



Received: 19 June 2016
Accepted: 14 January 2017
Published: 30 January 2017

*Corresponding author: Frédéric Krumbein, Stiftung Wissenschaft und Politik (German Institute for International and Security Affairs), Ludwigkirchplatz 3–4, 10719 Berlin, Germany; Otto-Suhr-Institute of Political Science, Freie Universität Berlin, Berlin, Germany
E-mails: frederic.krumbein@swp-berlin.org, frederic.krumbein@fu-berlin.de

Reviewing editor:
Agnieszka Stępińska, Adam Mickiewicz University, Poland

Additional information is available at the end of the article

MEDIA & COMMUNICATION STUDIES | RESEARCH ARTICLE

The *New York Times* coverage of the US-related human rights

Frédéric Krumbein^{1,2*}

Abstract: The objective of this study is to examine how US-related human rights issues are covered in the *New York Times* (NYT), and which factors influence the coverage. The study deals with two major domains of reporting of human rights issues occurring: within the US proper and in US actions internationally. Human rights narratives in the US are important factors explaining the selective nature of the newspaper's reporting. The NYT reflects the official discourse of the US government in its coverage of human rights topics. It also plays the role of a “watchdog” and criticizes the US human rights situation in some areas. The study is based on the analysis of 155 NYT articles between the years 1998 and 2013.

Subjects: Politics & the Media; U.S. Politics; Mass Communication

Keywords: *New York Times*; human rights; USA; terrorism; discrimination; LGBT rights

The number of analyses of the coverage of human rights topics in the media is very limited (for example Bennett, Lawrence, & Livingston, 2006; Caliendo, Gibney, & Payne, 1999; Krumbein, 2015; Ovsiovitch, 1993), and the coverage of human rights in the US by US media is for the most part unexplored. The aim of this article is to improve the understanding of domestic narratives about human rights in the US. In particular, the analysis will identify the decisive factors explaining the human rights coverage of the United States in the *New York Times* (NYT). The media analysis is based on the NYT, mainly because of its reputation and influence: “*The Times* is one of the oldest and most prestigious newspapers in the country and historically serves as an informal newspaper of record for the United States” (Skewes & Black, 2006, p. 311). The NYT is one of the most influential newspapers in the world and has a high reputation for excellent journalism. For example, it has the greatest number of Pulitzer Prize winners of any American newspaper. The newspaper is not only an

ABOUT THE AUTHOR

Frédéric Krumbein is a human rights expert at the Stiftung Wissenschaft und Politik (SWP), Berlin, a research institute for foreign and security policy issues of the German government. Dr Krumbein received his PhD in political science from the Free University of Berlin. He holds a master's degree in international relations from the Institut d'Etudes Politiques (SciencesPo) in Paris and a diploma in political science from the Free University of Berlin. His research interests include human rights discourses in China, the United States and the European Union and philosophy of human rights. He teaches at the political science department of the Free University Berlin and at the Berlin School of Economics and Law.

PUBLIC INTEREST STATEMENT

Human rights are universally recognized and clearly defined in international law. However, some countries have their own understanding of human rights. The aim of this article is to improve the understanding of domestic narratives about human rights in the United States and to explain the human rights coverage of the US in the NYT. The human rights discourse in the NYT generally stays within the boundaries of the dominant narrative of the US human rights tradition as presented in the US Bill of Rights. ESC rights are not part of the US Bill of Rights and are rarely covered or portrayed as human rights issues. This makes it more difficult for people in the US who live in dire social and economic conditions to advocate for better living conditions, as these rights are neither recognized by the government nor by the media.

agenda-setter in US politics, but affects global politics as well. It is widely regarded influential in both informing and reflecting the opinions and worldview of the US elite. Many content analyses have used the NYT as a resource (Di Salvo & Negro, 2015, p. 6; Kim, 2000; Lee, 2003; Lee, Chan, Pan, & So, 2002; Usher, 2015, p. 122f). The newspaper is owned by the NYT Company, which is controlled by the Ochs-Sulzberger family. Since 1997, the chairman of the company is Arthur Ochs Sulzberger Junior (*New York Times Company*, 2016). The newspaper usually supports the Democratic party in the US. Riccardo Puglisi confirmed this affinity in an analysis of NYT reporting from 1946 to 1997 (Puglisi, 2011). The first part will describe media theory and the sampling of the study. The second part will characterize narratives on human rights in the US. The third and fourth parts will provide the results of the media analysis and discuss the findings.

1. Media theory and methodology

The method that is used for the analysis of the NYT is a qualitative and quantitative content analysis: “Content analysis is a research technique for making replicable and valid inferences from texts (or other meaningful matter) to the contexts of their use” (Krippendorff, 2004, p. 18). Every content analysis contains quantitative and qualitative elements. The following analysis uses a nominal level of measurement, the classification of newspaper reports about human rights topics to different categories of human rights. The question for the content analysis is the following: Who (actors) reports and discusses what human rights topics, how often they present them (frequency), and how they present them (positive/negative). Events in the real world are selected for reporting by the media according to different criteria, known as “gatekeeping”. “Gatekeeping is the process of culling and crafting countless bits of information into the limited number of messages that reach people each day, and it is the center of the media’s role in modern public life” (Shoemaker & Vos, 2009, p. 1). Four significant aspects of such gate-keeping are worth identifying here.

Firstly, dominant national discourses and hegemonic narratives influence the coverage of events. News usually reproduces the dominant positions and opinions in a country and stays within the established system of ideas and opinions (Chomsky, 1989; Di Salvo & Negro, 2015, p. 2; Ginneken, 1998, pp. 161–164; International Council on Human Rights Policy, 2002, p. 86). For example, the discourse in the US media only reports different opinions within the boundaries of the official and dominant opinion (“diversity within unity”) (Lee, 2003, p. 80f). In most instances, media in democratic societies do not have to fear direct censorship by the state. However, self-censorship is prevalent in many private media companies, as media and journalists are subject to restrictions by the market and must overcome substantial barriers if they want to report news that does not conform to the dominant narratives in a society. Reports that stay inside the dominant discourse are often objective and reporting can be critical towards powerful interests if it does not cross the boundaries of the dominant discourse (Herman & Chomsky, 1994, pp. 1–25). Media are often owned by large and profit-seeking corporations that are controlled by wealthy people. Furthermore, media are dependent on advertising. The advertisers’ choice of some media over others influence the prosperity and survival of the media, as most outlets need these revenues. One selection criteria for advertisers is that the media’s audiences are affluent, which translates in the aim of media to attract affluent audiences. Still, the mass media need information and do not possess the resources to have journalists at all places where important news may break, so they concentrate their resources where significant news often occurs, for example press conferences of the White House or of government departments. To use official sources is also less expensive as they are easily available and often regarded as credible by the journalists, so no or less costs for fact-checking occur. Not only journalists find it often more convenient to rely on well-known and established sources, powerful sources have more access to the media and, as a consequence, more opportunity to insert messages into media channels. State actors as crucial sources of information may also exert pressure on journalists by threatening to withhold information or deny access in case of unfavorable reporting by journalists (Herman & Chomsky, 1994, pp. 1–25; Shoemaker & Reese, 1991, pp. 161–167; Shoemaker & Vos, 2009, pp. 76–96). Journalists follow established routines about what the audience wants to read, see, or hear, and their reporting is influenced by these expectations (Shoemaker & Vos, 2009, pp. 52–54).

