

**Human rights as processes of struggle against the Brazilian neoliberal agenda:
resistance strategies and communication centrality***

Jucimeri Isolda Silveira¹

Verônica de Paula da Rocha Alves²

Abstract: In a scenario of rising conservatism and dismantling of rights by neoliberal policies, intensified with the new federal government which began in 2019, the fight for human rights in Brazil faces great challenges and social movements need to find ways to articulate in order to strengthen democracy. Therefore, this article seeks to discuss the construction of human rights as processes of struggle, based on critical theory (dialectical and decolonial) as opposed to the more traditional (liberal) theory. The objectives of this research are also to reflect on the reasons that make neoliberalism a threat against the path to ensuring human dignity and why communication can be used as a resistance strategy, since it represents an intrinsic dimension to human beings and vital for the effectiveness of all other fundamental rights. For that reason, a bibliographical research is carried out based on some of the main theorists and reference authors in the critical line of human rights, as well as studies on the right to communication and on the impacts of neoliberalism on the struggle for human rights and on the democratization of communication. The main ones are: Joaquín Herrera Flores, Helio Gallardo, Boaventura Sousa Santos, Perry Anderson, Maximiliano Vicente and Pedrinho Guareschi. In order to exemplify how communication is a central pillar in the search for the realization of fundamental rights, a reflection is also made on the performance of the Social Movement Platform for Political System Reform.

Keywords: human rights; neoliberalism; democracy; communication;

Introduction

Conceptualizing human rights is not simple. There are many discussions about its foundation and the use of the term by defenders, social movements and governments from different political and ideological positions that puts us in front of different

* Original text in Portuguese: "Os direitos humanos como processos de luta diante do programa neoliberal brasileiro: estratégias de resistência e a centralidade da comunicação". Translation: PUCPR Idiomas - Núcleo de Traduções.

¹ PhD in Social Work from the Pontifical Catholic University of São Paulo (PUCSP), Brazil. Professor of the Postgraduate Program in Human Rights and Public Policies at the Pontifical Catholic University of Paraná (PUCPR), Brazil. jucimeri.silveira@pucpr.br

² Master student of the Program Postgraduate in Human Rights and Public Policies, PUCPR, Brazil. veronicapalves@hotmail.com

conceptions. As it differs from the purposes of this paper to discuss each one, considering that this is possible, we start from a perspective that recognizes two lines of thought within these disputes: one more traditional (liberal) and the other with a critical matrix (dialectical and decolonial).

Within what we consider a traditional and universalist view of human rights, is the original idea of positivism, which understands these rights only as those created by law, and natural law, which presupposes such rights as natural - life, the main individual right defended by Hobbes (2014), for example - because they are already born with the human being and are justified by human condition's inherent dignity (GALLARDO, 2014).

For critical theory, the main problem with the universalist and positive view of human rights is that it transmits a perceived guarantee that rights are laws, that is, that once legally recognized, they become reality. Herrera Flores (2009) is blunt in criticizing this reduction of rights to rules:

First, such a reduction supposes, a false conception of the nature of the legal and, secondly, a logical tautology of serious social, economic, cultural and political consequences. Law, national or international, is nothing more than a procedural technique that establishes ways for society to have access to goods. (FLORES, 2009, p. 17-18).

Thus, as the author indicates, it is necessary to understand that law is not the only instrument for legitimizing or transforming dominant social relations to which human rights refer, and that these rights do not coincide with the international norms that regulate them, which includes, for example, the Universal Declaration of Human Rights (UN, 1948). In citing the document, the theorist points to the mix-up about "what" are rights and "why" and "for what" they must exist.

The contradiction to which Flores refers is in the realization that, while recognizing human rights as a "common ideal to be reached by all peoples and all nations" (UN, 1948, preamble), the declaration assumes that what is necessary to achieve it already exists. This is what Article 1 does when it dictates that "all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and must act towards one another in a spirit of brotherhood" (UN, 1948, art. 1). And article 2 when it states that: "Every human being has the capacity to enjoy rights

and freedoms set forth in this Declaration, without distinction of any kind" (UN, 1948, art. 2, item I).

By disregarding any social condition or characteristic, the Universal Declaration of Human Rights understands rights as being rights in themselves, corroborating traditional theory, as it implies that human rights are satisfied when they have rights. As Flores explains, this is a mistake since in this way "rights, then, would be nothing more than a platform to obtain more rights" (2009, p. 27).

Given this problem, it is worth remembering that the critical view defended here is not opposed to the legal recognition of rights. On the contrary, it believes that the legal norm for guaranteeing is essential for the best implementation and effectiveness of human rights. What is not admitted is the idea that rights create rights, a great "positivism fallacy" (FLORES, 2009, p. 28) that ends up generating an *a priori* conception of human rights where everything begins and ends in norms and laws. When this happens, according to Flores, whose finding shares Escrivão Filho and Sousa Junior (2019), we are deluded by the abstraction that we have rights only because they are documented, and in reality the majority of the population is unable to exercise them because they lack material conditions, that is, goods that give them access.

