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CHAPTER 23

# Free Radios and Freedom Speech: Theory and practice in Latin America and Europe

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**Thiago Novaes**[1]

**ABSTRACT**

The radio spectrum is a public good to which complementary access must be guaranteed, for the provision of public, commercial and community services, using the available technologies of its time. The present research aims to describe a set of radio practices that influenced what today circumscribes the concept of community radio, assuming as a challenge its contrast with an autonomous political project, of civil disobedience, practiced by free radios in Europe and Latin America. In addition to a historical record, the article intends to contribute to political theory and communication policies of interest to civil society.

**Keywords:** Radio Spectrum, Human-Machine Relationship, Human Rights.

[1] E Dr. in Social Anthropology (UnB)
E-mail: novaes@riseup.net

## INTRODUCTION[2]

We can consider that the world's first free radio station was operated by Landell de Moura, in 1894, when he managed to transmit signals by means of electromagnetic waves, in Porto Alegre. In 1899, in the presence of international authorities, he issued a voice from Alto de Santana to Av. Paulista, in the city of São Paulo. The radio, however, is officially considered an invention of 1896, by Giullermo Marconi, who applied for a patent and opened a company for the manufacture and sale of equipment[3]. In 1912, using one of Marconi's transmitters, the Titanic sank and the first Radio Conference established, in response to the tragedy, that the radio spectrum would be administered by national governments. After the two world wars, we can consider that the spectrum has become a strategic public good. With the predominance of the commercial model of communication, state and community initiatives have been developed in many countries, with specific laws and regulations, but in general, a shift by civil society towards the direct appropriation of the spectrum to transmit and receive radio signals has historically prevailed. Assuming as a technological horizon the social and massive appropriation of digital broadcasting, what lessons could be learned about the performance of free radios for the opening of a theoretical and legislative debate in which freedom of expression would be considered from each of its different modalities of communication? And to what extent would the proposed debate be appropriate to the technological reality when dedicated to the possibilities of democratic management, as comprehensive as possible, of the infrastructure of social media infrastructures: the radio spectrum?

The present study is interested, therefore, in the direct appropriation of the media based on the following socio-technical reflection: considering the increasing cheapening of the costs of transmission equipment, and the role that communication has in the construction of the public sphere of contemporary democracies, in what way could the experiences of free radios help us to think about ways to expand the access of civil society to social communication, today inserted in a regime of "command and control" management that, under the pretext of avoiding "interference", obstructs and criminalizes unauthorized access to the radio spectrum?

The theme is current to the extent that a survey of radio audience in the country records that, in 2022, about 83% of the Brazilian population listened to the radio for almost 4 hours, every day (KANTAR, 2022). When we talk about radio, we must include the listening that is carried out through the internet, which has been increasing, and the different discussions that involve the consumption of information through platforms and terms of adhesion to free services. These are

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3 The public presentations of Landell de Moura's experiments precede the first ones carried out by Guglielmo Marconi, in Pontechio, near Bologna, in the spring of 1895 (SANTOS 2003).

some of the new social phenomena that characterize the transition from analogue to digital communication, which continues at the same time as it inaugurates major ruptures in the way information is produced, circulated and consumed in post-industrial societies.

By seeking to reflect on human-machine relations from a critical perspective to the model of progress that predicts the advance of automatisms, we want to point to the possibilities of techno-aesthetic enjoyment (Simondon, 1998) in which the repair of radio transmitters and other artisanal technical arrangements would participate in the construction of post-media sensibilities (Guattari apud Machado, Magri & Masagão, 1986; Berardi, 2005) along with the installation of free radios. This article aims to make both a historical and a theoretical contribution to the social appropriation of the media in the digital turn and to argue about a political positioning and a pedagogical strategy focused on the present and future of radio spectrum management, of interest to civil society.

## FREE RADIOS

> Felix Guattari: "We have an expression in France to describe the sclerotic, dogmatic language of many of the militants: we say that they speak a 'wooden language' ("langue de bois"). With relative success, a number of experiments in free radio in Italy and France have tried to replace this "wooden language" with means of expression adapted to real social groups, minorities, and different sensibilities. Do you also have in mind the creation of free radios, which are neither under the control of the state, nor of the parties, nor of commercial groups?"
>
> Lula: "We are not yet at the point of creating alternative media! But I think we'll get there. It is only necessary to understand that we are in Brazil, not in Europe. It is another universe, another political formation, another experience of struggle! But I believe we will get there, because it is the only way to free ourselves from dependence on (commercial) media..." (GUATTARI, 1982, pp. 24-25).