Even if serious human rights violations occur, as for example in the case of Abu Ghraib prison where US soldiers tortured detainees, the media frequently follow the official narrative of the US government. For example, the US media preferred the use of the word “abuse” instead of the stronger classification “torture” and, in many articles, did not question the official narrative that these incidents were isolated events, carried out by low-ranking soldiers that misbehaved, instead of representing a governmental policy of systematic torture (Bennett et al., 2006). Ovsiovitch analyzed the human rights coverage of the US media between 1978 and 1987 and discovered that coverage of civil and political human rights dominated, and explained this by the influence of the official US human rights position (Ovsiovitch, 1993).

Gordon and Berkovitch analyzed the NYT for the emergence of a discourse of human rights and found that the appearance of the terms “civil and human rights” increased dramatically in the years 1975 and 1980 during the Carter era, whereas this frequency thereafter only slightly increased (Gordon & Berkovitch, 2007). Starting with Reagan, the following US administrations set other priorities, particularly the fight against terrorism. Since the 2000s, the US was also more widely viewed as a perpetrator of human rights violations and not mostly as a condemner and opponent of them. This was highlighted by the fact that in 2001 the US, for the first time since its creation in 1947, was not re-elected as a member of the UN’s most important human rights body at that time, the Human Rights Commission (predecessor to today’s Human Rights Council) (Crossette, 2001).

Herman and Chomsky speak of worthy and unworthy victims and showed in various media analyses during the Cold War period that the coverage of human rights violations in countries that were enemies of the United States were much more frequent than of human rights violations in allied countries. An example is the murder of a Polish priest in 1984, which, compared to the murder of about a hundred priests in Latin American countries in the 1980s, received much more coverage in major US media outlets (Herman & Chomsky, 1994, pp. 37–86). A comparison of the media coverage in the NYT and the *Washington Post* of the Tiananmen Square massacre in 1989 in China and of the Kwangju massacre in 1980 in South Korea confirms this argument about worthy and unworthy victims. The analysis showed how both newspapers followed the opinion of the US government in most reports. Both incidents reflected a crackdown on peaceful pro-democracy demonstrations by authoritarian governments. But the reaction of the US government to each case was very different: In the South Korean case, the government praised the re-establishment of order, while in the Chinese case, the crackdown was publicly condemned. A media analysis of the NYT and the *Washington Post* confirmed that only 64 articles covered the Kwangju massacre, whereas 302 reported about the Tiananmen massacre, and the reports about South Korea were more positive (Kim, 2000).

Secondly, some events are not reported because journalists do not know about them or do not deem them sufficiently important and interesting. Media coverage is always selective (Habermas, 1992, p. 454f). Characteristics, knowledges, attitudes, and behaviors of journalists, as in this case, the knowledge and attitude of journalists about human rights, affect what is reported how. New knowledge in a world of near limitless information is processed by “frames”, i.e. patterns of selection, emphasis, and exclusion. The “frame” can be existing knowledge about human rights in general or in a specific country or context (Shoemaker & Vos, 2009, pp. 33–50, 55–59). The media thus create a world which is not and could not be an accurate image of the objective world (Chomsky, 1989, pp. 10–12, 48f). Moreover, the media coverage focuses more on crises and disruptive events than on continuity (Galtung & Ruge, 1965). Usually, the media do not report about human rights abuses that are not an event, such as continuous abuse in prisons where no pictures and few stories exist. The media largely fail to give an accurate picture of human rights abuses in the world (Caliendo et al., 1999, p. 64f).

Thirdly, the sources of information influence the media coverage. Four factors are crucial for journalists in selecting their sources: authority, credibility, availability, and routine. Authority is mainly linked with the position and power of someone, for example if the US president speaks, the media listen. Credibility is also linked with proximity and availability: usually the media place greater trust

in sources from their own country, and journalists establish personal ties with sources that they deem reliable and trustworthy. Journalists often rely on a limited set of routine news gathering channels and that often leads to news that is dominated by official sources. Sources can also foster their own use by providing the context within which all other information is evaluated, and by providing information that is easier and cheaper to use than that from other sources, for example many government departments and agencies have big public relations divisions that provide free and easily accessible information for journalists. An analysis of the actors and sources in the media could also reveal the degree of diversity and impartiality in the coverage (Ginneken, 1998, pp. 88–91; Lee et al., 2002, p. 216; Shoemaker & Reese, 1991, pp. 150–157; Shoemaker & Vos, 2009, pp. 54–55).

Fourthly, in open societies, like the US, the media aggregate the opinions of political actors, create a public sphere, and communicate political debates to the public. The political actors in the media are professional ones who try to generate attention and convince the public of their opinions (Habermas, 1992, pp. 415–440). The media also play an important role in investigating the abuse of power by the state. Ideally, they discover and report human rights violations to a wider public (International Council on Human Rights Policy, 2002, p. 27f). Different sorts of “watchdog journalism” exist, i.e. providing essential information about political, social, and economic events to the public. A first sort is the transmission view of watchdog journalism: “The transmission view of watchdog journalism posits that journalists have an obligation to provide us with enough information so that we may then take action—but that journalists are charged solely with serving as information providers” (Usher, 2013, p. 193). A second sort portrays journalists as a moral compass for the public. While journalists invariably express their opinions, these are generally constructed so that they do not run contrary to those held by the public in general. They are the first to report and make judgments about a topic. A third sort of watchdog journalism highlights it as a method, i.e. investigative journalism. A fourth sort “judges how successful journalists have been in creating change as a result of their work—journalism that actually prompts decision-makers or the public to change course” (Usher, 2013, p. 193f).

These four points discussed in relation to media coverage in general and specifically for human rights reporting, lead to the hypotheses that in the content analysis the human rights coverage will largely stay inside the boundaries of the dominant human rights narrative, i.e. the official US human rights position (see next section), that the actors that discuss human rights in the media are mostly state actors, that negative reports will be more frequent than positive reports, and that the media will stay inside the boundaries of the official narrative but be prepared to criticize the government and play to a certain extent the role of a “watchdog”.

Now we can turn to a description of the methodology for this study, and explain the selection of time span and categories used for the content analysis. To limit the scope of the media analysis without sacrificing the objective of spanning a larger time span, four time periods were chosen: the three months June, July, and August of the years 1998, 2003, 2008, and 2013. The three consecutive months were selected randomly in order to get a representative sample of time periods. The sample of articles was selected via the database LexisNexis. All articles in the four time periods mentioning the term “human right” and with a relation to the United States were analyzed, amounting to a total of 155 articles. However, for the purposes of this research, a violation, an event, or any other report about a human right in the newspaper has to be based on the human rights mentioned in the “International Bill of Human Rights” of the United Nations, i.e. the Universal Declaration of Human Rights (UDHR) from 1948 and the two covenants, the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights from 1966 and their optional protocols. The categories of human rights that were identified during the media analysis are described in the results section and for every human rights topic the related article(s) of the UDHR are identified (part three).

