

Human Rights Discourse in Domestic Settings: How Does it Emerge?

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Building on the literature that analyzes the impact of norms and ideas on international and domestic politics, it is our assumption that the widespread introduction and dissemination of a human rights discourse enables oppressed groups to translate events into rights language and to appeal to courts, politicians and media in order to seek remedies for their grievances. In so far as human rights discourse actually helps introduce more ethical policies and legislation, it is crucial to understand how this discourse, which in the past 55 years evolved and proliferated on the global level, emerges and develops in domestic settings. Using Israel as a case study, and more specifically analyzing the Israeli press, we further develop some of the existing theoretical claims about how the global and local interact. We argue that in order to understand how the rights discourse is imported into the domestic arena and how it expands once it enters the local scene, it is crucial to employ a broader conception of the global and a more differentiated view of the local. We emphasize the significance of local events and practices in determining the impact of the global on national settings, suggesting that one cannot understand transnational flows without unveiling the black box of the domestic arena.

The concept of human rights, which was developed during the Enlightenment, re-emerged following the Second World War, and since then has been repeatedly utilized in the international and local realms. Hundreds of dedicated people around the globe have been working incessantly over the past 55 years to formulate human rights protocols, covenants and treaties, and in the process have produced an inspiring discourse (Steiner and Alston, 1996). This discourse has transformed international and humanitarian law, has helped reshape the relations between international organizations, governments and citizens (Donnelly, 1989) and has become a valuable political and legal tool employed by politicians, social movements and non-governmental organizations (NGOs) to advance their objectives. Its development, expansion and reiteration within international conventions and treaties, and the subsequent appearance of this language within the local vernacular and, more specifically, local legislation, creates a space that has the potential for empowering oppressed populations (Charlesworth, 1994). Indeed, this discourse assists different struggles for basic rights because it helps to codify the aspirations of subjugated peoples, supplying authoritative language to the semantics of their claims (Alves, 2000; Jochnick, 1999). In effect then, the power of human rights discourse stems from its ability to constitute social events by interpreting the grievances and interests of actors who have some bearing on these events and to define them as violations that should not and need not be tolerated (Donnelly, 1999; Falk, 2000; Forsythe, 2000; Keck and Sikkink, 1998;



Risse *et al.*, 1999; Sikkink, 1993). Moreover, it constructs individuals and groups as legitimate claimants and helps facilitate actions that aim to rectify the situation, now defined as unjust (Berkovitch, 1999; Stammers, 1999). The objective of this article is to examine how human rights discourse emerges and develops in domestic settings.

To be sure, human rights discourse is not some kind of panacea for all social ills, and at times it can produce unanticipated detrimental results. Rights language can be and has been co-opted by people who promote oppressive policies (Donnelly, 1989). Leaders often invoke rights discourse in a cynical way to advance *realpolitik* interests, and not because they care about the rights of people living in other countries or even the rights of their own citizens (Forsythe, 2000). However, once proclaimed as a norm or as a desired goal, groups and individuals can use this discourse to demand implementation of more ethical policies while mobilizing internal forces and external support. Thus, these leaders are at times 'entrapped' in their own words, and are pressed to live up to the standards they promulgate (Risse *et al.*, 1999). Moreover, such instances testify to the way human rights discourse can grant legitimacy. Otherwise, it would be difficult to understand why oppressive rulers adopt it in the first place.

On a different note, rights discourse has been criticized for accentuating an individualistic notion of the political subject and in this manner hindering massive grass roots mobilization (Gordon *et al.*, 2000). Simultaneously, though, the same critics have also endorsed the claim that human rights discourse can propel mobilization since it helps social groups reanalyze issues that society initially considered to be 'problems' and rename them as 'violations'; that is, something that should not be accepted or endured (Stammers, 1999). Accordingly, many scholars agree that human rights discourse has reinforced a process which David Snow and Robert Benford had defined already in the mid-1980s as 'frame alignment'. By framing issues in innovative ways social movements and non-governmental organizations influence public understanding, organize experience and guide action (Keck and Sikkink, 1998; Snow and Benford, 1992; Snow *et al.*, 1986).

Thus, this article is part of the growing literature focusing on the impact of norms and ideas on international and domestic politics – a literature which shows that change is not driven solely by material conditions, brute force and interests (Finnemore, 1996; Haas, 1992; Risse *et al.*, 1999; Sikkink, 1993). It is our assumption that the widespread dissemination of a human rights discourse enables oppressed groups to translate events and policies into rights discourse and to appeal to courts, politicians and the media in order to seek remedies for their grievances. We use the term discourse in its Foucauldian sense (Foucault, 1990; 1993), whereby discourse operates both in a positive (productive) and negative (prohibitive) way. On the one hand, discourse constitutes society's social norms by creating fields of knowledge, which help, in turn, to produce identities and interests, thus influencing and shaping one's world view and behavior. On the

other hand, by defining objects, spheres of inquiry and fields of research, discourse sets limits, creating a system of exclusion, interdiction and prohibition. Within a particular historical period, human rights discourse has, for example, a specific mandate that isolates objects of observation (what is considered a violation and who is considered a perpetrator); it has particular regulations governing acceptable practices (is the struggle for human rights limited to legal intervention?); and a defined membership that determines who should be considered a human rights expert. This discourse helps shape the way people think about politics and allows groups to explain how oppressive practices contravene domestic and international law, while underscoring the ways in which they threaten society's moral codes. In so far as human rights discourse actually helps produce ethical social norms that ultimately shape and improve domestic legislation and policies (Risse *et al.*, 1999; Sjoberg *et al.*, 2001), it is crucial to understand how this discourse, which has evolved and proliferated on the global level, appears and develops in local settings.

While several scholars have examined the appearance and dissemination of international human rights organizations (Apodaca *et al.*, 1998; Forsythe, 2000; Mathews, 1997; Smith *et al.*, 1998; Tsutsui and Wotipka, 2004), and have explored the impact human rights have had on social practices in the national arena (e.g. Berkovitch, 1999; Brysk, 2002; Burgerman, 1998; Heyns and Viljoen, 2001; Keck and Sikkink, 1998; Risse, 1999; Risse *et al.*, 1999; Rowland, 1995; Soysal, 1994), very little research has focused on how human rights discourse surfaces in the domestic sphere. A few scholars have investigated the rights discourse in the media (and elsewhere), but they have usually been interested in examining the intricate manipulation of human rights – their use and abuse – in the service of national interests (Caliendo *et al.*, 1999; Forsythe, 1995; Ovsiovitch, 1993), and have not focused on how and when a rights discourse emerges and develops in a particular country.

