

# The New York Times' Prejudice against Imprisoned Palestinian Leader Marwan Barghouti

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*The New York Times' failure to provide "sufficient context" goes well beyond not explaining Israel's charges against Palestinian leader **Marwan Barghouti**.*

Last month, imprisoned Palestinian parliamentarian Marwan Barghouti was provided op-ed space by the *New York Times* [to explain why he and his fellow inmates were going on a hunger strike](#). Instructively, the article caused an uproar not because of Israel's violations of their rights, but because Mr. Barghouti's bio stated simply that he "is a Palestinian leader and parliamentarian." Under criticism, the *Times* added an editor's note stating:

This article explained the writer's prison sentence but neglected to provide sufficient context by stating the offenses of which he was convicted. They were five counts of murder and membership in a terrorist organization. Mr. Barghouti declined to offer a defense at his trial and refused to recognize the Israeli court's jurisdiction and legitimacy.



The *Times'* public editor, **Liz Spayd**, also wrote an article titled "[An Op-Ed Author Omits His Crimes, and The Times Does Too](#)", in which she praised the decision to add this editorial note because of "the need to more fully identify the biography and credentials of authors, especially details that help people make judgments about the opinions they're reading."

What the *Times* has done here, however, is not provide readers with information to help them judge Barghouti for themselves, but to prejudge Mr. Barghouti for them.

The title of Spayd's article implicitly judges Barghouti as guilty. The inherent assumption of her headline is that since he was convicted in an Israeli court, therefore he must have been guilty of the crimes he was accused of.

The boldness of this assumption is all the more remarkable since it was specifically to

highlight Israel’s abuses—including his lack of a fair trial—that Mr. Barghouti wrote his op-ed.

Ms. Spayd writes that Barghouti wrote the piece

“to draw attention to a mass hunger strike for what he calls Israel’s arbitrary arrests and poor treatment of Palestinian prisoners.”

This statement assumes that it is merely Mr. Barghouti’s *opinion* that Israel makes arbitrary arrests and treats prisoners poorly. This assumption, too, fails to provide readers with details to help readers make an objective judgment.

Had Ms. Spayd wished to be objective, she would have acknowledged that Israel’s abuses against Palestinian prisoners have been extensively documented.

✘ It wouldn’t have taken Spayd long to determine whether Barghouti’s “claim” was true; she could have Googled “arbitrary arrests occupied Palestinian territory” and clicked on the first result (at the time of this writing) to read the section from Amnesty International’s annual global report [on Israel and the occupied Palestinian territories](#). She could have scrolled down and read the details under the subheading “Arbitrary arrests and detentions”, as well as the following section, “Torture and other ill-treatment”.

She could also have clicked on the second result and read the [report of the UN Human Rights Council on the human rights situation in the occupied territories](#) and scrolled down to read the sections “Torture and ill-treatment in detention”, “Administrative and arbitrary detention”, and “Arrest and Detention of Children”.

Spayd could have clicked the link provided in Barghouti’s op-ed to the [report of the Inter-Parliamentary Union](#) finding that Israel’s “numerous breaches of international law”, including *Barghouti’s unlawful arrest and transfer to Israel*, made it “impossible to conclude that Mr. Barghouti was given a fair trial.”

As **Hanan Ashrawi**, a member of the Palestinian parliament, [recently wrote](#) in *Newsweek* with respect to Barghouti’s conviction,

It is a conviction that says nothing about him and everything about the Israeli judicial system, just as the conviction of Mandela and his sentence to lifetime imprisonment said more about the apartheid regime than [sic] about those fighting it.

Likewise, the *Times*’ addendum and the public editor’s commentary tell readers nothing about Mr. Barghouti and everything about the nature of the *Times*’ reporting on the Israel-Palestine conflict.

Another assertion of Mr. Barghouti’s that Ms. Spayd could have also easily verified is that “eight Nobel Peace Prize laureates, 120 governments and hundreds of leaders, parliamentarians, artists and academics around the world” have campaigned for his release.

