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Tel Aviv University
Journalism Studies Program
Institute for Research of
the Jewish Press

Editor:

Dr. Mordecai Naor

English Section:

Judy Krausz

Hebrew Copy Editor:

Moshe Or

Designer:

Amnon Katz

Administration:

Yardena Bar-Uryan

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English Cover: Alfred Dreyfus facing his judges, illustration from the late nineteenth century. On the initial phase of the Dreyfus Affair as reflected in the contemporary Hebrew press, see p. 11e.

Hebrew Cover: Portrait of Isaac Leib Goldberg, founder and first publisher of *Ha'aretz*, by Pinhas Litvinovsky. On Goldberg, see p. 20e.

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Editorial and Administrative Offices: Journalism Studies Program, Tel Aviv University, Ramat Aviv 69978. Tel: (03)6413404, 6408665. Fax: (03)6422318

A DIFFERENT KIND OF PUBLISHER

For 21 of the 75 years of the existence of the oldest Jewish daily in the world, *Ha'aretz*, the inscription next to the logo read: Founded by I. L. Goldberg. Only in 1937, when the paper was acquired by the Schocken family, was the logo changed, and a few years thereafter the name of the most generous publisher that the Zionist movement knew since the founding of political Zionism by Herzl, was removed.

"I. L. who?" would be a common reaction today if the name of the man who was its first publisher were to continue to appear — the man who, with his own funds, acquired the weekly *Palestine News* (Hebrew edition) from the British in Cairo after World War I and began publishing it as the first Hebrew daily in Eretz Yisrael after the war.

The story of the metamorphosis of *Palestine News* to today's *Ha'aretz* appeared in *Qesher* a year ago (No. 14, November 1993). In this issue, Dr. Mordecai Naor, who wrote the first article, completes this chapter of journalistic history by sketching in the character of the man who not only invested personal funds to acquire the weekly from the British, but helped insure its survival for years under conditions that in some ways call to mind the present struggle for survival of a newspaper that is younger than it by only six years, *Davar*.

The Hebrew cover of the present issue of *Qesher* is devoted to this noble philanthropist, who invested his money (invested not in the sense of the stock market but as a contribution) in practically every cultural Zionist project of the first third of this century, from the university in Jerusalem to the theater and the publishing of Jewish books and periodicals throughout the world.

The inspiration for our choice of profile was not only the 75th anniversary of *Ha'aretz*, but the fact that newspaper publishers are, unfortunately, in the news too often nowadays in contexts that prompt a questioning of the role of print journalism (and to some extent electronic journalism as well) in a democratic society, where freedom of expression, pluralism and diversity of news and views are foundation stones.

Without knowledge of many precedents — certainly not in the Jewish reality then — I. L. Goldberg, together with friends with more expertise in the field, established an editorial organizational hierarchy that could, remarkably, serve as a model even in our day, at least as portrayed in Judge Elisheva Barak's judgment in the District Labor Court in the dispute between the *Jerusalem Post* and one of its editors, Joanna Yehiel. (This judgment was

published in full in *Qesher* 14, and was also dealt with in the introductory remarks under the heading "Is a Journalist Like Any Other Employee?") The present issue of *Qesher* contains the decision regarding the appeal of this judgment in the National Labor Court, Judge Menahem Goldberg presiding. The similarity in name of the judge and the publisher discussed above is entirely coincidental, as is the timing of the issuing of the judgment by the National Labor Court and the appearance of the profile of the first owner of *Ha'aretz* 75 years ago.

The first step taken by I(saac) L(eib) Goldberg after purchasing the newspaper in his capacity as owner and publisher was the appointment of an editor, Dr. Nissan Touroff, to be followed by Samuel Perlman, an experienced journalist, author and translator. Goldberg gave full editorial authority to the editor, reserving for himself the privilege of continuously pouring monies into the newspaper's till so as to keep the enterprise going, an undertaking that was nearly impossible then, as it is impossible in our day to keep political-ideological newspapers afloat. Much later, Perlman recounted an interesting story to Dr. Joseph Schechtman, Jabotinsky's biographer, about a dispute over authority which is relevant today to the above-mentioned hierarchical model. One of the editors and reporters recruited by *Ha'aretz* in its early days was Ze'ev Jabotinsky, who performed a variety of tasks there: he wrote a permanent column, translated foreign literature, wrote literary criticism, and edited as needed. *Ha'aretz* did not have a defined political position then, although it generally aligned itself with Zionist movement policy. Jabotinsky did not always like this line, and his articles at times annoyed Dr. Weizmann and other Zionist leaders and publicists. Matters reached a point that a meeting was called at the home of Mordecai Ben-Hillel Hacohen, a leading Zionist in Jerusalem, in order to attempt to restrict Jabotinsky's freedom of self-expression. The reaction of the "sublime troublemaker" (as Dr. Hillel Jaffe termed him in his diary) was: "I shall write as I see fit. The only person entitled to make changes in my articles is Samuel Perlman."

Is a Journalist Like a Lawyer?

This is the appropriate place to relate the preceding segment on the "different publisher" to a current issue that was raised first by Judge Elisheva Barak's judgment, and now, even more emphatically, by the National Labor Court judgment, Judge Menahem Goldberg presiding. With all due respect to the two learned judges, it now seems to

me that a labor court is not the appropriate venue to rule on an issue that preoccupies the community of publishers, editors and especially journalists — in the Western world generally and in Israel of late in particular. An issue in which the philosophy and ideology of a free economy — capitalism, if you will — converge with concepts such as the right of possession as it is anchored (in Israel) in the Basic Law: The Dignity and Freedom of Man; freedom of speech as a public interest; the journalist's freedom of speech according to his conscience and beliefs; the right of the owner — certainly if he takes on the added authority of editor in chief or managing editor — to mold the political, economic and cultural line of his newspaper to his liking; and several other problems which stem from, or are subject to, these concepts, at times balance each other out but at other times conflict with each other. Even though I personally agree with most of Judge Barak's premises, I know there is no — and perhaps there cannot be — unified view on an issue so controversial in terms of the structuring of authority and hierarchy in a private commercial newspaper and the degree of freedom and responsibility allotted to each level.

With this, as someone who began his journalistic career in the ideological press, and worked for many years in the private commercial press as well, educated, and educating others, according to the principles of freedom of the press and the journalist's freedom of speech, believing that when the owner of a newspaper hires a journalist he does not necessarily hire his pen, metaphorically, in the broadest sense — I find it difficult to accept Judge Goldberg's statement: "The owner of a newspaper is entitled, directly or through persons authorized for this, to require a journalist employed by him to write an article on a subject which he regards as important, and he *may instruct the journalist as to the general line to be favored*" (emphasis mine, S.R.). It would appear that this statement errs by generalizing, or at least by an indistinct differentiation between a feature article, a news report and an editorial column, especially of the type accepted nowadays in Israeli New Journalism in which there is a blurring of boundaries between an article based on what the journalist has seen himself or on information he obtains from his sources, and political opinion. The judge continues:

A journalist is not entitled, within the scope of the subject matter on which he writes, to refuse to write that article. A salaried lawyer is not entitled to choose which client he will handle and which he will refuse to handle, in the same way as a salaried accountant is not entitled to decide to which of the firm's clients he will provide his services. All this applies to every profession or business, so long as the instructions received by the employee do not conflict with the law, rules of ethics or conscience.

I am certain it is not coincidental that the value "interest" is not included among the conflicting criteria enumerated. The judge also established that "the refusal of the newspaper to publish one or another of an employee's articles is not interference in that journalist's freedom of expression." A journalist whose editor refuses to publish his work is free to find, or create, another platform for himself, "so long as the writing, even if it consists of 'an unusual expression,' does not infringe on public safety, public order or the character of democracy" — quoted from the High Court of Justice 399/85.

Up to this point, we can certainly agree with the National Labor Court, because in theory its approach was wise and correct, even if we are aware of the atmosphere that this type of act could create between the owner and the journalist. But in the emerging reality in Israel today, in which a growing number of newspapers are controlled by a diminishing number of people, the "refusenik" journalist (i.e., one whose article has been refused publication in the newspaper where he works) cannot easily — if at all — find an alternative platform. He certainly will not succeed in establishing one himself in today's circumstances. In other words, even if the journalist has license from the court to graze in other pastures when he runs into trouble, in actuality he cannot benefit by or utilize this license. This, of course, is no longer the court's problem. It is the problem of the journalists union, and not just theirs alone.

I have always feared interference by politician-legislators on the subject of the rights and duties of the press and of journalists. But I believe that recent developments evolving in the Israeli media justify a revision of attitude, at least partially, and, of course, in full coordination with the organized professional journalists' bodies and the Press Council. If the legal clarifications by the labor court in both the district and national instances have contributed to a change in approach on the part of some of the veteran media people, this will constitute a tribute to the judges who dealt with this issue thus far, as well as to the judges who will deal with it in the High Court of Justice following a petition by the *Jerusalem post* against the ruling of the National Labor Court, each according to his judicial point of departure and philosophy.



Head of the Journalism Studies Program
and Institute for Research of the Jewish Press

IS A JOURNALIST LIKE ANY OTHER EMPLOYEE? A SECOND LOOK

Issue No. 14 of Qesher (November 1993) included extensive extracts from the judgment given by Judge Elisheva Barak in the District Labor Court in Jerusalem on 23 April 1993 in the case of Joanna Yehiel vs. The Jerusalem Post. The cause of the action was the cessation of the plaintiff's employment following the change in ownership of the newspaper at the beginning of 1990. Joanna Yehiel contended that she should be deemed to have been dismissed because of her inability to continue working in the newspaper after the change in ownership and the "shift" in the political line of the newspaper.

The District Labor Court agreed with her stand, whereupon the Palestine Post Ltd. (the publisher of the newspaper Jerusalem Post) appealed the judgment to the National Labor Court against the liability to provide severance pay and payment in lieu of a sabbatical. In the cross appeal, the employee, Joanna Yehiel, appealed against the refusal to include her thirteenth salary in the severance pay calculation; against the obiter dictum in the judgment according to which the payments which she received from the "Makefet Fund" covered the entire sum, namely 100%, of the severance pay due her; and against

the failure to award her appropriate costs.

The National Labor Court, Judge Menahem Goldberg presiding, heard the appeal, and on 17 October 1994 handed down a judgment dismissing the appeal of the employee in relation to the incorporation of the thirteenth salary in the compensation calculation, but allowing her appeal on the issue of the Makefet Fund, and holding that the severance pay due the employee should be calculated on the basis of 180% of her final salary, from which the actual monies paid or due to her from the Makefet Fund should be deducted. It also awarded her appropriate costs.

The appeal of the newspaper was dismissed to the extent that it pertained to liability for making severance payments, and was allowed to the extent that it pertained to monetary payment in lieu of a sabbatical.

Below is a report in full of the second part of the judgment, which focuses, inter alia, on the issue of the ideological journalist as it touches upon relations between owners and journalists, property rights, freedom of property, and the nexus between employer, employee and business concern — topics which earlier had been considered extensively by the District Labor Court.

Judgment in the Case of The Palestine Post Ltd. vs. Joanna Yehiel

In the National Labor Court
Before Judge Menahem Goldberg (President)
Judge Stephen Adler (Deputy President)
Judge Yitzhak Eliasoff

Employees' Representative: Mr. Avraham Shemer
Employer's Representative: Mr. Haim Haham

On behalf of the Plaintiff: Adv. Yosef Arnon
On behalf of the Defendant: Adv. Arnold Spaer

JUDGMENT President Menahem Goldberg

The Right to Severance Pay by Virtue of the Law.

As the Regional Labor Court devoted the major part of its judgment to the issue of whether the employee was entitled to severance pay by virtue of the final clause of Section 11(a) of the Severance Pay Law, I will refer to it briefly as well.

