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MEDIA LITERACY AND COMMUNICATION RIGHTS

Ethical Individualism in the New Media Environment

Brian O'Neill

Abstract / The dominant discourse of media literacy policy espouses an ethical individualism within the digital media environment in which the source of moral values and principles, and the basis of ethical evaluation, is the individual. In this perspective, even vulnerable citizens such as children and young people who tend to be in the vanguard of new media adoption, are required to negotiate the risks and opportunities of the online world with diminishing degrees of institutional support from trusted information sources. Noticeably absent from this discourse is any consideration on the notion of communication rights. Examining an alternative conceptualisation of media literacy identifies it as a fundamental human right as important as other forms of literacy. Examining some of the ethical challenges that citizens now face in the digital world, the article argues that a rights-based framework is required to address the challenges posed for media literacy education.

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Keywords / media literacy / media policy / ethical individualism / communication rights/ children's rights / children and new media / internet safety.

This article examines two opposing perspectives within current media literacy policy, particularly within a European context. The dominant discourse of media literacy policy espouses an ethical individualism within the digital media environment in which the source of moral values and principles, and the basis of ethical evaluation, is the individual. The individual is deemed responsible for choosing effectively and appropriately from an ever-increasing range of audiovisual services and is required to develop responsible modes of conduct and behaviour in the digital world. From a societal point of view, even vulnerable citizens such as children and young people who tend to be in the vanguard of new media adoption, are required to negotiate the risks and opportunities of the online world with diminishing degrees of institutional support from trusted information sources. What is absent from this way of describing media literacy is any consideration of the notion of communication rights, such as the right to accessible information, the right to communicate, and the right to privacy. This is the alternative discourse of media literacy that regards it as fundamental a human right as other forms of literacy. Over the course of its history, media literacy education has made an important contribution to raising awareness of communication rights and promoting an understanding of media literacy as a social and not just individual competence. UNESCO's Declaration on Media Education of 1982 – the groundbreaking Grünwald Declaration – highlighted the importance of developing a critical understanding of the media environment we inhabit and fostering greater citizenship and social participation through the use of the media (UNESCO, 1982). Ratified by 19 participating countries, it became a milestone in the justification for media education and urged political and educational systems across the world to promote in their citizens a critical understanding of the phenomena of communication. The more recent attention given to media literacy within a public policy context, specifically European Union initiatives towards regulation within the digital environment, has provided a welcome boost for the work of media education but, as discussed below, has been noticeably silent on the topic of communication rights. Instead, it has promoted a form of ethical individualism far removed from the founding declarations and core principles of media literacy.

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Media literacy and public policy

Media literacy, for long a concern of educators and media researchers, is now a major focus of public policy, particularly in Europe. Following many years of debate and development within education, hampered by limited governmental support and poor public awareness, the concept has more recently moved from the educational sphere to become something of a buzzword in thinking about forms of regulation in the emerging converged communications market. Governments and media regulators in the European Union as well as a number of other countries across the world such as Australia, Canada, New Zealand and Israel have adopted media literacy as a heuristic device to better understand the needs of the media viewer or audience member in today's fast changing media environment. In the United Kingdom, the Communications Act 2003 obliges Ofcom to promote media literacy by 'bringing

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about, or encouraging others to bring about, a better public understanding and awareness of media content, processes, technologies and systems of regulation' (Ofcom, 2004: 18). Recent legislative change in Ireland has established a new media regulatory body which includes functions to encourage and foster research and to undertake measures and activities which are directed towards the promotion of media literacy (O'Neill and Barnes, 2008). The Australian Communications and Media Authority likewise argues that media literacy is vital to ensure that Australians are equipped with tools to make informed choices about media and communications services and to enable people to participate effectively in the digital economy (ACMA, 2009). A recent review of New Zealand's regulatory system has argued that digital literacy is essential to secure 'public value' (encompassing cultural, educational, social and democratic value) by delivering benefits of the new media environment to audiences as citizens, and not simply as consumers, warning that digital illiteracy could be a major threat to ensuring a viable diversity of digital media (Ministry of Economic Development, 2008: 11). In Israel, the regulatory authority promotes media literacy as part of its function to support 'Israeli audiovisual works, fostering good citizenship and strengthening values of democracy and humanism, and maintaining broadcasts aimed at educating the general public and specific groups' (Loffler, 2008). And in Canada, building on the long established presence of media literacy within the school curriculum, the Canadian Radio-television and Telecommunications Commission (CRTC) supports an extensive Media Awareness Network involving industry and educational groups as part of its social policy mandate.