In the following pages we begin addressing this question, using Israel as a case study, a context we are well acquainted with. Although Israel, like any other country, is distinctive, it is in no way unique. Similar to numerous other domestic settings, in Israel the government, corporations and other perpetrators of abuse have been violating the rights of the local inhabitants (Israeli citizens, occupied Palestinians, migrant workers, etc.) for many decades, and at a certain point in time a range of both international and local NGOs began struggling against these violations, using human rights language. We believe that insight into how and why a human rights discourse appeared in Israel can help us understand its emergence in other local settings as well.

Within Israel this question has not attracted much scholarly attention. One major study has investigated the impact of human rights information on policy in Israel (Cohen, 1995). Others have examined the impact of international human rights conventions on the Israeli Supreme Court (e.g. Benvenisti, 1992; 1994), and the influence of human rights on 'the politics of lawyering' (Hajjar, 1997). Israeli researchers have also investigated the impact of human rights NGOs on Israeli

civil society and polity in general (Ben-Eliezer, 2003; Gordon, 2005), and on specific domains such as migrant workers (Kemp and Rajiman, 2000) and Palestinian citizens of Israel (Ziv and Shamir, 2000); yet no one has attempted to explore how the rights discourse actually evolved. The aim of this article is to begin filling in this gap.

Theoretical Model

Since we are interested in examining how human rights discourse enters domestic settings, we decided to examine its penetration into the public sphere, by which we mean, following Jürgen Habermas, a domain of our social life in which such a thing as public opinion is formed. While in each domestic setting a portion of the public sphere is constituted in every conversation in which private persons come together to form a public, Habermas argues that when the public is large this kind of communication requires certain means of dissemination and influence, most notably newspapers and periodicals, radio, television and, more recently, the internet (Habermas, 1989; 1991, p. 398; Fraser, 1990). Accordingly, one way to analyze the appearance and ultimate embeddedness of a rights discourse within a local setting is by examining the domestic media, since the media both reflects and produces political and legal discourses which circulate within and help constitute the public sphere.

A perusal of newspapers in a number of countries reveals that human rights discourse is dispersed unevenly around the globe; within the public sphere of certain domestic settings rights discourse is extremely conspicuous, while in others it is almost non-existent. Within a given week the term human rights will appear less than 5 times in a major domestic newspaper in some countries, in other countries it will appear on average 2 or 3 times a day, while in still others the term will appear between 40 and 50 times a week.¹ How can one account for these differences? Why is the human rights discourse more prominent in particular public spheres and hardly existent in others?

If information technology provided the sole explanation for the importation of international discourses into the domestic scene then one would expect countries with advanced technologies to have a more vibrant human rights discourse; yet this, as our comparison of a number of countries reveals, is not necessarily the case.² There are a few ways to explain the differences in the evolution of rights discourses within local settings.³ We chose to apply to a specific context a general theoretical model which we developed. Not unlike a variety of other forces that help transform social practices and structures, we argue that the emergence of a human rights discourse like other 'traveling theories' (Said, 1984) such as feminism, managerial models, environmentalism or 'world models' (Meyer *et al.*, 1997) is propelled by the interaction between global and domestic processes (Finnemore, 1993; 1996; Macdonald, 1994; Thomas *et al.*, 1987). Global processes refer to the proliferation and expansion of the human rights discourse through a

variety of covenants, treaties and protocols, and its propagation in the international realm, as well as to the creation of numerous international institutions – both governmental and non-governmental – whose mandates include the protection of human rights. Domestic processes refer to the emergence and actions of local social movements and human rights NGOs, the introduction of new legislation and policies, as well as the unfolding of certain local events like conflicts, harsh military oppression, economic crises, changes of government (favorable towards human rights or vice versa), etc. Internal events and processes, we claim, serve as *triggers* that propel the ‘importation’ of a human rights discourse, which already exists in the international sphere. Whereas internal events can become triggers, they themselves are often triggered by global processes.

Accordingly, within the globalization debate (see Guillen, 2001; Hay and Marsh, 2000; Held *et al.*, 1999) we join those who reject the notion of an overall inevitable process of diffusion, whereby global ideas, practices, arrangements and models flow unhindered in the transnational arena. Also we do not accept the view of those who are skeptical of the impact of new transnational processes and interactions, and claim that no real global change has taken place in the past two decades. Rather, in this article we follow a growing body of literature which accentuates the importance of domestic settings for transnational flows, managerial practices, economic policies, etc. We contend that it is precisely the domestic arena which needs to be unpacked in order to understand the power of the local in mediating the impact of the global actors, processes and structures (Guler *et al.*, 2002; Risse-Kappen, 1995a; 1995b; Swank, 2002; Tsui-Auch and Lee 2003; Weiss, 2003).

While our model assumes that it is crucial to trace the evolution of the rights discourse and the institutionalization of human rights in the international arena first, a number of studies have already taken on this task (Cmiel, 2004; Forsythe, 2000; Korey, 1998; Meyer, 2000; Steiner and Alston, 1996). Building on these studies, we will only offer a thumbnail sketch here. As is well known, following the publication of the 1948 *Universal Declaration of Human Rights*, the development and expansion of the international rights discourse was in many respects delayed until the mid-1960s when the two major covenants were finally published: the *International Convention on Civil and Political Rights* and the *International Convention on Economic, Social and Cultural Rights*. Since then, however, this discourse has expanded exponentially and is currently robust, although it needs constantly to be developed according to the changing power relations and historical circumstances. The rights discourse is embodied in a whole range of international and regional covenants, treaties, declarations and protocols and can be readily found in the literature published by the United Nations and other international organizations and regional agreements as well as in secondary literature.⁴ Along the same lines, there has been a rapid institutionalization of rights over the years and there are currently thousands of domestic rights groups⁵ and several hundred international rights NGOs active in the global sphere (Smith

et al., 1998; Tsutsui and Wotipka, 2004). About one quarter of all the international human rights NGOs surveyed by Jackie Smith, Ron Pagnucco and George Lopez were formed prior to 1960, and one half of all the NGOs were formed before 1979; 20 percent of the organizations were formed after 1988, in the wake of the end of the Cold War. In addition, human rights have also been institutionalized within the United Nations framework with the establishment of a few international courts and several rights-related committees. Thus, by the 1970s a vibrant rights discourse existed in the international sphere and was 'waiting' to be adopted by the different countries.

