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The Media and Human Rights: Mapping the Field

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A rich academic literature has examined the relationship between the media and human rights. A simple online search for “media” and “human rights” yields a long list of citations about a diversity of topics – from the globalization of the right of expression to news coverage about the situation of particular rights, from the communication rights of specific groups to citizens’ uses of digital platforms to demand government protection, from visual depictions of suffering and barbarism in the news to the application of technologies to monitor and document abuses, from the vulnerability of reporters’ rights to the utilization of news photos in the recovery of traumatic experiences in war and conflict.

This vast scope of themes and questions can be attributed to several factors. First, both concepts – “the media” and “human rights” – have multiple semantic dimensions. The media refers to the institutions, industries, and technologies for the large-scale production of content. The digital revolution has expanded traditional notions of “the media” originally coined at the heyday of print and broadcast media in the first half of the twentieth century. Today, “the media” include digital platforms and companies whose structure, characteristics, technological affordances, and performance are considerably different from the modern “mass” media. Consequently, media analysis of human rights has included a broad set of issues, forms, content, technologies, and industries.

“Human rights” is a multifaceted concept, too. It refers to universal rights, rights of specific populations, historical evolution and philosophical debates, legal agreements and processes, governments and mobilized citizens. Rights belong to individuals and communities. They set the obligations of governments to protect citizens and enforce laws. Rights provide a language to define human dignity and personhood, frame political and social demands, and examine issues. Rights crystallize a wide range of shared international norms. It is not exaggerated to say that virtually any topic can be understood as a question of human right – the right to housing and education, land

ownership, equality, privacy, safety, food, safe water and sanitation, association, decent wages, and impartial justice.

Second, growing interest in media and rights reflects the global ascendancy of human rights since the end of Second World War. Human rights has a long and convoluted intellectual and political history (Clapham 2015; Hunt 2007) punctuated by the evolution of rights-claiming movements and legal achievements. It gained unprecedented international relevance as both a political framework and normative horizon with the 1948 Universal Declaration of Human Rights by the United Nations. Subsequently, surging grassroots activism, particularly in the context of authoritarianism and consequent large-scale violations of rights in different regions of the world, and the signing of numerous treaties and international declarations further elevated the prominence of human rights.

During the past decades, remarkable gains have been made in rights, notwithstanding slow, gradual, and imperfect advances (Donnelly 2003). The proliferation of legal frameworks that define a range of universal rights as well as rights for specific populations (such as children, ethnic and linguistic minorities, immigrants, women, people with disabilities) has no precedent in human history (Elliot 2011). Simultaneously, the number of national and international organizations in charge of institutionalizing norms and monitoring the state of human rights has multiplied. Vibrant citizen mobilization at local, national and global to demand the adoption and enforcement of rights is remarkable, too. These processes have been responsible for the global spread of rights-based language and norms that infuse international legislation and political discourse.

Still, there is yawning gap between legal, policy and institutional progress and the many “pathologies of human rights” (Beitz 2011) in contemporary societies. The transition “from commitment to compliance” (Risse, Ropp, and Sikkink 2013) has suffered from false starts, contradictions, and plain failures. If human rights are premised on the “sacredness of the person” (Joas 2013), the persistence of dire conditions is a painful reminder of the unfulfilled promises of the project of universal human rights. The regular violations of political and civil rights coupled with the persistence of crushing poverty contradict the foundational idea of human rights that

all humans should “live in dignity” (Benhabib 2011). The ambitious ideals that laid down the legal foundations of human rights remain relevant despite the troubling record of governments and international bodies in enforcing protections and sanctions.

Human rights are unevenly observed across countries and specific areas. Formal doctrines and regulations are not consistently translated into effective practices. Myriad international conventions, regular attention and mobilization have not prevented or stopped grave abuses or brought justice. Governments have failed to show consistent and unfailing commitment to enforcing the very same conventions they signed. The international community has often held ambiguous positions and weak determination to scrutinize conditions and ensure rights.

A sophisticated legal architecture, soaring rhetoric, spirited debates, and buoyant hopes contrast with dire conditions around the globe. Disappointment with the promise of human rights is warranted given persistent violations of rights in recent years including: torture, slavery, and the death penalty; genocide and ethnic cleansing; the discrimination of individuals and groups based on religion, race, gender, sex and other factors; the imposition of restriction on mobility and association; environmental degradation; child labour; and entrenched poverty and social inequality. Addressing unmet demands, preventing violations, and bringing justice are part of the full and complex international agenda of human rights.

Continued failure to address problems and guarantee rights for the vast majority of the world’s population might prove sceptics right. Critics point out at the chasm between hope and reality as evidence that lofty proclamations become hollow rhetoric, legal frameworks are toothless tools, governments are hypocritical, and international bodies tasked with monitoring enforcement and prosecuting violators are systematically ineffective (Hopgood 2013)¹.

Third, the mediatization of global societies also explains significant scholarly interest in media and human rights. Mediatization refers to a “double-sided process” in which the media has become an “independent institution with a logic of its own that other social institutions have to accommodate to” as well as integrated part of other

institutions like politics, work, family, and religion as more and more of these institutional activities are performed through both interactive and mass media (Hjarvard 2008).