An event, such as a specific human rights violation, is only counted once in an article. There can be more than one report about human rights in one article. But if one specific human rights violation is

mentioned in more than one paragraph in an article, for example the torture of a prisoner, it is still counted only once. The scope of the study are human rights in the US and human rights outside the US, if they are directly connected to the behavior of persons working for the US government, for example human rights abuses committed by US soldiers in a foreign country. All reports were classified as negative or positive. Negative reports refer to all that cover a human rights violation. Human rights violations are sometimes mentioned explicitly, for example “torture”. But in most cases, they are just described and then categorized accordingly, for example “Broken bones, smashed teeth and irreversible impotence, he said, are among the repercussions of his 12 detentions” (categorized as “torture”). Positive reports are those which indicate progress and/or positive aspects of human rights in the US. Positive is a broad category that refers to any progress in the area of human rights, even if a human rights violation occurred and the progress means that it is ended or improved, for example the release of a political prisoner or better conditions of imprisonment for a political activist. These reports are more neutral than positive as they indicate not only progress, but also a human rights violation. However, as it is difficult to distinguish unequivocally between positive and neutral reports, all reports that indicate some sort of progress and improvement of human rights are grouped together in the category “positive”. Finally, the sources in the US who speak about human rights (both at home and abroad) and are reported in the NYT are described and analyzed.

2. Narratives about human rights in the US

The human rights conception of the US centers on the first ten amendments of the Constitution, referred to as the Bill of Rights. The US portrays the values and rights of its Constitution as universal, and human rights as core American values. The dominant narrative is, in general, the claim or belief that compared to all other countries the US is a strong believer in and defender of human rights and not an abuser of them. Abuses of human rights are according to this narrative relatively few and “exceptional” to the nation’s fundamental values. In 2010, the official report of the US government to the United Nations for its first Universal Periodic Review (UPR), a framework for monitoring and discussing human rights in every UN member state every five years in the UN Human Rights Council, states: “The desire to live freely under a government that would respect and protect human rights was the fundamental motivation of our country’s Founders—human rights have not only been part of the US since the beginning, they were the reason our nation was created” (UN, 2010, p. 5). The second UPR report by the US government from 2015, which is mainly a reaction to recommendations by the UN Human Rights Council after the first UPR, highlights this tradition, too: “The United States has a long history of promoting, protecting, and respecting human rights, beginning with our Declaration of Independence and our Constitution” (UN, 2015, p. 22).

The core human rights of the US are the civil and political rights identified in the Bill of Rights: religious freedom, freedom of speech and opinion, freedom of assembly and association, security of the person, home, and personal communication, habeas corpus and the right to a fair trial, and the prohibition of ill-treatment and torture. The rights to vote and to petition the government are the core political rights (UN, 2010). Human rights are also closely intertwined with democracy and the separation of political power. Furthermore, equality of all human beings is also a cornerstone of the US conception: “The story of the United States of America is one guided by universal values shared the world over—that all are created equal and endowed with inalienable rights” (UN, 2010, p. 3). This human rights narrative has, more or less, public consensus in the US. These rights are internationally recognized in the UN UDHR.

However, the American human rights narrative and the situation of human rights also have some exceptional characteristics in comparison to other states, even to countries that share the same cultural heritage, such as the European states or Canada, as some authors have shown for different aspects of the US narrative (for example Alston & Goodman, 2013; Ignatieff, 2005; Schauer, 2005; Whitman, 2003). Firstly, the civil rights of the US Constitution grant in some cases very great freedom to the individual right holder, for example a wide-ranging freedom of expression. In the US, “hate speech,” i.e. speech that is commonly prohibited because of its contribution to intolerance and discrimination, is allowed in nearly all cases (Schauer, 2005, p. 36).

Secondly, the US does not recognize economic, social, and cultural (ESC) rights, whereas most other states in the world do. On the global stage, the US remains the state with the most objections against this category of rights, as the lack of ratification of the ICESCR and various statements in UN bodies show (Alston & Goodman, 2013, pp. 292–294). ESC rights are mostly portrayed in reference to discrimination and they are not seen as judicially enforceable human rights but only as policy objectives (UN, 2010, 15, 2015, p. 7f). In the second UPR report of the US government, the chapter about ESC rights is entitled “ESC measures” and underlines the non-recognition of ESC rights as human rights. Policy measures in the areas of food security, education, healthcare, and housing are described (UN, 2010, pp. 15–17, 2015, p. 7f, 19f). This attitude results in a higher violation of ESC rights by the US. For example, the US, in comparison to Australia, Canada, and other advanced democracies in Europe, has the highest rate of poverty among people over sixty years and of children of single mothers. In general, the US is the most unequal society among advanced democracies (Linz & Stepan, 2011, p. 847).

But in US history, another tradition exists. Following the economic turmoil and social misery caused by the “Great Depression” in the 1920s and 1930s, President Franklin D. Roosevelt (1933–1945) advocated economic and social rights and introduced the US version of the welfare state with his “New Deal” policies. His 1944 state of the union address linked individual freedom with social and economic security: “We have come to clear realization of the fact that true individual freedom cannot exist without economic security and independence. Necessitous men are not free men” (Soohoo, Albisa, & Davis, 2008, p. 172). Furthermore, he advocated a “Second Bill of Rights”, which encompassed ESC rights and should have been implemented in addition to the existing Bill of Rights. The rights mentioned by Roosevelt included the rights to a remunerative job, a decent home, healthcare, social security, and education (Soohoo et al., 2008, p. 172). His wife Eleanor advocated ESC rights in the United Nations. Some later presidents supported these rights, too (Whelan & Donnelly, 2007, p. 916f). However, to see ESC rights as human rights never became a consensus position in the US: neither was it possible to include this category of rights in the US Constitution or pass them as simple laws, nor has the US ratified the ICESCR. A progressive US Supreme Court in the 1960s came close to including some ESC rights into the Constitution, but the appointment of four conservative judges by Republican President Nixon in the years 1969 to 1972 ended this brief period (Sunstein, 2005, pp. 105–110).

Thirdly, the US also rejects all human rights treaties that would provide US citizens with the possibility to claim their rights in front of an international court or another international body. The US has neither ratified the American Convention on Human Rights nor one of the other eight regional human rights treaties and protocols. The US has also refrained from ratifying any of the optional protocols to UN human rights treaties that introduce an individual complaint mechanism (Alston & Goodman, 2013, pp. 980, 987; UN Treaty Collection, 2016). In general, the US only ratifies human rights treaties that are in agreement with the US Constitution or that are limited to its provisions by reservations made by the US. The result is that the US has ratified only a few of the core human rights treaties of the UN such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ignatieff, 2005, p. 14; UN Treaty Collection, 2016).

Fourthly, the US judicial and penal system and law enforcement are, in most aspects, harsher and stricter than the systems of other states that have comparable rule of law provisions and a similar level of social and economic development, for example other developed democracies. The US often imposes more severe punishments for similar offences than other countries and the prison conditions are tougher. For example, the US is the country with the largest population of prisoners in the world, both in absolute and relative terms. It is currently incarcerating about 2.2 million people and has a prison population rate of 693 (per 100,000 of national population) (Institute for Criminal Policy Research, 2016). 32 of the 50 states and the federal government still apply the death penalty and 28 people were executed in 2015, by far the highest number of executions among advanced democracies. In comparison, all EU states have abolished capital punishment (Amnesty International, 1999-2015, p. 390). Besides the death penalty, nearly 50,000 people in the US are serving life

sentences without the possibility of parole, a punishment that is unknown or seldom imposed in other countries (American Civil Liberties Union, 2013, p. 2).