This discourse, however, is not automatically imported into the local arena and, as mentioned above, it can take years before it is employed in the domestic setting. If one examines *The New York Times* one notices that the dramatic change occurred during the Carter era between 1975 and 1980. Up until 1975 the two terms civil rights and human rights appeared 75 times, on average, in an annual sample, in 1980 they appeared 261 times and by 1985, 314 times, an appearance rate that only slightly increased until the year 2000.⁶ In other countries, the importation of the discourse occurred during different periods, while in some countries it has yet to be imported. Precisely this finding led us to hypothesize that internal events and processes serve as *triggers* which cause the 'importation' of a human rights discourse that has previously existed in the international realm.

We further hypothesize that once the discourse is imported into a national setting it spreads to other areas as well and that the interaction can no longer be characterized solely by its external/internal configuration but also includes an internal/internal dimension. The internal/internal dimension refers to the dissemination of rights discourse within the domestic arena from one area to another. If, for example, the term human rights first appeared in relation to political prisoners, its expansion to other areas such as social wrongs involving women and workers cannot be simply reduced to the external/internal dynamic, but rather is also a result of an internal citation and displacement of the term carried out by a variety of local actors, such as domestic social movements and NGOs, legal scholars, politicians and the media. After its initial integration into the domestic sphere, we would expect the human rights discourse gradually to expand along a number of different axes, so that it slowly encompasses a range of new social issues, while broadening its conception of the identity of the populations whose rights have been violated (women, children, the elderly, migrant workers, etc.) and the identity of the perpetrators of violations (corporations, individuals, etc.).

Thus, our theoretical model differs from the neo-institutional approach in that the latter does not take into account internal structures and processes and therefore does not explain the complexity of interactions taking place between the global and local spheres. Most of the existing studies investigate the effects of global human rights models on national policies and discourses in various areas such as education (Bradley and Ramirez, 1996; Chabbott, 2003), population

control (Barrett and Frank, 1999), women's rights (Berkovitch, 1999; Ramirez and McEneaney, 1997), sexual rights (Frank and McEneaney, 1999) and migrant workers (Soysal, 1994) in different countries. They have, however, overlooked the question of what happens after the human rights discourse has entered the domestic public sphere and has had an effect on a specific area. How, in other words, does it spread to other areas within the domestic public sphere? This is one of the issues we aim to address. After identifying the 'entry point' of human rights discourse into a local setting, we attempt to trace its path of diffusion to additional areas as well as victim and perpetrator populations.

In the following pages we aim to trace the pattern of development of human rights discourse, focusing on Israel as a case study. After briefly discussing our methodology, we will track the appearance of the Israeli rights discourse and try to explain what led to its emergence. Next, we will examine the ways in which this discourse has developed. As will be shown, our initial findings led us to reformulate our theoretical model, to refine the ways the global and internal processes are conceptualized and to modify the configuration of the ways in which they interact and shape each other. This, we believe, improves our understanding of the processes that lead to the appearance and expansion of a human rights discourse within domestic settings.

Methodology

One way to investigate the development of a rights discourse in a particular country is by examining the coverage of social wrongs in the media and the language employed to describe them. The media is, in many respects, the lens through which citizens see and understand the world and as such is extremely influential in shaping public opinion (Herman and Chomsky, 1988; Lippmann, 1956; McCombs and Shaw, 1972). Accordingly, we decided to examine if, how and when the term human rights was used in one Israeli daily newspaper during a period of fourteen years. We chose to focus on *Ha'aretz*, a broadsheet, similar to *The New York Times*, *The Guardian*, *Le Monde* and *El Pais*. While *Ha'aretz* can only provide a partial and therefore blinkered representation of the discourses circulating in Israeli society, it is the paper read by decision-makers and the shapers of public opinion. In addition, it tends to have a greater number of in-depth news items than the other two major daily newspapers that have a broader circulation.

We covered the years from 1983 to 1996, reading the paper every tenth day and a total of 37 days per year.⁷ Thus, our sample included 518 days. In order to examine whether a rights discourse existed in the media during the period under consideration we followed several stages. First, we identified the articles that depict social wrongs carried out against individuals or groups, regardless of the language the articles employed. We did not codify all the social wrongs covered by the newspaper, only those that could be considered a violation of human rights; i.e. the articles that could have used the term human rights when referring

to the social wrong which they depict. To determine which wrongs should be considered violations of human rights we decided to define human rights in a broad sense, using the existing human rights covenants as a point of reference.⁸ For instance, when an article described how sick people are prevented from reaching a hospital due to a military checkpoint, we codified it even if the term human rights was not employed in the text since the event constitutes a violation of freedom of movement and the right to health care. By contrast, articles covering incidents like armed robbery or criminal murder were not codified. Next, we codified the type of violation (from civil and political violations through economic, social and cultural violations to collective violations); where the violation occurred; and the identity of the perpetrators and victims. Finally, in the third stage, we examined how the issue described in each article was *actually framed*, i.e. whether the term human rights was used in the article or not. An article that employed the term at least once was considered to be using the rights discourse. All in all, in the 518 days that were included in our sample, 13,871 articles were codified and in 477 articles at least one term was found.

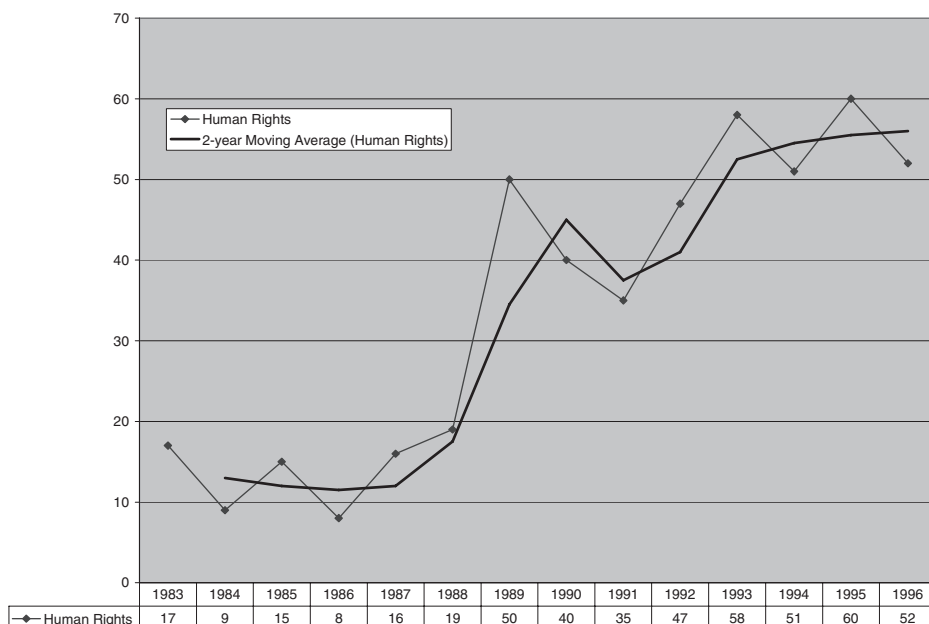
Our coding scheme enabled us to examine all the social wrongs that are described in the newspaper and to determine which wrongs are framed within the rights discourse and which ones are not. It also allowed us to check whether the term human rights was distributed proportionally among the different kinds of social wrongs that the newspaper had covered. This form of codifying was required for determining whether and how the human rights discourse expands once it enters the domestic sphere. Thus, most of the articles we codified did not employ the rights discourse, but all of them potentially could have done so since they all reported about social wrongs that are considered violations according to international human rights law.