The trajectory of free radios, non-profit broadcasters created and maintained by organized civil society, is often referred to in the literature dedicated to community communication as a chapter, an initial phase of popular communication in democratic regimes. In Brazil, free radios are sometimes cited as part of the history of community broadcasting, now legalized in the country, as "an important role in the youthful, libertarian and student appropriation of the radio vehicle from the 1970s/80s" (MALERBA, 2017, p. 9), or as follows:

> Community radios can be considered as another moment of free radios, at least in Brazil. They were born from the organization of free radios as a movement and their dissemination among the popular classes, who began to make use of radio as a vehicle for entertainment and social organization. Community radios have as their fundamental concern to enable the community's access to radio, so that the vehicle is an instrument (means, not an end) of mobilization and popular achievements within a given community (Cavalcanti, 2018).

In Argentina, free radio stations were also criticized for presenting themselves as "ends in themselves", described as belonging to an "anarchic" movement: "muchas veces, primero se salía al

aire y recién después se pensaba en el mensaje" (ULANOSWKI, 1993, p. 105). The absence of operating licenses, however, could be understood as a deliberate choice that, as it is presented, advocated at the same time the power of a techno-aesthetic learning (SIMONDON, 1998), of promoting an imaginary of autonomy (AMORIM, 1995), which opted for civil disobedience to denounce and confront the state monopoly of control over the use of the spectrum (NUNES, 1995; ANDRIOTTI, 2004). The legalization of these radios would mean, from the point of view of many people who participated in them, even depriving them of their reason for existence (VIZER & LANDERSMAN, 1989, p. 56).

Although the year 2021 was celebrated in France as the 40th anniversary of the free radio movement - referring, in fact, to the year in which the law was enacted that sought to limit the proliferation of unlicensed radios in the country - long before 1981, radio Adel, Radio Porte Océane, FMR, REV 89 and many others were already broadcasting in France: in fact, it was in the 1920s that the first transmitters began operating on the airwaves with Normandy voices. The adventure of radio in the region is said to have begun in 1922 with Paul Castan, the first announcer of the Eiffel Tower Radio. The expansion of radio would continue in 1924, with Fernand Le Grand, who would start the powerful Radio Normandie, broadcasting programs in English to London audiences. Radio was about to become futuristic.

The first free radio station in the Spanish state was Radio Maduixa, founded in Granollers in 1977 and inspired by the first Italian free radio stations of the 1968-69 biennium. These experiences were followed by many others, some of which disappeared on their own, or were closed by the police (such as the Lluire Wave, in Barcelona or the Vorde Wave, in Zaragoza); others are still in operation (such as Irola Irratia, on 107.5 FM in Bilbao). Having started its work in 2008 as a free radio, Radio Ela operated on 100.0 FM, reaching a loyal audience around the PSOA Malaya, the Self-Managed Occupied Social Palace in the heart of Madrid. Wherever there is political mobilization, the history of free radio shows that there will always be some group that uses local radio broadcasting to communicate.

The main reference at the time of the emergence of free radios, both in Brazil and Argentina, can be attributed to the practices that occurred from European free radios, especially in France and Italy at the end of the 1970s. Translated as "one of the ripened fruits of May '68" (CAVALCANTI 2018), these experiences derived from a human-machine arrangement that we understand to be capable of transporting a political struggle situated in one context to another, decades later. Among the agents of exchange of these experiences, Felix Guattari stands out, an active militant of the free radio station Tomate, who visited Brazil in the early 1980s and was a reference for both the first and second waves of free radio in the country: in the mid-1980s, followed by the famous summer of Sorocaba, in São Paulo, with dozens of experiences; and after the enactment of the community radio

law in Brazil, the 9.612, in 1998, when the Brazilian free radio rhizome was organized through the Internet, following successive participations of free radios in the World Social Forum in Porto Alegre, in the early 2000s. Although it was closed by the federal police a few years ago, it is noteworthy, in the context of the arrival of digital communication technologies, Rádio Muda, headquartered for 30 years in the *campus* of the State University of Campinas, in São Paulo, which had more than 250 programmers in its collective, responsible for about 115 different programs during the week. Many of its members from this period actively participated, for years, in the creation of new radio stations and in the promotion of radio experimentation. And the results of that work certainly continue to bear fruit. Not ending in a youthful experience, the discussions on the digitalization of radio and the new technologies of spectrum management have as a privileged and public source of information the research carried out by some of Muda's former programmers, today living in different parts of the world.