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STATE OF ISRAEL IS BORN

The first independent Jewish State in 19 centuries was born in Tel Aviv as the British Mandate over Palestine came to an end at midnight on Friday, and it was immediately subjected to the test of fire. At "Midnight Tiranat" (State of Israel) was proclaimed, the battle for Jerusalem engaged, with most of the city falling to the Jews. At the same time, President Truman announced that the United States would accord recognition to the new State. A few hours later, Palestine was invaded by Moslem armies from the south, east and north, and Tel Aviv was raided from the air. On Friday the United Nations Special Assembly adjourned after adopting a resolution to appoint a med-

iator but without taking any action on the Partition Resolution of November 29. Yesterday the battle for the Jerusalem-Tel Aviv road was still under way, and two Arab villages were taken. In the north, Acre town was captured, and the Jewish Army consolidated its positions in Western Galilee.

Resolution of November 29. Yesterday the battle for the Jerusalem-Tel Aviv road was still under way, and two Arab villages were taken. In the north, Acre town was captured, and the Jewish Army consolidated its positions in Western Galilee.

Most Crowded Hours in Palestine's History

Between Thursday night and this morning Palestine went through what by all standards must be among the most crowded hours in its history. For the Jewish position there was the conquest of the city of the few hundred Haganah men and women in the River Euphrates area of northern west Jordan. Their surrender to a fully equipped superior force was directly in line with a victory, was a historic occasion. What could be known, with no communications since Thursday morning, was whether and to what extent the Red Cross and the Truce Committee would receive and pass on to the United Nations the conditions for prisoners and wounded, and proper respect for the dead. On some of these various questions here now have received.

On Friday afternoon, from Tel Aviv, came the report of the Jewish Agency and the Government of the United States. The Security Council met today in a special session to consider the situation on the basis of the report of the United Nations Commission for Palestine by members of the UN.

In the afternoon, Jerusalem was shelled by Arab forces from the north. The Security Council met today in a special session to consider the situation on the basis of the report of the United Nations Commission for Palestine by members of the UN.

On Friday morning, Jewish forces entered the Palestinian Commemorative and National Day in Tel Aviv. The Security Council met today in a special session to consider the situation on the basis of the report of the United Nations Commission for Palestine by members of the UN.

On Friday morning, the Truce Committee and Jewish Agency did not agree that the "armistice" was extended to Jerusalem for eight days. Arab representatives would not extend, they said, because of the firing in Jerusalem, and a week-long reprieve was arranged from 1 to 7 in the morning. Whether they agreed or not, because and/or by that time the battle for Jerusalem had been decided.

To Jerusalem's reaction was said to be the approval of a declaration in Tel Aviv that had been issued on Friday.

At the same time, the air was filled with reports of two Egyptian columns on the move from the south towards the West Bank, and of intensifying fighting from across the northern border.

JEWS TAKE OVER SECURITY ZONES

The battle for Jerusalem, which began when the British forces withdrew on Friday morning, continued all day Friday and yesterday. The Jewish forces took over the security zones, which were to be under the control of the British. The Jewish forces took over the security zones, which were to be under the control of the British.

2 Columns Cross Southern Border

Two columns of Egyptian troops crossed the southern border of Palestine. The Egyptian troops crossed the southern border of Palestine. The Egyptian troops crossed the southern border of Palestine.

A Good Thing

It is a very good thing that the Jewish Agency has taken over the security zones. It is a very good thing that the Jewish Agency has taken over the security zones. It is a very good thing that the Jewish Agency has taken over the security zones.

EMERGENCY

The situation in Jerusalem is an emergency. The situation in Jerusalem is an emergency. The situation in Jerusalem is an emergency. The situation in Jerusalem is an emergency.

Double Sumner Times in Jerusalem

At midnight tonight the double sumner times in Jerusalem. At midnight tonight the double sumner times in Jerusalem. At midnight tonight the double sumner times in Jerusalem. At midnight tonight the double sumner times in Jerusalem.

Egyptian Air Force Splitfires Bomb Tel Aviv; One Shot Down

Raid on Tel Aviv by Egyptian aircraft. The Egyptian air force splitfired bombs on Tel Aviv. The Egyptian air force splitfired bombs on Tel Aviv. The Egyptian air force splitfired bombs on Tel Aviv.

U.S. RECOGNIZES JEWISH STATE

The United States has recognized the Jewish State. The United States has recognized the Jewish State. The United States has recognized the Jewish State. The United States has recognized the Jewish State.

Special Assembly Adjourns

The UN Special Assembly adjourned. The UN Special Assembly adjourned. The UN Special Assembly adjourned. The UN Special Assembly adjourned.

War Office Says Legion Had Left

The British War Office says the Legion has left. The British War Office says the Legion has left. The British War Office says the Legion has left. The British War Office says the Legion has left.

EGYPTIAN INVASION BEFORE U.N. SECURITY COUNCIL

The Egyptian invasion is before the UN Security Council. The Egyptian invasion is before the UN Security Council. The Egyptian invasion is before the UN Security Council. The Egyptian invasion is before the UN Security Council.

Proclamation by Head of Government

Proclamation by the Head of Government. Proclamation by the Head of Government. Proclamation by the Head of Government. Proclamation by the Head of Government.

2 Villages Taken in Road Battle

Two villages were taken in a road battle. Two villages were taken in a road battle. Two villages were taken in a road battle. Two villages were taken in a road battle.

Str. Allen Sails From Palestine

Str. Allen sailed from Palestine. Str. Allen sailed from Palestine. Str. Allen sailed from Palestine. Str. Allen sailed from Palestine.

AGRE CAPTURED

The agreement was captured. The agreement was captured. The agreement was captured. The agreement was captured.

Double Sumner Times in Jerusalem

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Special Assembly Adjourns

The UN Special Assembly adjourned. The UN Special Assembly adjourned. The UN Special Assembly adjourned. The UN Special Assembly adjourned.

War Office Says Legion Had Left

The British War Office says the Legion has left. The British War Office says the Legion has left. The British War Office says the Legion has left. The British War Office says the Legion has left.

EGYPTIAN INVASION BEFORE U.N. SECURITY COUNCIL

The Egyptian invasion is before the UN Security Council. The Egyptian invasion is before the UN Security Council. The Egyptian invasion is before the UN Security Council. The Egyptian invasion is before the UN Security Council.

AGRE CAPTURED

The agreement was captured. The agreement was captured. The agreement was captured. The agreement was captured.

Double Sumner Times in Jerusalem

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Front page of The Palestine Post, reporting on the declaration of the State of Israel

The District Labor Court commences its judgment with the words: "Is a journalist like any other worker?" The answer to this question, implied by the judgment, is that where a journalist is concerned, special principles exist which must be considered when examining his rights under the employment laws, and in our case the right to severance pay.

The District Labor Court binds this question to the question of freedom of expression, freedom of the press and individual liberty.

To us it appears that on the issue of the right to severance pay, the position of a journalist is the same as that of every other worker, though it is clear that the question whether such matters of labor relations existed making it untenable for the employee to continue in his work depends on the profession, the nature of the work and the status of the employee in his workplace, in the same way as the term "discipline" has a differing significance when applied to a manager of a plant and any other worker in the plant (Labor Report 35/3-17; 35/3-20, *Rozenzweig v. Teckes Katz Ltd.* 6 P.D.A. 393). This is also true with regard to matters of labor relations which justify resignation. In every profession and type of work it is necessary to examine the specific circumstances of those labor relations prior to deciding, upon objective principles, whether those circumstances lead to the conclusion that the employee cannot be required to continue his employment.

With regard to "matters of labor relations" relating to a worker who resigned for ideological reasons, this court has held:

"The views of a man on political, social, religious, economic or similar matters should not be regarded as matters...in labor relations for the purposes of Section 11(a) of the Law, where the expression 'labor relations' is interpreted there as approaching, in its meaning, the term 'conditions of employment' (Hearing no. 33/3-12).

"But the position is different where a worker is accepted for employment and the worker agrees to work precisely because he holds specific religious, political or national views, and the specific conceptual identification forms one of the preconditions, even if not the principal precondition, to the establishment of employer-employee relations. In such cases, political affiliation and identification are part of the qualities which operate mutually" (L.R. 34/3-54; 35/3-20, *Shamli, et. al. v. The Israeli Communist Party*, 6 P.D.A 42, 44-45, and see A. Rubinstein, "On the Employed Party Work Opposed to the Party Way," *Hapraklit* 30, 355).

It is possible that this is the case here. However, in view of our findings in relation to the right of the employee to severance pay by virtue of the undertakings of the newspaper, there is no need to answer this question in these proceedings.

The District Labor Court asks:

The question is whether, if the publisher does not dismiss the editor and the journalists and continues employing them, it would be legitimate for him to interfere with their work and dictate to them, or even advise them, as to the spirit in which they should write, and, if this is legitimate, to what extent is he entitled to interfere. Is daily interference with journalistic work included as well in the publisher's freedom of expression and managerial prerogative?

On the surface, such intervention is legitimate and was indeed the traditional attitude. It is the prevailing viewpoint to this day in the United States and Britain, although differing opinions are beginning to be voiced thereon.

As to the attitude recognizing intervention, the District Court states (on p. 30 of the judgment):

This approach seems to us to be anachronistic today when the liberty of the press has acquired an unshakable status in democratic society.

It appears to us that it was far-reaching in the extreme to refer to the approach prevailing in two countries in which liberty of the press is a cornerstone of their government and their law, and which in the United States is protected by the First Amendment to the Constitution, as being "anachronistic." It is permissible, of course, to disagree with what is accepted in the United States, in the same way as it is permissible to disagree with what is adjudicated in this country, but it is fitting that we refrain from criticizing an approach which we oppose.

The District Court adds:

It seems to us, upon examination of the appropriate balance, that the publisher of the paper has the right, protected by his freedom of expression, to choose his editor and journalists as he wishes. This applies to dismissals as well. It is his right to dismiss them if their method of writing, their style, the extent and nature of their criticism of the governmental authorities, their political opinions, their sense of balance — their inclination to favor the side opposite his own preference — are not to his satisfaction. However, from the moment the publisher has made up his mind not to dismiss the editor, he is no longer at liberty to interfere with the editor's work unrestrictedly. He is certainly entitled to guide him along general lines; he is entitled to ask him to ensure that articles are more balanced; and obviously he would have the right to dismiss him if the manner of his writing does not satisfy him. But he cannot be allowed to deny or illegally restrict the editor's journalistic freedom by interfering daily with the manner of writing or commenting on the opinions expressed by the editor and the journalists.

The right to property and freedom of property, entrenched

today in the Basic Law: Human Dignity and Freedom, enables owners to manage their businesses as they wish, so long as they do not infringe the law or a protected "basic right."

17. The right of an employer in his workplace, whether it arises out of ownership or whether it arises out of the right to possession and management, is a property right, which is recognized as a basic right (Civil Appeal 377/79 *Feizer v. The Local Planning and Building Committee, Ramat Gan*, 35 [3] P"D 645 at p. 656; Section 3 of the Basic Law: Human Dignity and Freedom; A. Barak, *Interpretation in Law*, Vol. 2, at p. 467). Within this framework, an employer is entitled to choose, subject to the provisions of the law, the legal structure of the business which he is to establish, and the manner of management of the business. Similarly, the employer is entitled to perform his obligations through his employees, by employing contractors, using subcontractors' workers, or through workers lent to him by another employer (see L.R. 46/4-13 *The State of Israel v. The Union of Civil Servants*, 17 P.D.A. 181; H.C.J. 190/86 *The Union of Civil Servants v. The National Labor Court* 40 [3] P"D 318; L.R. 49/3-70 *Harizi v. The State of Israel, the Israel Lands Administration "MDNM" 21 P.D.A. 208*; L.R. 52/4-17 *State of Israel v. General Labor Federation*, 26 P.D.A. 87, 97).