Just as it in other realms of politics and society, key aspects of contemporary human rights are intertwined with the role of the media. It is not an exaggeration to say that the way societies come to understand and experience the situation of “human rights” is largely shaped by mediated communication. Considering that human rights are socially constructed (Nash 2015), communication and persuasion are central processes by which societies come to define, understand, and implement rights-based policies. They underpin the processes: by which activists petition authorities to act, demand laws, active monitoring, and enforcement; by which governments aim to convince various publics about policies and decisions; and the way publics react to denunciations of human rights violations, develop empathy with victims, and the manner in which affected communities tell stories and seek justice,

The media play critical roles in large-scale communication and persuasion (Bob 2005; Brysk 2013). Without addressing the media can we think about the globalization of human rights and the rise of transnational networks of activists in recent decades? Or can we explain the dynamics of campaigns intended to raise public awareness, advocate for legal reforms, and “name and shame” perpetrators of atrocities possible? Or can we understand public outrage and support for humanitarian interventions?

The media constitute a central source of information about global conditions. It is hard to imagine how large publics would come to know about unspeakable tragedies and the impact of violations on people’s lives without the presence of the media. The media are the purveyors of information via in-depth investigations, harrowing testimonies, gruesome pictures, and images of empowerment and struggles. The media are witnesses to barbarism and acts of justice. The media present daily perpetrators of hate, bigotry, and other forms of anti-rights discourse as well as committed actors that denounce abuses and demand justice. The media are arenas where political and social actors battle for the definition of public perception and actions about human rights. The media convey a sense of actions being taken to

address and prevent abuses. The media magnify the presence of certain human rights problems whilst minimising the relevance of others.

Media coverage may prompt officials to conduct hearings, investigate conditions, pass legislation, set up programs, earmark funding, and take policy actions – from sanctions against governments to the deployment of troops. Governments try to influence news coverage through news management. Monitoring bodies closely follow media reports to assess conditions, produce information and recommend actions. Activists utilize media technologies and platforms to call attention to conditions, document situations, and make demands. News reports about rights affect public perception about situations, influence opinion, and stimulate people into action. Human rights organizations design news-making tactics to bring visibility to specific conditions. Humanitarian actions are often sparked by intense, emotional media coverage. Single media images become symbolic of humanitarian tragedies, global compassion or negligence, power and struggle.

Needless to say, the mediated reality of “human rights” conditions does not perfectly mirror actual conditions. Several factors affect the selection process through which the media approach human rights. Media coverage does not have similar, predictable influence on the overall enterprise of human rights. There are many dimensions to the the media have affected the way societies comprehend, develop attitudes and positions, and support actions to tackle human rights.

The media are also connected to another key aspect of communication and persuasion about human rights: the mobilization of rights-based discourse to define issues and problems and justify actions. By understanding any given question as a matter of rights, governments and activists deliberately set to identify it as a basic matter of human dignity. Human rights is quite a malleable trope used to frame quite different political causes and actions. It provides a vocabulary to understand conditions based on the premise that all citizens have equal rights that need to be respected and observed.

Human rights has become a master interpretive framework to understand human life and makes calls to pay attention and take action. The discursive power of “human

rights” represents the broadening of human rights as a fundamental, all-encompassing perspective that is not limited exclusively to particular issues. The expansion of the agenda of human rights can be attributed to the flexibility and the moral power of the narrative of human rights (Freeman 2011).

New challenges, such as humanitarian crises driven by war, cross-border migration, climate change and natural disasters, have been redefined as assaults on basic rights. Public health activists define access to reproductive services or HIV/AIDS care and treatment as a question of rights. Children’s advocates defend educational and family policies as the fulfilment of basic children’s rights. Refugee and immigrants groups similarly invoke human rights to appeal to human solidarity and to pressure policymakers to take actions. Governments utilize rights-based discourse to legitimize decisions, too. With the hope of persuading legislators and the public, they tap into rights language to justify a range of actions: from supporting parliamentary bills to authorizing military actions “to protect and safeguard the human rights” of specific populations.

The growing complexity of the right to expression and communication also explains interest in media and human rights. The media are the subjects of freedom of expression, a fundamental, emblematic democratic right. Historically, this has never been a simple, straightforward issue with clear definitions and legal and practical implications. Rather, it has been a matter of constant debate and controversy.

Recent developments in public communication have added additional dimensions to the global spread of democracy, old and new threats, the recognition of particular speech rights for certain populations, and the compatibility with other human rights in a multicultural, globally connected world. The digitalization of public life has introduced a new plethora of questions related to the right of free expression in the Internet. Public expression in digital spaces takes place in the same platforms used for multiple purposes: sociability, commerce, political participation, entertainment, and other activities. It is embedded in networks created and controlled by private intermediaries whose operations and decisions affecting speech are opaque and primarily driven by commercial objectives. The same digital platforms that provide

opportunities for expression are used for marketing as well as commercial and political surveillance.