The use of lethal violence by the US police is comparatively high, too. The US Bureau of Justice estimates that an average of 928 people were killed by police in the US in each of the last eight years, whereas in France and Germany approximately ten persons were killed by the police in each of the last ten years (Deutsche Presseagentur, 2013; Laurent, 2014; McCarthy, 2015). In the fight against terrorism at home and abroad, the US uses harsh measures as well. From 2002 to 2004, the US government explicitly allowed the torture of terror suspects, and tortured from a few dozen to perhaps a few hundred persons. A controversial interpretation of the definition of torture in US law during this period allowed the use of torture, euphemized as “enhanced interrogation,” such as waterboarding (Luban, 2005, pp. 1452–1460). In January 2002, the administration of President George W. Bush opened a prison camp at Guantanamo Bay, a US territory on Cuba, to incarcerate terror suspects. Nearly 800 prisoners were imprisoned at Guantanamo Bay, and in December 2016 less than 60 persons continued to be held in custody at this site. The imprisoned persons are largely denied their right to a fair trial over their detention and the great majority of all prisoners were never convicted of any crime (Alston & Goodman, 2013, pp. 415–431; American Civil Liberties Union, 2016).

3. Results: Coverage of human rights in the *New York Times*

The two, and by far most extensively reported human rights topics concerning the US in the NYT are discrimination and equal rights (100 reports), and human rights abuses in combating terrorism (70 reports). Together they account for about two-thirds of all reports. The next three topics are human rights violations of the US in foreign countries (26 reports), the judicial and penal system (15 reports), and ESC rights (13 reports). All other topics are only of minor importance in the NYT (Table 1).

Most of the identified human rights topics are directly related to one or more human rights in the UDHR. The “characterization of the US’ general human rights situation” refers to a general evaluation of human rights in the US. The category “human rights violations in combating terrorism” refers to all human rights violations that occur in the combat against terrorism. There is no clear universally accepted definition of terrorism, so human rights violations are classified in this category if terrorism-related words, as “terrorism”, “terrorist” or “terror” are used together with the human rights violations. In sum, the main criteria for the categorization under the category “human rights violations in combating terrorism” is the mention of terrorism-related words. Human rights violations in the fight against terrorism can occur inside or outside the US. The category “human rights

Table 1. US-related human rights topics reported in the NYT

Topics	1998	2003	2008	2013	Total
Discrimination and equal rights (Art. 2 UDHR)	35	34	15	16	100
Human rights violations in combating terrorism (Art. 3, 5, 7–12 UDHR)	–	15	52	3	70
Human rights violations of the USA in foreign countries (Art. 3 and 5 UDHR)	2	8	15	1	26
Judicial and penal system, including capital punishment (Art. 3, 5, 7–11 UDHR)	5	7	3	0	15
Economic, social, and cultural rights (Art. 22–27 UDHR)	1	4	6	2	13
Characterization of the US’ general human rights situation	–	1	4	0	5
Human rights abuses of companies (Art. 22–25 UDHR)	–	5	–	0	5
Freedom of opinion (Art. 19 UDHR)	1	–	2	2	5
Abortion (Art. 5, 12 and 25 UDHR)	1	–	–	3	4
Right to privacy (Art. 12 UDHR)	0	0	0	3	3
Right to asylum (Art. 14 UDHR)	–	–	3	0	3
Total	45	74	100	30	249

Table 2. Reports and type of reporting about US-related human rights topics reported in the NYT

	1998	2003	2008	2013	Total
Reports	45	74	100	30	249
Positive coverage	7	27	10	12	56
Negative coverage	38	47	90	18	193

violations of the USA in foreign countries” refers to all human rights topics that have no explicit relationship to terrorism, take place outside the US and involve US state actors, usually the US military. The assistance of the US to other states in violating human rights fall under this category, for example, US military assistance to Latin American countries and subsequent human rights violations of the military of these countries. Furthermore, actions by US officials in Afghanistan or Iraq can also fall under this category, if there is no explicitly mentioned reference to terrorism, for example the failure of the US administration to provide for adequate health care in Iraq or civilian casualties in the fight between the US military and the Iraqi army.

As Table 2 indicates, about eighty per cent of the coverage is negative, i.e. criticizing human rights abuses in and by the US, and only twenty per cent is positive, i.e. reporting progress or describing these situations in positive terms:

About half of the hundred reports on the topic of discrimination and equal rights are on Lesbian, Gay, Bi- and Transsexual (LGBT) rights.

In 1998, the NYT reported extensively about the “Don’t Ask, Don’t Tell” policy within the US military, for example “Still, for gay service members, devotion to the military is fraught with the knowledge that it will turn on them instantly if it learns one of the most basic facts about them” (Egan, 1998). Under this provision, LGBT people were allowed to serve in the military as long as nobody discovered their sexual orientation, while the military would not ask about or actively investigate the sexual orientation of its members. Discriminatory remarks against homosexuals by both Republican majority leaders in the Senate and the House of Representatives were reported a few times 1998: “... Senator Trent Lott of Mississippi, the majority leader, likened homosexuality to alcoholism, kleptomania and ‘sex addiction’ in a television interview.... With leaders of gay rights groups condemning Mr. Lott’s remarks, Representative Dick Armey of Texas, the House majority leader, today cited Scripture to support Mr. Lott” (Mitchell, 1998). Another article described the Republican majority in the Senate blocking the nomination of a gay man to become ambassador to Luxembourg (Alvarez, 1998). In 2003, discriminatory remarks of leading Republican politicians were reported as well: “When Senator Rick Santorum, Republican of Pennsylvania, commented on the case, he angered gays of all political stripes by likening homosexuality to incest and bigamy” (Stolberg, 2003a) and “He [Bill Frist, Republican majority leader in the Senate] has taken homosexual behavior and equated it to illegal practices like prostitution and drug use” (Stolberg, 2003b). In 2013, only opponents of same-sex marriage were briefly cited, but there were no comparable discriminatory remarks in the coverage. In 2003 and 2013, the NYT devoted much attention to two landmark decisions of the Supreme Court regarding LGBT rights. The first declared unconstitutional all sodomy laws and the second declared unconstitutional the Defense of Marriage Act of 1996 which limited federal benefits to marriages between a man and a woman: firstly, declaring unconstitutional all sodomy laws in the 2003 ruling; secondly, declaring unconstitutional the Defense of Marriage Act of 1996, that has limited federal benefits to marriages between a man and a woman, in the 2013 ruling: “Gay activists, many in tears, called the ruling [in 2003] the most significant legal victory in the gay rights movement, likening the decision to the seminal civil rights case, *Brown v. the Board of Education of Topeka, Kan.* They predicted it would embolden the movement and, as in the segregation era, encourage more people to step forward and demand an end to prejudice” (Murphy, 2003).

