

Media reporting and human rights accountability in Mexico

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Introduction

This article considers whether the quality of information journalists report in human rights cases has an effect on accountability for serious ongoing violations. In the 1980s, national and local media in Latin American democracies began to play key roles as watchdogs over the actions of public officials, bringing attention to wrongdoing by reporting information that those implicated would rather keep silent (Waisbrod 2000: xix). When journalists report on human rights violations, their watchdog reporting is a form of “information politics,” used by transnational advocacy networks to pressure governments to improve human rights protections and account for violations (Keck and Sikkink 1998: 22). While exceptional reporting has been shown to trigger public outrage in particular cases, sometimes leading to resignations, prosecutions and changes in public policies (Waisbord, 215-22), the press’s role is less clear in accountability for systematic patterns of human rights violations. In the face of widespread violence in many areas of Latin America in the present decade, this study explores whether rigorous reporting practices, not just in exceptional cases but also on more systematic violations, can also have impacts on accountability. Does information politics affect accountability? If so, under what conditions?

Case study: Disappearances in Mexico

This case study focuses on local and national media reporting on cases of disappearances in three particular Mexican states over the past decade. This analysis utilizes database of press coverage on 476 disappearances that occurred between 2009 and 2018, including 169 cases in the state of Nuevo Leon, 182 cases in Jalisco, and 125 cases in Guerrero. We found an average of five articles per disappearance case and a median of three articles per case. We reviewed this data to determine if there was a significant relationship between robust reporting practices -- or information politics -- and state responses in particular disappearance cases.

Mexico, a country once lauded for its leadership in welcoming exiles fleeing repressive South American regimes, is suffering a human rights crisis characterized by widespread use of torture, extra-judicial killings and enforced disappearances (Anaya-Muñoz and Frey 2018: 2). These violations are unfolding in the context of a decade of drug related violence involving organized crime and state actors. In addition to the “drug war”, the other key factor in the current human rights crisis is the almost total impunity in Mexico (Anaya-Muñoz and Frey 2018: 3). In terms of legal accountability, the Observatory on Disappearances and Impunity in Mexico has identified only 20 cases involving 44 convictions for the crime of enforced disappearance in the entire country despite the government’s acknowledgment of more than 40,000 disappeared persons in the past decade (Observatory 2019).

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Accountability and Human Rights

Our study builds upon theories of accountability and human rights in Latin American democracies. In representative democracies, accountability is characterized by government officials having to inform the citizenry about their actions and decisions, to justify them and possibly be sanctioned for them (Peruzzotti and Smulovitz 2006: 5). In human rights violations, in particular, Skaar, García-Godos and Collins suggest a more stringent test of accountability, defined by the state's explicit acknowledgement that human rights violations have occurred and that state actors were involved in or responsible for them (2016).

Guillermo O'Donnell classifies accountability mechanisms as either horizontal or vertical. Horizontal accountability describes the system of intrastate controls: institutional checks and balances designed to regulate the abuses of state actors, including courts, legislators and autonomous agencies. The mechanisms of vertical accountability are external to the government, holding the state accountable primarily through elections (O'Donnell 2006: 334-35). Peruzzotti and Smulovitz further define vertical accountability to account for the impacts of "social accountability," characterized by non-electoral mechanisms to control the actions of political authorities.

The concept of social accountability rests particularly on the efforts of civil society, including human rights organizations, citizens' organizations and the media (Peruzzotti and Smulovitz 2006: 12; O'Donnell 1999:43). The media plays a particular role in investigation and public denunciation of human rights violations as well as agenda setting. Peruzzotti and Smulovitz contend that the media provide vertical or "social accountability" by (1) shaming public officials and (2) activating institutions of horizontal accountability. Bonner further argues that the media acts as a mechanism of social accountability not only by activating mechanisms of horizontal accountability but also by serving as a platform for debate in particular cases. (Bonner 2009: 297). Bonner examined a high profile case of police violence against social protest in Argentina and found that the media was the forum for a public discussion about "*who* should be held accountable, *what* they should be held accountable for, and *how* they should be held accountable"(297, italics in the original). A public official is shamed and institutions of horizontal accountability are activated when the action (or inaction) of a public official is accepted as wrongdoing. (Bonner 297).

Print media has been particularly important in shaping public opinion (McLeod and McDonald 1985), increasing political knowledge (McLeod, Scheufele and Moy 1999) and mobilizing citizen action (Scheufele, Shanahan and Kim 2002). In a cross-national study, Rob Clark found that a nation's level of newspaper readership positively affected human rights outcomes (2012).

