

6-15-2006

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## Recommended Citation

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## Community Radio Struggles For Legitimacy In Guatemala

by Mike Leffert

Category/Department: Guatemala

Published: 2006-06-15

The Guatemalan government is again coming down hard on community radio, or, as officials like to call it, pirate radio. The practice of hunting down and destroying tiny jury-rigged stations was once a function of the national security state. During the long civil war that ended with the December 1996 Peace Accords, pirate radio was important to the guerrillas for propaganda, education, and tactics. Now the situation is different, most importantly because tiny communities are broadcasting to themselves and deciding content.

The government has, under the law, the right to license and regulate radio stations in Guatemala. But, under the terms of the Peace Accords, "The government has the obligation to promote the approval of legislation facilitating the distribution of radio frequencies to indigenous communities and to ensure the respect of the principle of nondiscrimination in the use of radio frequencies." As with many other obligations under the accords, the government is out of compliance (see NotiCen, 2002-11-21 and 2003-04-03).

By 1999 the government had already fined 120 of these stations, many of them very small operations, very limited in broadcast area, serving rural indigenous communities. Many closed down, while others were forced to bid against media companies for their frequencies. Radio Qawinagel, an indigenous station operating out of a school in Palin, Esquintla, had to mortgage the school building to pay more than US\$52,000 to keep its frequency. The station's studio measures 4 square meters, student volunteers operate it, and it reaches less than 20 km from the schoolhouse. Other stations have hidden directional antennas in the deep ravines and gorges that fracture the country, pinpointing their transmissions to avoid detection. One such, La Voz de la Comunidad, operated in the heart of Guatemala City to serve the urban slums that hang off the steep ravine walls.

Operations like these have their roots in clandestine efforts like Voz Popular that stayed mobile, constantly setting up, tearing down, and moving on the skirts of Tajumulco volcano during the war. "It was our job to provide an alternative voice for the people and to those outside Guatemala," said Juana Mendez Rojas, one of the voices of the station at the time. "We informed people on how the war was progressing, and we denounced the terrible human rights abuses that were going on. The radio station also prepared people for the struggle." The station was a high-priority target for the Army; over the years they shelled it, surrounded it, attacked it, and used technical means to silence it.

But they never did, at least not until after the war when Voz Popular sought a license to obtain a legal frequency and the government turned it down. Voz Popular beamed its message from 1987 until the war's end. Roja was never silenced.

Years later, continuing the struggle for women's and indigenous rights as head of communications for the Asociacion para la Promocion, Proteccion y Desarrollo de la Naturaleza, she found the

creation of a Mayan radio station to be prohibitively expensive. So she continued to produce programs, but only on a closed-circuit transmitter. Other members of Voz Popular tried to continue the mission. "We thought it was important to continue this project," said Alberto Ramirez Recinos, "so we put down our arms and picked up a microphone." Ramirez, a founder of Voz Popular, and others started the community radio station Mujb ab'l vol (encounter of expression) broadcasting to Concepcion Chiquirchapa, an indigenous village north of Quetzaltenango. That effort eventually grew to become an association of 240 community stations throughout Guatemala and all on unauthorized frequencies.

These stations fill a need that cannot be filled by any other means. Those that broadcast in indigenous languages speak to listeners who are largely ignored by the Spanish-speaking majorities. They speak to interests and issues for the most part unknown and unrecognized outside their communities. They speak to people who cannot get the mainstream news any other way because they cannot read newspapers, and they listen on battery-powered radios because they have no electricity.

Now the community stations are once again targets, not of soldiers and airplanes, bombs and mortars, but of the law and of the consolidated commercial media. The community stations have organized other associations beyond Mujb ab'l vol, to include the Asociacion de Emisoras Comunitarias del Sur Occidente (AECOSO) with 150 stations, the Consejo Guatemalteco de Comunicacion Comunitaria (CGCC) with 240, the Asociacion de Medios Comunitarios de Guatemala (AMEGUA) with 250, and others.

But the Superintendencia de Telecomunicaciones (SIT) says that these stations are not registered, that there only 438 FM and 99 AM stations registered in the country and all are commercial stations. SIT chief Oscar Chinchilla said, "The law mentions three types of frequencies, those of the state, those that are regulated (the commercial stations), and the amateur (ham) stations." All the rest are pirates, subject to raids, fines, and shutdown.

In just two months, March and April, nine stations have been raided in Jutiapa, Solola, Chimaltenango, Quetzaltenango, and Huehuetenango. Among those arrested has been the brother of Secretary of Peace Norma Quixtan. The raids tend to be brutal and dangerous. When the Catholic Church station Apocalipsis in Santa Maria de Jesus, Sacatepequez, was raided, operators charged it was done violently. More than a thousand residents gathered to demand return of the transmitters, the local Policia Nacional Civil (PNC) substation was burned down, and five police were taken hostage.