Discrimination against other groups was a continuous topic in the NYT as well, mostly discrimination against African Americans (22 reports) but also against asylum seekers and immigrants (11 reports), women (5 reports), Hispanics (3 reports), Jewish Americans (3 reports) and people with disabilities, Muslims, and older people (each with one report). In the case of African Americans, historical injustices, such as slavery or racist violence in the 1950s and 1960s in the South, were reported. The NYT frequently cited human rights advocates, judges and politicians who described these inequalities, for example the mayor of Philadelphia, Michael Nutter: “So, yes, I am mayor of all Philadelphia, but I am quite well aware of, and raise on a regular basis, the fact that the majority of people who are killed in Philadelphia are African-American, that the overwhelming majority of people who have healthcare challenges are African-American, that education has tremendous disparity gaps. Unemployment, incarceration, poverty, homelessness, housing—all affect the African-American community at a disproportionate level as opposed to everyone else” (cited in Bai, 2008). Another example of racial and ethnic discrimination is the coverage of discrimination against Hispanics, described by a human rights organization: “Nadia Marin, a lawyer for the Workplace Project, a nonprofit organization serving Hispanic workers in Nassau and Suffolk Counties, described discriminatory employment practices against Hispanics on Long Island as commonplace” (McQuiston, 1998). A report on two human rights groups highlighted human rights problems in immigration detention centers: “The report, by a team of doctors who specialize in the treatment of people fleeing persecution, found a steady deterioration in the psychological well-being of asylum seekers over the months and years that they were detained in the centers, many of which offered little access to counseling and other mental health services” (Swarns, 2003).

The NYT coverage of human rights violations in the American fight against terrorism is extensive, too.

In 2003, the imprisonment of terror suspects and its legality, for example in the case of the detention camp at Guantanamo Bay, were reported (11 reports), as well as torture and ill-treatment of detained terror suspects (2 reports). In 2008, the coverage increased and concentrated also on the legal status of imprisoned terror suspects (21 reports) and torture and ill-treatment of these persons (17 reports). Additionally, extraordinary renditions, i.e. the extradition of terror suspects to other countries in order to interrogate and torture them, was covered (6 reports), as well as violations of the right to privacy, for example wiretapping in the US (3 reports). In 2013, three reports covered this topic and described torture and ill-treatment of terror suspects at Guantanamo Bay.

The NYT voices a strong opinion on this topic and sees these human rights abuses as clear violations of American values. In 2003, one author portrayed Guantanamo as an “American gulag” (Conover, 2003). In 2008, strong condemnations of the George W. Bush administration, especially of the use of torture, were reported. The use of torture was described as evil and as shaming for the US: “Thursday was the twenty-first anniversary of the United Nations Convention Against Torture. It was also the same day that two Bush administration lawyers appeared before a House subcommittee to answer questions about their roles in providing the legal framework for harsh interrogation techniques that inevitably rose to the level of torture and shamed the U.S. before the rest of the world.... And now the Nobel Prize-winning organization Physicians for Human Rights has released a report, called ‘Broken Laws, Broken Lives,’ that puts an appropriately horrifying face on a practice that is so fundamentally evil that it cannot co-exist with the idea of a just and humane society” (Herbert, 2008a).

Other accounts were comparable in their moral outrage and fervent condemnation of the torture practice: “It’s a national disgrace that more than 100 inmates have died in American custody in Afghanistan, Iraq and Guantanamo. ... Moreover, many of the people we tortured were innocent: the administration was as incompetent as it was immoral,” (Kristof, 2008) and “Very few voters are aware of Mr Addington’s [David Addington, Chief of Staff to the Vice President Dick Cheney] existence, much less what he stands for. But he was the legal linchpin of the administration’s Marquis de Sade approach to battling terrorism. In the view of Mr Addington and his acolytes, anything and everything that the president authorized in the fight against terror—regardless of what the Constitution or Congress or the Geneva Conventions might say—was all right” (Herbert, 2008b).

One headline characterized the use of torture as “Madness and Shame”. The “madness” was described in one part of the article: “I felt as if I was in Never-Never Land [fictional world of Peter Pan] as I read: ‘In conversation with British human rights lawyer Philippe Sands, the top military lawyer in Guantanamo, Diane Beaver, said quite earnestly that Jack Bauer [main character in the TV series 24] ‘gave people lots of ideas’ as they sought for interrogation models” (Herbert, 2008b).

In a 2013 report, the force-feeding of prisoners on hunger strike in Guantanamo was criticized by a federal judge: “And while the Obama administration defended its treatment of detainees as compassionate, she wrote, ‘it is perfectly clear’ that ‘force-feeding is a painful, humiliating and degrading process” (Savage, 2013).

While human rights violations in counterterrorist measures is the human rights topic that incites the most negative and openly critical coverage by the NYT, human rights concerns in the judicial and penal system and in law enforcement are not a frequent topic. For example, some incidents of excessive police violence against African Americans were reported in one article, “The Jackson case also brought to mind more recent incidents in Los Angeles, such as that of a homeless black woman who was shot to death by an officer because, he said, she was holding a screwdriver in a threatening manner, and of an African-American actor who was shot nine times at a Halloween party after he pointed a fake gun at a police officer” (Madigan, 2003). Another example is the coverage about the lack of healthcare in immigration detention centers: “Mr. Ng’s death follows a succession of cases that have drawn Congressional scrutiny to complaints of inadequate medical care, human rights violations and a lack of oversight in immigration detention” (Bernstein, 2008).

A comparative perspective to other countries in the area of human rights and America’s human rights exceptionalism was given two times regarding freedom of expression and lifelong imprisonment without parole and the death penalty, for example “Like our use of the death penalty, our embrace of the natural-life sentence is seen as alien by almost all the countries that share our culture and legal heritage” (Bergner, 2003) and “Under the First Amendment, newspapers and magazines can say what they like about minorities and religions—even false, provocative or hateful things—without legal consequence” (Liptak, 2008).

What is largely missing in the human rights coverage is consideration of ESC rights. The NYT reports on violations of ESC rights, but the coverage was scarce in comparison to other human rights topics. Many reports in this area dealt with questions of discrimination and unequal opportunities, as in education, housing, or employment, for example reports that African Americans are disproportionately affected by lack of education, unemployment or lack of health insurance (Bai, 2008). Single articles described violations of the right to form unions, for example “As part of this campaign, the labor movement will contend that the right to form unions without intimidation – a right guaranteed by international convention – is routinely violated in the United States and that the government does little to protect that right” (Greenhouse, 2003), and the right to adequate housing (Lueck, 2003) or to adequate healthcare, for example a report that some American hospitals forcibly transferred ill illegal immigrants without insurance to their home countries to avoid ongoing medical costs (Sontag, 2008). The only account to portray the US human rights position as one-sided because of the non-recognition of ESC rights was a letter to the editor from a non-governmental organization (NGO) working in the field of ESC rights. The author also criticized widespread child poverty, hunger, and homelessness in the US (Mittal, 1998).