Initial Findings

Our first objective was to determine whether and when the term human rights had penetrated the Israeli public domain. Figure 1 shows the usage of the term in the daily newspaper *Ha'aretz* during the period under investigation. As can be seen, there is an increase in the use of rights discourse in the Israeli media. If during the 4-year period 1983 to 1986 we found an average of 1 article that employed the term human rights every 3 days, during the 4-year period 1993 to 1996 the term was employed on average in 1.5 articles per day. Thus, in absolute terms there was a 350 percent increase in the use of the term.⁹

Examining the smoother line in Figure 1 (moving average of two years), one sees that from 1983 to 1988 there was almost no change in the employment of the term human rights. The significant increase took place in 1989, and after a short-lived decline in 1990 and 1991, there was a steady increase in the articles using the term. It is clear from Figure 1 that the rights discourse was not automatically imported into the Israeli public arena, but that it took several years

Figure 1: Frequencies of Articles Using the Term Human Rights in *Ha'aretz*, by Year, 1983–96



after it evolved in the international sphere before it developed within the Israeli domestic setting. Therefore, it is very likely that internal events and processes triggered its importation. The two questions that interest us here are: why during a particular historical moment there is an increase in the employment of the term human rights within the Israeli press; and whether its importation actually led to the development of a robust rights discourse.

The Palestinians Brought Human Rights to Israel

As Figure 1 suggests, the surge in the use of the term human rights in the Israeli press occurred during the year 1989. The major event that took place within Israel during that year was the first Palestinian popular uprising, known as the Intifada, which erupted about one year earlier (December 1987). We claim that this event led to the emergence of a rights discourse in Israel. Note that twenty years of repressive occupation (which began following the 1967 war when Israel occupied the West Bank, Gaza Strip and East Jerusalem) did not lead to the introduction of a rights discourse in Israel. Accordingly, we propose that rights-abusive policies in and of themselves did not lead to the emergence of a rights discourse, but rather a crisis (i.e. broad-based resistance to these policies and the attempt to quell the resistance) became the trigger leading to the importation of

the term human rights into the Israeli domestic setting. More specifically, three intricately tied factors related to the Intifada led to the importation of the rights discourse: the *crisis* on the ground; the widespread coverage of the events in the international and local media; and rapid institutionalization, namely, the growth of an organizational infrastructure of human rights both in Israel and in the Occupied Territories.

As mentioned, the Intifada (which means 'shaking off' in Arabic) erupted on 9 December 1987. The Palestinians had been living under Israeli military rule for over twenty years and had been subjected to various human rights violations on a daily basis, including torture, deportation, house demolitions, land confiscation and curfews. Simultaneously, Israel built more and more Jewish settlements in the territories it had captured, and the Palestinians sensed that the settlements were undermining the possibility of establishing a viable Palestinian state in the future. The uprising, which began in Jabalya refugee camp in the Gaza Strip, rapidly spread to the rest of the Occupied Territories. Demonstrations, strikes, a boycott of Israeli goods and general unrest lasted from 1987 to 1993. Throughout this period, the Israeli military responded with harsh measures, including killings, extra-judicial executions, massive administrative arrests, torture, house demolitions, curfews, closure of schools and universities, severe restrictions on movement, etc. (Bash, 1994; Golan and Cohen, 1991; Gordon and Marton, 1995; Mazali *et al.*, 1992; Ron, 1993; 1994; 2003).

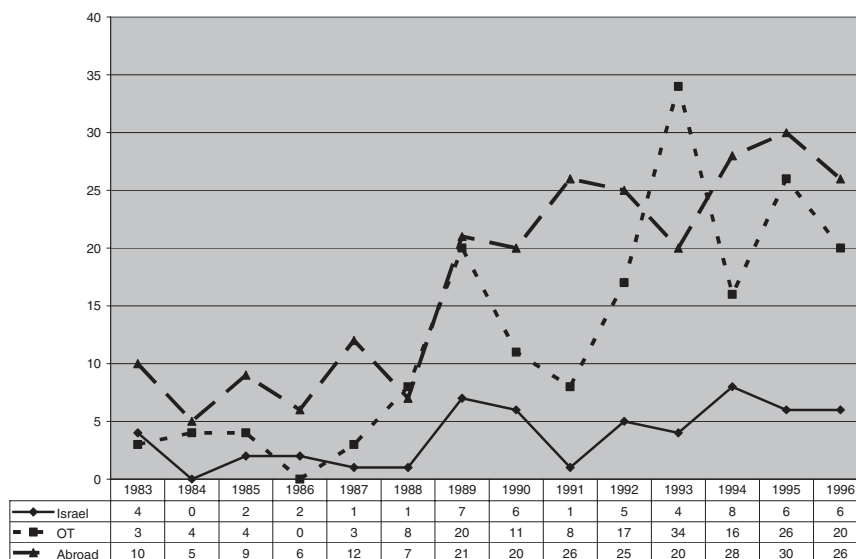
Second, daily protests against Israel's control of the Occupied Territories, which included ongoing confrontations between Palestinian demonstrators and the Israeli military, attracted both local and international attention. As a direct result of the crisis, the international media covered the events, thus exposing some of the occupation's oppressive measures (Wolfsfeld, 1997). Moreover, the language employed by many Western journalists in their reporting was informed by the human rights discourse with which they were already acquainted. This international coverage of the uprising, particularly in major English outlets, seems to have had some impact on Israeli reporters who covered the events for the local press as well as on the public relations apparatuses of the Israeli government and military, all of which responded to allegations of abuse using similar language.