The French free radio movement, as well as the Italian one, which will spread throughout Europe, has strong links with alternative practices to those brought about by left-wing ideologies that, since the Russian revolution of 1917, have resulted in the creation of socialist and communist unions and political parties in several countries. As recorded in the manifesto of the Situationist International, published in 1960, free radios are inserted in a context of cultural change that proposes the transformation of the language of forms, in a political practice that is not interested in the dispute of audience for a media content, but rather is concerned with placing people and their differences in relation to each other.  without separating sender and receiver (BRECHT, 1932). Displacing the political dispute as a confrontation with the contents of old forms, this *embezzlement* It presents itself as a possibility of creation and insurgency against capitalist societies that distribute material misery and organize themselves through spectacle (DEBORD, 1994): for free radios, it is important to face their main threat, the actualization of alienation, which causes life itself to be replaced by passive contemplation, by the consumption of image, of representation, taking the social place of doing and experiencing. It is a new type of revolt (TRESPEUCH, 2009, p. 11), distinct from militancy in traditional politics, driving a debate on alternative themes to those of the left or even the extreme left: after all, to use the microphone "you don't have to be a 'star', you just have to be a citizen" (ULANOWSKI, 1993, p. 107),

Among Brecht's readers, who saw the potential for social transformation of the media diluted in the reproduction of an alienating relationship of information consumption, Hans Magnus Enzensberger stands out, who wrote a scathing critique of left-wing movements and their investment in the transmission of content to the public, kept away from an effective experimentation on the media:

> He who understands the masses as the object of politics cannot mobilize them. He wants to distribute them at random. A package is not mobile. It's just tossed back and forth. Marches, columns, parades immobilize people. Propaganda that does not liberate autonomy, but inhibits it, belongs to the same scheme. It leads to depoliticization (ENZENSBERGER, 2003, p. 16).

The influence of Guy Debord, along with the International Situationist magazine, is not limited to the promotion of subversive practices, which to some extent resemble the civil disobedience incited by free radio. More profoundly, these experiences seem to manifest a critical feeling towards the way in which theory and practice are combined, seeking to reinvent this relationship. In other words, instead of being unreasonable, innocuous or errant, the hypothesis raised here aims to reflect on the intentionality of free radios from their total questioning, on how life is organized in the society of work, democratic participation, the open way of building local communication, at the same time that these experiments are internationally recognized based on their action tactics. Not infrequently, these radio stations are created and maintained by political groups aggregated around an aesthetic of programming and collective management of the medium, something that will distinguish them precisely from leftists (TRESPEUCH, 2009, p. 15). And, unlike a precariousness or fragility, both in Argentina, Brazil and in Europe, the transformative power of free radios, they argue, would reside precisely in the ease of setting up and maintaining different stations, for the free and immediate reception of thousands of people, of a new language, assuming a political proposal in which each program, each subgroup of work felt responsible for the radio. oriented towards a consensual horizontality with objectives aimed at direct action.

In his analysis of In the French free radio movement, Ivan Brscan (2005) argues that the struggle for the "liberation of the airwaves has shown that economic power is capable of swallowing all the initiative that was based on militantism and favoring the oppressed", arguing that in these initiatives "pure naivety" would have reigned. In other words, stronger than any movement to "change life" (TRESPEUCH, 2009, p. 11) or far beyond the "change of pace" on a radio that reflects "the pulse of a society organized to satisfy a maximum of production and consumption" (SCHAFER, 1997, p. 30), it is necessary to reflect on the risks to which those who practice civil disobedience are exposed in the face of the monopoly of the force of law enforcement.  that both promises and practices the regulation of actions once considered dangerous and subversive, supported by the myth of interference in communications[4].

Free radios today must consider access to the Internet, where everyone can produce, search and consume information on the same hierarchical level. However, when noting that this communication takes place in an infrastructure dependent on submarine cables, Internet exchange points and website addresses that are under the ownership of States and private initiatives, the

4 See David Weinberger's interference myth: https://www.salon.com/2003/03/12/spectrum/

question of propaganda that does not release autonomy returns, reconfigured in new and almost ubiquitous social networks on the Internet. Thus arranged, the field of social communication, whether local, regional, national or global, has increasingly assumed the Internet as a place of dispute over the old forms of narrative occupying the new spaces of social exhibition of information, in a process of alienated structuring of what could be called the "digital spectacle". If it is only through our own infrastructures that we can guarantee the integrity and authenticity of our communications, what is missing for the spectrum to become a place of dispute, to be reinvented and redirected to the interests of the majority?

