

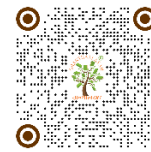
Original Article

## RIGHT TO COMMUNICATION AND THE DIGITAL GAP IN NORTH OF ARGENTINA: INTERNET ACCESS AS GUARANTEED TO THE ENJOYMENT OF PUBLIC SPACE

## DERECHO A LA COMUNICACIÓN Y BRECHA DIGITAL EN EL NORTE ARGENTINO: EL ACCESO A INTERNET COMO GARANTÍA DEL PLENO GOCE DEL ESPACIO PÚBLICO

Franco Hessling Herrera <sup>1\*</sup> 

<sup>1</sup> Researcher, National University of Salta, Argentina



### ABSTRACT

**English:** The main objective of this essay is to analyze the links between the concept of the right to communication and other notions, old and new, that are part of the field of reflection on citizenship, public space, and rights -attributions and duties- in the digital era and the issues access to and enjoyment of technology. The proposal triangulates the right to communication, the digital gap, and public space in the specific context of a particular region, northern Argentina. This place has unique features, including cultural interethnic diversity, deep economic inequality, and a mix of rural and urban populations. Thus, this reflection allows ends about the necessity that assume right to communication and digital gap since localized perspective, integral insight, and complex and interactive issues must be dealt with net to add multiple actors. With this focus, these discussions will be beyond juridic and academic ambits.

**Spanish:** El objetivo principal de este ensayo es analizar los vínculos entre el concepto de derecho a la comunicación y otras nociones, antiguas y nuevas, que forman parte del campo de reflexión sobre ciudadanía, espacio público y derechos -atribuciones y deberes- en la era digital, y en relación con las problemáticas de acceso y disfrute de la tecnología. Para ello se propone una triangulación entre el derecho a la comunicación, la brecha digital y el espacio público en el marco de una región específica, el norte argentino. Este lugar reúne características singulares como diversidad cultural interétnica, profunda desigualdad económica y población rural mezclada con población urbana. Así, esta reflexión permite concluir la necesidad de asumir el derecho a la comunicación y la brecha digital desde una perspectiva localizada, una mirada integral y una problemática compleja e interactiva que debe ser abordada en red, sumando múltiples actores. Con este enfoque, estas discusiones irán más allá de los ámbitos jurídicos y académicos.

**Keywords:** Digital Citizenship, Technology Alphabetization, Human Rights, Ciudadanía Digital, Alfabetización Tecnológica, Derechos Humanos

#### \*Corresponding Author:

Email address: Franco Hessling Herrera ([hesslingherrerafranco@hum.unsa.edu.ar](mailto:hesslingherrerafranco@hum.unsa.edu.ar))

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## INTRODUCTION

### ROOTS OF PROBLEM

This material traces one analysis on reach from right to communication in a country sited in semi-peripheral capitalism, where there is a deep gap digital, opposite to occur in the countries of the Global North [Castells \(2001\)](#), [Ávila \(2023\)](#). For its analysis, then, here we take an idea about public space in a broader sense than the conventional. In other words, there is no assumption that public space could be regarded only as opposed to private space. In this approach, public space is composed too the digital stage, mainly after the breakout of overall use of web internet and social media. This last process was in the North of Argentina over the 21st century, given that innovation tech brings late to the backyard of backyard: this region is the poorest in Argentina [Instituto Nacional de Estadística y Censos \(2024\)](#).

Our regard for public space comes from the juridic tools of the human rights framework. For instance, in an early settlement in 2013, the Office of the Special Rapporteur for Freedom of Expression Inter-American Commission on Human Rights [Relatoría Especial para la Libertad De Expresión \(2013\)](#)

Maximizing the number and diversity of voices that are able to participate in the public debate is both a means and an end to the democratic process. In this sense, robust guarantees of the exercise of freedom of expression through the Internet are currently a condition for opening up the public sphere [Relatoría Especial para la Libertad De Expresión \(2013\)](#).

The scope of this is broad access to the "public sphere", then, its a need to research the ways to go inside on the digital stage, asking how affordable it is. For this, people should have minimum access to both quality smart tech and safe wi-fi wireless. In this case, sited in a semi-peripheral capitalist zone, the hard economic conditions shut down universal access and, then, restrict the plentiful enjoy life in the public space.