Largely missing from the picture are the revelations of whistleblower Edward Snowden about the large-scale and worldwide spy programs of the US intelligence agencies. This can partly be explained by the time periods, as Snowden fled the US only in June 2013. The NYT started to cover the implications of the right to privacy in the US and abroad, but did not report much about it, at least not in these early stages of Snowden’s disclosures (only three reports in 2013). However, the scope of Snowden’s discoveries started to be seen: “The Obama administration has said the programs were focused on the communications of people who were not American citizens. But Mr. Snowden

asserted in a video interview, released by the Guardian newspaper of Britain on Sunday, that the scale of the surveillance was much broader and involved the recording of a vast array of communications in the United States and elsewhere” (Bradsher, 2013).

4. Discussion

The NYT follows the dominant US narrative on human rights, i.e. it reports primarily about human rights that are part of the US Constitution. The most widely covered topic of discrimination corresponds to the centuries-old struggle of minorities to gain equal rights in the US and to overcome the legacies of slavery, racial discrimination and discrimination based on gender and sexual orientation. This topic also takes center stage in both official government reports to the United Nations UPR (UN, 2010, 2015). In this area of discrimination against racial and ethnic minorities the NYT follows the view of the government and public opinion. It does not convey the views of racist groups and individuals because these groups are marginalized in US society.

However, in the more controversial case of LGBT rights, the NYT does give voice to opponents of equal rights and same-sex marriage. In 2013, these views against LGBT rights, again following the national trend, did not occupy much space in the NYT. The NYT reflected the big changes that occurred both in public opinion, court rulings and official policy of the US in the area of LGBT rights. In 1999, only 50% of Americans believed that gay or lesbian relations between consenting adults should be legal, 43% believed they should not be legal. In May 2016, the ratio was 68 to 28%. In 1999, 62% of Americans opposed same-sex marriage, only 35% supported it. In May 2016, 61% supported same-sex marriage and 37% opposed it (Gallup, 2016).

In 2000, Vermont became the first state in the US to legally recognize civil unions between gay or lesbian couples. In 2003, the Supreme Court ruled in “Lawrence v. Texas” that sodomy laws are unconstitutional. In December 2010, the US Senate repealed the “Don’t Ask, Don’t Tell” military policy and allowed LGBT people to openly serve in the military, which became effective on September 20, 2011. On 26 June 2015, the Supreme Court ruled in “Obergefell v. Hodges” that same-sex couples had the right to marry in every US state (UN, 2010, p. 9, 2015, p. 8f).

Furthermore, the US government now considers the fight of LGBT people against discrimination as the most recent struggle for realizing equal rights and opportunities in its most recent UPR report to the UN Human Rights Council: “In each era of our history there tends to be a group whose experience of discrimination illustrates the continuing debate among citizens about how we can build a more fair society. In this era, one such group is LGBT Americans” (UN, 2010, p. 9, 2015, p. 8f).

Within the boundaries of the dominant narrative about human rights, the NYT plays the role of a watchdog by reporting about human rights abuses in the US, but takes different roles according to the topics. In most articles, the journalists report human rights violations in a neutral way, i.e. taking a “transmission view of watchdog journalism”. The public receives enough information to act, but has to do it on its own initiative (Usher, 2013, p. 194). However, about eighty per cent of reports about human rights in the US are negative, i.e. covering human rights violations. The newspaper thus fulfills a crucial role by highlighting abuses of power and giving a voice to victims of human rights violations.

In the reports about human rights violations in the fight against terrorism, the NYT journalists use more critical vocabulary than for other topics and act like a moral compass for the US public, showing how these violations infringe American values. They have also reflected a more consensual position in US public opinion against the use of torture. During the presidential election campaign in 2008, both candidates of the two major parties, Senators John McCain and Barack Obama, condemned torture and pledged to end this practice.

The fervent criticism by the NYT concerning the George W. Bush administration’s human rights abuses in the fight against terrorism can probably also be explained by the newspaper’s affinity to the Democratic Party in the US. This would also explain why the topic of human rights violations in counterterrorist measures did not play a major role in 2013, despite the fact that the detention center at Guantanamo Bay was still open and President Obama was regularly authorizing controversial drone strikes that resulted in civilian casualties.

The NYT devotes much space to human rights organizations, which may also explain the high percentage of critical reports about human rights in the US. Nearly half of the sources and actors in the NYT that give statements on human rights topics and/or act on behalf of human rights are human rights groups and activists (113 references). The great majority are national and local human rights groups from the US. US state actors are second (100 references). Among the state actors, most of them are from the executive branch, followed by congressmen and—women and senators, and then by the Supreme Court. Politicians and judges from the state and local level play only a minor role. Among the human rights organizations, the most frequently cited are Human Rights Campaign, Lawyer’s Committee for Human Rights, Physicians for Human Rights, and Human Rights Watch (HRW). The other large and global human rights organization Amnesty International is less frequently mentioned, probably because its headquarters are in London and not in the US, unlike HRW’s headquarters. The organizations cited reflect the most reported topics, as the Human Rights Campaign advocates for LGBT rights and Physicians for Human Rights and the Lawyer’s Committee for Human Rights lobby against torture and arbitrary detentions in counterterrorism activities. Otherwise, dozens of other NGOs are mentioned, often only once. The NYT has a high diversity of actors and sometimes also of opinions. The most controversial topic was LGBT rights in the years 1998 and 2003, in which the voices of politicians and some NGOs that expressed strong opinions against equal rights for LGBT people were heard, even though the opinion of the NYT itself was favorable to LGBT rights (Table 3).

Human rights NGOs play a crucial role in the NYT coverage of human rights in the US. However, an analysis of the annual reports of the two major human rights NGOs in the world, Amnesty International and HRW, shows which human rights topics they deem important in the US and how their accounts differ from the NYT coverage (Tables 4 and 5).

Table 3. Actors in the New York Times’ US human rights coverage

Sources	Frequency
Human rights groups and activists (all that are not mentioned below by name)	66
US government (all that are not mentioned below by name)	31
US congress	21
Human rights campaign	17
US Supreme Court	16
Local and state politicians and governments	11
Human rights watch	9
Lawyer’s Committee for Human Rights	9
US president Bill Clinton	9
Physicians for human rights	7
US President George W. Bush	6
United Nations	5
US courts (other than the Supreme Court)	5
Amnesty International	5
US President Obama	1
Other (companies, foreign governments, other non-governmental actors, such as churches ...)	24
Total	242

Table 4. US human rights topics in HRW’s world reports 1999–2015 (events of 1998–2014)

Topics	Years
Prison conditions and criminal justice	1999–2015*
Death penalty and harsh sentencing	1999–2015*
Rights of non-citizens	1999–2002, 2005–2015
Human rights and counterterrorism	2002–2015*
Discrimination and equal rights	1999–2002, 2008–2015
Labor rights	2000–2002, 2011–2015
Health policy (incl. HIV/Aids)	2006–2007, 2011–2015
Police brutality	1999–2003

Source: Human Rights Watch (1999–2015).

*HRW did not publish country chapters in the 2004 report.

Table 5. US human rights topics in Amnesty International’s annual reports 1999–2015 (events of 1998–2014)

Topics	Years
Prison conditions and criminal justice	1999–2015
Death penalty	1999–2015
Police brutality and excessive use of force	1999–2015
Human rights and counterterrorism	1999, 2002–2015
Rights of non-citizens	1999–2000, 2004–2005, 2009–2015
Discrimination and equal rights	2006, 2008–2009, 2011, 2013
Right to health	2009–2013
Housing rights	2008

Source: Amnesty International (1999–2015).