Initiatives such as these cite media literacy as a pre-requisite to effective participation in technologically advanced societies in which rapid change in information and communications services has become the norm. Technological skills are now central to many communicative processes and media or digital literacy requires a broad range of competences in new and traditional media that allow all citizens to play a full part in today's society. Failure to do so, it is argued, will mean an increasingly atomized society and a growing digital divide between those who are skilled or digitally literate and those who fall behind (Commission of the European Communities, 2007). Conversely, a highly media literate society, it is proposed, is one in which social cohesion flourishes, and in which competitiveness in a knowledge economy is supported. In the words of the Audiovisual Media Services Directive, Europe's main instrument of media policy:

> *Media-literate people are able to exercise informed choices, understand the nature of content and services and take advantage of the full range of opportunities offered by new communications technologies. They are better able to protect themselves and their families from harmful or offensive material. (Commission of the European Communities, 2007a: para 37).*

Within academic and educational circles, there has been much discussion and debate about the term "media literacy", its imprecision, and the manner in which it has been transposed into this public policy context (Kline, Stewart et al., 2006; Livingstone, 2008). There is concern that the definitions adopted are too vague and do not provide sufficient scope for developing the skills of critical analysis which media educationalists seek. There is also some suspicion about the motives of governments in adopting policies on media literacy, fearing that this will mean 'passing the buck' when it comes to the more difficult aspects of media regulation and control (Bragg, Buckingham et al., 2006: 40). As a 2007 report for the Australian Communications and Media Authority puts it: 'when a government steps back from regulation, every consumer has to, in effect, become their own regulator' (Penman and Turnbull, 2007: 40).

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The definition of media literacy that is most widely used is its formulation as the ability to 'access, analyze, evaluate, and produce both print and electronic media' (Aufderheide, 1997: 79). In a complex, multi-stakeholder field, it is probably the closest there is to an agreed definition (Livingstone, 2004: 5) even if it is also, necessarily, a minimalist one, arising out of the attempt to bring together a wide variety of different views and perspectives on the purposes and goals of media education. This particular definition was consolidated at the National Leadership Conference on Media Literacy organized by the Aspen Institute in Washington DC in 1992 and brought together leaders of the fledgling US media literacy movement to co-ordinate and agree on the basic strategies for the field (Aufderheide, 1993). The fundamental objective of media literacy within this definition is a 'critical autonomy relationship to all media' organized around a set of common beliefs or precepts, which recognize that the media are constructed and that they have wide commercial, ideological

and political implications. Typically, this approach to media education has been operationalized, at least up to relatively recently, in full-time educational settings through curricula designed to foster greater critical awareness at an individual level with less emphasis on the goals of fostering greater social awareness.

Despite the overt emphasis on individual critical awareness skills, a strong public dimension and democratic orientation has underpinned the ideology of media education throughout its history. The first principle of media education, Len Masterman argues, is 'the empowerment of majorities and the strengthening of society's democratic structures' (Masterman, 1985). It is a process, advocates argue, inextricably bound up with human rights of freedom of information and expression. The outcome of media education is the ability to make 'one's own judgment on the basis of the available information' (Krucsay, 2006). In fostering a sense of critical autonomy, the media literate person is empowered by a greater understanding of how the media *mediate* reality, rather than simply reflect it, and accordingly is better prepared to participate in society on more equal terms. Noting that in the 1996 US presidential election 89% of 18-year-olds did not vote, Kubey argues that in a representative democracy, people must be educated in all forms of contemporary mediated expression, and that the teaching of civics and social studies must include a media literacy dimension (Kubey, 2004).