In summary, the multiple semantic dimensions of “media” and “human rights”, the preeminent presence of human rights in the global scene, the “mediatization” of global societies, and the increased complexity of the right of expression explain the intensity of interest in media and human rights. Underlying this interest lays the belief in the significance and urgency of human rights in the contemporary world and the role of scholarly work in helping to understand and act upon challenges and solutions. The result of this combination of factors is a copious, thematically diverse, and scattered body of research.

Why this Companion

In our own work, we have long been interested in various aspects of the relationship between the media and human rights: the intersection among journalism, conflict, and war; the press and freedom of expression; debates over media policies; and the definition of expression and communication rights in contemporary democracies. We noticed not only that communication and media research on human rights covered a wide range of issues, but also there was a lack of any attempt to make sense of dispersed lines of research and arguments.

Our interest in this Companion is to delineate key themes, questions, and debates in the field of media and human rights, with the hope that it provides analytical connecting threads and encourages further research. Our belief is that media studies has continued to make important contributions to the study of human rights. Together with recent attention from public policy, sociology, political science, and international relations, the growth of media research reflects ongoing movements to broaden academic perspectives in the analysis of human rights beyond legal studies. By presenting a comprehensive survey of topics and sketching out clusters of research interests, we argue that media studies offers unique and multiple perspectives on central aspects of contemporary human rights.

We decided to cast a wide analytical net to identify fundamental themes, arguments and debates. With this goal in mind, we asked scholars to provide critical and thorough assessments of particular subjects linking media and human rights – analytical foci, positions, and research trends. We do not pretend to cover every possible topic that falls under media and human rights. That will be virtually impossible even within the space of this Companion given the multidimensional nature of “the media” and human rights.

We propose to organize the study of the media and human rights in four clusters grounded in distinct streams of research in media studies. The cluster of “Media, expression and communication” (PART 1) places media and human rights in the study of media policies, law and regulation and the right of expression and communication. The cluster on “Media performance and processes” (PARTS 2 & 3) brings together studies concerned with human rights regarding political processes, journalistic practice, the dynamics of news-making, and the relationship between the news media and other social institutions. The cluster on “Digital Activism and Witnessing” (PART 4) looks at how the right of expression has evolved through the digitisation of media bringing novel ways of witnessing, agitating and purveying information. “Media representation of human rights” (PART 5) addresses the characteristics of news coverage of human rights and the roles of the media in providing information, visibility, and legitimacy, fostering accountability and monitoring, channelling demands and mobilization, shaping public attitudes, and prompting public response and policy actions.

Media, expression, and communication (Part 1)

One set of issues focuses on the media as the subject of the basic and inalienable right of expression and communication. Article 19 of the Universal Declaration of Human Rights establishes that “everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.” It lays down the foundation for the contemporary right of expression that largely reflects the sense of possibility in the aftermath of the devastation of the Second World War and the emergent ideological conflict of the Cold War. It has been the source of

inspiration for national and regional media regulation and the intellectual beacon for free speech movements worldwide.

What happened during the past sixty years, however, was not quite the resplendent trajectory some imagined, even as democracy consolidated in the West and made significant strides globally. The post-war era confirms that the history of freedom of expression is not one of straight unfolding and inevitable triumph. Rather, it has been a long, conflictive, and sinuous process. In the West, the intellectual and political cradle of modern human rights, there is no single and predetermined path to complete freedom of expression. Reversals have threatened or swept gains, especially in the context of war, internal conflict, and authoritarianism. In the global South, the right of expression has experienced a bumpy ride given the spotty record of democracy. In recent decades, however, democratic consolidation has allowed better conditions for public expression in Asia, Africa, the Middle East and South America, notwithstanding deep-seated problems and the questionable quality of democracy in much of the global South. The recent passing of legislation protecting speech, guaranteeing access to public information, and curbing discretionary intervention by governments are auspicious signs

The right to expression remains in constant tension with other democratic values. How free speech should be reconciled with other rights and concerns such as privacy, hate speech, and national interest? These questions remain at the centre of public debates over the limitations of public expression. For example, harmonizing the right of expression with tolerance is deemed necessary for civic life, particularly in the context of global multiculturalism and constant migration flows. Tinderbox-like political conditions, shaped by historical patterns of social exclusion of minorities and the growing recognition of cultural and social diversity, have made this a salient issue in recent years.

The digitalization of public communication has brought new questions to the fore. On the one hand, it offers unprecedented opportunities for individual and collective expression, even as the “digital divide” in many countries persists. On the other hand, it has raised ushered in concerns about the safeguarding of privacy, the untrammelled power of private technology conglomerates, online harassment and blackmailing,

national sovereignty and control in digital communication, and the surveillance power of both governments and commercial companies. Digital public expression takes place in the same connected platforms used for multiple uses by individuals, groups, corporations and governments. It is the common space for sociability, work, commerce, and political participation. Unsurprisingly then, that public expression is intertwined with new issues such as personal data ownership, the utilization of digital data by governments and private providers, and the opacity of private companies that control popular social media and search engines. Everyday uses of digital platforms are intertwined with massive and sophisticated surveillance apparatuses controlled by governments and private operators. It is within this context that demands for a new set of rights (including the right to privacy, the right to be forgotten, and the right to Internet access) need to be understood.