Finally, within an extremely short period human rights were institutionalized in the form of the rapid emergence of numerous rights NGOs. Before the first Palestinian uprising erupted in December 1987, only one human rights NGO existed in Israel, whereas about fifteen of the thirty rights NGOs currently operating within this country were established in the years immediately following its outbreak (Gordon, 2005). In the Occupied Territories the impact of the uprising on the institutionalization of human rights was just as striking. Only one rights NGO existed before the Intifada, while about six others were established within a very short period following its eruption (Hanafi and Taber, 2004). These fledgling NGOs instantly created networks among themselves and with a range of international rights groups – from Amnesty International and Middle East

Watch to the International Commission of Jurists and Physicians for Human Rights.¹⁰ They appropriated the international rights discourse and began using it extensively in their press releases, human rights reports and correspondence with Israeli authorities (government, military, civil administration). In addition, several of the new rights organizations adopted the direct litigation strategy and filed literally hundreds of petitions to the Israeli courts, employing both international humanitarian law and international human rights law in their petitions.¹¹ The media covered some of these cases so that the rights discourse entered the public domain via the Israeli judicial system after it had infiltrated in from the international sphere to domestic NGOs which employed it in their appeals.

As mentioned, our data reveal that prior to 1989 the term human rights was rarely used in the Israeli press. If our hypothesis that the Intifada constituted a trigger which propelled the importation of a rights discourse into Israel is accurate, then we would not only expect the term human rights to appear in the Israeli press following the eruption of the first Intifada, but also that it would refer disproportionately to violations perpetrated against the occupied Palestinians. As Figure 2 suggests, our findings corroborate these expectations. The graph compares the number of articles that employed the term human rights according to where the violation occurred: Israel, Occupied Territories and abroad.¹² The fact that after the Intifada's eruption there is a disproportional increase in the use of

Figure 2: Distribution of Articles in *Ha'aretz* Using the Term Human Rights According to Area: Israel, Occupied Territories and Abroad, by Year, 1983–96



the term human rights in articles describing social wrongs perpetrated against Palestinians from the West Bank and Gaza Strip corroborates our hypothesis that the Intifada served as a trigger.

The graph also reveals that the term human rights appears most frequently in articles covering social wrongs taking place abroad. Surely, this is partly due to the fact that *Ha'aretz*, like media outlets in other countries, is less cautious when reporting about violations perpetrated by others. Nonetheless, there are, we propose, two other major reasons for this phenomenon, both of which strengthen our hypothesis and thus give further credence to the theoretical model. First, *Ha'aretz* employed the term human rights more often in its international section during 1989 due to a plethora of transformative events that took place within the global arena: from Tiananmen Square in China to the Velvet Revolution in Prague and the first free elections in Poland, from the collapse of the Berlin Wall and the anti-communist revolution in Rumania to President Bush's decision to invade Panama and the Soviet Union's decision to withdraw from Afghanistan.¹³ These events signalled the dawn of a new era and were usually conceived and portrayed as the downfall or retreat of brutal and oppressive regimes and the triumph of Western liberalism, which represents, at least ostensibly, a culture that values human rights. Thus, many of *Ha'aretz*'s articles covering these international events accentuated the abysmal human rights record of the regimes involved.

The second explanation as to why the term human rights was employed more often in *Ha'aretz*'s international section has to do with the fact that a relatively large proportion of these articles are downloaded from newswires or translated from newspapers like *The New York Times*. The language employed in these articles is directly imported into Israel from the international sphere with no real need for an internal trigger to induce the importation. It has more to do with new information technologies (Kluver, 2002) than with events taking place on the domestic level. This can be seen in the years prior to 1989, where the rights discourse, though almost negligible, nonetheless exists – mainly in the newspaper's international section.

Figure 2 reveals, however, that matters are more complex. If information technology were the only important variable explaining the importation of the discourse, then the term would either remain isolated in the section of the newspaper covering international affairs (the section to which it was directly imported) or be dispersed more or less proportionally within other sections of the paper. Table 1 compares the distribution of articles reporting about social wrongs with the distribution of articles that employed the term human rights. The figures indicate that while 41.3 percent of the articles codified deal with social wrongs taking place inside Israel proper, only 11.2 percent of the articles employing the term human rights refer to wrongs perpetrated against Israelis. By contrast, 36.8 percent of the articles which employ the term human rights refer to violations carried out against Palestinians from the Occupied Territories, while articles

Table 1: Distribution of Articles Reporting Social Wrongs and Articles Employing the Term Human Rights by Area, 1983–96

	<i>Israel</i>	<i>Occupied Territories</i>	<i>Abroad</i>	<i>Total</i>
Articles reporting violations	41.3 (5,604)	26.7 (3,617)	31.9 (4,324)	100.0% (13,545)*
Articles using 'human rights'	11.2 (53)	36.8 (174)	51.9 (245)	100.0% (472)

* Note: the total of 13,545 is smaller than the total number of articles included in the sample (13,871) due to missing cases.

covering social wrongs perpetrated against this population comprise only 26.7 percent of the total amount of articles codified. Information technology, we claim, cannot explain why the term human rights is adopted more often in articles dealing with the occupied inhabitants than it is in articles covering the social wrongs Israelis were subjected to. It would, we believe, be more accurate to claim that the interaction between global and internal processes accounts for this pattern. A connection appears to have been drawn between the Palestinian struggle for liberation and the struggles of other nations that were attempting to free themselves from the Soviet yoke. The human rights discourse used to portray the struggles in the international section of the paper was adopted to depict the plight of the occupied residents.

The realization that the interaction between the global and the local takes place on the pages of the newspaper enabled us to see that two new variables needed to be added to our theoretical model. The global processes with which the local interacts cannot be limited to the evolving human rights discourse and international institutions, but must also include actual events taking place in the international sphere, and the impact of information technology. When international events are reported and described using human rights discourse then we can also expect that they will have an effect on local rights discourse. However, these two new variables do not provide sufficient conditions for the emergence of a rights discourse in the domestic setting. For the discourse to enter the local dialect and assist different domestic struggles promoting basic rights it must refer to events taking place in the domestic arena. And for it to move from the international to the domestic, even on the pages of a newspaper, local events must trigger it.