One of the reasons the United States lags behind the rest of the English-speaking world in the formal delivery of media education, Kubey suggests, is the failure to recognize media literacy and media education as a right that all children and young people have (Kubey, 2003). Internationally, media literacy as a matter of public policy derives from its origin in a conception of communication rights (O'Siochru and Alegre, 2006), in turn derived from basic human rights, as guaranteed by such international declarations as the Universal Declaration of Human Rights (1948), the Convention for the Protection of Human Rights and Fundamental Freedoms (1950) and the UN Convention on the Rights of the Child (1990). The contribution of intergovernmental organizations such as UNESCO and the Council of Europe to promoting the public dimension of media literacy as a means of enhancing democratic life has been a decisive and influential one. UNESCO effectively initiated the concept of media education in the 1970s and sought input from leading researchers to develop strategies for its incorporation into the education systems of all developed countries (Zgrabljic-Rotar, 2006: 10). The Grünwald Declaration of 1982 originally argued the need for political and educational systems to promote citizens' critical understanding of the phenomena of communication. Since then, successive UNESCO conferences have built an international case for media and information literacy as an integral part of people's life-long learning, promoting research into the role and the effects of the media upon society and seeking 'new ways in which people can enhance their participation in the political and cultural life of the general community through the media' (UNESCO, 2007). The UNESCO report *Media Education a Global Strategy for Development* (Buckingham, 2001) assessed the position of media education worldwide, recast guidelines for media education for a new century and set a strategy for its future development. The accompanying *Youth Media Education Survey* (Domaille and Buckingham, 2001) documented the central facilitative role that UNESCO has played in the development of media education at various stages in its history.

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The Council of Europe (CoE) has similarly played an important role in promoting media literacy as a public policy concern. Within the context of its mandate of promoting human rights, pluralism and the rule of law, the Council of Europe has emphasized citizens' interests in the media and developed recommendations on policies concerning human rights, democracy, and the right to information and freedom of expression with a particular emphasis on the protection and promotion of human rights of young people. Its 2006 recommendation on children in the new information and communications environment advocated 'a coherent information literacy and training strategy that is conducive to empowering children and their educators in order for them to make the best possible use of information and communication services and technologies' (Council of Europe, 2006). Member states accordingly are required to ensure that children are familiarized with, and skilled in, the new information and communications environment, have the necessary skills to create, produce and distribute content and communications, and that such skills should better enable them to deal with content that may be harmful in nature.

Similarly, its 2007 recommendation to member states promoting freedom of expression and information highlights transparency and reliability of information as a crucial element of human rights within the new information and communications environment (Council of

Europe, 2007). Advocating a multi-stakeholder approach comprising governments, private sector and civil society organizations, the recommendation recognizes that exercising rights and freedoms in the new environment requires affordable access to ICT infrastructure, access to information as a public service and common standards and strategies for reliable information, flexible content creation and transparency in the processing of information. Member states are encouraged to create a clear enabling legal framework and complementary regulatory systems, including new forms of co-regulation and self-regulation that respond adequately to technological changes and are fully compatible with the respect for human rights and the rule of law.

There exists therefore a formidable tradition of media literacy as an expression of human rights that has featured in international efforts to achieve greater equality, accountability and accessibility within the media sphere. The insertion of media literacy then into the regulatory domain and public policy discourse is a welcome development though the manner in which it has been incorporated into regulation of new media services has been a cause of some surprise and criticism.