Some things drivers for understanding these issues are tariffs for household consumers and prices of smart tech goods. In proportion, these counts are expensive for most Argentinian houses. The minimum wage over the year 2024 stays frozen, and the amount of the tariff of wifi wireless plus buy-and-maintain smart tech is a big part of family incomes. Rural áreas do not have enough communicational infrastructure, and the entire population still today does not access quality wifi wireless.

As if this all will seem little, the North of Argentina has broad cultural diversity. More than tens of ethnic groups are admitted to provincial governments in the region, which brings several contexts about access to internet and the tech goods. These intercultural cases have added another factor to the problem: the degree of technology alphabetization. The low availability of smart tech and the paths of cultural diversity, from language to feed habits, give the place several degrees of ties with tech interfaces and forms to the life of the digital stage.

Given this complex context of analysis, with several drivers and multiple situations, a local perspective faces us front concrete limits for guaranteeing the right to communication. In the North of Argentina, the inequality makes the "gap digital" deeper than in places of the Global North [Sousa Santos \(2009\)](#), [Milan and Treré \(2019\)](#). The shape of this stage forces a situated knowledge in each context, although ever looking for on dialogue of pieces of knowledge. While tracking this search, situated contributions help to shape and re-think the studies in the field of communication sciences about the reaches of the right to communication. Without full access, the "digital sphere" doesn't have an actual right in your most broad interpretation.

### BACKGROUNDS OVER GAP DIGITAL IN THE NORTH OF ARGENTINA

In agreement with academic works that took a qualitative and quantitative methodology for case studies in the North of Argentina [Chachagua \(2019\)](#), [Ares and Venier \(2023\)](#), the digital gap is evidence irrefutable. This has allowed a viewpoint that upholds that the digital gap in this region is deeper than anywhere at Global North [Programa De Las Naciones Unidas Para El Desarrollo \(2022\)](#). Access to service wifi such as smart tech goods is so hard because it is expensive. In the more awful cases, mostly in rural contexts with ethnic communities, the lack of infrastructure leads to a full marginalization [Hessling Herrera \(2024\)](#) [Belmont Colombres \(2022\)](#).

Some public programs have offered materials and tech for relief of this situation of inequality. Over the past Cristina Kirchner's administration rolled up the program "Conectar Igualdad" and delivered computer netbooks for students and teachers in the whole country [Chachagua \(2019\)](#). This task also served to push up the national industry, which had facilities for PC montage in the south of the country. This program was kept until the end of Kirchner's government and then closer as part of that neoliberal view on the state that brought Mauricio Macri's period as president. The Conectar Igualdad potential never was the same after Kirchner's exit from Pink House. Recently, Javier Milei's administration shut down the program.

Regardless of the early blow to the digital gap that was meant by Conectar Igualdad, in a long perspective, the actual impact was minor than expected at begun the delivery of netbooks. The main criticism of implementation lack of an integral viewpoint about the digital gap and ways of enjoying the digital sphere. Taking the intercultural context before describing the lack of said viewpoint does not have helped to lessen the gap. The inequality is not solved only because of a lot of new computers in the poor's hands.

An integral perspective that adds an intercultural view needs more commitment to the development of skills to use these smart tech goods [Tello \(2023\)](#). A great part of the fulfillment of the goal of reducing the digital gap is tied with the work in making new skills of tech alphabetization [Albarello \(2019\)](#), yet more in rural, intercultural stages such as the North of Argentina. For it, not only students and scholars need more training, too teachers and researchers. Without training in skills tied with tech alphabetization, it's impossible truth reduce the inequality in plenty of right to communication.

Most teachers and researchers of counties Salta, Jujuy, Tucumán y Catamarca still today should much to learn about smart tech goods. Due to a contemporary low budget for communicational infrastructure and minor inversion in programs to tech transfer, the issue of the tech alphabetization stays in the second order, far more than prior.