We live in a world where half of the wealth is concentrated in less than 1% of the population, while 70% of the population lives with less than 3% of it³. When we talk about Brazil, the ninth most unequal country⁴, these numbers are even more frightening, since the richest 10% have more than the poorest 80%⁵. Reflecting poor income distribution, this inequality is the expression of conflict between capital and labor (SILVEIRA, 2019) and brings a series of social issues that justify and constantly challenge struggle for human dignity.

Brazilian territories portray a reality masked by the media and criminalizing mechanisms, of profound and historical inequality, especially affecting the poor, black, women and LGBTI populations. Concrete expressions of structural inequality are historically determined by the colonization process and capital accumulation, consequently with unequal access to income, wealth and socially produced goods. (SILVEIRA, 2019, p. 58).

³ Credit Suisse Global Wealth Report, 2018. Available at: <<https://bit.ly/37vISvj>>. Accessed on: nov. 20, 2019.

⁴ Oxfam, 2018. Available at: <<https://bit.ly/37CN7nM>>. Accessed on: Nov. 20, 2019.

⁵ Pnad Contínua, IBGE, 2019. Available at: <<https://bit.ly/2OeLbdo>>. Accessed on: nov. 20, 2019.

When we stop to reflect on inequality, barriers imposed by neoliberalism to the struggle for human rights become clearer. This is because, as we will see later, for this ideology, inequality and unemployment are healthy since they help to maintain the economic system (ANDERSON, 1995).

Another positive point from the neoliberal perspective that will be addressed in this work is the reduction of the State and privatization of public goods and services as the means of communication that, in turn, are extremely necessary in a democratic society. After all, where there is democracy, there must also be “an information vehicle to equate citizens with vital tools to exercise their rights and voice their concerns” (TRAQUINA, 2005, p.129).

In a scenario of rising conservatism and dismantling of rights by neoliberal policies, intensified with the new federal government which started in 2019, the agendas of social change movements gain even more relevance and the need for society to articulate in order to find ways to strengthen democracy, and communication is one of them, as indicated by the Social Movement Platform for Political System Reform. It is in this sense that this article seeks to discuss the construction of human rights as processes of struggle, as well as reasons that make neoliberalism a threat to path of ensuring human dignity and why communication can be used as a strategy for resistance, since it represents an intrinsic dimension to the human being and vital for the realization of all other fundamental rights (GUARESCHI, 2013).

To this end, a bibliographic research is carried out that includes some of the main theorists and reference authors in the critical line of human rights, such as Joaquín Herrera Flores, Helio Gallardo and Boaventura Sousa Santos. Contributions by Perry Anderson are also used to study social, political and economic implications of a neoliberal agenda, by Maximiliano Vicente, who helps us understand, specifically, the influence of neoliberal policies on Brazilian communication, and by Pedrinho Guareschi, who bases reflection on the human right to communication and the need for its democratization. The democratization of communication, in turn, is one of the main lines of action of the Social Movement Platform for Political System Reform, whose proposal is discussed at the end of this article.

Human rights as processes of struggle: historical milestones and contradictions

As processes of struggle for dignity that are inserted in a historical, social and political context, human rights are, therefore, complex and are always under development. It is because of this complexity that conceptualizing them is not a simple task and we cannot set a date for their creation or understand them only from the moment they started to be mentioned in declarations, pacts and constitutions. Escrivão Filho and Souza Junior (2019) sum up this thought well when they state that:

[...] as a process of struggle, human rights with their political, socio-historical, procedural, dynamic, conflictive, reversible and complex dimension are constituted as practices that develop day by day, at all times and in all places, and cannot be reduced to a single normative, philosophical or institutional dimension, or a single historical moment that marks their origin. (ESCRIVÃO FILHO; SOUSA JUNIOR, 2019, p. 29).

121

As the authors put it, it is not possible to point to just one moment in the history of mankind as a landmark for human rights struggles. However, when we think of them as processes of struggle for dignity, we can historically analyze the events that led to this struggle as well as the reasons. Helio Gallardo (2014) believes that the foundation of human rights lies in the formation of modern society, as it is in modern civil society that social movements arise. Ruiz (2014) states that struggles have existed since the human being recognized himself as a social being, but he also understands that these rights are the result of bourgeois revolutions.

Considering that modern civil society is really the cradle of human rights, it is necessary to remember who, primarily, was part of it to understand the context in which the social struggles to which we refer arise and why they are the result of revolts of the bourgeoisie. After all, this civil society, which Gallardo defines as challenging and emerging, was generated and constituted as a space of action for those who contradicted and challenged institutions and the dominant political and social ethos, that is, in principle, it was formed by those who were not part of nobility or clergy, but had goods, money and influence (GALLARDO, 2014). Dissatisfied with the feudal or absolutist regime of lords and priests, this society did not want to pay taxes; it refused to let this lord mentality take root and demanded freedom.