This literature demonstrates that media can play an important role in social accountability. But the media is not always able to do so due to structural and economic issues (Guerrero 2014); social and organizational models of newsrooms (MacPherson 2012); due to fear (Frey and Cuellar 2019); or lack of knowledge about human rights responsibilities of states (Reilly 2018). If human rights violations are not reported, then citizens do not have the information they need to contest the violations. Even when journalists do report violations, they may lack the information necessary to inform the public and to shame state actors into accountability.

From the perspective of transnational human rights advocacy, the media serves as an actor as well as a target of information politics, the class of tactics defined by Margaret Keck and Kathryn Sikkink "to quickly

and credibly generate politically usable information and move it to where it will have the most impact”(1998: 16). Transnational advocacy networks use information politics to name and shame government actors as a way to improve human rights practices. Sympathetic journalists may become part of these networks, but more often network activists cultivate the press, serving as credible and timely sources of information on human rights issues (22). While the focus of Keck and Sikkink’s seminal analysis was on transnational movements, these movements depend initially upon domestic partners to gather information. Certain domestic journalists intentionally engage in information politics, overcoming a context of fear and impunity, to play a foundational role as investigators and reporters on human rights violations.

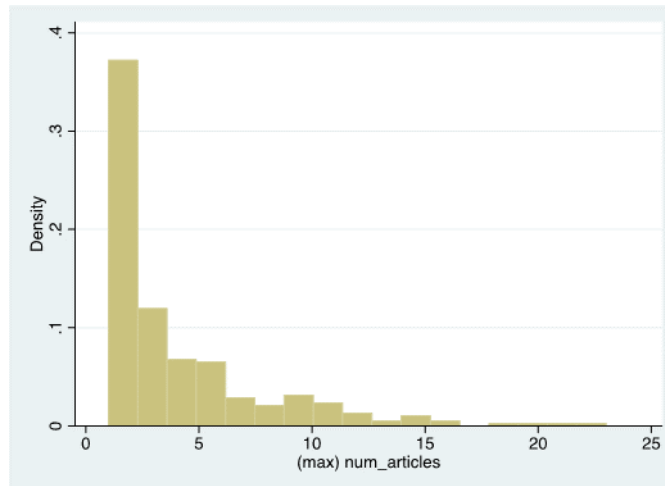
Methodology

This study is part of a larger project focusing on content analysis of Mexico’s media reports on disappearances. We have constructed a database to systematize the content of press articles that describe cases of disappearances through the coding of certain variables that have been determined through an inductive process. The database includes reported cases of disappearances from 2009 to 2018 in three Mexican states: Nuevo Leon, Jalisco and Guerrero. The process for finding cases was through keyword searches using Factiva and Google. Victim’s names found in the initial search were used to conduct a subsequent search (using the name of the victim and the state where the disappearance took place as keywords), in order to gather all the available press articles about the case. The unit of analysis in the data set is the disappearance case and the coding variables included data about each press source, data about the victim, the event, the perpetrator, the outcome of the case, and the state’s response.

National and local media outlets in Mexico report on very few cases of alleged disappearances.² Even those disappearance cases that are covered by the print media receive extremely limited coverage. Figure 1 shows that press coverage for the majority of disappearance cases reported from the three states in our database consists of one or two articles.

Figure 1: Number of press articles per disappearance event

² The National Register of Data on Missing or Disappeared Persons (RNPED) reported 2,919 disappearances in Nuevo Leon between 2006 and 2018 but we found only 166 print news reports of named victims of disappearances during the same period or 5.6% of the total reported cases. The governor of Jalisco, Enrique Alfaro Ramírez, recently confirmed 7,117 disappeared persons his state (Luis Herrera, Indigo, march 22, 2019, <https://www.reporteindigo.com/reportes/jalisco-numero-uno-del-pais-en-desapariciones-segun-reportes-de-enrique-alfaro/>); while our data searches located only 183 news stories (2.6% of the total) naming disappearance victims in the same period.



The low quantity of reporting raised the possibility that those few disappearance cases that actually received press attention in Mexico might have activated some level of social accountability. Did press reports on cases succeed in activating horizontal accountability for disappearances? Did the media’s coverage of human rights crimes push state actors to respond to those crimes? If so, what was the content of the reporting that was most likely to result in a meaningful state response?

In order to examine these questions, we constructed a multivariate index of information reported in press articles on disappearances in three states in Mexico with high levels of violations. This “Information Politics Index” (IPI) orders the press coverage of disappearance cases, from less extensively to more extensively reported, based on the number and type of details that appear in the combined coverage on each case about the victim, the event and the perpetrator. Coders analyzed the news reporting in a binary way, as either including the specified piece of information or not. The IPI score for each disappearance case therefore depends upon how many details about the victim and the crime are included in total press coverage about the case. The highest IPI level is nine, based on the following variables:

Information Politics Index: Variables

Information about the victim	Information about the event
Age at time of disappearance	Method of capture
Educational level	Date of capture
Occupation	Location of capture
Physical characteristics	Information about the perpetrator
	Outcome (status of the victim)

These variables evidence a certain level of investigative reporting on the case, “the unearthing and putting together of pieces of information,” in contrast to passive reception of information by reporters (Negrine 1996:). The inclusion of more detailed information about the disappeared victim in press coverage suggests that the journalist used personal efforts to find information in addition to that supplied by sources such as the prosecutor’s office (Waisbord 2000, xvi). High IPI reporting includes details about the victim’s age, education, and occupation that could also be useful for search or advocacy purposes.