Our findings corroborate the first hypothesis that we derived from our theoretical model. They indicate that the interaction between global and domestic processes propelled the emergence of a human rights discourse in Israel. However, it is clear that we need to broaden the way global processes are usually conceptualized. Global processes refer not only to the proliferation and expansion of the human

rights discourse and the creation of a variety of international institutions, but also to events taking place in the international realm and to the existence of information technology that facilitates the movement of the discourse from one realm to another. Domestic processes serve as a trigger for the importation of the discourse from the global to the local. This trigger can take many forms, ranging from a change in leadership or form of government to a domestic crisis and the creation of new institutions.

The Expansion of Rights

Our theoretical model suggests that following the initial incorporation of the discourse into the domestic sphere it expands to various domains. We accordingly hypothesized that in addition to the external/internal interactions that account for the introduction of the rights discourse into a local setting, a process of internal/internal interactions is 'put to work'. That is, the ongoing expansion of this discourse will also result from internal interactions whereby domestic social movements or NGOs appropriate the language of human rights that is already utilized to describe social wrongs taking place in one field and use it to depict other issues or groups whose rights are violated. We expected the internal/internal dimension to become more and more pronounced because we believed that one of the ways human rights discourse operates is by constantly expanding its signifiers – both in terms of issues and of populations (i.e. victims and perpetrators). We therefore assumed that the rights discourse would expand in three major ways: in terms of (1) the social issues it encompasses; (2) the identity of the population whose rights have been violated; (3) the identity of the perpetrator of violations.

We examined this hypothesis using two case studies. The first involves the expansion of the rights discourse to a different social group. Instead of focusing on articles describing the social wrongs committed against Palestinians we examined articles depicting wrongs carried out against women. The second case study involves the expansion of rights to a different issue. Whereas most of the violations carried out against Palestinians can be subsumed under the political and civil rights category, we examined the coverage of social wrongs pertaining to economic and social issues.

Regarding the first case study, we explored the amount and type of coverage of four types of wrongs relating specifically to women – rape, sexual assault, abortion and reproductive rights. We found that the coverage of these wrongs began to increase in the years following the Palestinian Intifada. From 1983 until 1991, 2.9 percent of the articles in our sample reported about one of the above-mentioned social wrongs (in absolute terms 228 articles out of 7,804). In the following five-year period, from 1992 until 1996, this number had risen to 4.2 percent (in absolute terms 257 articles out of 6,067), a 30 percent increase. Despite the increase in coverage of wrongs perpetrated against women, our findings indicate

that the human rights discourse was not used to describe these wrongs.¹⁴ This example suggests that the signifiers of rights discourse did not expand to include this new population.

Upon examining economic and social wrongs involving work – promotion, wages, strikes, working conditions, unemployment, livelihood, poverty – a different pattern emerged. Surprisingly enough, the coverage of these social wrongs decreased over the years. If in the eight-year period from 1983 to 1991 the percentage of articles covering these types of violations was 26.7 (in absolute terms 2,085 articles out of 7,804), in the following five years it decreased to 20.9 percent (in absolute terms 1,269 articles out of 6,067). Nonetheless, our findings suggest that there was an increase in the rights discourse used to describe these social wrongs, from 1 percent of the pertinent articles during the years 1983 to 1991 (29 articles in absolute terms), to 3 percent of the articles in the following five years (43 articles in absolute terms). Although the figures are low, what is relevant here for our purposes is their steady increase.

Both case studies are revealing since they indicate that other forces need to be considered in order to improve our theoretical model. Until now, we considered only forces that operated as facilitators. One has, however, to take into account also forces that inhibit or suppress the expansion and proliferation of human rights discourse. In the case involving wrongs committed against women, the increase in coverage does not suggest an actual expansion of such violations, but rather an increase in awareness and a change in the value ascribed to them. These changes did not, however, include a transformation of the language used to describe the social wrongs perpetrated against women.

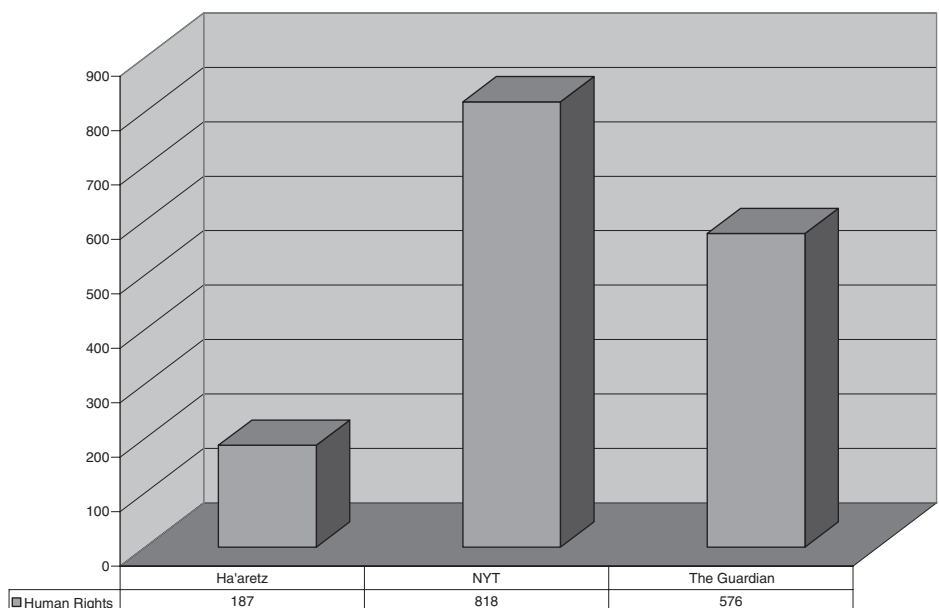
In the case involving work-related social wrongs, the decrease in coverage does not point to a reduction of these kinds of wrongs but rather suggests that during the years examined a neoliberal discourse was gaining ground in Israel, replacing the more socialist discourse that informed the hegemonic world view in the state's first decades (Filc, 1995; Ram, 2000; Shalev, 2000). Accordingly, work-related issues that appeared to be important in the early 1980s received less attention over the years. Nonetheless, as opposed to social wrongs involving women the human rights discourse did manage, albeit in a limited way, to penetrate into this realm. Further research is needed in order to explain why the rights discourse expanded in relation to economic wrongs and did not penetrate wrongs pertaining to women's sexuality and body. Along the same lines, further research is needed to identify the specific internal forces and concrete social actors that led to the decline in coverage of economic and social wrongs.