In this context, the American Revolution (1776) and the French Revolution (1789) took place to consolidate bourgeois civil society's political hegemony, which previously held only economic power. Held in the name of law and rights, these revolutions are always remembered as historical milestones in the beginning of the human rights debate, but at the same time conceal an important aspect: the use of these rights as an argument for contradictory purposes.

Boaventura Sousa Santos (2014) points out some of these contradictions when he recalls that, in the 18th century, at the same time that they integrated and were one of the languages of ongoing revolutionary processes, human rights were also a political weapon to legitimize practices considered oppressive and even counterrevolutionary. He cites two examples:

When Napoleon arrived in Egypt in 1798, he explained his actions to the Egyptians: "People of Egypt. Our enemies will tell you that I have come to destroy your religion. Do not believe them. Tell them that I have come to restore your rights, punish usurpers, and erect Muhammad's true devotion. " [8] And that was how the invasion of Egypt was legitimized by the invaders. The same could be said of Robespierre, who fomented terror in the name of blessed fervor and human rights during the French revolution. (SANTOS, 2014, p. 34).

This omission or, better yet, *decontextualization* of part of the story is according to the Portuguese author, one of the illusions that make up the common sense conventional human rights. In addition to this error, Santos cites four other illusions that allow us to understand why the traditional conception of human rights is so broadly shared, even today and how it became a reference for liberal theory and capitalism. The illusions are: teleology, triumphalism, monolithism and anti-statism.

What the theorist defines as a teleological illusion consists of reading history from front to back, that is, starting from the consensus that currently exists on human rights and its importance to read events in a linear way, as if the path had always been guided and conducted in order to reach that result. Such an act ends up preventing us from seeing that present and past are contingent, that several ideas have been in dispute during history and that the victory of one of them - human rights - did not happen in a planned way. It is necessary to consider that, if placed under the perspective of other human dignity conceptions, the same actions that led to this

victory were actions of oppression or domination that were reconfigured as emancipatory and liberating. (SANTOS, 2014).

This *teleological* view is precisely what sustains the second illusion found by Santos, called triumphalism, which places human rights as an unconditional human good, ignoring all other grammars of human dignity that were in dispute, treating them as inferior in ethical or political terms. This tendency to omit is also present in the penultimate of the illusions addressed by the author, which he calls *monolithism* and in his own words: "it consists of denying or minimizing the tensions and even internal contradictions of human rights theories". (SANTOS, 2014, p. 89).

An example of this conflicting record cited by Santos is the ambivalent declaration of the French revolution in addressing the rights of man and the citizen. When this is done, human rights are placed as belonging to two major collectives: one supposedly more inclusive of humanity (human rights) and a much more restricted one reserved for the citizens of a given state (citizen's rights). Thus, the objective of international human rights declarations, regimes and institutions was to guarantee the minimum dignity of people when rights to belong to the political community were absent or disrespected. The dilemma is that, in the last two hundred years, human rights started to be inserted in constitutions, political and legal practices of many nations, being redefined as citizenship rights supposedly guaranteed by the State (civil, political, social, economic and cultural rights) when "the truth is that the effectiveness of broad protection of citizenship rights has always been precarious in the vast majority of countries." (SANTOS, 2014, p. 35).

Finally, the last of the concepts that Santos calls illusions and that we address here is anti-statism. This idea comes from the fact that when emerging in the West as a result of a process of secularization and individualization, human rights were translated into a denial of the absolutist state, that is, the consensus was that for the rights to be respected, it was enough that the state did not interfere, because it was he who violated rights. This conception becomes an illusion as the years go by and this demand changes, since now the State is expected to act to guarantee the effectiveness of these civil, political, social, economic and cultural rights.

Finally, the last concept that Santos calls illusions and that we address here is *anti-statism*. This idea comes from the fact that when human rights were emerging in the West as a result of a secularization and individualization process, they were translated into a denial of the absolutist state, that is, the consensus was that in order for the rights to be respected, non-interference by the state was enough because it was precisely the state that violated rights. This conception becomes an illusion as the years go by and this demand changes since now the State is expected to guarantee these civil, political, social, economic and cultural rights.

From all these illusions pointed out by Santos, we can see that the universal conception of human rights is at its genesis. That "this conviction that all human beings have the right to be equally respected, due to the simple fact of their humanity, is linked to an important social institution: the written law" (COMPARATO, 2008, p. 12). Furthermore, by reviewing important historical milestones in the struggle for dignity in western modernity, we understand how individualism of the emerging bourgeois society was a reference for liberal theory and capitalism, as the bourgeois social movement, dissatisfied with feudalism and an absolutist state, used its strengths to build *its* well-ordered society that continues to have men more worthy of rights than others. "The bourgeoisie was, for centuries, an *emerging social movement*, until it was able to summon sufficient forces to reconstruct political power in the image and likeness of its businesses." (GALLARDO, 2014, p.47).