A comparison of the reports reveals that they do not highlight the same human rights violations in the US, but they resemble each other in important topics. Human rights abuses in the judicial and penal system and in law enforcement, the death penalty, and human rights violations in counterterrorist measures have been the most reported topics in the last twenty years. Discrimination and the rights of non-citizens have also been widely covered in the annual reports of both organizations. The main difference to the NYT is the emphasis by the two NGOs on abuses in the judicial and penal system and in law enforcement. These topics only play a minor role in the NYT coverage in the analyzed years. This can probably be explained by the emphasis on a continuous and systematic coverage of human rights abuses by human rights organizations, whereas the media report more on events as they happen to occur. The official narrative of the US government, which does not criticize its own judicial and penal system much, for example the use of the death penalty, may explain the lack of coverage, too (UN, 2010, pp. 13–15, 2015, p. 10f).

5. Conclusion

The human rights narrative in the NYT reveals serious limitations, as the newspaper concentrates its attention only on a limited number of human rights topics in the US. At least two deficits are obvious. First, the human rights violations in the judicial and penal system are not reported much, but they constitute, according to major human rights organizations, one of the biggest human rights concern. Second, ESC rights are rarely covered or portrayed as human rights issues. This deficit makes it more difficult for people in the US who live in dire social and economic conditions to advocate for better living conditions, as these rights are neither recognized by the government nor by the media. It does not help that both major global human rights organizations, HRW and Amnesty International, do not focus much attention on violations of these rights in the US: “If no information about human rights violations is accessible, it is unlikely that people will judge such issues to be important, and if human rights are not

important to the public, political elites are unlikely to devote considerable time to the issue” (Caliendo et al., 1999, p. 49). Another factor that may explain the lack of coverage of ESC rights may be the newspaper’s audience. The average household income of NYT readers is \$164,000 and their household net worth over \$1 million (*New York Times*, 2016). So, the majority of the audience may not be concerned by violations of ESC rights or interested in reports about violations of them. The readership and large corporations that are responsible for advertising may also be against a guarantee of these rights, because ESC rights usually require substantial financial resources and might lead to tax increases.

In sum, the main hypothesis that the human rights discourse in the NYT generally stays within the boundaries of the dominant narrative of the US human rights tradition as presented in the US Constitution and its Bill of Rights was confirmed by this research. However, the newspaper does devote considerable space to human rights NGOs and to a significant degree displays an independent and critical attitude to the policies of the US government.

Funding

This work was supported by German Research Foundation and the Open Access Publication Funds of the Freie Universität Berlin.

Author details

Frédéric Krumbein^{1,2}

E-mails: frederic.krumbein@swp-berlin.org,
frederic.krumbein@fu-berlin.de

¹ Stiftung Wissenschaft und Politik (German Institute for International and Security Affairs), Ludwigkirchplatz 3-4, 10719 Berlin, Germany.

² Otto-Suhr-Institute of Political Science, Freie Universität Berlin, Berlin, Germany.

Citation information

Cite this article as: The *New York Times* coverage of the US-related human rights, Frédéric Krumbein, *Cogent Social Sciences* (2017), 3: 1283738.

References

- Alston, P., & Goodman, R. (2013). *International human rights* (4th ed.). Oxford: Oxford University Press.
- Alvarez, L. (1998, August 6). House supports ban on bias against gay federal employees. *New York Times*, p. 16.
- American Civil Liberties Union (ACLU). (2013) *A living death: Life without parole for non-violent offense*. Retrieved September 12, 2015, from <https://www.aclu.org/sites/default/files/assets/111213a-lwop-complete-report.pdf>
- American Civil Liberties Union (ACLU). (2016) *Guantanamo by the numbers*. Retrieved November 14, 2016, from <https://www.aclu.org/infographic/guantanamo-numbers>
- Amnesty International. (1999-2015). *Annual Reports 1999-2015*. Retrieved November 5, 2016, from www.amnesty.org
- Bai, M. (2008, August 10). Post-Race. *New York Times*, p. 34.
- Bennett, W. L., Lawrence, R., & Livingston, S. (2006). None dare call it torture: Indexing and the limits of press independence in the Abu Ghraib Scandal. *Journal of Communication*, 56, 467–485.
<http://dx.doi.org/10.1111/jcom.2006.56.issue-3>
- Bergner, D. (2003, June 17). When forever is far too long. *New York Times*, p. 27.
- Bernstein, N. (2008, August 13). Ill and in pain, detainee dies in U.S. hands. *New York Times*, p. 1.
- Bradsher, K. (2013, June 11). Hong Kong seen as likely to extradite leaker if U.S. asks. *New York Times*, 11 June.
- Caliendo, S. M., Gibney, M. P., & Payne, A. (1999). All the news that's fit to print?: *New York Times* coverage of human-rights violations. *The International Journal of Press/Politics*, 4, 48–69. <http://dx.doi.org/10.1177/1081180X9900400404>
- Chomsky, N. (1989). *Necessary illusions – thought control in democratic societies*. Toronto: House of Anansi Press.
- Conover, T. (2003, June 29). In the land of Guantanamo. *New York Times*, p. 40.
- Crossette, B. (2001, May 4). For the first time, U.S. is excluded from U.N. Human Rights panel. *New York Times*. Deutsche Presseagentur (DPA). (2013, September 18). Polizisten schossen 36 Mal auf Menschen. *Frankfurter Allgemeine Zeitung*.
- Di Salvo, P., & Negro, G. (2015). Framing Edward Snowden: A comparative analysis of four newspapers in China, United Kingdom and United States. *Journalism*. Epub ahead of print 24 July 2015. doi:10.1177/1464884915595472
- Egan, J. (1998, June 28). Uniforms in the closet. *New York Times*, p. 26.
- Gallup. (2016). Gay and Lesbian rights. Retrieved November 14, 2016, from <http://www.gallup.com/poll/1651/gay-lesbian-rights.aspx>
- Galtung, J., & Ruge, M. (1965). The structure of foreign news: The presentation of the Congo, Cuba and Cyprus Crises in Four Norwegian Newspapers. *Journal of Peace Research*, 2, 64–90.
<http://dx.doi.org/10.1177/002234336500200104>
- Ginneken, J. (1998). *Understanding global news – A critical introduction*. London: Sage Publications.
- Gordon, N., & Berkovitch, N. (2007). Human rights discourse in domestic settings: How does it emerge? *Political Studies*, 55, 243–266.
<http://dx.doi.org/10.1111/j.1467-9248.2007.00651.x>
- Greenhouse, S. (2003, August 31). Unions to push to make organizing easier. *New York Times*, p. 22.
- Habermas, J. (1992). *Faktizität und Geltung – Beiträge zur Diskurstheorie des Rechts und des demokratischen Rechtsstaats* [Between facts and norms – contributions to a discourse theory of law and democracy]. Frankfurt am Main: Suhrkamp Verlag.
- Herbert, B. (2008a, June 28). All too human. *New York Times*, p. 17.
- Herbert, B. (2008b, July 22). Madness and shame. *New York Times*, p. 19.
- Herman, E., & Chomsky, N. (1994). *Manufacturing consent – The political economy of the mass media*. London: Vintage Books.
- Human Rights Watch (HRW). (1999-2015). *World Reports 1999-2015*. Retrieved September 12, 2015, from www.hrw.org
- Ignatieff, M. (2005). Introduction: American exceptionalism and human rights. In M. Ignatieff (Ed.), *American Exceptionalism and Human Rights* (pp. 1–26). Princeton, NJ: Princeton University Press.
- Institute for Criminal Policy Research. (2016). *World Prison brief*. Retrieved December, 28, 2016, from <http://www.prisonstudies.org/>
- International Council on Human Rights Policy. (2002). *Journalism, media and the challenge of human rights reporting*. Retrieved August 30, 2014, from <http://www.ichrp.org/en/projects/106>