Moreover, in this country it is well known that in one of the two wide-circulation afternoon newspapers, the chairman of the board of directors is the "editor in chief," and in the other the chairman of the board is the "managing editor," while in the wide-circulation morning paper, the owner served as the "editor in chief" for many years until his death. Should this fact be seen as an infringement of any kind in the freedom of the press?

Nothing in the above is intended in any way to detract from the importance attached by the legal system as a whole, and by this court, to freedom of the press and freedom of expression. This court, responsible for preserving freedom to organize in labor and management unions, freedom to strike, and freedom of employment, is also responsible, in equal measure, for the preservation and safeguarding of other basic rights.

The Supreme Court has more than once considered the obligation of *government* media to broadcast a range of views and opinions (see, e.g., H.C.J. 243/82 *Zichroni v. The Managing Committee of the Broadcasting Authority* 37[1] P"D 754; H.C.J. 1/81 *Shiran v. The Broadcasting Authority* 35[3] P"D 365; H.C.J. 399/85 *Kahana v. The Broadcasting Authority* 41[3] P"D 255; and recently, H.C.J. 3472/92 *Brand v. Minister of Communications* 44[3] P"D 643).

The Supreme Court has held as follows:

In view of the importance of the issue at hand it is right to again draw attention to what was said on this subject in the following leading cases:

In H.C.J. 243/62 *Israel Film Studios Ltd. V. Grey* 16 P"D 2407 at p. 2415, Hon. Justice Landau (as he then was) held:

It is my intention to empower a citizen to circulate and receive information about what is taking place around him, within the borders of the country in which he lives, and outside it. This right is vitally bound to the right to freedom of expression, and for this reason belongs too to the same basic rights "which are not inscribed in a book," but which ensue directly from the nature of our state as a democratic state pursuing freedom.... In order that the citizen may enjoy his freedom to change his opinion, he also requires the freedom to exchange information and to approach, without restriction, such sources of information as other citizens wish to supply him, so long as this does not damage other essential interests of the state or of the individual. Only in this way will he be able to formulate an independent opinion, insofar as possible, in relation to those questions of vital importance to society and the state, the determination of which is ultimately in his hands by virtue of his right to elect the institutions of the state.

And thereafter, on p. 2416:

A government which takes upon itself the right to determine what is good for the citizen to know, ultimately is determining what is good for the citizen to think; and there is no greater contradiction than this to true democracy, which is not "guided" from above.

In H.C.J. 87, 73/53 *"Kol Ha-am" Society Ltd. v. The Minister of the Interior* 7 P"D 871 at p. 876, Hon. Justice Agranat (as he then was) held:

The principle of freedom of expression is a principle vitally bound to the democratic process.... In a state with a democratic government — government by the "will of the people" — the "governors" are seen as authorized by, and the representatives of, the people who elected them. Therefore, they [the people] are entitled at any time to criticize their political actions, whether in order to bring about corrections to these actions and create new arrangements in the state, or whether to bring about the immediate resignation of the "governors" or their replacement by others on election day. This simple perception of democratic government necessarily entails the application of the principle of freedom of expression in every state founded on such form of government....

These incisive and instructive comments have become a cornerstone of our legal system, and the principles embodied in them are accepted by all, to the extent that they can no longer be doubted. (H.C.J. 243/82 *Zichroni v. The Managing Committee of the Broadcasting Authority* 37[1] P"D 757, 765).

These statements, and many others, were made in relation to freedom of speech and its limitations within the Broadcasting Authority, and not in vain. The Broadcasting Authority Law 5725-1965 expressly provides (in Section 4) that "the Authority shall ensure that the broadcasts shall enable appropriate expression of different outlooks and opinions prevailing among the public and supply reliable information." The Second Television and Radio Network Law 5750-1990 provides (in Section 5) that one of the functions of the Authority is the "broadcast of reliable, fair and balanced information," and in Section 47(a) that "the franchisee will ensure that in broadcasting current affairs, the contents of which are of public significance, proper expression will be given to different opinions prevailing among the public."

Furthermore: "The voice which emerges from the television box is heard from one end of the world to the other and there is no location which is walled off from it" (Justice Elon [as he then was] in C.A. 7/79 *Ha-Haim Book Publishers v. The Broadcasting Authority* 35[2] P"D 365). And elsewhere: "In the modern age it is possible to exchange views, to persuade and to be persuaded, only through the mass communications media...whose words and visage enthrall mass audiences, and whose influence on their opinions and tastes is immeasurable" (Deputy President H. Cohen in C.A. 7/79, *supra*, at p. 268).

This leads to the conclusion that "the Broadcasting Authority is obliged to ensure the freedom of speech of others" (H.C.J. 399/85, *supra*, at p. 263) and that "it is the right of the public that the freedom of expression in the communications media — radio and television — should be preserved, and that these media should be operated in a way and a manner which will enable this freedom to be maintained in practice" (Justice Shamgar [as he then was] in H.C.J. 1/81, *supra*, at p. 378).

The question which stands before us is whether these principles apply even in *private* communications media. We accept the view that basic laws and basic rights have an indirect effect on private law (compare L.R. 43/3-17 *Tuama v. Techno Gumi Lisitzki* 25 P.D.A. 227, 239). Is every private communications medium, which has received a license to appear in accordance with the Press Ordinance, obliged to publish every article or letter to the editor? Is the newsheet of the largest labor federation in the country obliged to publish articles opposing the universality of the federation? Is a party newspaper obliged to publish articles which conflict with the party line? Must a newspaper belonging to a religious party publish articles

objecting to "religious coercion" or an item supporting civil marriage? Must a newsheet issued by settlers publish an article supporting the removal of settlements from the "territories"?

Freedom of speech is not that far-reaching.

And now to the case at hand. Must a newspaper which has been purchased by private owners provide a platform for the range of views in Israeli society, or, perhaps, is it entitled to slant its writing and its articles toward a viewpoint which is acceptable to it?

Owners of a newspaper, whether public bodies or private companies, are allowed and entitled to guide their newspapers in the direction favored by them and to prevent the inclusion of adverse material. The owner of a newspaper is entitled to determine the political, economic and cultural line of his newspaper, and is not obliged to publish contrary opinions in his newspaper. The owner of a newspaper is entitled, directly or through persons authorized for this, to require a journalist employed by him to write an article on a subject which he regards as important, and he may instruct the journalist as to the general line to be favored. A journalist is not entitled, within the scope of the subject matter on which he writes, to refuse to write that article. A salaried lawyer is not entitled to choose which client he will handle and which he will refuse to handle, in the same way as a salaried accountant is not entitled to decide to which of the firm's clients he will provide his services. All this applies to every profession or business, so long as the instructions received by the employee do not conflict with the law, rules of ethics or conscience (compare to Section 318 of the Penal Law 5737-1977, which provides that "a gynaecologist shall not be bound to interrupt the pregnancy of a woman if such is contrary to his conscience or medical judgment").

A newspaper, be it of whatever circulation, is not obliged to give "appropriate expression to different outlooks prevailing among the public" in the same way as is required of the Broadcasting Authority by virtue of law. It is desirable and fitting that a newspaper do so, but it is also its right not to. The reading public, from whose purse it is sustained, will decide whether to continue to buy a newspaper which is one-sided in its reporting and in its opinions. If the number of readers falls off, advertisers will cease advertising in it and it will not be able to survive. In a free journalism market, these are the considerations which must guide the owners.

The refusal of a newspaper to publish one or another

of an employee's articles is not interference in that journalist's freedom of expression. A journalist whose editor has refused to publish his material is entitled to find, or create, a different platform for himself, so long as the writing, even if it consists of an "unusual expression," does not infringe on public safety, public order or the character of democracy (H.C.J. 399/85, *supra*, at p. 288). Whether the circumstances prompting the resignation of a journalist whose article has been refused publication can be regarded as justifying resignation with a concomitant entitlement to severance pay, varies in each case, in the same way as applies to the salaried lawyer or accountant who have been instructed to deal with a client who is not to their liking, or who have had a client whom they have been handling removed from their care.

We are aware that:

Not only the speaker falls within the definition of one who exercises his liberties and enjoys the rights conferred upon a man in a free society. The audience of compulsory listeners or readers are entitled to hear and read what others have to say, and the restriction on the hearing and reading of what others have to say is not only an infringement of the rights of the writer or speaker but is no less an infringement of the rights of those to whom the words are addressed. (A.S.M. 5/86 *Spiru v. The State Comptroller's Office* 40[4] P"D 227, 240)

And:

Guaranteeing freedom of expression is not only in the interest of the individual, but is no less in the interest of the public, since the public interest is twofold:

1. The right of the citizens and their interest in hearing the opinions of others;
2. The public interest in protecting freedom of expression and thereby protecting democratic government. (*ibid.*)

And elsewhere: "It is in the nature of man that he realizes himself by giving expression to himself" (H.C.J. 399/85, *supra*, at p. 273).

Is the meaning of this that a newspaper is obliged to publish every letter to the editor which is sent to it? Is a newspaper which chooses not to publish letters received by it — whether on the grounds that the contents are contrary to its views, or that the writer's language is crude and abusive, or that it feels the writer to be eccentric — interfering with freedom of expression? Is a publisher who refuses to publish a particular book infringing on freedom of speech?

The case at hand also requires that we consider

the fact that we are dealing with employer-employee relations. Referring to this nexus in the context of a civil servant's conflict in the area of freedom of expression (in newspapers which do *not* belong to the state), the Supreme Court has stated:

The nexus between an employee and employer gives rise to a unique and multi-faceted relationship which is built on the obligation to perform the work for the employer which the employee undertook to perform, to persevere with it in accordance with the conditions of service, and to carry it out with loyalty to the employer for as long as the employment endures. Moreover, occasionally it is necessary to preserve certain restrictions even after employment is terminated, but this subject is not relevant here. Alongside the relations between the employee and employer, the employee continues to have the rights and duties of every citizen. The issue before us raises the question of what the mutual implications of these two aspects are for each other, i.e., those arising out of employment and those arising out of the status of the employee as having rights and duties in a free society. (A.S.M. 5/86, *supra*, at p. 238)

These comments are also applicable to a person who is not a civil servant.

Freedom of expression is not an absolute basic right but is relative, as is every fundamental right. This is also the reason why the court, despite its willingness to effectuate this freedom to the fullest, balances it against other basic principles of our system, and, inasmuch as it is not entrenched in a basic law, "every law which restricts freedom of expression is effective from a constitutional point of view" (H.C.J. 393/85, *supra*, at p. 283). Further, other fundamental principles must be considered.

Freedom of expression is not the only principle which must be considered; in a democratic society other fundamental rights must be taken into account, such as human dignity, the right to property, judicial integrity and public safety. Where these principles clash, a balance must be drawn between them. The balance is created primarily by the legislator himself. The court must, of course, interpret the legislative enactments, and this is its contribution to the task of creating a balance. Occasionally, the legislator refrains from taking any position on the question of balance, and this is accomplished entirely by the court. When the judge performs the task of drawing a balance, he often encounters conflicting principles, between which he must adjudicate. (*supra*)

In this case, consideration must be given to the right to property, which is entrenched in the Basic Law: Human Dignity and Freedom. Where freedom of expression is preserved, but not necessarily within any particular private

communications medium, and every person, including a journalist, may write almost anything he wishes in a range of publications, substantial weight must be given to the right to property, and in our case to the right of (private) owners of communications media to decide what material should be published and what rejected, whether these are commissioned articles, or articles presented to him by the journalists employed by the newspaper.