Human rights in Brazil and the neoliberal threat

In an extremely unequal and violent society like ours, where 33 million people have nowhere to live and at least 5 million are hungry⁶ (UN, 2018), it is not possible to think about human rights from its conventional conception. If human rights were just laws, the country would not suffer from this since we have laws to meet these needs guaranteed by the 1988 Federal Constitution: "Education, health, food, work, housing,

⁶ Data collected, respectively, in the report *United Nations Program for Human Settlements* and by the report *The 2018 State of Food Security and World Nutrition* from the United Nations Food and Agriculture Organization (FAO).

leisure, security, social security, maternity and child protection, assistance to the destitute, in the form of this Constitution.” (BRASIL, 1988, art. 6).

Thus, current struggles for human rights in Brazil are focused more on practical realization of rights affirmed by legislation than on creation of new legal norms. Since the end of the 1964 military dictatorship and the establishment of the Constitution - which, in itself, deals with human rights by bringing civil, political, economic, social and cultural rights -, there have been several advances in this field, such as the Statute for the Children and Adolescents (1990), the National Policy for the Elderly (1994), the Maria da Penha Law (2006), Quotas (2012), the Statute for Persons with Disabilities (2015), among other advances in social legislation which result from resistance and struggles for human dignity. What has been shown to be absolutely necessary for upholding human rights, especially social rights, is the creation of efficient public policies. After all, “a well-written Constitution is not enough for it to be fulfilled and obeyed” (BUCCI, 2001, p. 9).

Public policies, then, represent a means of providing people with access to assets guaranteed by law to live with dignity and, consequently, move towards an emancipated society whose values guide to the construction of a common well-being. However, being able to put this into practice is complex, considering the political and economic context in which the country and much of Latin America find themselves.

In this sense, the rise of neoliberalism, which began shortly after World War II, but has intensified in underdeveloped countries such as Brazil, especially in the last thirty years, is at the center of human rights discussions. This is because, from a neoliberal perspective, inequality is a fundamental element for capitalism to function, which would then be an ideal economic model, as historian Perry Anderson (1995) explains when reviewing the origins of such ideology and the reasons why its precursors positioned themselves against supposed social equality within capitalist societies:

Hayek and his companions argued that this period’s new egalitarianism (very relative, well understood) promoted by the welfare state, destroyed citizens’ freedom and the vitality of competition, on which the prosperity of all depended. Defying the official consensus of the time, they argued that inequality was a positive value - in fact indispensable in itself - because Western societies needed it. (ANDERSON In SADER; GENTILI, 1995, p. 10)

Vehemently opposed to the interventionist state, since it's seen as a lethal threat to economic and political freedom, neoliberalism pointed out alleged "excessive and harmful union power" as causes for the 1973 capitalism crisis (ANDERSON In SADER; GENTILI, 1995, p.10) and the workers' movement, which, with its demands for better wages, put pressure on the State, causing it to increase social spending and thus eroded the bases of capitalist accumulation. Equating freedom with equality, neoliberal ideology proposes hard capitalism, free from rules, which requires a strong State to break union power and control money, but which is silent on social welfare issues and economic intervention. (ANDERSON, *In*: SADER; GENTILI, 1995).

Thus, monetary stability should be any government's main objective. Something that demands budgetary discipline, including restraining social spending, and restoring an unemployment rate, which was seen as natural by defenders of such an ideology, as it created a reserve of workers to dismantle unions. Furthermore, according to Anderson, tax reforms were indispensable from a neoliberal perspective because they served as an incentive to economic agents. These reforms, as the author translates, were nothing more than the reduction of taxes on incomes and higher incomes. (ANDERSON, *In*: SADER; GENTILI, 1995).

This neoliberal program, whose ideas are highlighted and problematized by Anderson in the last century, was not put into practice overnight. It only started in 1979, in England, with the Margaret Thatcher's government, but, from then on, it spread around the world. In South America, it was first materialized in Chile, with the Pinochet dictatorship (1973-1990); In Brazil, it emerged in 1990 with the Collor government. Its strength to extend itself from the most developed capitalist countries to underdeveloped ones and to make even supposedly social-democratic governments to apply their policies makes neoliberalism such a current topic to be discussed, especially when we talk about human rights. "This is an unevenly occurring global transformation (different degrees and rhythms, constant friction of counter-trends) in different regions of the world." (SANTOS, 2014, p. 36).

If we stop to analyze the current Brazilian situation, we will see that neoliberal policies are increasingly evident. In 2019, inequality, which from a neoliberal

perspective is healthy, is the largest ever recorded in the last seven years. And unemployment is up to 12%, a condition faced by almost 13 million Brazilians (IBGE, 2019).