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European media literacy in the digital environment

European media policy gives priority to the notion that all citizens need to be media literate to fully participate in the today's media and technology-rich society. The European Commission defines media literacy as follows:

> *Media literacy is the ability to access the media, to understand and to critically evaluate different aspects of the media and media content and to create communications in a variety of contexts. Media literacy relates to all media, including television and film, radio and recorded music, print media, the Internet and all other new digital communication technologies. It is a fundamental competence not only for the young generation but also for adults and elderly people, for parents, teachers and media professionals. The Commission considers media literacy as an important factor for active citizenship in today's information society. (Commission of the European Communities, 2009a)*

The knowledge and skills that media literacy provides feature prominently in European Union policies to promote an open and competitive digital economy and are regarded as key to improving social inclusion, public services and quality of life for European citizens. The Audiovisual Media Services Directive or AVMSD (Commission of the European Communities, 2007), as the main instrument of European media policy, provides the principal platform for promoting media literacy and requires member states to support measures to achieve greater awareness and promotion of media literacy. From 2011, the European Commission will assess and measure levels of media literacy across the European Union drawing on a broad range of indicators including measures of individual and social competence (levels of awareness, the capacity for critical thought and the ability to produce and communicate a message) as well as environmental factors (informational availability, media policy, education and the roles and responsibilities of stakeholders in the media community) (European Association for Viewers Interests, 2009: 7). Calling on member states to ensure that all relevant regulatory authorities and media industry interests play their part in helping to promote and improve levels of media literacy, the Commission advocates that this policy is central to Europe' objective of achieving 'a more competitive knowledge economy, while contributing to a more inclusive information society' (Commision of the European Communities, 2009b: 3).

Important to note in this regard is that the inclusion of media literacy within the AVMSD comes as part of a package of measures to ensure an effective European single market exists for audiovisual media services. Responding to technological developments and seeking to create a level-playing field in Europe for emerging audiovisual media services, AVMSD replaces the older Television without Frontiers Directive and seeks to respond to the new media marketplace of proliferating services across television, cinema, video, websites, radio, video games and virtual communities. The Directice is intended to be a comprehensive legal framework that covers all audiovisual media services (including on-demand audiovisual media services), enabling new forms of advertising and sponsorship in accordance with changing commerical practices (Commission of the European Communities 2007a). While the key pillars of European audiovisual policy remain firmly in place (cultural diversity, protection of minors, consumer protection, media pluralism, and the fight against racial and religious

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hatred), media literacy now joins the policy lexicon as the means to enable citizens to make informed choices and to provide the critical, evaluative skills necessary to navigate a complex and crowded audiovisual space.

The Directive articulates a European policy commitment to enhance public awareness of media literacy, now and in the future. The notion of media literacy proposed is a more limited version compared to the other policy formulations considered above and restricts its remit to exercising 'informed choice' and making use of new technological opportunities. Arguably, the definition is a market-oriented one, with the consumer rather than the citizen in mind. The policy seeks to offset the effects of weakening controls and regulation of the market place by placing the responsibility on individuals to protect themselves and their families. AVMSD does cite other contexts in which media regulation plays a facilitative role – in relation to measures for the protection of minors and human dignity and for exercise of the right to reply, for example. In the main, however, the responsibility for leveraging opportunities and protecing against harms in the digital media environment lies squarely with the individual.

A further building block to European media literacy policy was added with the publication in 2007 of a European Commission communication on media literacy, complementing AVMSD and charting a course for further action in the field. Drawing on the widely-used definition of media literacy as 'the ability to access the media, to understand and to critically evaluate different aspects of the media and media contents and to create communications in a variety of contexts' (Commission of the European Communities 2007b: 3), the communication focuses on the three specific areas of commercial communication, audiovisual works and online communication, characterising the relevant dimensions of media literacy as follows:

- *feeling comfortable with all existing media from newspapers to virtual communities;*
- *actively using media, through, inter alia, interactive television, use of Internet search engines or participation in virtual communities, and better exploiting the potential of media for entertainment, access to culture, intercultural dialogue, learning and daily-life applications (for instance, through libraries, podcasts);*
- *having a critical approach to media as regards both quality and accuracy of content (for example, being able to assess information, dealing with advertising on various media, using search engines intelligently);*
- *using media creatively, as the evolution of media technologies and the increasing presence of the Internet as a distribution channel allow an ever growing number of Europeans to create and disseminate images, information and content;*
- *understanding the economy of media and the difference between pluralism and media ownership;*
- *being aware of copyright issues which are essential for a "culture of legality", especially for the younger generation in its double capacity of consumers and producers of content. (Commission of the European Communities, 2007b: 4)*