Against the right of the owner to steer the course of his paper stands the right of the journalist not to be compelled to write articles which are contrary to his thinking and his conscience. In certain cases he has the right not to continue working in a newspaper which has been "transformed" in an extreme fashion. A journalist in a party newspaper which is purchased by a private owner whose views differ fundamentally from the views of the party to which the newspaper belonged, is drawn into "circumstances in which the worker cannot be required to continue his work." This is also the case where the journalist works for a nonparty newspaper which is purchased by a political party or movement. In these extreme cases, the journalist has cause to resign on account of dismissal, by virtue of the final clause of Section 11(a) of the Severance Pay Law, and to receive severance pay at the rate determined by law.

In light of the fact that the employee is entitled to (increased) severance pay as a result of the contractual undertaking of the newspaper, we shall not decide the question whether in this case matters reached such a state as to create an entitlement to severance pay as a matter of law, even though some members of the bench are of the

opinion that were it not for the contractual undertaking of the newspaper to furnish severance pay to the defendant, the matter would have fallen within the framework of the final clause of Section 11(a) of the Severance Pay Law.

Concluding Remarks

The newspaper's appeal is dismissed to the extent that it pertains to liability for severance pay, and is allowed to the extent that it pertains to pay in lieu of the sabbatical. The employee's appeal is dismissed to the extent that it pertains to the inclusion of the "thirteenth salary" in the severance pay and is allowed to the extent that it pertains to the deduction of sums which she received from the Makefet Fund from the total severance pay, to which she is entitled.

The newspaper shall pay the costs of the employee in the appeal in the amount of NIS3,000 together with V.A.T.
Given today 17.10.94

Translated by Rahel Rimon

Errata, prior judgment reported in *Qesher*, No. 14, November 1993, p. 27e, first column, top of the page:

The sentence should read: "The government is not entitled to interfere therewith, *unless* it has been proved, as stated, that there is a clear and present danger..."

THE HEBREW PRESS AT THE OUTSET OF THE DREYFUS AFFAIR / Gideon Kouts

A survey of the coverage of the Dreyfus affair at its outset 100 years ago in the European and Eretz Yisrael Hebrew press is instructive.

The French Jewish Captain Alfred Dreyfus, arrested in Paris on October 1894 on charges of treason and passing secrets to the enemy, was found guilty in his first trial, held in a military court behind closed doors on December 19-22, and was sentenced to life imprisonment. An appeal submitted on December 31 was rejected, and in a formal ceremony on January 5, 1895, he was stripped of his rank. On February 21 he was sent to Devil's Island to serve his sentence, marking the conclusion of the first stage of the Dreyfus affair, which would re-emerge in 1896 and last for ten years until the captain's full reinstatement in 1906.

The attitude of the Jewish establishment in the initial stage was nearly monolithic in viewing the captain as guilty as well as in disassociating the episode from the problem of anti-Semitism. While retrospectively the affair is often regarded as the final impetus to the emergence of Herzl's political Zionist ideology, the anti-Semitic essence of the affair was not grasped early on. Herzl himself, in his coverage for the Viennese *Neue Freie Presse* — his employer — nowhere alluded to the possible innocence of the defendant; mentioned Dreyfus' Jewishness only once; and made no reference to the anti-Semitic reactions to the affair.

By contrast, the St. Petersburg-based Hebrew Zionist daily *Ha-Melitz*, which reflected the views of the Hovevei Zion movement, branded the case from the start as a "treason libel," a new manifestation of the traditional anti-Semitic blood libel. The paper's Paris correspondent, Abraham Ludvipol, castigated ostensible friends of the Jewish people in both the socialist and the republican camps for uniting in speedy condemnation not only of the defendant but of all Jews collectively, and for dwelling on the Jewish origin of the defendant pejoratively. As for the essence of the charges themselves, he pointed out that due to the secrecy of the trial, the public was denied access to the facts, although this did not prevent it from reaching its biased conclusions. Furthermore, Ludvipol wrote, there was no plausible motive for Dreyfus' ostensible misdeed — he was a person of means, and he was happily married with two fine children. Not only did the reporter attack

French anti-Semitism, he condemned the passivity of the French Jewish community as well, warning of the bitter fate that would befall them as anti-Semitism continued its inevitable spread in French society.

A different picture was portrayed by Nahum Sokolov in his *Ha-Zefira*, based in Warsaw, which consisted largely of this talented, multi-faceted writer's penetrating analyses of the news rather than on reports by correspondents. Sokolov, as other Jewish Enlightenment intellectuals, had a special interest in, and admiration for, France, and especially the status of the Jews there. His initial coverage of the Dreyfus affair was cautious, emphasizing the secrecy that enshrouded the case. This secrecy, although not the legitimacy of the trial, was questioned in a column by him only on December 31. Moreover, in synthesizing and generalizing various reports from French and other newspapers, Sokolov distorted the known facts and glossed over the elements of bias endemic in several of his press sources, thereby acquiescing in the anti-Dreyfus consensus. In a two-part article on January 9 and 10, 1895, he laments both the evil manifestations by the French public — hopefully temporary — and the unfortunate case of the guilty defendant, who must by law be punished. In his view, the Jews themselves were responsible for anti-Semitic outbursts by virtue of their unethical behavior, while France must be commended for granting Jews fair trials and allowing them the opportunity to rise in the ranks of governmental and military service. Sokolov, although aware of criticism of the conduct of the trial, and in agreement that the defendant lacked a credible motive, was unconvinced that Dreyfus was innocent or that the court's judgment could be mistaken. The contradictions of the case, combined with reports of rising anti-Semitic reactions in France, resulted in convoluted pieces by him in January and February, justifying the trial and the sentence and reflecting a blind admiration for French democracy.

Later, however, when the plot against Dreyfus began to be exposed, Sokolov, who by then identified with the Zionist camp, devoted himself to the fullest coverage of the affair and unabashedly reversed his point of view.

The weekly *Ha-Magid Le-Yisrael*, published by Jacob Solomon Fuchs in Cracow, which was located in the Austrian Empire, reflected the influence of the Austrian

and German press. Dreyfus was innocent, Fuchs wrote, and, moreover, the trial represented the trial and conviction of all Jews, a reflection of the built-in anti-Semitism even in French society, its hundred-year achievement of equal rights notwithstanding.

Havazelet, the weekly of the ultra-Orthodox anti-Zionist community in Eretz Yisrael edited by Israel Dov Frumkin, was entirely mute in terms of coverage of the initial stage of the affair, possibly because of the special relationship of the Ottoman Empire with France and the desire of the newspaper to avoid the appearance of meddling in governmental affairs.

Eliezer Ben-Yehuda's weekly *Ha-Zevi*, the organ of the progressive nationalist element of the *yishuv*, had been closed down when the affair began, but when it reopened on January 12, 1895, Ben-Yehuda adopted a cautious stance in reporting on the trial, possibly because of the trauma of his own recent imprisonment and the closure of his paper. He did, however, meticulously quote reports from

the French press relating to Dreyfus' possible innocence, as well as material on the anti-Semitic campaign in France. In a survey of reactions to the trial in the European Jewish press, Ben-Yehuda selectively quotes Ludvipol and Fuchs, but not Sokolov, an indication of what his own position was. His pro-Dreyfus stance, however, was only made explicit with the renewal of the affair later on.

Clearly, the ideological persuasion of the newspaper was the determining factor in the treatment of the Dreyfus affair in the Hebrew press during the initial stage. The Zionist press — *Ha-Melitz*, *Ha-Magid Le-Yisrael* and *Ha-Zevi* — held that Dreyfus was innocent, a victim of ineradicable French anti-Semitism, while the non-Zionist *Ha-Zefira*, committed to the ideal of equal rights for Jews in Europe, based on the French model, tended to accept Dreyfus' conviction in order to justify the view that the behavior of the Jews influenced the presence or disappearance of anti-Semitism.

THE HOLOCAUST AND THE REVIVAL OF THE JEWISH STATE AS FRAMES OF REFERENCE IN ISRAELI PRESS COVERAGE OF MAJOR TERRORIST INCIDENTS, 1968-1978 / Hillel Nossék

The Holocaust and the revival of the Jewish state as historical events and as myths play an elemental role in Israel's national and cultural identity, as may be perceived by studying the type of press coverage given to major terrorist incidents in Israel during the decade under review.

Studies have shown that the media sometimes utilizes familiar myths to convey stories of terror incidents. One example is the story of Patty Hearst's kidnapping, depicted as the ensnarement of a white girl by "Indians." Another is the Entebbe incident, depicted in the American press as a "Western," in which the bad guys attack a peaceful community, which is then rescued by a hero who disappears once he has completed his mission. In fact, one reason for widespread media coverage of certain terrorist incidents is the parallelism between the incident and an appropriate myth.

In the Israeli context, terrorist incidents lend themselves to a dramatization of the national myth of the Holocaust and the revival of the Jewish state. Typically, the first part of the coverage makes a comparison between the terrorist

incident and Holocaust elements such as the Jewish victim, the Nazi aggressor, the indifferent world and the absent savior. The second part conveys the metamorphosis of the helpless Jewish victim into the Israeli savior, with the Israeli army filling the role of God as savior or as avenger. The aggressor is always the Nazi, but this time the world is astounded by the acts of the Israeli army and the State of Israel. The lesson is that despite possible similarities in circumstances, the Holocaust will never be repeated in Israel because the Jewish state ensures Jewish revival, and Zionism is the remedy to the suffering of the Jewish people.

The period researched begins with 1968, the start of international terrorist acts carried out by the PLO, and ends with 1978, the eve of the signing of the peace agreement between Israel and Egypt, signifying the beginning of a new phase in the relationship between Israel and the Arab countries.

Three indexes were chosen in order to compile a list of the major incidents: (1) the extent of press coverage

on page 1 during the first two days of coverage; (2) the number of items and photographs of the event that appeared during these two days; and (3) the number of days that the event was treated as the leading news item. An additional criterion was public memory of the event, based on a survey of 500 12th-graders in 1980 requesting the listing of three terror acts they could recall. The correlation between this last criterion and the other three indexes was similar for the first seven incidents listed for both groups.

One of the findings was that the Holocaust was explicitly referred to as a metaphor in the coverage of each of the incidents, although in three different contexts: the reportage on Entebbe and Sabena was modeled on the concept of the Holocaust and the revival of Israel; the reportage on Munich and Ma'alot was modeled on the concept of the Holocaust and vengeance; while the Lod Airport and Coastal Road reportage related to the Holocaust solely in depicting the attackers as Nazis.

References to Natan Alterman's poem "Of All the Nations" (1942), which deals with the most helpless of the Holocaust victims — the Jewish children — and expresses

the hope that God would avenge their blood by laying the blame both on the murderers and on those who sat by passively, were made in the media regarding both the Ma'alot and the Munich incidents.

Certain elements of the incidents studied elicited specific comparisons with the Holocaust: the selection and segregation of Jewish passengers from others in the Sabena and Entebbe incidents; the German nationality of some of the terrorists (e.g., Entebbe) or the location of the act (Munich); and children as victims (Ma'alot). Significantly, a caricature that appeared in *Al Hamishmar* after the Munich incident portrayed three terrorists on the Olympics winners' platform receiving medallions with swastikas on them. The story of the noted Jewish educator Janusz Korczak, who accompanied his wards to the gas chamber and died with them, as well as that of Anne Frank, appeared in coverage of the Ma'alot incident.

The myth of the Holocaust and of Jewish revival plays a role in determining the attitude of Israelis toward terrorist incidents generally, the reaction of the country's leaders to these incidents, and even the reactions of the survivors, whatever their ethnic origin.