Even more concrete examples are the PEC of the Public Spending Ceiling (2016), which freezes budget resources for social policies for twenty years, and the labor (2017) and social security (2019) reforms, which show the penalizing and managerial character of the State by dismantling social rights to benefit market interests (SILVEIRA, 2019). Also, as a result, "the criminalization processes of the poor and black population have been intensified; criminalization of social movements; social appeal for authoritarian measures; advancing the conservative agenda" (SILVEIRA, 2019, p. 59).

Therefore, the election of Jair Bolsonaro (PSL) for presidency of the Republic fits in with this whole process. With his proposals for privatization of central state-owned companies for the Brazilian economy such as Banco do Brasil and the Correios (Brazilian Postal Service), his hateful discourse against minorities and support for weapons, his governability through provisional measures and decrees (emphasis on Decree 9.759/2019 that extinguishes dozens of councils and forums for civil society's democratic participation), the president not only displays alignment with the neoliberal ideas already mentioned, but also to despise human rights guidelines and their role in the weakening of democracy, something essential for upholding these rights, however, as the Chilean dictatorship has shown, is totally dispensable for the functioning of liberalism.

The growing promiscuity between political and economic power, hypertrophy of the State's accumulation of functions at the expense of trust and hegemonic functions, [11] conditionality imposed by international financial agencies, the predominant role of multinational companies in the world economy, the concentration of wealth, all of this has contributed to reorganize the State, diluting its sovereignty, subjecting it to growing influence of powerful national and international economic actors, causing the democratic mandates to be subverted by minority mandates but very powerful interests. (SANTOS, *In*: CHAUI; SANTOS, 2014, p. 36).

In this less sovereign, less interventionist and less democratic state, identifying and punishing human rights violations is more challenging, as they result precisely from the actions of those who have sufficient economic power to make the State an instrument of their interests (SANTOS, 2014).

In view of all this, it can be understood that the rise of neoliberalism and its consequences in the 21st century, such as inequality and the dismantling of rights, summarize the main threats to human rights that, being forged in social struggles, are essentially democratic. Democracy, in turn, is the link between human rights and the media, which, under the impacts of the neoliberal agenda, undergo transformations. As we will see below, the press, which has historically been strengthened in the context of the beginning of debates on rights to guarantee human dignity, may or may not work in favor of neoliberalism; it may or may not be a tool for promoting human rights.

Neoliberal impacts on communication

If, as Gallardo (2014) states, the association between human rights and democracy is almost spontaneous, the same can be said when we think about communication and the democratic regime. After all, the press and media can only exist in a context where there is freedom of expression and that is one of the great characteristics of democracies. It is as said, in an interview with the Observatory for the Right to Communication, the journalist Bernardo Kucinski, winner of the 40th Vladimir Herzog Journalist Award for Amnesty and Human Rights: "There is no democracy without the free circulation of opinions, without public debate and you cannot do this without having a free and diverse press. The better the journalism, the better the democracy" (KUCINSKI, 2008).

The big problem is that a free and diverse press, as Kucinski mentions, is not a priority in neoliberal governments. On the contrary, the capitalist system along the lines of neoliberalism favors concentrating the means of production which, as explained by Maximiliano Martin Vicente (2009), also extends to the media sector. After all, according to the author, the policies followed by those who own the media in almost no way differ from those found in other sectors of production, which aim to profit.

The struggle to maximize profit implies the following components: internal policies for the adoption of a state-of-the-art technological system, expansion of the activity area to increase consumer markets, favoring measures aimed at avoiding costs and searching for standardizing markets. (VICENTE, 2009, p. 154).

Vicente explains that this corporate restructuring in the media sector began in the 1990s when technology became part of the media. Ten years later, global communication, with the exception of some countries, started to be digitalized, deregulated and globalized. This is because transnationalization and new technologies made transmission via satellite possible, eliminating borders, and the way the International Monetary Fund (IMF), the World Bank (BM) and the World Trade Organization (WTO) imposed globalization meant that States reduced investments and cut subsidies, leading to the privatization of their companies and services. "Thus, public radio and television services, traditionally benefited by the help of the public authorities, suffered 'inevitable' cuts, opening the space for private initiative action" (VICENTE, 2009, p. 155).

In Brazil, the scrapping of public communication channels is evident. An example of this is the signaling of the new federal government to the extinction of Empresa Brasil de Comunicação (EBC), a dismantling that has been designed for years and was also much discussed during the presidency of Michel Temer (MDB). In addition, public concessions for the transmission of information via radio and TV are in the hands of private companies, media sector giants which aim to profit above all.

In 2017, data collected by the NGO Reporters Without Borders and Intervozes⁷, in 2017 shows that communication in Brazil is dominated by a few. To give you an idea, only five families (Marinho, Macedo, Saad, Sirotsky and Frias) control 50% of the main media outlets in the country. This situation represents a risk to media diversity, which is "one of the important factors in the construction and improvement of the democratic system and for the existence of information" (VICENTE, 2009, p. 154).