The above indicative features and qualities of media literacy elaborate on the notion within the AVMSD and characterize a new relationship between the individual (defined either as citizen or consumer) and institutionalized media with far-reaching implications for roles and responsibilities of viewer/users and regulators alike. The new 'media-literate' audience member is no longer a passive subject, consuming programmes and services that have been selected and approved on their behalf. The media-literate viewer is required or 'challenged to make active choices in a commercialized and interactive programme landscape' (Helberger, 2008: 140). In an environment of on-demand services, viewers, rather than consuming a pre-ordained media diet, subscribe through what is essentially a service contract for products and services. In the ideology of the AVMSD framework, all needs – civic, social and personal – are addressed through a market in which individuals exercise control through their purchasing power. Responsibility and the ethical dimensions of choice are transferred to the individual user or buyer, supported through media literacy. This, as commentators have observed, marks a significant shift of responsibility from collective forms of regulation and control onto the individual who is deemed responsible and assumed to be capable of making informed choices in matters of communication and social interaction in today's mediated environment (Livingstone, Lunt et al., 2007; Penman and Turnbull, 2007; Oswell, 2008).

Media literacy, it is true, now enjoys a wider circulation and a higher profile than ever before, and is increasingly a cornerstone of media and social policy in the digital age. However, formulated in this way media literacy is restricted to domains such as commercial

communication, individual use and personal responsibility and is concerned with developing the skills, techniques and knowledge that benefit the individual but have little to say about the social context of communication. The ideal subject as posited in this type of approach is predominantly that of the consumer and much less so the citizen and whose conception of communication rights and responsibilities need not refer beyond individual use. This may be characterized, using the classic formulation of Stephen Lukes (1973), as a form of ethical individualism in which the source of moral values and principles and the basis of ethical evaluation is the individual.

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Ethical individualism and the citizen

Ethical individualism, according to Lukes, is a view of the nature of morality as essentially individual:

> .. the *source of morality, of moral values and principles, the creator of the very criteria of moral evaluation, is the individual: he becomes the supreme arbiter of moral (and, by implication, other) values, the final moral authority in the most fundamental sense (Lukes, 1973: 101) (emphasis in original).*

Ethical individualism is a logical extension of the idea of the primacy of the autonomous individual over the collective. The autonomous individual, central to Western rationalist thought, is free to choose the values he or she wishes to live by. Further, there is no basis on which to evaluate one set of values as superior to another. Facts and values are logically distinct and there is no empirical description of the world that compels us to accept any particular set of moral evaluations or principles. The rise of ethical individualism particularly from the late nineteenth century on is clearly linked with the decline of religion and other overarching frameworks for moral certainty or authority. As cited by Lukes, Max Weber's characterization of being 'destined to live in a godless and prophetless time' captured the *zeitgeist* of the rise of ethical individualism (Lukes, 1973: 103) later explored more fully in the existentialist philosophies of Kierkegaard, Nietzsche and Sartre. Moral choice – for Kierkegaard, the moral choice between a life of pleasure seeking versus a life of duty, or for Nietzsche whether any moralities could be trusted – is ultimately decided by the individual (see Masterson, 1971). The existentialist version of this doctrine *par excellence* is that of Sartre whose more humanist account derived from the need for the individual to assume the responsibility of being 'condemned' to free choice (Sartre, 1974). Describing the existentialist starting point as the fact that without the existence of God, everything is permissible, he wrote: 'There is no legislator but himself; that he himself [sic], thus abandoned, must decide for himself' (as cited in Lukes, 1973: 105). Ethical individualism is ultimately defined by being resolutely relativist and opposed to any objectivist account which describe moral choices or principles as normative, or as defined not by choice but by reason, by principles of human nature, needs of society or as religiously defined.