In the first chapter of Part One: Communication, Expression and Human Rights, Guy Berger (Chapter 2) looks at the changes to free expression brought about by social media and traces the history of how UNESCO has interpreted the media and human rights through its various actions and policies. The historical theme is continued by Mark Hampton and Diane Lemberg (Chapter 3). Their chapter demonstrates, through the lens of historical cases, the emergence and development of media protection from state control, and the conception of access to media as a human right. Free expression is examined in a more contemporary scenario in Europe by Helen Fenwick (Chapter 4). She examines the Strasbourg Court and the contrast in media freedom jurisprudence between political and non-political speech. As she points out, protecting freedom of expression in many cases usually refers to media freedom of expression rather than non-media bodies, or individuals. Many of the issues surrounding media and human rights involve a dichotomy, at times unresolvable. Using historical and contemporary examples, Bart Cammermarts (Chapter 5) illustrates the normative conflict between the protection of press freedom and the advocating of communication rights and media regulation. As he points out 'overcoming this gridlock is not straightforward as press freedom and communication rights are both part of a human rights agenda'. Extending the idea of freedom of expression to include the right to access information is taken up by Ben Worthy (Chapter 6). As he says, 'there growing legal argument that internationally access to information now represents a fundamental human right'. He traces the development

and spread of Freedom of Information (FOI) showing how its increase use by non-media sources - NGOs, individual citizens – bringing a new culture and ecosystem to the idea of transparency. Judith Townend (Chapter 7) examines the way freedom of expression may be ‘chilled’ whether it is through ‘overt censorship by governments or more subtle controls such as ambiguous legislation, high legal costs, and surveillance laws that provoke uncertainty, fear and self-censorship among writers and journalists’. The legal position of freedom of expression is also taken up by Julian Petley (Chapter 8). He examines the impact on media, and the press in particular, of the European Convention on Human Rights and the UK Human Rights Act 1998, demonstrating how their introduction has protected ‘responsible’ journalism whilst at the same time restraining intrusion and privacy invasion by sections of the press. Kari Karpinnen (Chapter 9) takes up the issue of communicative rights in the digital era. He maps various approaches to digital rights ‘highlighting differences in terms of normative assumptions, interpretation of relevant rights, and the means by which they can be realized’. Children’s rights in the digital age are examined by Sonia Livingstone (Chapter 10). She argues that long-established rights to identity or education or freedom from abuse, albeit now differently instantiated and regulated in a digital age must remain a focus alongside new rights to digital identity, e-learning and protection from online abuse. Children’s voices and experiences must be included in any global process of dialogue and deliberation regarding rights in the digital era. The digital transition is a theme taken up by Divina Frau-Meigs in her (Chapter 11) where she examines the transformation of Media and Information Literacy (MIL) and human rights by the digital social and smart turn and shows how they are impacted by the Internet, social networks and big data. The question of new regulation and governance in the digital era is discussed in many of the pieces in the companion and in (Chapter 12) Gavin Smith examines whether traditional privacy frameworks are ‘an adequate or indeed desirable legal and moral device for regulating and protecting the flows of personal information being leaked into the surrounding ‘digital enclosure’’ or whether a more fruitful regulatory and rights approach might focus on both revealing the fallibilities, of data flows, and breaking up state-corporate monopolies of digital infrastructure. Jan Servaes closes this first section (Chapter 13) by looking at the connection between human rights and communication for development and social change. He argues that ‘a communication rights based approach needs to be explicitly built into development plans and social change

projects to ensure that a mutual sharing/learning process is facilitated. Such communicative sharing is deemed the best guarantee for creating successful transformations’.

Media performance: political processes (Part 2)

A second set of studies are concerned with media performance and political processes indicating the conditions of the right of expression and communication in specific contexts. Remarkable legal and policy advances that support the media’s right of expression have not always been matched by on-the-ground realities.

The reality of press performance is messy. It cannot be captured simply by examining legislation and policies. Reporters and organizations strive to balance different values amid changing circumstances and pressures. Responsible journalism coexists with irresponsible actions that, in the name of free speech, blatantly step on individual privacy. The legal protections enjoyed by the press are used to pursue the public interest as well as private gain. Authorities gag the press when they use (or threaten to use) legislation to stifle free speech by invoking matters of national security and public safety. The current state of media performance and mediated processes present well-entrenched problems as well as novel opportunities to expand expression.