Commanded by private monopolies, Brazilian media was one of those responsible for changing common sense on the issue of privatizations. Luis Fernandes (*In*: SADER; GENTILI, 1995) remembers this when recalling the example involving Petrobras.

When Petrobras was created, in the 1950s, there was great consensus in the National Congress regarding the opportunity to establish this state monopoly, the result of an intense popular campaign for mobilization

⁷ Research *Media Ownership Monitor Brasil*, financed by the government of Germany and carried out jointly by the Brazilian NGO Intervozes and Reporters Without Borders, which is based in France. Available at: <<http://brazil.mom-rsf.org/br/proprietarios/>>. Accessed on: 20 Nov. 2019.

and clarification. The criticisms made to Getúlio in parliament complained precisely about the withdrawn character of his project - parliamentarians complained that he made too many concessions to foreign capital. (FERNANDES, *In*: SADER; GENTILI, 1995, p. 55).

According to the author, this consensus no longer existed few decades later due to the “deliberate, incessant and brutal campaign against state monopolies by powerful private monopolies that dominate the media in the country” (FERNANDES, *In*: SADER; GENTILI, 1995, p. 55). Silva (2005), in his thesis *VEJA: The indispensable neoliberal party (1989 to 2002)*, specifically analyzes the actions of this channel that acted in forming organizers of changes and management necessary for the new order and concludes that the magazine created campaigns on great themes linked to the neoliberal agenda such as: the “demoralization” of public service, the “bankruptcy” of state companies, constitutional reforms and the opening of capital.

In view of all this, it is possible to begin to envision mainstream media’s role in the establishment of neoliberal governments and their influence on the human rights agenda as the media direct their support to the greatest current enemy to rights struggles that guarantee human dignity. However, care is needed to avoid generalizations about such a complex issue. After all, it is worth remembering that the same England that houses neoliberal origins maintains one of the largest public radio and TV corporations, the British Broadcasting Corporation (BBC). In addition, in Brazil, the role of alternative media has stood out, represented by independent channels that challenge communication oligopolies and find space on the internet to develop. These vehicles practice journalism outside the traditional medial mold - whether through selecting news, sources or framing (GOÊS, 2007) - and share the social movement values led by minorities, such as blacks, women, LGBTs and indigenous people, becoming their spokespersons.

The challenge of democratizing communication according to the Platform for Political System Reform

Understanding human rights as processes of struggle and their deconstruction due to the neoliberal agenda, which has been intensifying in Brazil, it was decided to

bring an agenda of social struggles to this discussion raised by the Social Movement Platform for the Political System Reform, whose main line of action is precisely the democratization of communication. In doing so, it seeks to understand how those who act in favor of democracy and a more just political system organize themselves and how their demands in the country's political, social and economic scenario are related to the right to communication.

An articulation of movements, entities, forums and networks, the Platform has been operating since 2004 with the aim of changing the way the Brazilian political system is institutionally organized and, according to the description published on its website:

[...] it comes from the assumption of the need to consolidate and expand spaces for participation, social control and the recognition of different political subjects who work in these spaces. In addition, we understand the need to improve representative democracy and at the same time, provide it with participatory and direct mechanisms. These transformations can only take place if we have a public communication system based on the principles of democratization, social control and the right to access information. That is why the human right to communication is central to this Platform. (PLATFORM FOR POLITICAL SYSTEM REFORM, 2020).

131

The human right to communication defended so emphatically by the Platform can be understood by reflecting on its role in a society. Pedrinho Guareschi (2013), one of Brazil's main scholars on this theme synthesizes what is behind this thought when conceptualizing communication as what sustains, transforms and reproduces it socially.

A quick glance, even superficial, shows us that no society can subsist, materially speaking, without food, water, shelter, security, elements that guarantee its material subsistence. But a society is not just that. No society can sustain itself, let alone transform itself, without something that socially sustains and reproduces it. And that is the media's role. (GUARESCHI, 2013, p. 34).

Being an intrinsic dimension to the human being, communication is, therefore, vital not only to exercise the right to express oneself freely, but also to take advantage of other fundamental rights. After all, the other rights inherent to human dignity "originate from this communicative dimension of human beings; and other instances

such as freedom, democracy, politics and ethics are unthinkable outside exercising the right to communication" (GUARESCHI, 2013, p. 176).

In this sense, when articulating its work with the right to communication as central pillar, it is inevitable that the Platform for Political System Reform will claim the democratization of the media, establishing it as one of its five axes of action along with (1) strengthening direct democracy, (2) strengthening participatory democracy, (3) improving representative democracy and (5) democratization of the justice system.