The description of ethical individualism is particularly apposite in the contemporary media policy environment where individuals are called on to 'exercise informed choices' and take advantage of the opportunities afforded by greater deregulation in the audiovisual marketplace. Media literacy as outlined within the policy frameworks of AVMSD and related developments however conflates the individual and the social, and attempts to have it both ways. It posits the individual as the arbiter of choice and the moral compass around which decisions of standards of content, behavior, and engagement revolve while at the same time claiming that media literacy makes better citizens, extends the benefits of the information society to a greater number, and fosters inclusion, improved public services and better quality of life.

To date, this conceptual conflation has been highlighted in debates surrounding the competing interests of 'citizens' versus 'consumers' in media literacy policy (Livingstone, Lunt et al., 2007). In European policy terms, media literacy is consistently presented as serving both. Media literacy, it is said: '..empowers *citizens* with the critical thinking and creative problem-solving skills to make them judicious *consumers* and producers of content. Media literacy also supports freedom of expression and the right to information, helping to build and sustain democracy' (Commision of the European Communities, 2006). This tension between the individual orientation and the social goals of this policy was noted in research conducted for the European Commission which identified a contradiction between, on the one hand, the primacy given to economic interests, the development of markets, and the fostering of skills

for creating demand as well as employability, and on the other, the political interest in seeking to encourage active citizenship through media literacy (Universidad Autonoma de Barcelona, 2007: 67).

Yet the overriding ideological framework of AVMSD and its associated media policy is that of deregulated, free market principles and the primacy of economic concerns over public interest (Silverstone, 2004; Freedman 2006; O'Regan and Goldsmith, 2006; Smith, 2006; Iosifidis, 2007). Reconciling the citizen-consumer dichotomy and arguing for a balance of citizen and consumer interests works against the odds when economic logic is framed against softer-focus objectives of citizen interest and issues of social, cultural and democratic value which are invariably harder to define (Livingstone, Lunt et al., 2007: 72). Media policy decisions become increasingly driven by economics, as Freedman warns, because the multiple stakeholders of converged regulatory regimes – policy makers, civil society interest groups, and industry representative, who may already be ideologically opposed to each other –find it very difficult to agree on values which are nebulous and open to endless interpretation (Freedman, 2006: 918). The competing goals and interests contained within the media literacy policy agenda assume an uneasy balance set out in aspirations towards greater social inclusion and enhanced participation yet reliant on levels of choice and decision-making at the level of the consumer alone.

Risks and opportunities in the digital environment

The unresolved tension between media literacy goals of citizenship and those of the market, as well as the problems posed by the attempt to combine both within media literacy policy, may be best understood by considering some of the new media experiences and challenging circumstances which the policy is designed to deal with. While media literacy as a policy issue applies to all levels and all ages within society, children and young people are often specifically targeted as a priority given the increased risks encountered in the digital environment. The message of internet safety, for instance, is especially important for children, young people and their families, as they are often the most avid adopters of new media. Young people may be exposed to a range of good and bad experiences, risks and opportunities, for which they may be unprepared (Livingstone and Haddon, 2009). At the same time, young people have communication rights such as the right to access information, the right to privacy, and so on, which are often overlooked (Hamelink, 2008).

The rapid diffusion of new online, mobile and networked technologies, especially the internet, among children and young people, is unprecedented in the history of technology (Rice, 2006). Children are in the vanguard of internet adoption, with 75% using the internet across the EU27, ranging about half of children online in Greece and Cyprus (both 50%) to two-thirds of children using the internet in many countries and rising to over 90% in the UK and Sweden, 93% in the Netherlands and Denmark, and 94% in Finland (Eurobarometer, 2008).