High IPI reporting also includes data about the disappearance itself - the event. Baseline data points on the event include the method of capture, detailed information such as dates and locations of the crime. Information about the perpetrator or possible perpetrator is key information for the public to understand the nature of disappearances. Finally, high IPI reporting requires that the reporter explain what is known about the whereabouts or the outcome of the crime. This data point is met if the reporter notes that the disappeared person is still missing, or if there is a follow up story if the person is found dead. This kind of follow up reporting is surprisingly minimal.

The main assumption to be tested using this index is whether higher levels of information politics are correlated with positive state responses to allegations of disappearances. In other words, would more reporting on these variables be more likely to lead to state responses. The press articles on disappearance cases are coded using five variables to represent the quality of state responses in each reported case: 1) was there contact by a state authority, 2) was there an official search for the victim, 3) was there a criminal investigation of the disappearances, 4) did the authorities issue an arrest warrant or make an actual arrest, and 5) was a judicial proceeding initiated against the alleged perpetrator.

We explored the relationship between the IPI and each of these variables on state responses, according to the following hypotheses. We explored these relationships by assessing the bivariate relationship between IPI and state responses of interest. We also employed t-tests to assess whether the differences are statistically significant. Those results are mentioned below, as well.

H1: Higher levels of information politics are more likely to lead to an official search by the state

The search to find their loved ones is the highest priority of the families and our hypothesis is that more detailed press accounts on a disappearance cases would be more likely to trigger an official search for the victim(s). Two of the three states in our study, Nuevo Leon and Jalisco, had a state-level commission dedicated to search for the disappeared during at least some period of the study and there were 81 searches reported in the total cases coded in the three states.

H2: Higher level of information politics are more likely to lead to a criminal investigation

The criminal investigation variable captures whether the news on the case reported an official investigation by a state actor, usually through the opening of a criminal case file (“averiguacion previa”). We expected that information politics would have a positive effect in the initiation of a formal criminal investigation, especially in high profile cases.

H3: Higher level of information politics are more likely to lead to an arrest warrant or actual arrest

Similarly, we expected that high IPI press reports would increase the incentive for the state to identify a suspect and issue a warrant for their arrest.

H4: Higher level of information politics are more likely to lead to a judicial procedure in court

Only 31 of the 476 cases of disappearance we analyzed reported the initiation of criminal proceedings. We anticipated that these 31 cases would correlate with high IPI journalism.

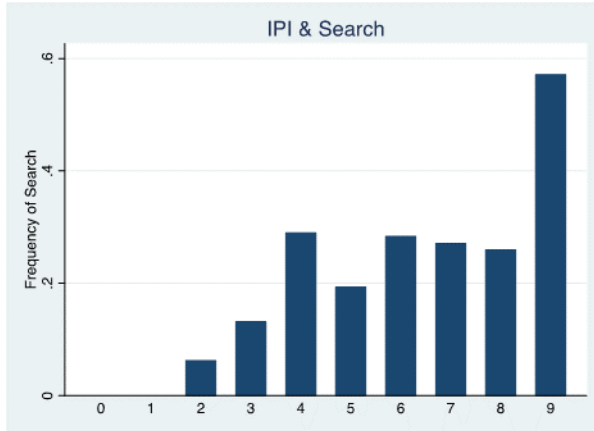
H5: Higher level of information politics are more likely to lead to state action.

This hypothesis combines all the possible categories of state action: positive contact by state authorities to acknowledge a reported disappearance; official search; criminal investigation; arrest warrant and

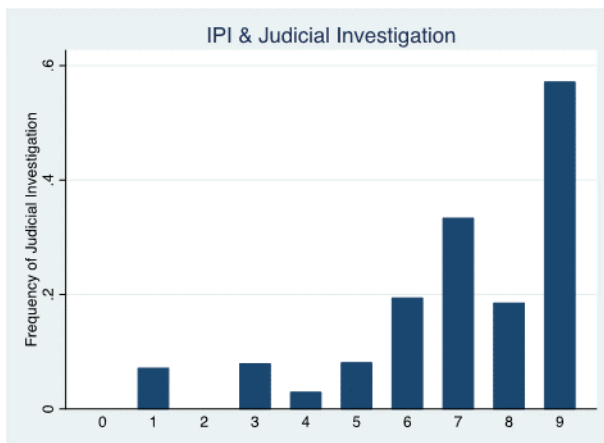
initiation of criminal proceeding. We anticipated that high levels of IPI reporting would correlate collectively with more official responses in disappearance cases.