SYMPOSIUM: THE WOMEN'S PRESS IN ISRAEL, AND WOMEN IN THE ISRAELI PRESS

A symposium on this topic, sponsored by Tel Aviv University's Journalism Studies Program and the Institute for Research of the Jewish Press, was held in April 1994, with the participation of **Zvia Cohen**, editor of the monthly *Na'amat* (the labor movement women's magazine); **Zvi Elgat**, editor of *La-Isha* ("For the Woman," a commercial magazine); **Yael Paz-Melamed**, editor of *At* ("You," a commercial women's magazine); **Yehiel Limor**, who, together with Dan Caspi, recently completed research on the feminization of the Israeli press; and **Prof. Dafna Izraeli**, a sociologist, of Bar-Ilan University. Moderator was **Dr. Mordecai Naor**. Introductory remarks were delivered by **Shalom Rosenfeld**, head of the Journalism Studies Program.

Shalom Rosenfeld referred to the unique book *Tsenah U-Re'ena* ("Go Out and Behold") written by Rabbi Jacob Ben Isaac 470 years ago, which became the treasured

reading matter of generations of Jewish women in Eastern Europe up until the Holocaust. It provided women, who until then were cut off from the Jewish sources of knowledge, as they were uneducated, with knowledge of the Torah and the commentaries and with a sense of identity as women and as Jews. Its blend of romance, tragedy, faith and wisdom are, in fact, the stuff of popular journalism. The first actual magazine for Jewish women appeared 140 years ago in the United States, *Dvorah* ("Deborah"), published by Rabbi Isaac Mayer Wise. Jewish women's journalism has come a very long way since then.

Dr. Mordecai Naor cited Hemda Ben-Yehuda, wife of the Hebraist Eliezer Ben-Yehuda, as the first woman journalist in Eretz Yisrael, responsible for the women's column, humor and literature in her husband's weekly *Ha-Zevi* (from 1893). During the 50 years that followed, however, there were practically no women journalists in the

country, until Leah Ginzburg-Fried appeared on the scene, probably the first professional woman journalist in the country in modern times, employed by *Ha-Mashkif* ("The Observer") and later *Ma'ariv*. In an interview several years ago, the now deceased Ginzburg-Fried recalled her difficult work conditions in a world which was unaccustomed to a woman doing what was perceived as men's work. She viewed the status that women had achieved — for example, having such conveniences as a car and a beeper at their disposal on the job — as enviable.

Zvia Cohen raised the question as to whether a separate women's press is necessary in light of the profusion of women's columns in the general press. Her answer: A women's press is indeed necessary. Three journalistic categories are germane to a discussion of the women's press, she explained: women's columns and women's supplements in the general daily press (even though these sections no longer explicitly identify women as the target audience); the commercial women's press; and the women's movement press. The fact is that this entire press is flourishing and expanding in Israel today, during a period of greater sexual equality than ever before. Similarly, new women's organizations are emerging, for example the women's forums in the Israel Manufacturers' Association and in the Israel Center for Management.

The reason for this development is that women have special problems and needs. Whether they work at home or outside, women as wives and mothers require a special attitude on the part of society to guarantee them equal opportunity, similar to a "handicap" in sports events. The women's press helps develop an awareness of the importance of equality of opportunity. In particular, the press published by women's organizations, which, in contrast to the commercial women's press, is edited exclusively by women, aims at stimulating identification by women with certain values and certain types of individuals. *Na'amat*, unique in that it is both a commercial and an ideological publication, deals primarily with issues related to the status of women, a topic little discussed in the general press. Unlike the general press, it aims to exert influence, not just entertain or provide information.

Zvi Elgat, editor of *La-Isha*, a commercial magazine that has been published for 47 years, disagreed with the assessment that the women's press in Israel is growing. As women become more liberated, he asserted, there are fewer and fewer women's newspapers. Rather, the trend is toward what interests women and men together.

Approximately a quarter of *La-Isha's* readership is actually male. Many areas considered the province of women in the past — cooking, for example, or sensual topics — are equally the province of men today. Moreover, women have entered the field of journalism to the extent that they comprise over half the journalists in Israel today, and they are involved in all areas of the profession, for example politics, Arab affairs and military affairs, not just women's columns. This too shows that there is less and less of a need for a separate women's press.

A women's press is still important in order to fight for equality in areas that are still discriminatory, namely employment opportunities and wage scales. Generally, however, a press designed specifically for women actually hinders true equality between the sexes.

Yael Paz-Melamed, editor of *At* magazine, disagreed with Elgat's observation that the role of the women's press is shrinking and that this press in fact hampers gender equality. Basically, there is no such thing as a women's press — there is simply the press, and the professional criteria for a good press are the same, whether applied to a computer magazine or a women's magazine. Profit is one of these criteria, making the question of whether a need exists for a women's press rhetorical: there is such a need because many women — and men — buy these papers. In the U.S. and elsewhere today, women's periodicals are flourishing financially and multiplying numerically.

The women's press is necessary because the woman's world is more complex than the man's, and some of her interests differ from his. Such interests — relationships between women and men, marital life and homemaking, for example — used to be regarded as less important than men's, but, according to Paz-Melamed, the reverse is true and these facets in fact reveal the woman's depth and complexity.

Far from hindering women's progress, the women's press facilitates it by focusing on, and supporting, women exclusively. Similarly, identifying a periodical or a supplement as aimed specifically at women is correct and positive. The women's press publishes material about successful women who serve as role models. It also articulates women's feelings. These elements appeal to women readers both in Israel and abroad and account for the financial success of this press. There is no need for this press to hide behind a "family" format, for the argument that emphasizing the distinction between men and women slows equality between the sexes is

erroneous. Paz-Melamed anticipates large-scale growth in the women's press and believes that this press will largely bring about the hoped-for changes in the status of the woman.

Yehiel Limor, who, together with Dr. Dan Caspi, researched the role of women in the Israeli press two years ago, noting the beginnings of the feminization of this field, completed a follow-up study on this topic in February 1994 (covered in *Qesher* No. 15, May 1994) which showed that the process of the feminization of the press had intensified. Should this pace continue, the press could conceivably be dominated by women within five to seven years. The parameters explored were the gender situation in the Journalists' Association, the local press and the major national newspapers.

If in the Journalists' Association four or five years ago, 44% of all new members were women, last year 56% were women. In *Ha'aretz*, 36% of the journalists were women in 1991, while in 1994, 41% were women; in *Yediot Aharonot*, 37% in 1991 and 41% in 1994; in *Ma'ariv*, 28% in 1991 and nearly 39% in 1994; in the *Jerusalem Post*, 39% in 1991 and 43% in 1994; in the *Yediot Aharonot* chain of local newspapers, 44% in 1991 and 50% in 1994; and in the Schocken chain, 52% in 1994.

Some of the reasons for the feminization of the press and of the media generally stem from overall trends in Western society and in Israeli society specifically, while others are a result of developments in the profession. Two central questions arise from the research. Will the feminization process continue, resulting in an erosion of status and remuneration in the field of journalism, as occurred in the teaching profession? A related question is whether large-scale penetration into the field by women means gender equality in it. In the American experience, there is a substantial wage gap between men and women in the communications field despite intensive feminization, and, moreover, men have better opportunities for promotion than women. The second question arising from the research is: Will the feminization of the communications field cause changes in the content of the mass media? For example, will the communications field shed its traditional watchdog role?

In response to questions, Limor pointed out that all five supplements appearing in *Ma'ariv* are edited by women, and that even the staff of *Globus* (a financial daily) comprises 35% women. Nevertheless, he acknowledged

that equal opportunities and conditions of employment are still absent.

Prof. Dafna Izraeli, acknowledging the blurring of visible differences between men and women in society today, warned that this process can conceal problems of social inequality rather than reflect a situation of true equality.

Regarding Limor and Caspi's research, she noted that the "feminization of the media," that is, the growth of the proportion of women employed in the media, has not led to women's control of the media, nor is this likely in the near future.

Women's entry into the media decreased the level of segregation of the field at the aggregate level but it also led to new forms of both horizontal and vertical occupational differentiation within the field. Certain types of newspapers and certain types of columns grant higher status and better wages, and these generally go to men. Men are more likely to be employees and women freelancers.

Editors employ women not for ideological or feminist reasons. The growth in the media in recent decades and the shortage of male workers with appropriate skills forced editors to experiment using women who proved their worth. Moreover, they are a cheap source of labor. Admittedly, women have gone into areas where ten years earlier they were considered unsuitable or incompetent. But for the most part, women in the press are exploited, a curious situation in a medium that is devoted to exposing injustice.

In Izraeli's view, the major differences between men and women lie in the area of power. Men control the political and cultural arenas, and while individual women have attained high positions, women collectively have little political power and therefore have little bargaining clout, so that the gap in earnings and in access to top positions will remain. It is in the interest of men to preserve the existing differentiation in the profession so that they, as a minority, can continue to enjoy the benefits of their position.

Inasmuch as the press is becoming more commercialized, and the motivations of the owners more focused on profits, greater competition can create new opportunities for competent women. However, within the context of Israeli culture where men control the media as well as the cultural definitions of competence and fair remuneration, women's entry into the media, at least in the near future, is unlikely to decrease the gender gap in earnings, and may even increase it.

THE EARLY AMERICAN JEWISH PRESS / Barbara Straus Reed

The Jewish press in the United States before the Civil War reflects the efforts of a marginal ethnic group to create its own identity in a new nation during a period that can be seen as the start of American Jewry's exploration of its vast potential. Five periodicals which appeared between 1843 and 1860 provide information about the emerging Jewish community.

The Occident and American Jewish Advocate (1843-69), a monthly founded in Philadelphia by Isaac Leeser, was the first vehicle for instilling a sense of national belonging in the broadly dispersed Jews of the U.S. The Jewish population had undergone a period of enormous growth — from 4,000 in 1830 to 15,000 in 1840 — and the publisher felt the need to address the issue of the adaptation of Judaism to life in a new land. Jewish life in America was sterile and intermarriage widespread both among native-born Jews and immigrants. The belief was rampant that Judaism could not develop in the American milieu. No Jewish institutions had been established, and, moreover, there was no anti-Semitism to spur the defense of the group's survival. Jews were the same as their neighbors.

Isaac Leeser, the most prominent Jewish religious leader in the antebellum period, was responsible for the first American Jewish publication society, the first American Jewish rabbinical school and the first association of congregations. He translated the Hebrew Bible into English, organized Jewish day schools and made the English-language sermon a regular feature of the Sabbath morning service. *The Occident*, conceived from the start as a national periodical, was devoted to advancing the cause of Judaism and securing the survival of the Jewish community. It contained a mix of news, debates, essays, history and literature. The most important issues on Leeser's agenda were to defend Judaism against missionary activity, which was strong then; champion the cause of Jews in distress abroad; combat intermarriage and apathy in the Jewish community; and enhance the status of American Jewry. Deeply committed to adapting traditional Judaism to American culture, he was, nevertheless, opposed to the Reform movement introduced to American Jewish life with the arrival of a wave of German Jewish immigrants in the late 1840s. *The Occident* was the lone spokesman of the Jewish community until the inception of *The Asmonean*.

The Asmonean (1849-58), published in New York by

Robert Lyon, was the first English-language Jewish weekly in America. It dealt with Jewish issues in the wider context of American life. Lyon had connections with local as well as national political figures, and in 1852, with a partner, started the *New York Mercantile Journal*, a business weekly. *The Asmonean* allocated a significant amount of space to politics and was outspoken about its preferences for various political offices, with a bias toward the Democrats. It also carried a substantial amount of advertising and developed an excellent financial section. Jewish communal news, however, was probably its main drawing card. It emphasized news about synagogues and organizations, especially those groups which inserted paid notices of their meetings.