The EU Kids Online project, a research network funded under the European Commission *Safer Internet Programme,* has attempted to map the emerging world of risks and opportunities that this extraordinary uptake of online technologies has created. The evidence suggests, according to Livingstone and Helsper, a 'ladder of online opportunities' through which children's online use develops beginning with information-seeking, progressing through games and communication, taking on more interactive forms of communication and culminating in creative and civic activities (Livingstone and Helsper, 2007). Yet, as children's online use grows and develops, so does their exposure to risk – both as recipients of various kinds of possibly unsuitable content and as participants and actors in various forms of risky or even dangerous behaviour. Risk incidence as summarised in the EU Kids final report (Livingstone and Haddon, 2009) provides the following list, ranked in order of prevalence:

- Giving out personal information is the most common risk (approximately half of online teenagers),
- Seeing pornography online is the second most common risk at around 4 in 10 teenagers across Europe
- Seeing violent or hateful content is the third most common risk, experienced by approximately one third of teenagers.
- Being bullied or harassed is fourth, affecting some 1 in 5 or 6 teenagers online, along with receiving unwanted sexual comments (with varying degrees of incidence across Europe).

- Finally, meeting an online contact offline appears the least common though arguably the most dangerous risk at around 9% (1 in 11) online teenagers.

In response to this complex environment that is full of positive opportunities but also increasing risks that are difficult to control, initiatives such as the EU *Safer Internet Programme* have sought in the first instance to fight illegal and harmful online content and conduct through better legislation as well as more effective approaches to regulation. But pre-eminent among the strategies to ensure a safer online environment is the attempt to develop better media literacy through awareness raising and education. As Viviane Reding, the Commissioner for Information Society and Media, has argued, 'Everyone (old and young) needs to get to grips with the new digital world in which we live. For this, continuous information and education is more important than regulation' (Commission of the European Communities, 2007).

This is a telling emphasis on information rather than regulation, on media literacy over a protectionist regime. Again, it assumes knowledge and competence on the part of the individual and what they need to know to play their role within the new media environment. For instance, with regard to advertising, rather than restricting or banning certain practices, the Commission favors a media literacy approach that gives 'young audiences tools to develop a critical approach to commercial communication, enabling them to make informed choices'. Policy frameworks now acknowledge that in the digital space, media users, and especially children and young people, who find themselves in vulnerable situations in online environments are best protected through knowledge and awareness rather than mechanical or coercive means of control. This, then, is the problem to which media literacy is now proposed as a solution with the objective of mitigating some of the most internet's most intractable and negative characteristics. At the same time, there is a question mark over the effectiveness of many awareness-raising programmes, concern at the low profile and take up of media literacy within educational settings, and more widespread criticism as to whether such initiatives are playing mere lip-service to a social need that remains inadequately understood (Domaille and Buckingham, 2001; Barnes, Flanagan et al., 2007). The European Commission's preliminary study of media literacy levels across Europe acknowledge that they are very uneven with high levels of media competence reported in Northern European, especially Scandinavian countries, but with very limited and basic degrees of media literacy apparent in Southern and Eastern Europe (European Association for Viewers Interests, 2009: 12). Part of the problem, however, is that media literacy remains a complex concept that resists easy definition or measurement, and continues to change and evolve with the changing media landscape. The question remains whether as currently defined, media literacy is adequate for the task set for it.

Conclusion: ethics and communication rights in the digital environment

Roger Silverstone (2004) in a seminal article, argued that at the core of media literacy there should always be a moral agenda. Media regulation, he suggested, is a form of applied ethics making presumptions about public interest, freedom of expression, rights to privacy, intellectual property and so on, without ever really interrogating its prescriptions or examining why regulation is required in the first place. Calling for a new media civics, he argued that a responsible and accountable media culture can only be sustained by 'a moral discourse that recognizes our responsibility for the other person in a world of great conflict, tragedy, intolerance and indifference' (2006: 440). The elaboration of that moral discourse remains an ongoing challenge but in this context it is argued that a reconsideration of communication rights provides an important starting point.

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Such an emphasis is featured in the Council of Europe's promotion of freedom of expression and information in the new information and communications environment as part of the fundamental right to freedom of expression without interference (Council of Europe, 2007). Recognizing that access to the internet and online participation for children and young people is a communication right, the Council recommends that internet technologies and services need to be seen by educators and parents as positive tools which should be embraced rather than feared, and that ICT familiarization should feature from an early stage in school education (Council of Europe, 2006). The human rights basis for this approach is of paramount importance:

the process of learning and skilling children to be active, critical and discerning in their use of these technologies and services must be done hand-in-hand with learning about how to exercise (and enjoy) their rights and freedoms on the Internet. The human rights context of this learning and skilling process is of key importance in helping children to understand how to communicate in a manner, which is both responsible and respectful to others (Council of Europe, 2006).