Sebastian Stier (chapter 14) opens Part 2 by showing that ‘the degree of freedom in the reporting of print and broadcast media crucially depends on political context’. He argues that ‘the presence of democratic institutions is a necessary but not a sufficient condition for the emergence and preservation of a free media system. In the digital era ‘increasingly obscure violations of media freedom not only limit the role of the media as a public watchdog but endanger human rights in general’. Questions of universalism and relativism figure in Mehdi Semati’s (Chapter 15) analysis of the discourse of human rights. In writing about human rights how does one avoid being either an apologist for the forces of empire or an apologist for authoritarian regimes. ‘Writing about human rights and communication media presents its own set of challenges’. Limits to media and citizen rights are taken up in the next two chapters. Emma Briant (chapter 16) tackles the prescient issue of surveillance, rights, and media, recently brought to the fore by the Edward Snowden revelations. Like many of the issues and themes arising out of this Companion, debates about surveillance and human rights highlights another problematic. In this case one of ‘security versus

liberty’. Vian Bakir (Chapter 17) demonstrates how political-intelligence elites can manipulate the public through the media under the guise of national security. Where that policy also contravenes non-derogable human rights, the domestic mainstream press is activated to shape public attitudes and act as a conduit for political-intelligence elite sourced propaganda. The following two chapters show how the media are crucial to both historical and current discourses in shaping other areas of politics, namely foreign policy and public diplomacy. Ekaterina Balabanova (Chapter 18) examines ‘the debate over humanitarian intervention and the role of the media in foreign policy’ and analyses the ‘new claims for a revolutionary role for the media in the context of shifts in international relations and communications technologies in the 21st century’. Similarly Amelia Arsenault (Chapter 19) looks at public diplomacy, and shows how ‘media and communication systems are both the conduits for public diplomacy and the object of debates and initiatives about human rights’.

The news media confront multiple threats around the world. The type, intensity and urgency of the problems vary across countries. Old and new forms of censorship persist from blatant suppression and persecution of dissidents to subtle forms of political and economic censorship. Market concentration stifles expression and cements inequalities in public access to the media. Anti-press violence in the form of physical and verbal abuses, generally by governments and parastate actors, undermines the right of expression. This is particularly tangible in contexts of statelessness and armed conflict. Violence silences reporters who dare to scrutinize power and disciplines newsrooms to comply with power and naked force. Also, officials continue to utilize ‘gagging’ laws to chill expression on the grounds that certain forms of speech “threaten” social welfare, domestic peace, and national security.

These challenges make free speech an elusive goal. News organizations are cowed into submission. Self-censorship is common. The right to expression enshrined in national and global legislation is too distant a protection for journalists and citizens who are the targets of persecution or fear retaliation for exercising the right of expression. Global conventions are insufficient to protect media workers who exercise the legitimate right to free speech.

Part 3 Media Performance: News and Journalism - brings media performance and human rights issues concerning News and Journalism to the fore. Stephen Ward (Chapter 20) advocates for a global media ethics for contemporary journalism, to advance human rights. To do this he suggests that journalists should eschew the parochial and 'adopt the notions of moral globalism, cosmopolitan values, and global human flourishing'. Michael Bromley (Chapter 21) looks at one form of Journalism-investigative. Its status as an idealised form of journalism has historically made it 'intimately connected with the recognition, promotion and protection of human rights, acting as a form of 'private regulator' of public actions' but without a legally sanctioned mandate'. Another form of journalism -international reporting – is documented by Giovanna dell'Orto (Chapter 22). She traces the history of aspects of foreign reporting and illustrates both the decline and the challenges facing international reporting particularly for foreign news bureaus long the source of most human rights coverage. International flows are important for exposing human rights violations so the protection of newsgathering and transmission from interference becomes paramount. This theme is continued by Jeannine Relly and Celeste Bustamante (Chapter 23) in their historical examination of violence against journalists and the initiatives, including resolutions and declarations to end impunity for those responsible for anti-press violence. NGO's play a crucial role in any discussion about the discourse of news and human rights. The next two chapters tackle the relationship between NGOs, news media and human rights. Matthew Powers (Chapter 24) traces the increase in human rights news frames which now embrace social issues and not solely war crimes. The vacuum left by the demise of broadcast foreign news outlets has been filled by a growing 'professional' advocacy sector using the 'proliferation of digital technologies to increase and diversify their content offerings'. Who retains prominence in shaping human rights news becomes a key question. Glenda Cooper (Chapter 25) poses a further question namely surrounding the way citizen journalists, who are nowadays often the creators of content of disasters and crisis events, operate. Whilst this is seen as democratizing communication, there are concerns that citizen journalists who tweet and blog on various platforms do not treat victims and survivors in the same 'regulated' way that legacy media operate. Cooper examines how the voices of victims are mediated and mediatized and discusses the legal issues of the rights to privacy, intellectual property and freedom of expression which inevitably arise. We return to the problem of violence against journalists in the final piece of this

section. Libby Lester (Chapter 26), acknowledges the dissolution of the distinction between journalism and activism within the context of transnational flows of trade and information concerned with natural resources, environmental harm and human rights violations. She demonstrates the increase in the risk of violence against the journalists and activists working in the environmental area.

It is important to recognize that digital media has facilitated novel opportunities to exercise the right of expression. Social movements, non-government organizations, and individual citizens have used a variety of digital tools to bring attention to problems for free speech. For rights activists and journalists, the media offer unique opportunities to bring attention to existing conditions and disseminate information. Part 4: Digital Activism and Witnessing, offer various perspectives on advocacy and social media. Ella McPherson (Chapter 27) shows how social media has enabled transparency and participation. It has also 'heightened uncertainty and inequality. She argues that 'the better-resourced actors in the human rights NGO field are able to understand social media logics and the opportunities and risks they create for advocates – while the less-resourced are potentially left further and further behind'.