Reform Rabbi Isaac Mayer Wise had a "department" in *The Asmonean* from 1852, and contributed many scholarly articles to the magazine over an 18-month period, becoming co-editor as well. Although he created a favorable climate for Reform Judaism in his writing, Lyon was careful to keep *The Asmonean* independent in the raging controversy of the time — Orthodoxy vs. Reform — since one of his goals was to use the magazine to promote Jewish unity. He appealed to a wider audience than did his contemporaries in their publications, and as a result attracted advertisers. He also sought to instill more knowledge about America in his readers, side by side with advocating the establishment of Jewish communal institutions.

The Israelite (1854 until the present), a weekly published in Cincinnati by Rabbi Isaac Mayer Wise, was the voice of the new Reform movement in American Jewish life. It aimed at uniting the disparate Jewish community under the aegis of a single organization, and was the most influential publication of its time. Wise, who edited the magazine until his death in 1900, reached a large audience through it, aiming from the start at a national readership. He had to overcome such obstacles as the inability to read English by fully two-thirds of the Jews in America in that period of large-scale immigration, and opposition from ideologues both of the right — the Orthodox camp — and the left — assimilated Jews. A vigorous, fighting paper, *The Israelite* continued the struggle against Christian missionary activity, opposed the introduction of religious education into public schools, and criticized a Sunday Sabbath. Within the Jewish community, Wise advocated

the convening of a conference of rabbis and laymen to address central problems facing American Jewry, an idea that was implemented in the form of the Cleveland Conference in 1855. The conference proved a failure and Wise was caught between the hostility of the Orthodox camp and that of the radical Reformers.

Wise nevertheless was a major figure in the antebellum Jewish community, putting a major emphasis on community-building. He also recognized the need to educate his readers on Jewish subjects, while emphasizing that Jewish tradition changed over the centuries — a basic tenet of the Reform movement.

The Jewish Messenger (founded in 1857), a New York-based publication that defended Orthodoxy, was founded by Samuel Myer Isaacs, a *hazzan* (lay reader) for New York's B'nai Jeshurun congregation and a leading figure in the Jewish community, deeply committed to promoting Jewish education. Begun as a fortnightly student effort, it became a weekly in less than two years. Despite Isaacs' traditionalism, the paper covered controversial issues from various points of view. Isaacs himself was responsive to the widely expressed need to modernize Orthodox synagogue services. His editorials, however, were devoted to Jewish issues only, warning against the dangers of assimilation and teaching that the Jewish religion was essentially unchangeable.

The Weekly Gleaner (1857-58), a West Coast-based weekly, was founded in San Francisco by the Orthodox Rabbi Julius Eckman, who aimed at reaching the scattered Jewish communities along the West Coast with educational material. Eckman opposed radical Reform but his traditionalist views did not preclude a sense of confidence in the viability of a Jewish future in America. *The Gleaner* became a highly influential journal in the Western states, with Eckman viewed by the Christian community as an intellectual and a voice from the Old Testament, a reflection of the absence of anti-Semitism in

the region.

Broadly, the publications under review reflected a shift in perception by Jewish leaders regarding the essential threat to Judaism as being internal — i.e., assimilation — rather than external — i.e., anti-Semitism. The main thrust of these publications was to impart a sense of identity, stability and communal cohesiveness to the new immigrants, helping them orient themselves to a new environment. This press was educational in nature, and, while favoring Americanization and promoting proficiency in English, sought to instill the precepts of Judaism in its readership. It also dealt with the burning issue of the times in the Jewish community — the struggle between the Orthodox and Reform approaches. Between 1843 and 1858, Jewish periodicals also evolved and matured as commercial undertakings, improving circulation and advertising, yet by and large they struggled financially and the editors were obliged to support their papers with their own revenue, a sign of their deep commitment to their enterprise.

The English-language American Jewish press during 1843-58 was the only intercommunal agency for America's Jews in existence before the Civil War. It built the confidence of the community, whose members had to create Jewish institutions from scratch, and served to bond individual Jews to their coreligionists. It exposed Jews to Jewish thought in an effort to halt a drift away from Jewish identification. Not only did it help ensure that identification, but it saw to it that Jews as a community would not remain marginal in American society.

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THE BEGINNINGS OF "DAVAR" / Menuha Gilboa

The name of the labor movement newspaper *Davar* ("Matter," "Saying," "Thing"), which marks its 70th anniversary next year, was advocated by its first editor, Berl Katznelson, inspired by his friend, the poet Hayyim Nahman Bialik. Beyond the ordinary meaning of the

word, Bialik saw in it an act, a prophecy and a vision. Similarly, Katznelson viewed the publication as more than a newspaper. For him, it was a literary and cultural vehicle as well. In fact, the labor Zionist movement had been characterized from the start by a singular need for editorial

self-expression and a hunger for literature, erudition and dialogue — testimony to the non-proletarian origins of its membership.

The idea of publishing the newspaper had been raised at the founding conference of the Histadrut (the General Federation of Labor) in 1920 and was consistently promoted thereafter by Katznelson until it was accepted in principle by the second national conference in 1923. Implementation was slowed by personal and political considerations in appointing an editorial staff, as well as the hesitation of the Histadrut to commit itself to so costly a project. Surprisingly, however, the daily met with success from the start — it first appeared on June 1, 1925 — soon exceeding the combined subscriptions of the two other extant dailies, *Ha'aretz* and *Do'ar Hayom*.

The initial staff included Moshe Beilinson, who wrote most of the editorials (at first in Russian translated into Hebrew); Zalman Rubashov (Shazar), who later took over Beilinson's position; and Moshe Shertok (Sharett), in charge of Hebrew translations of news items from abroad, who later left to pursue a political career.

Davar began as an afternoon paper, reflecting the premise that workers had no time to read a newspaper in the morning. The first issue contained the paper's manifesto, written by Berl, which depicted the daily as a "spiritual creation" of the labor movement and the worker in Eretz Yisrael. The primary emphases of the paper were socialism, ethics and the renewal of Jewish life in the country, or Zionism. Berl viewed the paper as the vehicle for the worker's efforts to establish his own "literature and newspaper" — significantly, literature preceding newspaper — reflecting a conception that interrelated the worker, socialist philosophy and literature, which was a singular view within the Histadrut leadership. Berl repeatedly stressed the importance of culture, literature and the press in the establishment of the new *yishuv* in Eretz Yisrael, and aimed for *Davar* to develop this awareness in its readership.

Noteworthy was the way he closed his "manifesto" remarks by quoting an early Zionist — Moses Hess — who 75 years previously had called for "freedom of debate" alongside "unity of action." Combining the right of the working man to know with the right of freedom of debate was an approach that was uniquely *Davar's*. The paper thus was not strictly speaking an ideological party organ, for the right of debate was guaranteed. Moreover, while the labor aspect was integral in its ideology, the

equally vital components of culture and literature were outside ideology.

The daily at first contained four pages, the last page devoted mainly to advertisements, and on Friday six pages. Among the congratulatory notices published in the first issue was one by the Socialist International. Noteworthy was the inclusion of a poem and a story in the first issue, the latter by S. Y. Agnon. Probably the most interesting item in the first issue is an article by Uri Zvi Greenberg, later to emerge as a rightist spokesman, who, although expressing empathy for the labor movement generally and the editor of *Davar* in particular, stresses that the central challenge is the establishment of a Jewish state in Eretz Yisrael, and not the creation of a proletarian society. He expresses the hope that *Davar*, unlike the rest of the press then, will be an active force in the national struggle. Berl, by including this article, as well as others by Greenberg subsequently, revealed an apparent mutuality of views with him, along with a deep respect for the principle of freedom of expression.

However, a sharp debate developed in the newspaper between Greenberg and Beilinson. Following a strike in 1925 by Arab workers in Jaffa, whose position was supported by the Histadrut, Beilinson wrote that it was imperative for the Jewish *yishuv* to develop ties of friendship and brotherhood with the Arab community as a matter of ethical justice. Greenberg, rejecting this view, saw it as a danger to the Zionist movement, stressing that the Jewish liberation movement meant the love of the people for the land that was called, significantly, the Land of Israel. Yet despite their differences, Greenberg shared certain basic ideological tenets with Beilinson, for example the importance of a strong national leadership in all parts of the Hebrew *yishuv* and in the Va'ad Le'ummi (the National Council of Jews of Palestine). Where they differed was that Greenberg emphasized the Zionist aspect exclusively, while Beilinson dealt with the labor aspect as well.

The topic of women's rights appeared in the paper from the start, the immediate issue being women's right to vote, and be nominated for leadership positions, in the Asefat Ha-Nivharim (the Elected Assembly). This right, opposed by the Orthodox parties, was consistently supported by the labor movement and was reflected in *Davar*. While initially women failed to gain this right, eventually, with the withdrawal of the ultra-Orthodox from the Asefat Ha-Nivharim, they attained it.

Literature and cultural matters received considerable attention from the start, including original works, reviews and analyses as well as articles on the Hebrew language. A regular literary supplement appeared three months after the paper was launched, featuring many of the major writers in the country and reflecting the development of modern Hebrew literature.

The paper also emphasized social issues and socialist developments, both domestic and foreign.

Letters written by Berl in 1925 reveal his single-minded aim to overcome all obstacles in the way of establishing

the newspaper. Involving himself in every detail, he explored possibilities for acquiring foreign correspondents, importing printing equipment and paper at favorable prices, training staff abroad, locating distributors abroad, obtaining gifts of donated equipment, and motivating Histadrut members to contribute editorial material to the newborn newspaper. A letter written a month after the launching of the paper reflects his pleasure with its rapid success in attracting readers (the run was 4,500) and advertising (which covered a third of its operational expenses).

"DAS EINIGE ISRAEL" — THE FIRST POLITICAL ZIONIST NEWSPAPER / Mordecai Frankel

The appellation "first political Zionist newspaper" was applied by Dr. Joseph Patai, the noted Jewish researcher, to a German-language weekly published in Budapest in May and June of 1872 by Rabbi Joseph Natonek. This periodical, titled, in free translation, "Israel One Nation," aimed to unify Jewish public opinion and promote the idea of settling Eretz Yisrael.

Das Einige Israel is an example of short-lived periodicals that appeared in Jewish centers in Europe during the second half of the nineteenth century following the flowering of the Enlightenment movement, published in local languages, in Yiddish or in Hebrew. The more durable of these took a conservative line, if only to obtain a permit from the authorities, publishing articles of general interest. The controversial subject of the Jewish national awakening, for example, was not aired until the 1880s.

There were, however, exceptions. Two Hebrew-language newspapers, *Ha-Maggid* and *Ha-Shahar*, published articles in the 1860s by David Gordon and Peretz Smolenskin, respectively, supporting Jewish settlement in Eretz Yisrael, *Ha-Maggid* eventually becoming the written platform of the Hovevei Zion movement. Covering the works of Rabbis Alkalai and Kalischer and of Moses Hess, *Ha-Maggid* also reported on Rabbi Natonek's political activities from 1867.

As early as 1862, Natonek raised the idea of publishing a newspaper devoted to promoting settlement in Eretz Yisrael, although it remained an idea only, as he was continuously immersed in a variety of other activities

to further settlement and to obtain political support for implementing this goal. He traveled through Europe, lecturing on behalf of the Kolonisations-Verein fuer Palaestina (the Settlement Company of Eretz Yisrael) founded by Dr. Hayyim Lorje and Rabbi Zvi Hirsch Kalischer; he took part in the ongoing dispute between the Orthodox and the assimilationists, both through written pieces and in public debate; he advocated the establishment of an agricultural school in Eretz Yisrael by the Alliance Israelite Universelle; he organized a congress of supporters of the idea of immigration and settlement in Eretz Yisrael; and he was received by the Turkish foreign minister in Constantinople in 1867. Thereafter, when illness forced him to avoid any physical exertion, he turned to the pen to spread political Zionist awareness. Launching *Das Einige Israel* in 1872, he aimed to further communal unity in order to combat the persecution and poverty endemic to Jewish life in Eastern Europe.