The need to take into account internal and external forces and discourses that inhibit reporting about human rights violations and the development of a rights discourse becomes even more apparent once one considers the use of the term human rights in the Israeli media during the years 1997–2003. Although we have yet to codify *Ha'aretz* during these years, we did use *Ha'aretz*'s electronic database

to examine whether the use of the term continued to increase.¹⁵ Our findings reveal that within this seven-year period the rights discourse remained static, indicating that the gradual increase in the use of a rights discourse in the six-year period following the eruption of the first Intifada (Figure 1) came to an end and that the language ceased to expand. While these findings do not enable us to determine whether the proportional distribution of the language among issues and the identity of the victims and perpetrators has changed over these years, they allow us to conclude that the discourse did not develop in the way we had expected. Thus, the initial introduction of rights discourse does not necessarily lead to its expansion.

This conclusion is corroborated when one compares the use of the term human rights in *Ha'aretz* with two other newspapers – *The New York Times* and *The Guardian* – during the four-year period 2000–3 (Figure 3). If the term human rights appears in our sample 818 times in *The New York Times* and 576 in *The Guardian*, it appears only 187 times in *Ha'aretz*. Thus, the employment of the term in the Israeli newspaper continued to be extremely limited. These findings are surprising not least due to our expectation that the relatively large number of human rights NGOs operating in Israel and the plethora of other NGOs working to advance social justice issues (Ben-Eliezer, 2003) would have succeeded in engendering a robust rights discourse within Israeli society. The findings suggest

Figure 3: Comparison of Term 'Human Rights' in Three Newspapers: *Ha'aretz*, *The New York Times* and *The Guardian*, 2000–3¹⁶



that *on their own* Israeli rights NGOs have not, and perhaps cannot, play such an important role in producing a rights discourse. A comparative study would be needed in order to determine whether this claim can be made regarding NGOs more generally. We can, however, aver at this stage that it is too early to point to a substantial expansion of rights discourse within the Israeli context.

Conclusion: The Power of the Local

How do economic and normative models, discourses, ideas, laws and cultural practices that are promoted on the global level affect domestic practices? How do the various aspects of globalization(s) help shape local communities and the lives of the people inhabiting this world? These questions stand at the center of current research on globalization. We chose to focus on one aspect of this research agenda, concentrating on a specific issue – human rights – in one country – Israel. Our aim was to explore whether and to what extent human rights discourse had been imported into the Israeli public domain. Assuming that the appearance of the rights discourse within a domestic setting is neither necessary nor the result of simple ‘natural’ diffusion, we tried to identify the mechanisms and processes that may help account for its emergence.

According to our theoretical model, we hypothesized that the interaction between global and local processes led to the introduction of a human rights discourse within Israel. The preceding analysis, however, indicates that the case is more complex than initially conceived and that both the global and the local have to be conceptualized more broadly and in a more nuanced way. We found that the interaction between global and local forces led to the importation of rights discourse into Israel, at least as manifested by the coverage of violations in *Ha'aretz*. It was the first Palestinian uprising that served as a trigger for the importation of the rights language, already prevalent in the global sphere in the form of widely accepted international documents and institutions. However, we realized that in order to gain a better understanding of the actual processes leading to the emergence of the discourse one has to unpack local events and forces and elaborate further on the ways the global sphere influences the local.

We accordingly followed the emerging literature which emphasizes the significance of local events and practices in determining the impact of the global on national settings, suggesting that one cannot understand transnational flows without unveiling the black box of the domestic arena. We argued that the transnational does not ‘flow freely’ into the local, but is always confronted by domestic forces. Some of these forces trigger, facilitate and hasten the penetration of the global into the local, while others obstruct the global’s impact on the local or slow it down. Note that our case study differs from most of the literature that analyzes the effects of the domestic settings on the penetration and flow of global forces. While most studies (e.g. Risse-Kappen, 1995b; Weiss, 2003) examine the impact of local institutions and structures in order to explain why certain

countries have been affected by transnational flows and others have not, we emphasize local processes (like the first Palestinian Intifada) in order to explain the *timing* of the appearance of a global discourse in a local setting.

On the local level it is not only the confrontations which took place in the Occupied Territories that triggered the discourse's importation, but rather the fact that the Intifada led to two additional processes which together helped introduce human rights discourse into Israel. First, the confrontations exposed Israel's occupation and violations and made them visible for all to see, and thus attracted the attention of the international and local media. Moreover, a connection was drawn between the local crisis and the events taking place in the international arena. Thus, for example, the language used to cover the demise of communist regimes was adopted in the coverage of the Intifada. Second, the eruption of the popular uprising spurred the creation of numerous social actors (particularly human rights NGOs) that adopted the rights discourse and disseminated it in the domestic arena.

In addition, our findings suggest that the global processes influencing the local cannot be limited to the existing international human rights discourse or international institutions, as we initially assumed. Global processes also include actual events that were taking place in different countries during the period we were researching – the collapse of the Soviet Union, the dismantling of the apartheid regime in South Africa, the failed students' revolt in China, etc. Moreover, these events were covered extensively in the Israeli newspaper, and the term human rights was employed in their portrayal. Here we noticed the important role of information technology that enabled the easy spread of the language and its introduction into the domestic arena. However, we also showed that in and of themselves neither international events nor information technology can explain the infiltration of a global discourse into a domestic setting and that the discourse's importation was triggered by local events.

The power of the local became evident once more when we explored the expansion of human rights discourse after its initial introduction. We hypothesized that once the discourse was imported into a national setting it would expand its signifiers both in terms of issues and populations. Issues that had in the past been depicted as mere 'problems' would be described as violations of human rights. This expansion then could no longer be accounted for merely by external/internal relations, but rather internal/internal interactions would also have to be considered. Yet, when we examined the expansion of rights language in two specific areas – women's rights and economic and social rights – our findings were mixed. While there was a substantial increase in reporting of social wrongs pertaining to women during the period under investigation, there was a decrease in the coverage of economic and social wrongs. And although there is a slight increase in the use of rights discourse in the depictions of economic wrongs, overall the discourse expanded its signifiers in an incremental way and at a certain point stopped developing. Indeed, the fact that the overall increase in the

use of rights discourse came to a halt in the late 1990s in Israel indicates that the forces hindering the idea of human rights prevailed during this period.