The enticing subject of celebrity advocacy for human rights is analysed by Trevor Thrall and Dominic Stecula (Chapter 28). They argue that despite the widespread assumption that celebrity advocacy can assist issues, victims, and NGOs get attention there is little data beyond anecdotes to support this conventional wisdom. However they show that celebrity humanitarians are vital and growing part of global human rights networks, their effectiveness though split between the optimists who suggest that they operate as 'moral entrepreneurs' thanks to their more personal and emotional approach to human rights issues, as interpreters and intermediaries between their audiences and distant victims and tragedies, and as critical elements of the broader transnational advocacy network. The pessimists accuse celebrities of being 'unelected and untrained elites of society, and should not be the ones deciding which human rights issues get attention and which do not'. A more fundamental criticism, 'is that rather than producing real social change, celebrity advocacy is in fact turning human rights into a shopping experience'. Beth Haller (Chapter 29) shows how social media has 'reinvigorated disability rights activism, as well as fostering more interaction within the international disability rights community regardless of age, ethnicity,

gender, disability or geography’. Social media is allowing disability activists to use global networks to promote relevant human rights issues. She argues that ‘the Internet truly has become a form of “liberating technology” for disabled people around the world’. Eve Ng (Chapter 30) in discussion of LGBT rights shows that digital media provide LGBT activists with a variety of ways to advance their goals although privileged segments of LGBT communities are more likely to shape the agendas. In addition, ‘visibility has complex implications for LGBT advocacy; being “out” cannot be assumed to be an unproblematic, universal goal’. Summer Harlow (Chapter 31) offers a critique of how digital technologies offer an unfiltered voice to advocates, activists, and victims of human rights. Social networking sites provide an opportunity for mobilizing protest activity in the fight for social justice. Stefania Milan (Chapter 32) explores, what she calls, the media/protest assemblage from a human rights perspective and looks at the sociological processes triggered by engagement with communicative action. She speculates how the human rights discourse will unfold in the near future in relation to this protest/media assemblage, as citizens become aware of the threats to their privacy.

The importance of visual media to human rights advocacy is documented by the following three pieces. Camera-mediated imagery is analysed by Kari Andén Papadopoulos (Chapter 33). She poses the ethical questions surrounding the making and watching of images of suffering others arguing ‘that the current embrace of digital (mobile) cameras as perhaps the most power-shifting device for local human rights subjects urges us to attend also to the practices of creating, mobilizing and looking at images in the contexts where the injustice or violence occur’. Witnessing can become a contested terrain and Stuart Allan (Chapter 34) looks in detail at the work of WITNESS posing questions about the re-mediating of imagery relating to human rights and social justice. Whilst acknowledging the ethical obligations to those represented (as also discussed in chapter 33), advocacy videos also expose the ‘experiences of those otherwise likely to be ignored, marginalised or trivialised in (traditional) media representations. Sandra Ristovska (Chapter 35) shows how witnessing has been operationalized for use by the International Criminal Tribunal for Yugoslavia. Video can both capture and disseminate human rights abuses, and mediate the work of the courts. ‘The employment of video to perform these roles shows how the wider cultural significance of witnessing is entering into the law’.

How human rights advocates can alter the balance in bringing abuses to attention is discussed in the final piece in this section, Steve Livingston (Chapter 36) shows how scientific and technical tools and expertise now available, can alter the ‘framing contests between human rights advocates and those suspected of violating human rights and committing war crimes’. Forensic scientists can assist first in establishing the existence of war crimes followed by the construction of ‘a scientifically-grounded narrative as to what happened’.

Media and the state of human rights

Part 5 of the Companion examines Media Representation of Human Rights: Cultural, Social, and Political.

The media are public, collective resources used to cultivate public understanding about the conditions and the complexity of human rights. No other institution matches the power of the media to publicize and prompt debates about the state of human rights. Evidence suggests growing news interest in human rights in past decades. Human rights as a news subject have gained presence as they became the matter of policy debates, conventions covering rights of various populations were discussed and signed, and populations mobilized to demand rights and denounce abuses.

The news media play many roles. They raise awareness about particular situations across several domains – political, social, cultural, and economic, document conditions, spotlight abuses, generate understanding and empathy, mobilize public opinion, influence governments and international organizations, provide visibility to the actions of human rights activists conditions that otherwise may remain unknown to large segments of the public.

The literature has been generally critical of the way the media typically cover human rights and concludes that media coverage is generally fraught with numerous problems. Human rights generally make news when several conditions are present. They are more likely to get coverage when they affect individual political and legal rights; they are related to open, armed conflicts; when large-scale abuses have taken place; when reporters have relatively easy access to sources and victims; when

powerful sources and geopolitics have calculated interest in attracting news attention; when they primarily affect better-off and urban populations; and when grassroots and international organizations successfully mobilize to gain media attention. Consequently, a range of human rights issues are likely to be absent, misrepresented, or received brief and superficial attention from the news media. This includes socio-economic rights, the rights of socially excluded populations, abuses committed by the military as well as those committed by powerful political and economic interests, and/or geographically located in hard-to-access sites for journalists.