Findings

Our first hypothesis (H1) suggested that higher levels of IPI would lead to an official search by the state. The correlation between high IPI and searches is only 0.16, which is reflective of the majority of cases with lower IPI and no investigation. Even so, the t-test below illustrates that a search is more likely in a high IPI environment ($p < 0.05$).³

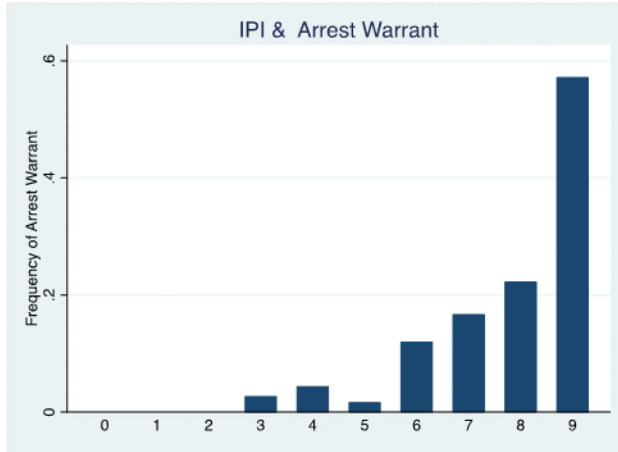


In a similar fashion, we also hypothesized that high IPI would be correlated with criminal investigations for those cases with more, as opposed to less, information. This hypothesis is confirmed; the correlation between judicial investigation and IPI is 0.27 and the difference is significant ($p < 0.001$).

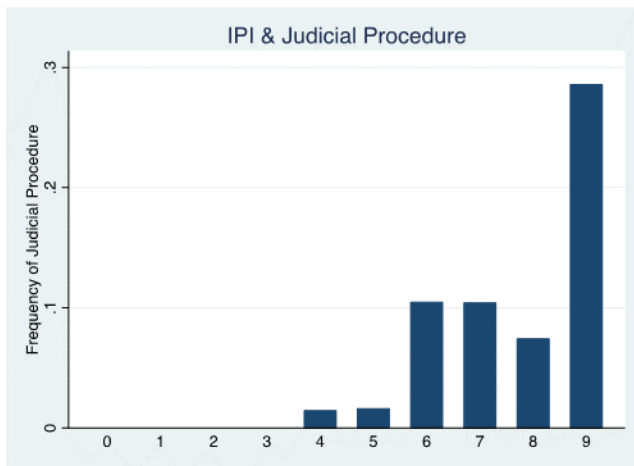


Next, we hypothesized that higher IPI would be more likely to lead to an arrest warrant or actual arrest. The graph below shows clear correlation (0.28) and the difference is statistically significant ($p < 0.001$).

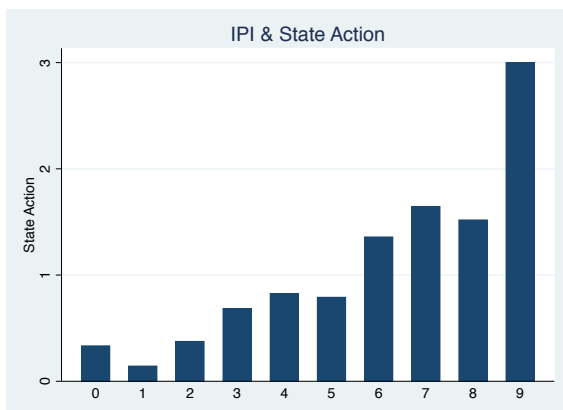
³ For the t-tests, a variable was created to discern whether the case was a high IPI (greater than six attributes) or a low IPI (fewer than six) environment. The difference of means was then assessed between those two groups for each outcome of interest.



We also find that higher levels of IPI are associated with judicial proceedings in court. The correlation between a judicial procedure and IPI is 0.20. This lower correlation is mostly because judicial procedures are rare in the dataset – when the dataset is organized by event (not individual), only 18 of the events include a judicial procedure. As evident by the graph below, all have high levels of IPI. The difference is also significant ($p < 0.001$).



Finally, we find that IPI is positively correlated with any type of state action (0.39). Those cases that receive more attention are more likely to have some type of state response. This difference, as well, is statistically significant ($p < 0.001$).



Conclusions

These findings demonstrate meaningful correlations between thorough news reporting and basic levels of accountability in disappearance cases. When reporters engage in information politics, quickly and credibly generating reliable human rights information and publishing it publicly, it serves as a pressure upon state actors to respond in some fashion.

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