information through its journalists with their network of contacts in the community. Another source of information comes from the outside world of NGOs, information networks, local government, and state organisations. Information about HIV/AIDS, human rights, xenophobia, famine and agriculture – and all the other issues that affect citizens – arrives in the form of pre-produced programmes or, occasionally, through the Internet, and can be adapted to local conditions and issues.

This route thus leads to a more information-rich community that is more aware of its human rights, more in contact with local, regional and national issues and more capable of creating some form of social capital.

THE VOICES OF CITIZENS

It is also necessary to make the voice of every citizen heard. All over the world, the question of citizens' access to all media (radio, TV and newspapers) and citizen participation in the political process are becoming increasingly important. People are becoming tired of being deprived of their right to contribute to discussions about their wellbeing, and of authorities thinking and planning for them instead of with them.

Article 19 of the Universal Declaration of Human Rights emphasises not only the right of individuals to speak, but also the right for them to expect to be heard and to be given the facilities to make themselves heard.

As UNESCO's *McBride Report* – also known as `Many Voices, One World´ – states:

> *Everyone has the right to communicate… (a) the right to assemble. A right to discuss, a right to participate and related association rights; (b) a right to enquire, a right to be informed, a right to inform, and related information rights; and (c) a right to culture, a right to choose, a right to privacy, and related human development rights…* ***The achievement of a right to communicate would require that communication resources be available for the satisfaction of human communication needs.***

This is very important to the community radio sector for two reasons:

1. Access to resources

The community radio sector has the right to expect to be given access to resources to enable it to function. It can also expect to be supported so that it can be sustainable and thus carry out its mandate. This means receiving resources such as training, equipment, seed money and access to information.

This makes a specific demand on the state and its apparatus (such as the departments of Communication, Education, etc.) plus other related agencies, such as donor organisations.

2. Making resources available
It also means that every community station, in its turn, must make resources available for its community to be heard. This includes access to airtime through phone-ins and discussions, representation in the news bulletins and organisations such as listeners' clubs.

DISSEMINATING INFORMATION
Of all the media, radio is by far the most accessible, pervasive and most economic medium for disseminating information. The community radio station's access to resources and its ability to make those resources available both lead to **citizen access**. Ultimately, this means that citizens are no longer content to let other people speak for them, and only be able to express opinions within the narrow confines of the party agenda. All over the world, private concerns (about the environment, about the right to HIV/AIDS medication, about the rights of indigenous people, etc.) have given rise to citizen political movements. Interestingly enough, this was expressed in an ANC slogan, `The people shall govern´.

The most appropriate communications vehicle for rebuilding civil society, both in the sense of growing social capital and in contributing to the political debate, is thus the community radio sector.

THE CHALLENGE FOR THE FUTURE

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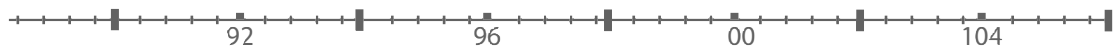
FROM THE COMMUNITY TO THE PUBLIC SPHERE
Some time in the future, when community radio has established itself as the voice of every citizen, there is a potential political dimension to the role that community radio can play. That is another form of dialogue: community radio stations talking to other community radio stations.

Linking the world
Community radio is the ideal medium for communication between all the civil society communities in South Africa, horizontally linking communities with similar problems, or with solutions to similar problems – and thus linking the world of the citizen to the world of civil society.

The public sphere
In any democracy, there must be a `public sphere´, a forum where the electorate can express their opinion of the government they have elected. With the growth of mass-based democracy over the last few centuries, the role of the mass media – especially the press – as the most important institution of the public sphere is obvious. This is often based in urban areas where national newspapers and the national broadcaster may be found.

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A matter of dialogue

Community radio should encourage local voices to engage in dialogue. By doing this, it can play a critical role in taking the first steps towards another public sphere. It can stimulate, and then make audible, local voices engaged in a dialogue. Programmes that promote human rights or debate the nature of a good society provide an agenda for rehearsing the role of being a citizen.

Making the voices heard

South Africa is blessed with one of the world's most progressive and enlightened constitutions. It is virtually identical to the Bill of Rights, which encapsulates the human rights enshrined in the Universal Declaration of Human Rights. This constitution allows citizens to elect a government of their choice and ensures that the government is accountable to the citizens that elected it.

However, for this equation to work, there must be a body of citizens who know their rights and are able to exercise them. This body must be willing to engage with the government it has elected, and to make its voice heard when appropriate. It is essential that this dialogue go beyond the four-yearly exercise of a citizen casting his or her vote. If we call this interaction `dialogue´, we have the beginnings of civil society.

Ideally, civil society is a space in which citizens find their spheres of interest, fight against oppression, get back their dignity, experience truth and find meaning in their organisations.

Respecting our opinions

Government needs to respect, protect and encourage citizens to express their opinions. It should respect civil society and allow it to be independent, to operate without interference. Furthermore, it should protect civil society and reward its initiatives.

In South Africa, where there is a danger of a widening gap between government and grass-roots organisations, it is particularly important that civic issues – such as land tenure, health provision, educational facilities and transport connections – be discussed and brought to the attention of provincial and state departments. There should be a place where citizens can organise themselves so that they can express their opinions.

An alternative voice

Community radio is the alternative voice to mainstream debate. Only community media, and particularly community radio, provide a feasible outlet for citizens to create an **alternative public sphere**. Community radio, as a powerful alternative public sphere, provides a powerful link to the experiences of citizens in a community.

It can, therefore, develop considerable capacity to transmit a different, democratic version of the political reality to the conservative mainstream media and to the dominant political party. If properly developed, this sector can provide the mainstream media with new, fresh and original news sources. In other democratic countries all over the world, this new type of political and social movement involves citizens. It was given its strength by the various Green Parties concerned with the environment, aided by the vocal women's movements. In most European countries, and in the USA, newspapers and magazines, and often radio or TV channels are devoted to environmental and gender issues and to minority ethnic groups (such as the Inuit radio of the Native American `eskimos´).

INTO ACTION!

The media can mould the realities of everyday life into political ideas and into action. These movements are generally politically progressive (although there can also be conservative or reactionary groups). One significant feature is that they elevate the experiences of private, everyday life, into political ideas and from there into political action. In Europe and the USA, the use of the Internet multiplies the communication factor.

This has not yet happened in South Africa, although the time (if not the means) is ripe. After the consolidation of liberation forces against apartheid, the post-apartheid world is beginning to fragment and segment into sectional interests.

Communication and dialogue are difficult, if not impossible, because access to media power is not as readily available as it is in Europe and the USA. Mainstream media and broadcast channels are quite difficult to penetrate – and the same applies to the financial means to establish small newspapers.

Leading the action

This leaves a potential role for community radio to:

- Create an **internal dialogue within a community**, so that community members realise that they are not alone and share certain ideas with other people in the same community.
- Establish a **horizontal dialogue between communities** in which problems are solutions that are shared nationwide by civil societies.
- Establish a **vertical dialogue with the mainstream media and with central government** about the worries and problems of civil society.

In other words, community radio is able to to give every citizen a voice.

WRAP UP!

So what can we do to raise awareness of human rights in our station?

- **Make the Bill of Rights easily available and familiarise yourself with it.**
- **Include at least one item in every bulletin that deals with a human rights issue. Try and report on the abuses as well as the triumphs.**
- **Include in your programming policy the goal to have regular discussion programmes and features on human rights related issues.**
- **Set up a roster to focus on a different individual right every week/fortnight. Promote and educate on this, both on air as well as within the station.**
- **In all dealings with staff, volunteers and the community, strive to respect and protect people's rights.**