## ABOUT THE "RIGHTS DIGITALS" CONCEPT

"Digital rights" is a new notion for talking issues about access to communication technology and learning skills for the use of these dispositive. In a context as described before in North Argentina, these rights appear a try for several subjects: access to tech, public policy focuses, third sector interventions, and digital alphabetization. In his place, this article chose to think that no need to spend efforts to shape a unique notion that added everything concepts about the famous gap digital. At the end of the count, actual needs are tied to offering solutions for local communities, some with intercultural particularities, without paying attention to whether there are one or diverse academic concepts. These actual needs of a digital gap problem ought, then, regardless as most matter than the looking for unique notions like "digital rights", or others like "right to communication" or "right to information" or "dignified life".

The only way to work with a category like "digital rights" is to build a dialogue with anything academic community of studies of communication, and too with other social sciences. Thus, if it is looking for wide struggle versus gap digital, it should take count of personal and local stories in the floor-lands. This work applies qualitative techniques of data recollection like deep interviews a community members and other local actors, field ethnographic notes, and document sources to review about local agenda of the municipalities of Argentinian Puna.

Whether this reflection dives into a juridic-specific field when paying attention to the level of impact that "digital rights" have in legal instruments, likely it not to find too material with exact quotes about these rights. In part because the notion of "digital rights" is recent, on the other hand too because these instruments evade viewpoints with liberal ideas about social, cultural, economic, and gender inequality. Overall, digital rights are only in researchers' and scholars' works, but not in law and regulations frames, not on national, provincial, or local scales.

This way, there exists a loophole over "digital rights" in both juridic instruments and legal materials. Further, there is also no stance about the scope of these rights that allows its assumption like covering low-income people and marginal sectors of the society. Digital rights not only should tie with gap digital issues, but also cultural appropriation with tech artifacts, internet steering, and language telematic whole. There are even those who speak of digital rights as part of human rights [Organisation for Economic Co-Operation and Development \(2022\)](#), and they have even been called "fourth-generation human rights":

In the current legal literature, many voices are already calling for the emergence of a new range of rights related to the information society that would constitute a fourth generation of human rights. Two kinds of rights are proposed here: (i) several rights that have already achieved recognition in many countries, such as freedom of expression, the right to protection of sensitive data, privacy, and secrecy of communications, among others; and (ii) other new rights that are just emerging, such as the rights of the cybernaut in the digital world [Martínez \(2014\)](#).

Although this concept has the advantage of being a recent attempt to describe the new reality since both internet and smart technologies are irruption, it has a limitation of unknown aspects about digital skills, cultural leading, and alphabetization in the TICS sphere. This form needs to re-think the reach of "rights digital" before putting it within the discussion most important in this field.

In the first place, in juridic terms, the concept should be dealing with taking count principles of the laws field. Between them, it must underline that whole rights have also a counter face: positive side and negative side, as well as subjective and objective aspects. On these aspects, both negative and positive as well as subjective and objective, it must be said that all rights cause forces and attributions to people. Often only those aspects that benefit people are emphasized, leaving aside these aspects to incite duties.

Rights not only represent attributions for subjects but also mean their duties to the whole society. In effect, be aware this should be signaled because most times talk about "rights" only takes place in positive and subjective aspects, without considering the conception and scope widely what they have. For instance, for only telling something, the right to communication incites the attribution in persons for truthful information and plenty of participation in the public sphere, but moreover its right origin responsibilities in the use of public words [Loreti and Lozano \(2014\)](#), [Hessling Herrera \(2023\)](#). Other examples look like the right to education or the right to health, which not only protect people and communities but also, are duties for families and governments administrations. Given that these are as regard like human rights, your "enforceability" falls as an obligation of states and adult people [Abramovich and Courtis \(2004\)](#), [Hessling Herrera \(2024\)](#).

The second place, that “digital rights” will arise inside juridic, social, and cultural debates, beyond some academic, required most work about ties between these rights and other rights as digital alphabetization and economic differences to access to smart tech and TICs. In other words, it’s relevant to transcend the scientific debates and, too, the searches for conceptualized “digital rights” in an isolated way.

Regarding the latter, this article proposes mixing all rights that reference communication ambit within a unique notion, already known as the “right to communication”. This definition includes freedom of speech, the right to information, freedom of the press, and digital rights [Hessling Herrera \(2023\)](#). Thus, avoiding stagnating in academic concerns that are blurred in other contexts of everyday life helps to bring this discussion and insights into diverse scenarios, and raise the influence of these struggles for widening these rights.