It remains an open question whether the digital revolution has considerably changed traditional patterns in the way the media cover human rights. In principle, the popularity of social media and the flattening of news production and distribution provide new opportunities for documenting human rights conditions and articulating demands and proposals. It is far from obvious, however, that journalistic performance has completely changed even as more information is easily available on digital platforms outside traditional media organizations.

The media are also important when they raise questions about human rights. The definition and interpretation of human rights remain contested (Dembour 2010). When are rights made effective? Are rights granted or demanded? Are there universal rights? How can the defence of particularistic rights grounded in cultural mores be reconciled with cosmopolitan ambitions for shared principles and goals? Are rights a Trojan horse of Western colonialism? Who defines rights? Who is responsible for defining, monitoring and enforcing rights? How are universal individual rights viable amid power inequalities? The media are also sites for collective action aimed at defining and claiming rights. Media coverage and images provide public legitimacy to demands whilst actors are symbolic markers of struggles, successes and failures.

Finally, the media contribute to bringing human rights into the public sphere by using a rights-based interpretative frame in the coverage of social conditions. Talking about specific issues as human rights, for example, access to quality education, housing, and healthcare, builds a sense that populations are rights-holders. By doing so, the media rearticulates rights as matter of collective issues (rather than only as individual prerogatives). Furthermore, this language has other important consequences. It directs

attention to the role of governments in fulfilling basic rights, and places citizens as actors that may legitimately demand policies to deliver common public goods and hold authorities accountable.

Ibrahim Seaga Shaw (Chapter 37) in the opening chapter in this part takes a critical gaze at the intersections between culture, media, and human rights. Tracing the literature, particularly in relation to cultural violence, he argues that ‘an intercultural communication approach informed by human rights journalism is needed in reporting cultural differences if a clash of cultures is to be avoided or minimised’. Barbara Freeman (Chapter 38) provides a critical review of news media representation of women and their rights. She portends that the media coverage of the female voice in politics and public life, violence and oppression against women especially in conflict zones, is often limited or prejudiced. Meghan Sobel (Chapter 39) using a cross country content analysis presents the findings of the relationship between news media coverage and female genital cutting (FGC). The results of the analysis highlight the opposing views of the subject. ‘FGC was predominantly reported on as a cultural practice with negative/harmful implications, furthering the argument of anti-FGC advocates’. Whilst ‘advocates of the opposing position would no doubt maintain their criticism that coverage perpetuates narratives which oversimplify the array of complexities that accompany the practice and the cultures within which it occurs’. Religion has a unique relationship with human rights. Jolyon Mitchell and Joshua Rey (Chapter 40) argue that human rights and religion offer competing frames for various interpretations of events with historically the human rights frame often predominating leading to the over-simplifying of religious issues. Cynthia Carter (Chapter 41) stresses ‘the importance of news to children’s citizenship’ with the news media being ‘central to the advancement of children’s civic inclusion in democratic societies’. She argues for paying more attention to the importance of children’s information and communication rights and the part ‘news media can play in deepening children’s understanding of social justice and human rights’. Language is an important variable in any discussion of the representation of human rights. Martin Conboy (Chapter 42) assesses how the language of the news can exclude vulnerable outsider communities as part of the process of media audience-construction. Using the British press as a case study, he illustrates the linguistic devices that newspapers from all aspects of the political spectrum regularly deploy in substantiating their support or opposition to

contemporary legislation regarding human rights. On the issue of human rights, ‘all newspapers consider themselves and the British to be squarely within a discourse of Western superiority with different newspapers qualifying their support depending on where they stand on broader issues’. Lisa Brooten (Chapter 43) examines the intersection of human rights, media and political discourse. Drawing on critical rights scholarship she presents an overview of the emergence and pervasiveness of the politics of rights and the impact on political discourse as a result of the increasing pervasiveness of rights. She analyzes the ‘efficacy of human rights discourse as a tool for addressing fundamental global problems’, paying ‘special attention to its impact on immigration and citizenship, war and humanitarian disasters, and media reform’. Human rights discourse is further analysed by Kerri Moore (Chapter 44) in looking at the representation of asylum and immigration. Taking examples from the British press she reviews ‘the conditions of possibility underlying public discourse positioning human rights as antagonistic to social order and threatening to national security’. This challenges ‘the assumption that the dominant media discourse in liberal democratic states will be pro-human rights’. Labour reporting is the theme of Anya Schiffrin and Beatrice Louise Santa-Wood’s piece (Chapter 45). Looking at two stories, one domestic (US) and one foreign but with a home connection, they highlight ‘essential differences in the way that labor reporting media can bring about social change. In both instances, NGOs and journalists, using social media and legacy media, targeted elite policy makers and public opinion providing information about a problem that needed fixing. Sonja Wolf (Chapter 46) examines media coverage of public safety issues and their human rights implications. She argues that ‘the prevalence of commercial media, with their reliance on certain news production styles and routines, results in mostly decontextualized news content that distorts the social reality of crime, helps increase audiences’ fear of crime, and elicits preferences for punitive strategies’. To make the news treatment of public safety issues more rigorous and comprehensive she suggests more use of data journalism ‘to tell more compelling stories about the nature and impact of crime and violence in society, and the professionalization of the advocacy journalism of civil society groups. Crime is a theme continued in Paul Mason’s (Chapter 47) analysis of the media discourse of prison and prisoners. In the UK he finds that the dominant representation of prisoners is a ‘partial and misleading one of danger, fear and risk’ leading to the further media construction of prisoners as ‘undeserving of the same rights as the rest of the