The weekly appeared only seven times, ending, apparently, because of a lack of subscriptions and possibly, too, because its message was premature. Natonek, in the first article, pointed to the "wars of the Jews" as a disaster for the future of Judaism, calling upon Jews who had left the old Judaism to awaken from their lethargy and unite in order to create an independent nation. Anti-Semites, he pointed out, were unaffected by enlightened opinion, and the condition of the Jews in Eastern Europe continued to worsen. The Jewish people, therefore, must organize itself to help and protect its brothers in distress. This line of

thought was expanded by him in subsequent issues of the periodical, in which he envisioned mass immigration to Eretz Yisrael, agricultural employment, and the evolution of a healthy nation, in contrast to the depressed and unnatural state of the Jewish people then. Significantly,

Natonek developed this revolutionary view 25 years before Herzl's *Jewish State* and the convening of the first Zionist Congress (in 1897). It was he who first articulated the principles of political Zionism.

A CONSCRIPTED PUBLISHER: THE LIFE AND WORK OF ISAAC LEIB GOLDBERG, FOUNDER AND FIRST PUBLISHER OF "HA'ARETZ" / Mordecai Naor

Isaac Leib Goldberg (1860-1935), a Russian-born publisher, businessman and philanthropist, was a devoted lifelong Zionist who viewed the founding of the Hebrew-language daily *Ha'aretz* in 1919, among other major projects that he supported, as a contribution to Zionism and to the development of the Jewish *yishuv* in Eretz Yisrael.

Goldberg was an early member of Hovevei Zion in Russia and later a delegate to Zionist Congresses and a friend of Herzl. A successful Vilna businessman, he devoted large amounts of money to the essentially philanthropic cause of buying tracts of land in Palestine, earmarking them for Jewish settlement and agricultural development in such areas as Hadera, Hartuv, the area east of Jaffa (today Ramat Gan) and Rishon Lezion.

Perhaps his most prominent contribution was connected with the founding of the Hebrew University in Jerusalem. A decision by the Zionist Federation to acquire the Mt. Scopus estate of an Englishman, Lord Grey-Hill, was fortuitously implemented in 1914 when Goldberg visited the country — his seventh visit — and was shown the site by Dr. Arthur Ruppin, who was in charge of settlement activity for the Zionist Executive. Goldberg promised to help. A down payment was raised by the Odessa Hovevei Zion committee, with an arrangement that the remainder would be paid within one year. Meanwhile, however, World War I broke out and contributions could not be solicited. The transaction appeared headed for annulment, when Goldberg stepped in and advanced the entire balance of over 300,000 Francs (approximately \$75,000) to the Zionist Federation. Lady Grey-Hill, upon learning that a buyer for the estate had been found at the height of the war, saw it as an omen of England's victory and agreed to transfer title of the property to the Zionist movement even before the formalities of the transaction were concluded.

Goldberg's contribution was cited by Dr. Chaim Weizmann at the inauguration ceremony of the university in 1925.

A close friend of the Zionist philosopher Ahad Ha'am, Goldberg was a devoted supporter of Hebrew schools and cultural institutions, including the Habimah Hebrew theater during its early days in Moscow. He was especially attached to the Jewish, and particularly the Hebrew, press throughout his life, beginning in 1896 when he was a founder of the Ahi'asaf publishing company, where he was involved not only as a backer but in administrative affairs. Ahi'asaf became the leading Hebrew literary publisher of the time. Its literary monthly *Ha-Shiloah*, edited first by Ahad Ha'am and later by Joseph Klausner, with the participation of Hayim Nahman Bialik for a time, was read by all educated Zionists.

Goldberg was one of the founders in 1901 of the Hebrew weekly *Ha-Dor* ("The Generation"), edited by David Frischmann, and a supporter of *Ha-Yom* ("The Day"). He also backed Ahi'asaf at the turn of the century in publishing Yiddish newspapers aimed at reaching the Jewish masses, including *Der Yid* ("The Jew") and *Die Yidishe Familiye* ("The Jewish Family"). Another project that he funded was the acquisition by a group of Zionists in St. Petersburg of the Yiddish newspaper *Der Fraind* ("The Friend"), turning it into a Zionist daily. Similarly, he supported the Zionist Yiddish weekly *Dos Yidishe Folk* ("The Jewish People") founded in Vilna in 1906 by Drs. Joseph Luria and Shmaryahu Levin. In addition, he backed the Russian-language *Yevreyskiy Misel* and *Razsvet*. There was probably no Zionist periodical in Russia, whether in Hebrew, Yiddish or Russian, that Goldberg did not assist.

His involvement in the Hebrew weekly *Ha-Olam* ("The World"), launched by the Zionist Federation in 1907 and edited by Nahum Sokolov, surpassed all his previous

publishing ventures. An extension of the German-language *Die Welt*, begun by Herzl himself in 1897, the new Hebrew weekly originated in Germany but was then transferred to Russia, where the bulk of its readership was to be found. Goldberg's role was initially as publisher, but in 1908 he became its editor as well, probably to insure the continuity of the publication, producing it in his hometown, Vilna. He was not, however, a professional journalist, and the actual editorial work was carried out by such Hebrew writers as Jacob Fichmann and Alter Druyanow. Eventually, he relinquished his role in *Ha-Olam*, presumably when the periodical became more solvent.

Isaac and Rachelle Goldberg's home in Vilna was a meeting place for Jewish activists, writers and journalists from all parts of Russia and from abroad. Herzl was their guest when he visited the city in 1903. The young journalist Vladimir Jabotinsky was a close friend and was associated with Goldberg in an effort sponsored by the Russian Zionist Federation to exert influence on Turkey through a pro-Zionist press.

Forced to leave Vilna with the outbreak of World War I, Goldberg and his family moved to St. Petersburg and then to Moscow, where, inter alia, he played a central role in founding the daily *Ha-Am* ("The Nation") in 1917, edited by Moshe Gluecksohn (later editor of *Ha'aretz*), which, however, was soon closed down by the new Bolshevik regime.

In 1918, Goldberg left Russia via Finland and, arriving in Palestine for good in 1919, he was presented with

his greatest challenge yet in the publishing arena: the establishment of a Zionist (in contrast to Ben-Yehuda's and Ben-Avi's sensationalist) Hebrew daily, at the request of Dr. Weizmann. The British at the time were preparing to sell off their wartime newspapers published in their Cairo headquarters, including the Hebrew-language *Hadashot Me-Ha'aretz* ("News From the Land"). At the request of the Zionist leadership, Goldberg acquired the paper and published it under the title *Hadashot Ha'aretz* ("News of the Land") — later shortened to *Ha'aretz* — from June 1919.

From the start, it was clear that publishing a Hebrew daily in Jerusalem, when the entire population of the Jewish *yishuv* was less than 60,000, would involve substantial losses, but Goldberg was undeterred. Functioning as publisher of the paper for three years, he was intimately involved in all its workings and covered all its losses. In 1922 the paper went bankrupt, but was soon reorganized in a new financial and editorial format and transferred to Tel Aviv, with Goldberg once again one of the principal backers. Even when he no longer had a formal connection with the paper, it was he who was relied upon to prop it up during recurring financial crises.

In this, as in his commitment to virtually every aspect of the development of Jewish and Hebrew culture, he was a consistent supporter. By nature modest and reserved, he played a significant role in the Zionist enterprise which is little known today.

THE PRESS IN THE DETENTION CAMPS IN CYPRUS / Mussia Lipman

Despite intense pressure and heroic efforts by large numbers of survivors of the Holocaust to reach Palestine with the end of World War II, the British retained their White Paper policy and refused to open the gates of the country. A small number of boats of immigrants managed to penetrate the offshore blockade, but most of the vessels that embarked on this attempt were caught by the British and the immigrants incarcerated in camps in Palestine, especially in Athlit. By 1946, these camps were overflowing, whereupon the British opened camps for this purpose in the nearby island of Cyprus.

This did not deter the immigrants, who viewed detention as part of the struggle for the establishment of the Jewish state in Eretz Yisrael. Most were young, products of Zionist youth movements that had been reorganized in liberated Europe. These organizations, beyond their

ideological function, had constituted a substitute family and community for the young survivors, a role they continued to play in the detention camps. In fact, all communal life in the Cyprus camps was organized by the various youth movements, and the result was a plethora of cultural activities including art, music, the teaching of Hebrew and a press.

A total of 52,000 Jewish survivors were detained by the British in Cyprus over a period of two and a half years (August 1946-February 1949). During this period, dozens of newsletters were published, primarily by the youth movements. Their titles were mostly in Hebrew, but the content was in Yiddish, Hebrew, Polish, Hungarian and Rumanian, illustrated by talented artists in the camps. The largest archival collection of these newspapers is to be found at the Lavon Institute in Tel Aviv.

A CASE OF JEWISH-ARAB JOURNALISTIC COOPERATION / Gabriel Tsifroni

Although the centers of the Jewish and Arab press during the British Mandate period in Palestine were virtually next door to each other — in Tel Aviv and Jaffa respectively — they had no overt mutual relationship whatsoever, despite efforts by the Hebrew newspapers to establish some kind of contact with their Arab counterparts.

The situation was different on the personal level, however. The author, then a reporter for *Do'ar Ha-Yom* ("Daily Mail") and the weekly *Hazit Ha-Am* ("The People's Front") — both of them right-wing publications — struck up a working relationship with Sheikh Muhammad, managing editor and chief reporter of the anti-British and anti-Jewish *Jamah al-Islamiya* in Jaffa, whose editor in chief and owner was Sheikh Suleiman Haji al-Faruki, a supporter of the Jerusalem Mufti Haj Amin al-Husseini. When in 1933 Sheikh Muhammad required a printer for his press on an emergency basis and found no available Arab worker, he asked the author to find a Jewish printer to fill in, creating a unique precedent that was to be repeated on occasion during the years that followed.

With the establishment in 1935 of the Arabic *A-Difah* ("The Defense") by Ibrahim a-Shanti, and the failure of Faruki's newspaper, Faruki's staff moved over to the new publication, with Sheikh Muhammad becoming chief reporter. During the same period, changes occurred in the Jewish press as well. Both *Do'ar Ha-Yom* and *Hazit Ha-Am* closed down, and the author went to work for a new paper, *Ha-Boker* ("The Morning"). The tie between the Arab and Jewish reporters, however, was retained.

Once, at the Sheikh's invitation, the author visited the *A-Difah* offices, an unusual step. There he was introduced to a senior editor who had been brought from Egypt, Mussa Zafran, who proposed an even more unconventional idea: that the two newspapers join forces in covering the country by automobile to obtain and share news of their own and the opposite side's sector, thereby eliminating

the need for time-consuming translations of reports, and gaining a day over their competitors. This cooperative arrangement was indeed implemented, and was maintained for nearly 13 years until 1948, when the owners of the Arabic newspaper left the country.

So deep was Arab suspicion and hostility, however, that despite the professional arrangement between the two papers, the editor in chief, a-Shanti, would not exchange a word with a Jew. Although he encountered the author at various events during Mandate times, he ignored him.

The author traveled to Amman several times in 1938 in the company of an *A-Difah* reporter, Rivhi Kamel, a Jerusalem Arab who had studied at the prestigious Jewish Lemel School and had a perfect command of Hebrew. While in Amman the author met Emir Abdullah, who had heard with satisfaction that despite the worsening hostility between Jews and Arabs in Palestine, the two newspapers maintained a cooperative relationship.

Contact between the two papers was sometimes temporarily severed as a result of the closure of one or the other of them by the Mandate authorities for reasons of censorship. Another, more serious problem stemmed from the control exerted by Arab terrorist gangs over the city of Jaffa during the Arab Rebellion of 1936-39, with attendant prohibitions against Arabs maintaining contact with Jews.