### **DIGITAL GAP, MUCH MORE THAN TECH ACCESS**

The legal loophole mentioned in the above part is that see with what “digital rights” or “right to communication” can’t be understood as a mere access question. In other words, the digital gap is central to these discussions, although we shouldn’t think that the problem is only economic, or possession of smart devices or informatic machines [Baladrón et al. \(2019\)](#). The digital gap, as already told, in places like Latin America depends on several drivers as diverse culture, skills in communication, digital alphabetization, and wi-fi connection quality, among others. It’s true that these factors also tie in with economic aspects but can’t expect the whole same thing. Every factor should be mentioned and analyzed with your features, without leaving to see the integration altogether of these elements.

In the specific sites in North Argentinian, such as Great Chaco -in places such as Salta, Jujuy, Formosa, and Chaco provinces- the poorest scenes are hard that deal with if think only the devices transfer. Track new figures over this region [Programa De Las Naciones Unidas Para El Desarrollo \(2022\)](#), and qualitative studies [Flores Klarik \(2015\)](#), [Flores Klarik \(2019\)](#), allow perceive that the region suffers severe inequality, not unique in revenue but moreover to cultural gaps and lack of basic institutions, as sanitary attention primary, sports centers or government representants Office.

To mention just one case, in the town of Hickmann, on national route 81, between Salta and Formosa, a single office receives and resolves issues related to municipal administration, energy and water utilities, and any other type of proceedings [Belmont Colombres \(2022\)](#). Still, they pay bills only in the same place, in Hickman town, that is open one day for week. In this place you should go attends all the towns around the zone.

In this context, access to smart technology occurred mainly through the Conectar Igualdad program, but it’s a narrow reach when other needs knock households and families, both criollos and natives [Baladrón et al. \(2023\)](#). In addition, the latter decisions of national government libertarian, since December 2023, have aimed to fit those programs and other lines of policies that focused on rural populations and native communities, small farmers, and lower-income people. The fallout of these administration decisions is that these devices that are brought to people are not actualized and have not received tech maintenance, because there are no workers for will that do, and no budget for will pay. The central slogan that Javier Milei’s administration is “There is no money”.

### **RIGHT TO COMMUNICATION LIKE AN ALTOGETHER CONCEPT**

Such as said above, as place as mentioned notions as “digital rights”, “freedom of speech”, “freedom of the press” or “right to information”, we choose that proposal a concept that integrates all of those [Hessling Herrera \(2020\)](#), [Hessling Herrera \(2021\)](#). However, we take a concept that is not completely new and original. Taking previous works by other authors, our proposal vindicates the “right to communication” and serves both mix all concepts referring to communication and public space and piercing spheres beyond juridic and academic ambits. Our vision of this concept, therefore, encompasses a broad approach. This approach makes it possible to add to the “right to communication” everything that has been worked on in this document.

Thus, it’s necessary to take into account that the tie between communication and public space today is crossed by internet disruption. This implies that access and complete use of the web are basic conditions for that right to communication in entire conception, like same any else right as access to home, life, or water. The right to communication is a fundamental right as anything else. This way, the punctual region that is taken for analysis in this paper must look like a zone with too many privations, and hence as a place where people don’t entirely enjoy the right to communication. This is thus because all fundamental rights are linked to one and else in a codependence relationship, for instance, without access to energy or water it’s impossible to enjoy of right to communication.

In the North of Argentina, the main issues are not access to technology or skills communication, neither also infrastructure wireless nor maintenance of devices. Although these issues are indeed real and worrying. The most matter aspect is the overall cultural and economic situation in the zone, not one specific factor or each one separate, but all problems altogether. This complex scenario is uncommon in other countries, even within Argentina itself. Historically this region it’s the poorest of the country [Instituto Nacional de Estadística y Censos \(2024\)](#) and where most conflicts are for indigenous resistance and fight between great and small

farmers, mainly on sugar production [Iñigo \(2010\)](#). Here, most of the litigation in recent years has been over landownership and deforestation of native forests.

The lack of resources to guarantee the entire life of the public space, including the analog and digital dimensions, is present in all kinds of aspects: political, economic, legal, cultural, social, and more. For this reason, there assumption that the right to communication should be inside in net of claims for affordable and equal dignity of life. In other words, the right to communication is part of human rights in this most venerable conception. But, plus, it's a right that makes sense only within a chain of rights. This is what we have called codependence between rights.