In the [“Robben Island Declaration for the Freedom of Marwan Barghouti and all Palestinian](#)

[Prisoners](#)”, which was inaugurated from **Nelson Mandela**’s former cell on Robben Island, South Africa, signatories—including Nobel Peace Prize Laureates former US **President Jimmy Carter**, **Archbishop Desmond Tutu**, and **Mairead Maguire**—called for his release, noting that

The treatment of Palestinian prisoners from the moment of their arrest, during interrogation and trial, and during their detention, violates norms and standards prescribed by international law.

Had the *Times*’ Public Editor dug a bit deeper, she could have [discovered](#) that Israel had admittedly tried twice to assassinate Barghouti before the decision was made to capture him, and that

“The army officers who captured Barghouti are convinced that he should now be set free. The same view was held by Ehud Barak”—the former Prime Minister of Israel.

“Have you lost your mind?” Barak, who was a private citizen at the time of Barghouti’s arrest, asked **Shin Bet Chief of Staff Shaul Mofaz**.

“What’s the story with Barghouti? If it’s part of your struggle against terrorism, it’s meaningless. But if it’s part of a grand plan to make him a future national leader of the Palestinians, then it’s a brilliant scheme, because what’s really missing in his résumé is direct affiliation with terrorism. He will fight for the leadership from inside prison, not having to prove a thing. The myth will grow constantly by itself.”

Spayd might also have noted that Barghouti has consistently [called for non-violent resistance to the Israeli occupation](#), has expressed his unequivocal support for “the idea of two states for two nations”, and has been heavily critical of the existing Palestinian Authority (PA) leadership. Polls have consistently shown that if there were to be elections in which Barghouti was a candidate, he would handily win.

As [Barghouti wrote in a 2002 Washington Post op-ed](#),

Let us not forget, we Palestinians have recognized Israel on 78 percent of historic Palestine. It is Israel that refuses to acknowledge Palestine’s right to exist on the remaining 22 percent of land occupied in 1967....

I still seek peaceful coexistence between the equal and independent countries of Israel and Palestine based on full withdrawal from Palestinian territories occupied in 1967 and a just resolution to the plight of Palestinian refugees pursuant to U.N. resolutions. I do not seek to destroy Israel but only to end its occupation of my country.

The *Post*’s bio for Barghouti read,

“The writer is general secretary of Fatah on the West Bank and was elected to the Palestinian Legislative Council.” He was unlawfully imprisoned in Israel

three months later.

Even the government of the United States has advocated Barghouti's release from prison.



**Elliot Abrams**, writing at the *Council on Foreign Relations*, makes the same fallacious assumptions as the *Times*' public editor, his headline declaring, "[The New York Times Calls a Convicted Terrorist a 'Parliamentarian'](#)". With the editor's addendum and Spayd's commentary, it's the *New York Times* rather calling a parliamentarian a convicted terrorist.

Far from providing *Times* readers with "sufficient context" to "help people make judgements about the opinions they're reading", what the newspaper's public editor has done is to prejudge the op-ed contributor. Liz Spayd rather *tells* readers what judgement they are supposed to make about Barghouti while *denying* them the relevant context that would allow them to make up their *own* minds.

The editorial note appended to Barghouti's op-ed was intended to inform readers the crimes Barghouti was accused and convicted of, but its purpose was *not* to provide sufficient context to help people make an objective judgment. Rather, its purpose was to prejudice the reader's opinion of Barghouti—otherwise the *Times* editors would also have noted that the op-ed contributor was correct to say that he did not receive a fair trial and that Israel's capture and transportation of Barghouti to a prison in Israel was itself [a violation of international law](#).

Spayd closes by writing that she is

"pleased to see the editors responding to the complaints, and moving to correct the issue rather than resist it. Hopefully, it's a sign that fuller disclosure will become regular practice."

Fuller disclosure of relevant context from the *New York Times* would indeed be a welcome change. For the *Times* editors to act with such blatant prejudice in the name of objective journalism is rank hypocrisy—but par for the course for America's "newspaper of record".

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