According to the Platform, it is not possible to think of full democracy within a scenario like the Brazilian one where, as we have seen, the information production outlets are concentrated under the power of a few. This is because this concentration makes the principle of a democratic society unfeasible, in which power belongs to the people, insofar as it hinders the plurality of views and communication production diversity that constitute the public sphere. "To assume communication as a fundamental right means to recognize the right of every human being to have a voice, to express themselves. To understand it as a right is to understand that it is necessary to design and implement public policies that guarantee it as such "(PLATFORM FOR POLITICAL SYSTEM REFORM, 2020).

The basis for claiming the human right to communication is linked to the idea of freedom of expression, defended by the Universal Declaration of Human Rights (1948), in its article 19, which states that "[...] every individual has the right to freedom of opinion and expression; this right includes the freedom, without interference, to have opinions and to seek, receive and transmit information and ideas by any means, regardless of borders." (United Nations General Assembly, 1948, Art. 19). A member country of the UN, Brazil also reflects this thought in our Federal Constitution (1988), which says that "the manifestation of thought is free" (BRAZIL, 1988, art. 5, § IV).

However, it is necessary to emphasize that the right to communication implies an extension of this right to freedom of expression and to transmit and receive information, as it involves something that is a priori. After all, how can anyone be free to express their thoughts and opinions, receive or transmit information, if they can't, they don't have the necessary means to communicate? Unlike what happened in the origins of democracy, when the citizens of Athena met in person at the Agora to discuss issues

of public interest, today, the mass democratic society needs the press, radio, television and the internet to communicate. (COMPARATO apud LIMA, 2012).

In the specific case of the Platform for Political System Reform, communication is the engine to leverage discussions, mobilizations and transformations, especially in 11 pre-established themes:

1. Women in spaces of power;
2. Digital public sphere;
3. Secularity of the State and religious diversity;
4. Community democracy;
5. Political system and LGBTQI + rights;
6. Economy and democracy;
7. Political power and youth;
8. Civil disobedience;
9. Racism and power;
10. Popular justice, formal justice and partisanship of the justice system;
11. Rights of indigenous and traditional peoples;

It is possible to observe that most of the themes - with an emphasis on minorities or marginalized groups (women, LGBTQI +, blacks and indigenous peoples) - are directly related to human rights guidelines, as they are raised by social movements, the cradle of the struggle for human dignity. Bringing together about 70 movements and organizations, the Platform shows how communication represents a strategy of resistance to the advance of neoliberalism and why it is a basic element in the struggle for all fundamental rights.

Final considerations

There are great challenges to think of communication as a human right within a society like ours. In the hands of a select few, who seek profit above all, it is not treated

even as a right, much less as a human right. Thus, the biggest problem that prevents the formation of more democratic media and involves violations of the human right to communication is capitalism. It's a fact that we live in a capitalist society, with its assumptions and consequences, which includes treating what is essential for us to participate in the decisions of the nation as merchandise, to build the place where we live and enjoy our freedom. It is not possible to exercise the right to communication when it is only in the hands of a powerful and few groups that have fallacious and even threatening arguments when they say, for example, that those who have a particular communication channel have property and the right to property it is untouchable (GUARESCHI, 2013).

When studying the relationship between neoliberalism and communication, we can see that the media sector is as susceptible to political orders and new forms of business organization as any other sector of production. The difference is in the potential that this adherence can cause in society, since one of the functionalities of the media in democracies, according to sociologist Michael Schudson, is to generate social mobilization, being able to "serve as defenders of specific political perspectives and programs and mobilize people to act in support of these programs "(SCHUDSON, 2008, p.12).

This, which is treated by the author as a positive point, can also have negative consequences, as in the case of support for the neoliberal program, which represents a threat to human rights. When working for such a program, which benefits the richest and disregards social rights, the mainstream media will hardly be able to exercise other functions with quality, such as provoking empathy in the public, showing other realities and granting spaces to those less favored by the instances for example, and to promote a public forum for discussion and dialogue among citizens, acting as a common carrier of the views of various groups in society.

This plurality of information, as stated by Vicente (2009), is indispensable in the formation of a democratically civil society, which, as we have seen, is the cradle of human rights (GALLARDO, 2014). In this sense, the democratization of communication is increasingly necessary to fight against neoliberalism and in favor of human dignity's essential rights, since only with the fair distribution of the means of communication will

it be possible to reduce the concentration of power of the great media and oligopolies and ensure that any legally organized citizen or group can express their messages, ideas or criticisms.

The press can indeed contribute to social struggles for human rights to the extent that it plays its role of mediating the debates and discussions raised by social movements, representing them and giving them space and validity. But, for this to happen, it is necessary that ethical values prevail over monetary ones and communication starts to be treated as a right and not as merchandise.