To conclude this article of reflection, three key points will be highlighted about the above. First, the a need to think comprehensively and complexly about the right to communication as attribution and duties, public and private, and in network with other human rights. This aspect is fundamental to exceeding legal and academic spheres, as well as to turn these rights into the strategic strengthening of complex litigation [Rodríguez \(2022\)](#), whose "enforceability" will be possible and routine, such thus "progressivity" [Stinco \(2019\)](#). This vision of the right to communication is not new and completely original, but it is unavoidable to maintain and rethink its content with current aspects such as access to the Internet, the usefulness of intelligent technologies, the literacy of the digital process, and public policies on public space, the digital sphere and citizenship in these places.

This way of thinking about the co-dependence between several human rights, such as a network, offers possibilities for intersectoral participation in the processes of struggle where recognition is sought for invisible actors or problems or the improvement of living conditions. Therefore, it is important to look at human rights from a critical perspective, whose main reference is Joaquín [Herrera Flores \(2008\)](#). In this theoretical line, human rights are not only written texts or legal elements, but processes of struggle to expand the scope of the idea of a dignified life. Opening this pathway could bring these fight processes to link actors that are part of diverse fields of action, such as political, cultural, academic, economic, and still sports ambits. With this cross-sectoral participation, more ambitious objectives linked to human rights as a whole would be achieved and, in addition, a broader agenda of issues associated with equality, inclusion, and democratic citizenship would be discussed.

Secondly, all the issues addressed in this paper must be understood in a localized way, within each specific context. The local vision allows us to consider the particularities of each place at the time of each research project. In the case of northern Argentina, both the right to communication and the digital gap have to do with poverty, cultural diversity, and deep economic inequality, among other things [Casadei \(2024\)](#). Then, these characteristics could not be evaded if pretend whole and complete analysis. Thus, a complex perspective suggested in the early paragraph requires taking account of a situated look, which is still most necessary in the context of North of Argentina for the features given before signaled. Reducing the digital gap and guaranteeing the right to communication, at localized insight, make sense in the South Global-like paths of the fight for building the fairest societies, not only on a world scale but also within each country. Hence the relevance of programs and policies such as Conectar Igualdad, but also the promotion of other policies that comprehensively address the problems of mixed populations in areas such as the north of Argentina.

Both perspectives, of the Global South as a geopolitical whole and the local view of each place, must be considered for a complex analysis and to address proposals on the right to communication and the fight against the digital divide in places of the peripheral world. In this way, public policies could be planned among different places, even in sites serving countries, for example, in Latin America. Often, border areas have more in common than other areas within their own countries. In addition, these articulations between different places in different countries would facilitate international financing from entities such as the Inter-American Development Bank, the World Bank, or the CAF, among others. With the addition of these types of financial players, the potential for international alliances will grow significantly.

Third and late place, it matters highlighter that public space be composed of both analogic and digital spheres, therefore dealing digital gap like the main issue is fundamental to democratic citizenship and complete participation in public life, political decisions, cultural processes, and learning-teaching paths. This is because the localized perspective suggested above requires the unavoidable articulation between the various factors that interact in regions such as northern Argentina [Belli \(2017\)](#). Other places with similar features also must be treated the same way, with the consideration that digital gaps are part of a complex scenario with multiple and interactive factors. The digital gap, then, is not only economic problems, cultural issues, or social worries. This definition shouldn't be a sight at any time, mainly in sites like North of Argentina, where there is a deep inequality and too wide a diversity of cultures. There is not enough focus policy nor transfer incomes or devices tech, as well as integral interventions that involve multiple social actors, beyond governments [Rodríguez Garavito and Baquero Díaz \(2020\)](#).

The latter is especially relevant given that for any consideration of citizenship, it is fundamental to assume that the public space is composed of both the analog and digital spheres. Therefore, actions in line with the broad conception of citizenship need local vision and comprehensive and co-dependent perceptions of the right to communication to be at the forefront. To overcome the digital divide, these approaches must take into account the complexity and multiple factors that are part of human rights and public space.

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