## COUNTRYSIDE RADIOS, SEA RADIOS

The Sutatenza network of radio schools, in Colombia, in 1947, is an internationally recognized project, a World Heritage Site precisely because it allows the social participation that will mark the ideal of building community radio projects around the world over the last decades. A project aimed at residents of rural areas that used combined didactic material, booklets and radio classes, reducing with great success the high rates of illiteracy in the country. A radio system that operated on different frequencies and enabled official and effective distance education.

Other expressive experiences on the continent were recorded by Minas Gerais radio stations in Bolivia from the 1950s to the 1970s, and their legacy has been studied by a vast reference literature. Like the free radios, what characterized these union radios was the fact that they were self-financed, non-partisan, self-managed, without commercial advertising (MILLER, 2005).

Far from Latin America, The first major pirate radio station was the British Radio Caroline, which broadcast from a ship called the "Mi Amigo" off the coast of Essex in 1964. Radio Caroline quickly became one of the most popular stations with an audience one-third the size of the BBC, the country's leading broadcaster. However, the most well-known pirate radio experiment was that of Radio London, often referred to as Big L., which influenced most of the changes in the aesthetics of British broadcasting. Radio London featured British presenters who adopted popular U.S. communication techniques, marking a turning point for the BBC, which for the first time faced competition and was challenged to reassess its programming style. Despite the Maritime Offences Act, Radio Caroline continued to broadcast for a long time, showered with a lot of *rock'n roll* and challenging the government's ban and its monopoly of management over spectrum, advocating a broad movement to take over spectrum that would follow a few years later across Europe.

The British case is exemplary for us. In the late 1980s, the UK government opted for a plan similar to that practiced in Europe and decided to combat pirate radio stations by offering new licenses. However, this resulted in the appearance of a new wave of illegal radio stations as the "acid house" scene came to the fore. The Broadcasting Act of 1990 encouraged diversity in radio and

boosted the development of commercial radio by imposing harsher penalties on those who insisted on unlicensed broadcasts, which initially led to the decline of pirate radio in the UK. However, there was a shared social sentiment that perceived the Broadcasting Act 1990 as detrimental to small-scale broadcasters and community radio. As a result, there has been an increase in the number of unlicensed broadcasters. In 2007, the UK's broadcasting regulator, Ofcom, concluded that there was a public acceptance of pirate radio and estimated that there were "around 150 illegal radio stations in the UK".

The low-power broadcasting service was regulated in the USA in the year 2000 and allows the use of transmitters with up to 100W of power and an antenna 30m from the ground, being defined as a non-profit educational service[5]. In the United Kingdom, a public consultation in 2008 initiated the establishment of new conditions for access to a broadcasting licence[6], the most recent reform consulted being the one carried out in South Africa, in 2019, which emphasizes effective community participation in radio, broadcasting "locally sourced programs"[7]. In Latin America, the concept of community radio is established within the scope of the complementarity of social communication services, which includes in some countries the equitable division of spectrum for community, state and commercial access, such as Ecuador, Bolivia, Uruguay and Argentina. In Brazil, the effectiveness of Law 9.612 that regulates community radio stations is controversial, and the repression of illegal stations has practically extinguished their operation, such as Rádio Muda de Campinas, which had all its equipment seized and its door cemented to prevent the resumption of the studio.

In a comparative study on the functioning of community radios in various countries around the world, UNESCO proposes a definition that will help us to contrast conceptually with the proposal of free radios: "community radio is a means of communication that gives voice to those who do not have a voice, which serves as a voice for the marginalized and is the heart of communication and democratic processes in societies". Now, if we could summarize the proposed path to free radio, the first step would be precisely to become aware of the right to communicate in contrast to the idea of access granted and mediated for freedom of expression. In other words, free radio stations do not relate to the State in such a way as to plead for a reform of the laws to which it submits them, but rather their objective is to denounce and renounce the system of concessions as a whole. These are not outlaw radios, but outlaw radios.