What is lost besides the liberty and resources of the operators, said William Mazariegos of CGCC, is "a nonsectarian medium, without political or party base, that must transmit its information in the local language and that must be open to the participation of the population, be integrative, educational, and cultural." It's just a matter of law for both sides. For the commercial-media owners, however, it is all just a matter of obeying the law.

Mario Valderramos of the Camara Guatemalteca de Radiodifusion (CGR) says community radio is just a format like any other, like top forty, like golden oldies. "What we object to is the illegality

under which some of them function," he said. The community operators believe they, too, have the law on their side.

The state is obligated to fulfill the terms of the Peace Accords, and the Acuerdo de Identidad y Derechos de los Pueblos Indigenas is clearly on their side. Mazarriegos says the government made a commitment specifically to reform the Law of Telecommunications for these purposes and simply never did it.

Deputies Nineth Montenegro and Marcelino Nicolas Moscut have introduced a bill in the legislature that would reserve FM frequencies for civil nonprofit community organizations. The bill is now in committee, the Comision de Comunicaciones, where, says committee president Luis Alberto Contreras, it is undergoing legal and technical analysis. Also being studied is the question of who is eligible for the few available frequencies.

The broadcasters and others with political interests are fighting the bill, charging political influence. They complain that one of the bill's authors, Moscut, is also president of the Asociacion de Radios Comunitarias de Guatemala (ARCG). It is the commercial broadcasters, however, who have all the power. Their influence comes from their control of airtime for political campaigns. Their control of the tightly packed broadcast bands gives them, as a group, virtual censorship over what can be said on the air, and who can say it.

As the legal wrangling continues, the problem has been brought to the Inter-American Commission on Human Rights (IACHR), part of the Organization of American States (OAS), which has already recommended that Guatemala change laws to guarantee equal access to radio and television frequencies.

A commission has been formed in Guatemala to seek solutions, presided by the government's human rights chief Frank La Rue. La Rue said he would like to see an outcome whereby stations belong to the municipality or community and not to any organization. He foresees that the matter could be taken up by UNESCO and the Asociacion Mundial de Radios Comunitarias (AMARC).

A serious concern is Guatemala's entry into the Central America Free Trade Agreement (CAFTA). That would allow US commercial broadcasters to buy up available frequencies or any commercial broadcasting properties they wish. At the moment, says the SIT, there are only 18 FM frequencies available for departmental coverage and no AM frequencies. "The radio spectrum is saturated," said Chinchilla. The only option left, he said, is to go to time-sharing of frequencies. Despite La Rue's advocacy, most observers say there will be no changes before the elections scheduled for 2007.

The community-station organizations are also having a hard time organizing and coming together. At a recent meeting to define agendas and plan joint activities, the definition of a community station became an obstacle. There was a call for the CGCC to purge member stations that did not fit the scheme most agreed on, or the definition put forth by Mazarriegos. That would mean to some that a station could not carry ads for international products but could advertise local products. It would mean to many that a station could not devote more than 10% of broadcasting to religious programming.

At least one of the member associations of the CGCC, however, is predominantly religious. Some are nonprofit, and some operate for profit. Some are collectively owned, and some individually. Some provide ample airtime to the communities, and some just pump out religious music and evangelical messages. Out of this diversity, some consensus was built around the idea that what defines them is, first, that they are all in serious jeopardy because of the existing law and its intemperate enforcement, and second, that their listeners are considered subjects, rather than objects as with commercial stations.

So, in the case of the Catholic station in Santa Maria de Jesus, the operative criterion is that the community members, the same ones who massed to demand the return of the equipment, were also the people who chipped in, sold livestock and other goods to buy that equipment. The issue devolved to the sense of ownership on the part of the listener.

Although nominally religious, Apocalipsis had been broadcasting educational and social programming in both Spanish and Kaqchikel.

#### Appeal to the international community

The greatest hope for the future of these stations may lie with organizations in the international community that recognize the transformative power of radio in this sensitive postwar period in Guatemala. Radio has been used in San Marcos and in Huehuetenango to organize communities in the face of depredations by mining companies, as well as in other communities to alert populations of dangers to their way of life. Rigoberto Juarez of the Movimiento Q'anjobal noted, "The radio has been a fundamental instrument to mobilize the people. It is an instrument of the people that accompanies us at every moment."

It is also the instrument that can best ensure the endangered indigenous culture. "Community radio is the key space that can guarantee the survival of 21 languages that are the patrimony of humanity. It is a magnificent sign of democratic health and the best indicator that the culture of silence is breaking down," said Amalia Jimenez of AMARC. AMARC has gotten a US\$100,000 grant to promote community radio in the country and particularly to defend against police threats and aid in the legalization process.

Other help has come from the Movimiento por la Paz, el Desarme y la Libertad (MPDL), which has been contributing US\$390,000 annually to train community radio personnel, aid which will terminate in 2007. This organization is lobbying the Congress for passage of reform of the telecommunications law.

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