Consequently, our hypothesis that once a human rights discourse has entered the domestic public sphere it will necessarily expand to other areas has to be problematized. Our findings reveal a differentiated and uneven process of expansion, shaped by different forces and social actors operating in the different domains and areas of social life, some in opposition to and some as promoters and facilitators of a human rights discourse. Such findings are, to be sure, partial and in some respects preliminary, but still our mode of inquiry underscores the difficulty of assuming the internal diffusion of the rights discourse after its infiltration into the domestic public sphere. It emphasizes the need for developing new methodologies that *compare* processes of discourse expansion within the domestic sphere, particularly since such processes cannot be detected when using the methodology employed by the new-institutional perspective (e.g. Barrett and Frank, 1999; Chabbott, 2003; Meyer, 2000; Ramirez and McEneaney, 1997).

Thus, our findings suggest that the theoretical model is still wanting since it does not consider the internal and external forces that attempt to resist the emergence and development of a rights discourse. In the Israeli case, this discourse managed to infiltrate the domestic sphere and began to develop, but its expansion was ultimately arrested by other forces that resisted the universalistic and egalitarian message promulgated by the term human rights. While explicating exactly which forces stopped the expansion of a rights discourse in Israel is beyond the scope of this article, we believe that in every domestic setting there are competing discourses – ranging from neoliberal and militaristic to religious and nationalistic – which in a variety of ways contradict the human rights world view and therefore obstruct the development of a robust human rights discourse. If our analysis is correct, it is clear that more attention should be given to the internal dynamics, and research efforts should try to identify the powers and mechanisms that have both the interest and the ability to suppress the expansion and institutionalization of global models, even after their initial introduction into the local scene.

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Notes

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- 1 Using Lexis Nexis search engine we sampled 12 newspapers in 12 countries, during 3 consecutive years (2002–4), for 4 weeks each year, thus examining a total of 12 weeks. We looked for the term human rights or its equivalent in other languages. Our findings indicate that the term human rights appeared 190 times in *The Australian*, 94 times in the *Belfast Telegraph*, 38 times in the *China Post*, 36 times in *The Daily Yomiuri*, 373 times in *The Guardian*, 514 times in *El País*, 443 times in *The Hindu*, 182 times in the *Jerusalem Post*, 20 times in *La Stampa*, 49 times in *The Moscow Times*, 4 times in *The Nation* (Pakistan) and 529 times in *The New York Times*.
- 2 By information technology we mean the acquisition, processing, storage and dissemination of all types of information using computer technology and telecommunication systems.
- 3 One could conduct a cross-national study that considers each country's specific political, social, cultural and technological conditions and history. This would amount to a thick qualitative historical research project that highlights the impact of internal processes within a given country and compares them to internal processes taking place in other countries. Alternatively, one could address the issue from a neo-institutional standpoint which attempts to explain the adoption of global norms and models by exposing the links to and engagement with world society and world culture (Meyer, 2000; Meyer *et al.*, 1997). This is also the approach prevalent within the human rights literature, only in this literature the narrower notion of 'networking' – as opposed to linkage and engagement – is often emphasized (Keck and Sikkink, 1998; Risse *et al.*, 1999).
- 4 One excellent resource is the University of Minnesota Human Rights Library which is online and can be accessed at <http://www1.umn.edu/humanrts/>.
- 5 For instance, over 2,000 rights NGOs participated in the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which took place in Durban, South Africa, in late August 2001.
- 6 We examined every fifth year between 1970 and 2000 using the Lexis Nexis search engine. Each year we examined every tenth day, and a total of 37 days per year, using two terms: civil rights and human rights.
- 7 We chose these years because in 1985 Israel radically changed its economic policies and adopted, for the first time, the neoliberal model. We wanted to examine whether this led to a change in the discourse and therefore began coding the newspaper two years earlier. We finished coding at 1996, one year after Prime Minister Yitzhak Rabin was assassinated, after Hamas and Islamic Jihad launched a series of suicide terrorist attacks and Benjamin Netanyahu was elected prime minister. We did not examine the whole newspaper. The sections codified include the national and international news, the editorial, op-eds and letters and the first two pages of the economy section, as well as opinion pieces in the economy section.
- 8 For example, the International Convention on the Elimination of all Forms of Racial Discrimination (1965); International Covenant on Economic, Social and Cultural Rights (1966); International Covenant on Civil and Political Rights (1966); International Convention on the Elimination of all Forms of Discrimination Against Women (1979); International Convention Against Torture (1984); International Convention on the Rights of the Child (1989); consult the United Nations Commission on Human Rights website for the full text of these and other conventions: <http://www.unhcr.ch/html/intinst.htm>.
- 9 If one takes into account the steady increase in 'potential articles' within the 14-year period – in 1983 there were 737 articles describing violations in our sample, while in 1996 there were 1,268 (figures not shown here) – and examines the growth rate of the term in proportion to the total number of articles, then the increase is smaller, yet still steady (about 150 percent increase). However, since we are examining the introduction and development of a discourse we are interested at this point in the growth of the discourse in absolute terms.
- 10 Interview with Dedi Zuker, the founder of B'tselem (The Israeli Center for Human Rights in the Occupied Territories), 10 August 2003. Interview with Ruchama Marton, the founder of Physicians for Human Rights, Israel, 16 January 1994.
- 11 Interview with Yossi Schwartz, founder of HaMoked: Center for the Defense of the Individual, 7 August 2003.
- 12 In order to corroborate our model we needed to isolate violations relating to a historical event – which, we claim, was the trigger for the penetration of rights discourse into Israel. We tried to capture the event related to the Intifada by focusing on 'where' the violation occurred. Another possibility was to focus on *whose* rights were violated, assuming that violations of Palestinians are the ones that would capture the Intifada. However, the Intifada did not only lead to an increase in violations perpetrated against Palestinians but also to an increase in violations committed against Jewish settlers in the territories. If we had focused only on the 'who' we would not have counted these violations as part of the Intifada. We therefore decided to concentrate on 'where' the violations occurred. We were aware, however, that the violations perpetrated against occupied Palestinians in detention centers within Israel were an outcome of the Intifada and therefore we actually included all such instances under the rubric of violations perpetrated in the territories.
- 13 The change in the amount of international coverage during that year was not substantially different from the year before (from 38.9 percent of the articles in 1988 to 40.3 percent of the articles in 1989) and surely cannot explain the exponential growth in the employment of the term human rights.

- 14 The term human rights was mentioned in only two articles until 1991, and in seven articles until 1996.
- 15 We searched for four terms in *Ha'aretz's* electronic database for a period of 6 years (1998–2003), once every 10 days and a total of 37 days per year.
- 16 We searched in the three newspapers for the term human rights during a period of four years (2000–3). In order to make the data comparable to the data in our study we codified every tenth day so that our sample included a total of 37 days per year in each newspaper.

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