A key milestone in this regard is the Convention on the Rights of the Child (CRC), adopted unanimously by the United Nations General Assembly in 1989, and which gave explicit attention to children's communication rights (Hamelink, 2008). Recognizing that childhood is 'entitled to special care and assistance' (United Nations, 1989: paragraph 5), the CRC advances a case for the centrality of information and communications media rights in the lives of children. A number of its articles deal specifically with media and communication rights and provide a platform for a rights-based approach to media and digital literacy. The Convention, for instance, asserts children's rights to express their views freely in all matters affecting them (Article 12); it enshrines the right freedom of expression through any medium of the child's choice (Article 13); it protects freedom of association and peaceful assembly (Article 15) and the right to privacy (Article 16). The CRC also specifically highlights the role of the mass media in disseminating information that promotes the child's well being understood as content that promotes 'his or her social, spiritual and moral well-being and physical and mental health' (Article 17). All of the above are directly applicable to the online environment.

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The so-called 'Oslo Challenge', formulated by the Norwegian government and UNICEF on the tenth anniversary of the Convention, called on governments, educators and media industry interests to promote children's media rights including the right of access to the media and particularly new media; to media education and literacy; to participate in the media; to protection from harm in the media and violence on the screen; and to have the media actively protect and promote children's rights. Such a comprehensive communication rights framework, as Livingstone (2009) argues, deliberately 'counters the assumption that media and communications remain somehow incidental, rather than increasingly central to the infrastructure of a networked, global information society'.

The recognition of a body of communication rights – for children as much as for adults – provides a necessary balance between positive supports for participation and engagement, and necessary restrictions and limitations that require social support. In the case of children and young people, it is based in part on a recognition that awareness of children's vulnerability and thus need for special protection has not prevented them from suffering as a consequence of decisions made in the adult world around them. The creation of a convention on the rights of the child reflects the understanding that the greater the awareness of rights, the more chance there is of securing them. Through the Convention on the Rights of the Child, the human rights of the child are clear, coherent and comprehensive. The defining of children's rights in this way is a pre-condition for their being respected and adhered to.

The development of the 'moral agenda' referred to by Silverstone (1984) can draw important support from a rights-based framework and from the efforts of organizations such as UNESCO, UNICEF or the Council of Europe to raise awareness about communication rights. Making a rights-based agenda the foundation for media literacy policy is at an early stage of development. The Council of Europe's *Pan European Forum on Human Rights in the Information Society* (Frau-Meigs, 2006) outlines some of the issues and challenges central to which is the need to integrate human rights awareness within media literacy. This would involve finding the right balance between freedom of expression, privacy and children's rights, making children and adults more aware of their respective rights and potential infringements of the rights of others, leading to a greater awareness of social connectedness, particularly in the context of greater audience activity and user-created media content.

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Within an educational context, this should involve adopting an applied ethics focus making media literacy a real and action-oriented experience for young people. Ethics in this instance has the potential to act as the fulcrum for a full consideration of communication rights and responsibilities in the new media environment and to empower citizens in ways that are more meaningful and sustainable. One example, *ThinkB4UClick,* currently being piloted in Irish schools, sets out to make students aware that when online, just as in all other aspects of their lives, individuals have human rights, and that everyone is responsible for their actions towards other people and for the safeguarding of other people's rights (NCTE/ICCL, 2009). Using simulated exercises and guided discussions through the many practical dilemmas of sharing and accessing information and communication faced by young people in the online

world, the project seeks to enable students to consider how these issues affect them personally, how to assert their online rights, and how to respect the rights of others. In this way, communication rights provide a framework within which we translate principles into practice and define for young people, as the subjects of media literacy, a template for critically engaging with and guiding behavior, while at the same time holding to account the institutions and regulatory regimes within which the online environment is framed.

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