Even with the rise of republics and democratic regimes, today, very few are subjects of human rights, most are just objects. Thus, we cannot let ourselves be blinded by illusions, be paralyzed believing that the law already guarantees all rights just because constitutions tell us so. As Flores (2009) already said, human rights are “more than rights themselves, they are processes; in other words, the constantly provisional result of human struggles put into practice to gain access to the goods necessary for life.” (2009, p.28). Recognizing ourselves as part of this open process of social struggle for dignity, especially nowadays, has been shown to be increasingly necessary, as there are many threats that not only attempt to prevent us from advancing, but also make us fear setbacks.

References

ANDERSON, P. Balanço do neoliberalismo. In: SADER, Emir; GENTILI, Pablo (Orgs.). *Pós-neoliberalismo: as políticas sociais e o Estado democrático*. Rio de Janeiro: Paz e Terra, 1995, p. 9-23.

ASSEMBLEIA GERAL DA ONU. *Declaração Universal dos Direitos Humanos*. 217 (III) A, 1948, Paris, art. 19. Available in: <<https://bit.ly/1c4a30C>>. Accessed on: oct. 20, 2019.

BRASIL. *Constituição da República Federativa do Brasil de 1988*. Brasília, 1988. Available at: <http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm>. Accessed on: oct. 20, 2019.

BUCCI, Maria Paula Dallari et al. *Direitos humanos e políticas públicas*. São Paulo: Pólis, 2001. Available at: <<https://www.polis.org.br/uploads/831/831.pdf>>. Accessed on: nov. 20 nov. 2019.

CHAUÍ, Marilena; SANTOS, Boaventura de Sousa. *Direitos humanos, democracia e desenvolvimento*. – 1. ed. São Paulo: Cortez, 2014.

COMPARATO, Fábio Konder. *A afirmação histórica dos direitos humanos*. 6. ed. São Paulo: Saraiva, 2008.

ESCRIVÃO FILHO, Antonio; SOUSA JUNIOR, José Geraldo de. *Para um debate teórico-conceitual e político sobre os direitos humanos*. 2. reimp. Belo Horizonte: D'Plácido, 2019.

FLORES, Joaquín Herrera. *A reinvenção dos direitos humanos*. Florianópolis: Fundação Boiteux, 2009.

GALLARDO, Helio. *Teoria crítica: matriz e possibilidade de direitos humanos*. 1. ed. São Paulo: Editora Unesp, 2014.

GOÉS, Laércio. *Características do jornalismo alternativo dos movimentos Sociais na web*. Salvador, 2007. Available at: <<http://periodicos.uff.br/ciberlegenda/article/view/36679/0>>. Accessed on: nov. 21, 2019.

GUARESCHI, Pedrinho. *O direito humano à comunicação: pela democratização da mídia*. Petrópolis-RJ/Brasil: Vozes, 2013.

HOBBS, Thomas. *Leviatã: ou matéria, forma e poder de um estado eclesiástico e civil*. São Paulo: Martin Claret, 2014.

KUCINSKI, Bernardo. "Melhor o jornalismo, melhor a democracia". [Interview granted to] SESCTV. *Observatório do Direito à Comunicação*, 2008. Available at: <<http://www.intervozes.org.br/direitoacomunicacao/?p=20557>>. Accessed on: oct. 20, 2019.

LIMA, Venício Artur de. *Liberdade de expressão x Liberdade de imprensa: Direito à comunicação e democracia*. São Paulo: Publisher Brasil, 2012.

PLATAFORMA PELA REFORMA DO SISTEMA POLÍTICO. *Quem somos*. 2020. Available at: <<https://reformapolitica.org.br/quem-somos/>>. Accessed on: feb. 20, 2020.

RUIZ, Jefferson Lee de Souza. *Direitos humanos e concepções contemporâneas*. São Paulo: Cortez, 2014.

SCHUDSON, Michael. *Why democracies need an unlovable press*. Cambridge: Polity Press, 2008.

SILVA, Carla Luciana Souza da. *Veja: o indispensável partido neoliberal (1989 a 2002)*. 2 v. Thesis (Doctorate in History) - Instituto de Ciências Humanas e Filosofia. Unioeste. Niterói, 2005. Available at: <<https://www.historia.uff.br/stricto/td/508.pdf>>. Accessed on: nov. 20, 2019.

SILVEIRA, J. Direitos humanos e políticas públicas: panorama e desafios contemporâneos. In: BONETI, Lindomar Wessler *et al.* *Educação em direitos humanos: história, epistemologia e práticas pedagógicas*. Ponta Grossa-PR/Brasil: Ed. UEPG, 2019.

TRAQUINA, Nelson. *Teorias do jornalismo: porque as notícias são como são*. v. 1. 2. ed. Florianópolis: Insular, 2005.

VICENTE, Maximiliano Martin. *História e comunicação na ordem internacional*. São Paulo: Editora Unesp, 2009. Available at: <<http://books.scielo.org/id/b3rzk/pdf/vicente-9788598605968.pdf>>. Accessed on: nov. 20, 2019.

Received: February 28, 2020.

Approved on: April 6, 2020.