5 https://www.fcc.gov/media/radio/lpfm
6 https://www.ofcom.org.uk/consultations-and-statements/category-2/regulation_cr
7 https://www.icasa.org.za/legislation-and-regulations/community-broadcasting-services-regulations-2019

## THE ART OF MAKING RADIO

> "To go towards the streets, the meadows, the jungles and icy fields. Create from there. Turn the whole broadcasting model upside down and you will be amazed at the ideas that will emerge from within you."
> Murray Schafer

In his manifesto, the Japanese Tetsuo Kogawa reminds us that the concept of "radio art" is quite old, having emerged with the Futurists in the 1930s, who used existing broadcasters to circulate their radiophonic, artistic content: "they considered radio as a medium, just like paper for books". Accompanying his ambition for aesthetic reflection, the publication "La Radia – Futurist Manifesto of October 1933" dates from this period, in which Marinetti and Masnata sought to "expand the art-technology interface, going beyond visually identified art, to enter the field of the non-visible, the abstract territory of wave propagation, of the electromagnetic spectrum" (d'UGO JR. & BORTULUCCE, 2019, p. 71). For Tetsuo, John Cage would have been one of the first artists to use radio technology to create new sound pieces in a properly performing art, but even he would have used radio as a tool, a means to create his music and sound art. What we mean by making art with radio is something different.

Radioart starts from the direct intervention in the material that we know as "electromagnetic waves", it is a way of "being involved in the oscillation", acting on the radiation[8], transmitting.

The first book on free radios published in Brazil (Machado, Magri & Masagão, 1986) has the following title: Free Radios – Agrarian Reform on the Air. Following the example of the pioneering book published in France in 1978 by the Coletivo Radios Livres Populares, the Brazilian publication reflects on the experiences lived in different locations in the country – especially in São Paulo – bringing manifestos and scripts used by free radio programs, notably Radio Xilik, in which the authors participated. At the end of the work, as in the French version, a technical scheme for the construction of transmitters is presented, followed by the Brazilian Telecommunications Code, which leaves no doubt about the illegal nature of the use of the spectrum without a concession from the State.

More important than noting the structural similarity between the books is to highlight the preface to the Brazilian work, written by Felix Guattari, who lent it the following title: "Free radios towards a post-media era" (Machado, Magri & Masagão, 1986, pp. 10-13). In his contribution to the collection, Guattari highlights the economic differences between European countries and in Latin American countries, especially in Brazil, suggesting that "classical struggles in the field of labor and in the traditional political arena will continue to play an important role" (op. cit., p. 10), but that the

8 https://anarchy.translocal.jp/non-japanese/20080710AcousticSpaceIssue_7.html

"intervention of an alternative intelligence, of innovative social practices, As is the case with free radios, it seems indispensable to the health of hundreds of millions of exploited people on this continent" (op. cit, p. 10). In the middle of his text, he warns that it is not a "leftist movement, even if it is the leftists who are the first to engage courageously in this perspective" (op. cit, p. 11), making an appeal to avoid "sectarianism and rigidity", pointing out that it would be possible to establish negotiations with the authorities, referring, obviously, to to the concession regime and "to the conditions for the exercise of new media" (op. cit, p. 11). However, the end of his text brings a premonitory message, very current for the digital context. This is what Felix Guattari wrote in 1986:

> Tomorrow, databases and cybernetics will place in our hands means of expression and consultation that were previously unimaginable. It is enough that these media are not systematically recovered by the producers of capitalist subjectivity, that is, the "global" media, the manipulators of opinion, the holders of the *political star system*. It is, in short, a matter of preparing the entry of emancipation movements into a post-media era, which will accelerate the collective reappropriation of the means of labor, but also of the means of subjective production (op. cit., pp. 12-13).

Guattari's theoretical vision is not detached from his practical experience. Bernard Prince and Emmanuel Videcoq (2005) tell us that in 1980, when Rádio Tomate was created, Felix and his colleagues participated in demonstrations, going live on the radio from telephone booths, in addition to recording interviews with passers-by and representatives of the groups organizing the events on cassette tapes. They record that the transmitter was easy to repair, and that, therefore, they did not shy away from lending it. The model of organization of the radio programming grid could be described as that of any self-styled "free" radio station in Brazil: without a responsible director, each day was composed of different programs, and each person responsible for the program had to make possible and carry out his program at the agreed time. It is said that when Rádio Tomate loses this character of collective construction and at the same time autonomous from the programming grid, passing to a centralized power of management of what would be broadcast on the radio, Felix breaks with the radio (PRINCE & VIDECOQ, 2005). In addition to the shared associative process in the management of programs and equipment, there are also other conditions that seem important to us to allow the development of non-alienated political relations with the technical means of communication.

## CONCLUSION

By investing in specific relations of appropriation of technologies for communication and free expression, within democracies, this article intends to have presented a set of radio experiences that culminated in the description of what is meant by free radios. By making the dispute over the spectrum central to communication, the contrast between different radio models suggests different ways of doing politics that do not necessarily oppose each other, but reflect different interests and

groups. Radio art emerges as an emancipatory and insurgent practice of taking over the spectrum. Radio reinvents itself and reexists in the digital context.

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