population, or as possessing too many rights'. The outcome is that 'media discourses of prison and prisoners' rights therefore become a potent opinion shaper for the public' reflected inevitably in government policies on prisoners' rights. The final two chapters of this section and indeed the Companion bring us back to the notions of freedom of expression and a free press. Melissa Wall (Chapter 48) surveys the way war-making, human rights and the media have separately and collectively evolved in the 21st century creating new patterns and practices. She shows the manner in which 'human rights have historically been both a mediatized justification for war and an information strategy in carrying out war'. New actors and technologies have entered the field complicating the 'growing ethical questions about audience spectatorship for human rights media content'. Brigitte Nacos (Chapter 49) shows how terrorism crystallises many of the key issues surrounding media and human rights. Social media in particular has enabled terrorist groups to disseminate their propaganda. Whilst authoritarian regimes have no compunction in censoring terrorist voices often suppressing opposition under the guise of counter terrorism, liberal democracies have to navigate between restraints on the media often included in anti-terrorism laws and refraining from curbing fundamental human rights and civil liberties.

This Companion offers a comprehensive and updated survey of key lines of research, theoretical approaches and debates in media and human rights. Without doubt media and human rights is a rich area of inquiry that addresses multiple questions – from the right to expression and communication to media contributions to shaping public awareness and public debates. Just as the field of human rights in general, research on media and human rights has expanded, too, in recent years. As a result of growing interest coupled with a broad analytical lens, media studies suggest that despite notable gains in human rights, tough challenges remain to affirm multiple generations of communication and expression rights as well as to foster public knowledge and understanding about the present conditions of the rights of various populations. Basic matters about human rights remain contested even as the discourse of rights infuses public life in the contemporary global society. Not all rights regularly receive similar media attention as news organizations generally cover rights in specific circumstances. The explosion of digital media has ushered in new opportunities for documenting and monitoring rights, including citizen actions intended to hold governments accountable.

We hope that the volume provides an analytical platform for future research, sparks new ideas and debates, and inspires action.

References

- Beitz, C. (2011) *The Idea of Human Rights*. New York: Oxford University Press.
- Benhabib, S. (2011) *Dignity in Adversity: Human Rights in Troubled Times*. Cambridge, UK: Polity.
- Bob, C. (2005). *The Marketing of Rebellion: Insurgents, Media and International Activism*. Cambridge: Cambridge University Press.
- Brysk, A. (2013) *Speaking Rights to Power; Constructing Political Will*. Oxford: Oxford University Press
- Clapham, A. (2015) *Human Rights: A Very Short Introduction*. New York: Oxford University Press.
- Dembour, M. (2010) "What Are Human Rights? Four Schools of Thought," *Human Rights Quarterly*, vol. 32, no. 1, pp. 1-20.
- Donnelly, J. (1989) *Universal Human Rights in Theory and Practice*. Ithaca: Cornell University Press.
- Elliott, M. A. (2011) The institutional expansion of human rights, 1863–2003: A comprehensive dataset of international instruments, *Journal of Peace Research*, vol. 48 no. 4. pp. 537-546.
- Freeman, M. (2011) *Human Rights*. Cambridge: Polity.
- Hjarvard, S. (2008) "The Mediatization of Society: A Theory of the Media as Agents of Social and Cultural Change," *Nordicom Review*, vol. 29, no. 2, pp. 105-134.
- Hopgood, S. (2013) *The Endtimes of Human Rights*, Ithaca: Cornell University Press.
- Hunt, L. (2007) *Inventing Human Rights: A History*, New York, NY: W. W. Norton.
- Joas, H. (2013) *The Sacredness of the Person: A New Genealogy of Human Rights*. Washington, DC: Georgetown University Press.
- Minogue, K. (1979) "The History of the Idea of Human Rights," *The Human Rights Reader*, New York: New Amsterdam Library.
- Nash, K. (2015) *The Political Sociology of Human Rights*. Cambridge: Cambridge University Press.

Risse, T., S. C. Ropp and K. Sikkink Eds. (2013) *The Persistent Power of Human Rights: From Commitment to Compliance*. Cambridge: Cambridge University Press.

¹ For a recent discussion on changing perspectives on human rights see *Debating The Endtimes of Human Rights Activism and Institutions in a Neo-Westphalian World*, Edited by Doutje Lettinga & Lars van Troost, Amnesty International Netherlands 2014.