- Kim, S. T. (2000). Making a difference: U.S. Press coverage of the Kwangju and Tiananmen pro-democracy movements. *Journalism & Mass Communication Quarterly*, 77, 22–36. <http://dx.doi.org/10.1177/107769900007700103>
- Krippendorff, K. (2004). *Content analysis – An introduction to its methodology*. Thousand Oaks, CA: Sage Publications.
- Kristof, N. (2008, July 6). The Truth Commission. *New York Times*, p. 12.
- Krumbein, F. (2015). Media coverage of human rights in China. *International Communication Gazette*, 77, 151–170. <http://dx.doi.org/10.1177/1748048514564028>
- Laurent, S. (2014, November 26). En France, le grand flou des violences policières [In France, the extent of police violence is unclear]. *Le Monde*.
- Lee, C. (2003). Established pluralism – U.S. Elite media discourse on China policy. In C. Lee (Ed.), *Chinese Media, Global Contexts* (pp. 76–96). London: RoutledgeCurzon.
- Lee, C., Chan, J., Pan, Z., & So, C. (2002). *Global media spectacle – News war over Hong Kong*. Albany, NY: State University of New York Press.
- Linz, J., & Stepan, A. (2011). Comparative perspective on inequality and the quality of democracy in the United States. *Perspectives on Politics*, 9, 841–856.
- Liptak, A. (2008, June 12). Freedom to offend outside U.S., hate speech can be costly. *New York Times*, p. 1.
- Luban, D. (2005). Liberalism, torture, and the ticking bomb. *Virginia Law Review*, 91, 1425–1461.
- Lueck, T. (2003, July 10). Deal ends eviction threat for shelter residents. *New York Times*, p. 2.
- Madigan, N. (2003, July 28). Awaiting a verdict and praying for peace. *New York Times*, p. 12.
- McCarthy, T. (2015, March 4). Police killed twice as many people as reported by US government. *The Guardian*.
- McQuiston, J. (1998, July 14). Hispanic workers accuse L.I. company of discrimination. *New York Times*, p. 8.
- Mitchell, A. (1998, June 17). Controversy over lott's views of homosexuals. *New York Times*, p. 24.
- Mittal, A. (1998, July 4). U.S. rights shortfall. *New York Times*, p. 10.
- Murphy, D. (2003, June 27). The Supreme Court: The reaction; gays celebrate, and plan campaign for broader rights. *New York Times*, p. 20.
- New York Times. (2016). The New York Times media kit – audience. Retrieved November 15, 2016, from <http://nytmmediakit.com/newspaper>
- New York Times Company. (2016). *Who we are*. Retrieved November 18, 2016, from <http://www.nytc.com/who-we-are/>
- Ovsiovtch, J. (1993). News coverage of human rights. *Political Research Quarterly*, 46, 671–689. <http://dx.doi.org/10.1177/106591299304600312>
- Puglisi, R. (2011). Being the *New York Times*: The political behaviour of a Newspaper. *The B.E. Journal of Economic Analysis and Policy*, 11(1), 1–34.
- Savage, C. (2013, July 9). Judge urges president to address prison strike. *New York Times*, p. 12.
- Schauer, F. (2005). The exceptional first amendment. In M. Ignatieff (Ed.), *American Exceptionalism and Human Rights* (pp. 29–56). Princeton, NJ: Princeton University Press.
- Shoemaker, P. J., & Reese, S. D. (1991). *Mediating the message: Theories of influence on mass media content*. White Plains, NY: Longman.
- Shoemaker, P. J., & Vos, P. (2009). *Gatekeeping theory*. New York, NY: Routledge.
- Skewes E., & Black, H. (2006). What's news in the United States? In P. J. Shoemaker and A. A. Cohen (Eds.), *News around the world. Content, practitioners, and the public* (pp. 309–332). New York, NY: Routledge.
- Sontag, D. (2008, August 3). Deported, by U.S. Hospitals. *New York Times*, p. 1.
- Soohoo C, Albisa, C., & Davis, M. (Eds.). (2008). *Bringing human rights home – Volume 1 a history of human rights in the United States*. Westport: Praeger Publishers.
- Stolberg, S. (2003a, June 1). Vocal gay republicans upsetting conservatives. *New York Times*, p. 26.
- Stolberg, S. (2003b, July 2). White house avoids stand on gay marriage measure. *New York Times*, p. 22.
- Sunstein, C. S. (2005). Why does the American constitution lack social and economic guarantees? In M. Ignatieff (Ed.), *American Exceptionalism and Human Rights* (pp. 90–110). Princeton, NJ: Princeton University Press.
- Swarms, R. (2003, June 17). Asylum seekers suffer psychological setbacks, study finds. *New York Times*, p. 22.
- UN. (2010, August 23). *National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – United States of America*. Human Rights Council. A/HRC/WG.6/9/USA/1.
- UN. (2015, February 13). *National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21 – United States of America*. Human Rights Council. A/HRC/WG.6/22/USA/1.
- UN Treaty Collection. (2016). *United Nations treaty collection*. Retrieved December 29, 2016, from <https://treaties.un.org/>
- Usher, N. (2013). Ignored, uninterested, and the blame game: How *The New York Times*, *Marketplace*, and *TheStreet* distanced themselves from preventing the 2007–2009 financial crisis. *Journalism*, 14, 190–207. <http://dx.doi.org/10.1177/1464884912455904>
- Usher, N. (2015). The late great International Herald Tribune and *The New York Times*: Global media, space, time, print, and online coordination in a 24/7 networked world. *Journalism*, 16, 119–133. <http://dx.doi.org/10.1177/1464884914545743>
- Whelan, D. J., & Donnelly, J. (2007). The west, economic and social rights, and the global human rights regime: Setting the record straight. *Human Rights Quarterly*, 29, 908–949. <http://dx.doi.org/10.1353/hrq.2007.0050>
- Whitman, J. (2003). *Harsh justice – Criminal punishment and the widening divide between America and Europe*. Oxford: Oxford University Press.



© 2017 The Author(s). This open access article is distributed under a Creative Commons Attribution (CC-BY) 4.0 license.

You are free to:

Share — copy and redistribute the material in any medium or format

Adapt — remix, transform, and build upon the material for any purpose, even commercially.

The licensor cannot revoke these freedoms as long as you follow the license terms.

Under the following terms:

Attribution — You must give appropriate credit, provide a link to the license, and indicate if changes were made.

You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.

No additional restrictions

You may not apply legal terms or technological measures that legally restrict others from doing anything the license permits.