Nevertheless, both papers continued assisting each other in obtaining news reports in each other's arena. Sometimes, news of developments in the Arab-Jewish conflict became known to *A-Difah* and *Ha-Boker* before the British police were aware of them, and the police in fact acted upon reports that appeared in one or the other paper. Beyond this, the two papers also exchanged news items on general events, both local and foreign, maintaining daily and sometimes hourly contact with each other.

A NEWSPAPER DEVOTED TO "HIS MAJESTY THE CHILD": THE LIFE AND JOURNALISTIC ACTIVITY OF MEIER DE HOND / Hava Diner

Meier de Hond, rabbi, writer and communal leader, was born in 1882 in the Jewish ghetto of Amsterdam, the son of a *mashgiah* employed by the local rabbinate. Despite the family's poverty, Meier was educated at the rabbinical seminary of Amsterdam, from which he received the title *maggid* (preacher). While he was still a student, de Hond's leadership abilities became obvious and soon he became the teacher and spiritual leader of the working class Jewish community of Amsterdam. In an unusual development, his admirers collected funds to enable him to complete his rabbinic studies in Germany, where he received a rabbinic degree (Berlin) as well as a doctorate (Heidelberg and Würzburg).

Returning to Amsterdam, however, de Hond was denied recognition as a rabbi, on the grounds of protecting the status of the local rabbinical seminary, whereupon he channeled his energies into a series of activities aimed at improving the lives of the Jewish population in the ghetto, founding charitable organizations on behalf of the blind, lame and homeless; establishing a night school for adult education; and organizing a workers association intended particularly for diamond workers. His point of view was singular for the period: Orthodox, although he was rejected by the Orthodox establishment; royalist, i.e., anti-socialist, although his public was proletarian; and anti-Zionist even when Hitlerian anti-Semitism was palpable. In de Hond's view, philanthropic activity was the only solution to social problems.

Multi-faceted, he was a writer, producing plays and social-action articles; a riveting orator; and a charismatic leader. Above all, however, he was an educator who viewed the inculcation of Judaism in young people as the ultimate goal in a time of apostasy and secularism.

Founding a Jewish theater company, "Betsalel," he aimed to highlight the positive values in ghetto life and the traditional Jewish family, but it was the two newspapers which he established — *Libanon* (1908-14) and *Jewish Youth Newspaper — Betsalel* (1928-35) that were his primary means for disseminating his ideas. *Libanon*, a monthly sponsored by the Torah Light organization, was dedicated to conveying Jewish knowledge and a positive attitude toward Judaism among sectors of the Jewish

population that were ignorant. Beyond this, the magazine served as a sounding board for the young de Hond's anti-Orthodox-establishment point of view, in which he criticized hypocritical religiosity and the indifference to the plight of the poor. He also published sketches of authentic Amsterdam ghetto Jews of the time, written in the particular local dialogue that combined Amsterdam-dialect Dutch, Yiddish and Hebrew, which gained him a reputation as a talented writer.

A series of articles in *Libanon* reflecting his modern ideas on education, which he titled "His Majesty the Child" and signed "A Friend of Children," became the basis for the weekly *Joodsche Jeugd Krant* ("Jewish Youth Newspaper") 14 years later, one of de Hond's most important contributions. Through it, his influence extended beyond his community and city. The magazine was read by Jewish youngsters in all the provincial towns of Holland, in Belgium and in the Dutch colonies abroad. It was marked by a uniquely personal dialogue between de Hond the editor and his young readership, reflected in an extensive letters column. Another element was the inculcation of Jewish knowledge and the Hebrew language in consistently imaginative and appealing ways. The magazine, during the entire seven years of its existence, focused entirely on the Jewish cycle of daily life and the Jewish calendar, avoiding any mention of outside events. Its format was static, with virtually no modifications made during the seven years. Above all, the editor showed respect for his young readership, an approach reminiscent of that of his contemporary in the field of education, Janusz Korczak. Indeed, the same fate befell both educators. Meier de Hond was deported from the Westerbork detention camp to the Sobibor concentration camp where he was murdered in the summer of 1943.

Practically none of his young readers survived the Holocaust. But in 1945, with the renewal of the main Dutch Jewish weekly, *Nieuw Israelietisch Weekblad (N.I.W.)*, a youth supplement called *Netivateinu* ("Our Path") also appeared, which bore a certain resemblance to de Hond's *Jewish Youth Newspaper*, although with a major difference: like its post-Holocaust parent, *N.I.W.*, *Netivateinu* had an explicit Zionist orientation.

THE CAMERA ISN'T NEUTRAL / Shlomo Sheva

Boris Carmi was the first Israeli press photographer to be employed full-time by an Israeli newspaper (*Davar*, from 1952), as well as the first Israeli military photographer.

Born in 1914 in Moscow, he was educated in Germany and France and settled in Palestine in 1939. After serving with the British in Egypt and Italy during 1942-46 doing map-making, he was recruited by the Haganah to their clandestine map department, while also pursuing free lance press photography. Soon he was transferred to the army magazine, *Ba-Mahaneh* ("In Camp"), as a photographer, his photographs during this period providing comprehensive testimony of the War of Independence and the birth of the State of Israel. These photographs, which became among the best-known of all pictorial depictions of the war, did not focus on action or glory, but portrayed men who, about to kill or be killed, still retained their humanity.

Carmi's approach to photography was unique in that he never forced his camera on, or tricked, his subject. Rather, he elicited unposed responses from his subjects by virtue of his pleasant manner. Modest, he was always aware that it was not he who was the hero.

After the war he worked as an independent photographer until he was hired by *Davar* in 1952 on a permanent basis — a first for a photographer in Israel. Documenting the first decade of the State of Israel in its magazine section, he recorded mass immigration, domestic rationing, the founding of new settlements throughout the country, ongoing terrorist infiltration and the Sinai Campaign. One of his photographs of that war became a symbol of it:

a pair of shoes left in the sand by an Egyptian soldier in hasty retreat. His photographs were accompanied by articles written by the country's leading journalists, or they appeared on their own as photo essays. No other photographer of the time covered the development of the country as intensively as Carmi. Moreover, he left a discernable imprint on his pictures — the ability to capture the inner self of the subject. His camera was never "neutral" — it loved and respected human beings.

Carmi did not limit himself to national or official events. For example, he photographed the cafe life of Tel Aviv in the 1950s extensively, particularly the cafes frequented by veteran writers and artists whom he befriended, such as Alterman, Shlonsky, Leah Goldberg, Hanna Rovina, Mordecai Ze'ira and younger stars such as Hayim Guri, Moshe Shamir, Yossi Yadin and Hanna Meron, all of whom he captured on film. He photographed ordinary people as well — workers, beggars, shopkeepers, farmers, fashion models — everyone was a potential subject for him.

He had a particular love of photographing animals, spending a great deal of time at the Tel Aviv Zoo. He also photographed abroad frequently — in Africa, for example, where in 1960 he crossed the continent from east to west, photographing a region in political transition.

Retiring from *Davar* in 1976, Carmi continued as a free lance photographer while also publishing photography books. He continues photographing his hometown, Tel Aviv, to this day.

שמות המתברים

פרופ' דפנה יזרעאלי: המחלקה לסוציולוגיה ואנתרופולוגיה, אוניברסיטת בראילן.

ד"ר ברברה שטראוס-ריד: המחלקה לעתונאות ותקשורת המונים, אוניברסיטת רוטגרס, ניו ג'רזי, ארצות-הברית.

ד"ר מנוחה גלבע: מרצה בכירה בחוג לספרות עברית, אוניברסיטת תל אביב. עוסקת בחקר העתונות העברית מראשיתה.

מרדכי פרנקל: מוסמך למדעי הרוח, חוקר תולדות הצינונות.

ד"ר מרדכי נאור: מרצה בכיר לעתונאות באוניברסיטת תל אביב. כתב וערך ספרים בנושא תולדות ארץ-ישראל. עורך "קשר".

מוסיה ליפמן: מכון לבון, תל-אביב.

גבריאל צפרוני: כתב ב"דואר היום", כתב חוץ במשך עשרות שנים ("דיילי טלגרף", "ניו יורק הרלד טריביון"), עורך "הבוקר".

חנה דינר: ספריית יד יצחק בן-צבי, ירושלים.

שלמה שבא: סופר ועיתונאי הכותב בנושאי ארץ-ישראל.

שלום רוזנפלד: ראש התוכנית ללימודי עתונאות והמכון לחקר העתונות היהודית בעולם, אוניברסיטת תל אביב. ממייסדי "מעריב" ועורכו הראשי, 1974 — 1980.

ד"ר גדעון קרץ: מרצה בכיר לתקשורת והיסטוריה יהודית, אוניברסיטת פריז 8; חבר המכון לקומוניקציה על שם סמארט באוניברסיטה העברית, ירושלים, וכתב "דבר" וקול ישראל בצרפת.

ד"ר הלל נוסק: מרצה בכיר ומרכז הוראת יסודות התקשורת בבית הספר החדש לתקשורת, המכללה למינהל, תל-אביב, וחוקר במכון לקומוניקציה על שם סמארט, האוניברסיטה העברית, ירושלים.

צביה כהן: עורכת "נעמ"ת".

צבי אלגת: עורך "לאשה".

יעל פז-מלמד: עורכת "את".

חיאל לימור: עמית-הוראה בכיר בבית הספר החדש לתקשורת, במסלול האקדמי של המכללה למינהל, תל-אביב. חבר מערכת "מעריב". מחבר הספר "המתווכים — אמצעי התקשורת בישראל, 1948 — 1990" — יחד עם ד"ר דן כספי.

CONTRIBUTORS TO THIS ISSUE

Shalom Rosenfeld: head of Journalism Studies Program and the Institute for Research of the Jewish Press, Tel Aviv University; a founder of *Ma'ariv* and its editor in chief, 1974-80.

Dr. Gideon Kouts: senior lecturer in communications and Jewish history, University of Paris 8; member of the Smart Institute of Communications, Hebrew University, Jerusalem; reporter for *Davar* and *Kol Yisrael* in France.

Dr. Hillel Nossek: senior lecturer and coordinator of the teaching of communications fundamentals, New School of Communications, College of Business Administration, Tel Aviv; researcher, Smart Institute of Communications, Hebrew University, Jerusalem.

Zvia Cohen; editor, *Na'amat*.

Zvi Elgat: editor, *La-Isha*.

Yael Paz-Melamed: editor, *At*.

Yehiel Limor: senior teaching fellow, academic program, New School of Communications, College of Business Administration, Tel Aviv; staff member, *Ma'ariv*; coauthor with Dr. Dan Caspi, *The Mediators: The Media in Israel, 1948-1990*.

Professor Dafna Izraeli: Department of Sociology and Anthropology, Bar-Ilan University.

Dr. Barbara Straus Reed: member of the faculty, Department of Journalism and Mass Media, Rutgers University, New Jersey, US.

Dr. Menuha Gilboa: senior lecturer, Department of Hebrew Literature, Tel Aviv University; specializes in research on the history of the Hebrew press.

Mordecai Frankel: M.A.; researcher of the history of Zionism.

Dr. Mordecai Naor: senior lecturer in journalism, Tel Aviv University; author and editor of books on the history of Eretz Yisrael; editor of *Qesher*.

Mussia Lipman: Lavon Institute, Tel Aviv.

Gabriel Tsifroni: former reporter, *Do'ar Hayom*; longtime foreign correspondent for the *Daily Telegraph* and the *New York Herald Tribune*; editor, *Haboker*.

Hava Diner: Yad Yitzhak Ben-Zvi Library, Jerusalem.

Shlomo Sheva: author and journalist specializing on Eretz Yisrael topics.