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Institute for Research of  
the Jewish Press

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**English Cover:** "The Jewish Newspaper Vendor" (Vitebsk, 1914), a little-known painting by Marc Chagall. The picture, painted at the start of the First World War, shows the Russian-language *Gazeta* and the Yiddish *Moment*. The painting, measuring 98x78.5 cm., is owned by the Museum of Modern Art, Pompidou Center, Paris, whom we gratefully acknowledge for reproduction rights.

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*In commemoration of the 75th anniversary of the founding of the newspaper Ha'aretz, a symposium was held on March 23, 1995, at Tel Aviv University on the topic "Ha'aretz in the Context of the Country's History," led by Prof. Ya'akov Shavit. The event was organized by the Hayim Rosenberg School of Jewish Studies, the Journalism Studies Program (both of the university), the Center for the Research of the Land of Israel, of Yitzhak Ben-Zvi Institute. Speakers were Dr. Mordecai Naor, Ilan Shehori, Dr. Uzi Elyada and Dr. David Ohana.*

*The opening address was delivered by Shalom Rosenfeld and is reproduced here with slight changes.*

## "HA'ARETZ" — THE FIRST ISSUE

I have filled many tasks in the field of journalism during my lifetime. I have tried my hand at many genres, carried out many assignments and reported on them, and, I admit, played a part in the creation of the holes in the ozone layer resulting from the cutting down of trees in the jungles for the purpose of providing newsprint.

One of the most fascinating tasks of all took place 17 years ago when I edited the voluminous compilation titled *Headline*, which contains reproductions of some 500 front pages of *Ma'ariv* selected by myself, with two colleagues, from many thousands. This was "retrospective editing," something akin to glancing at the rear-view mirror so as to ensure safe driving forward. In the same way, editing retrospectively affords an opportunity to examine the past through a time warp. And don't believe the canard that there is nothing more out of date than yesterday's newspaper. In fact, there is nothing more fascinating, more stimulating and more enriching than yesterday's paper, "yesterday," of course, not in the limited sense of the preceding 24 hours, but in the metaphoric sense.

The yesterday in our specific case is Wednesday, June 18, 1919, when the first issue of *Hadashot Ha'aretz* ("News of the Land") appeared, the forerunner of today's *Ha'aretz*. My retrospective editorial work convinced me that the press is the bridge linking daily news to history and, as I have learned during the last few years from my experience with the Institute for Research of the Jewish Press at the university, history sometimes touches upon the present. Let us place ourselves in a time tunnel and go back to June 18, 1919. Without going into an extensive contentanalysis of the first issue that came out that day, I shall highlight certain aspects to provide some concept of the Hebrew press of the period, its editorial, stylistic and linguistic features, the "state of the nation" then, and

foreign as well as domestic events that were covered. The emphasis in that first issue was on domestic news, for it is well known that real as well as pseudo-events occur on every square inch of the country's holy land at such an astonishing pace, that over the years we have become a nation addicted to news and most buffeted by political "affairs."

*Hadashot Ha'aretz*, titled in English *The Palestine News*, introduced itself as "a daily devoted to life and to literary events." Lest there be any misunderstanding, the paper stated in bold type in a box: "*Hadashot Ha'aretz*," which was transferred from the Military Authorities to Mr. Isaac Goldberg, does not retain any tie with the Egyptian Expeditionary Force. From now on, it will be published in Jerusalem by Mr. Isaac Goldberg, sole publisher."

The new paper then introduces itself to its readers with a kind of political/ideological manifesto:

Eretz Yisrael has waited a long while for a general Zionist progressive daily newspaper.... In the difficult conditions for survival under the Turkish authorities, the *yishuv* had no sense of fulfillment from the local press, which was dependent on a "miracle" in both the material and the spiritual sense, [while the population] longed for a "decent" [sicquotes] newspaper, one that would be completely independent.

This was the introduction to what today we call the lead article, which contained a text of some 500 words, tightly set. I will skip over most of the text except for two more segments. Not only is one of them still relevant today, it is actually more relevant now than then. The paper addresses an issue that preoccupies the press throughout the free world to this day: the extent of the obligation of a newspaper to free speech — an obligation, not only a

right. Only a few months ago, the Israeli National Labor Court dealt with this topic extensively in two instances (relating to a suit by Joanna Yehiel, a journalist, against the *Jerusalem Post*), and the two judgments constitute stimulating food for thought. As this issue of *Qesher* goes to press, I am in the midst of reading another judgment, given by the High Court of Justice in a suit brought by Advocate Dr. Shlomo Cohen against the National Bar Association for refusing to publish an article by him about the elections to the association. The judges were divided in their opinion, with the president of the court, Justice Meir Shamgar, holding the minority view that the newsletter was obliged to publish the piece, while Justices Gabriel Bach and T. Cohen-Strasberg found that the publication was not obliged to publish it, in accordance with the decision of the editorial board. What was the position of *Hadashot Ha'aretz* 75 years ago?

It is self-evident...our newspaper will not be an "open forum" for any and all ideas or opinions. For, just as there are minimal requirements regarding the technical format for printed matter which cannot be disregarded in a literary organ worthy of its name, there is to an even greater extent a limit to "freedom of thought" which cannot be overstepped in a newspaper which has a point of view. This is so even if that position is broad and comprehensive, as the Zionist program, which advocates the revival of the Jewish people and the Jewish language on Jewish soil.

Further, inasmuch as the paper announces itself in its logo as "A daily devoted to life and literary events," it includes in its lead article the following commitment: "We can guarantee that in the area of information, our paper will try to faithfully record the most important events in the country and abroad to the extent possible within existing circumstances." The fact that the dateline of this article is 18 Sivan, while the paper itself appeared on 20 Sivan, may contain a clue about editorial circumstances then.

Relatively little foreign news is contained in the newspaper's eight pages, most of it set in a single-column format with no highlighting, under the generalized headline "Telegrams." Most of this column is devoted to the Peace Conference in Versailles whose task was the establishment of a "new world" based on President Wilson's 14 points. Perhaps even then the editors in Eretz Yisrael suspected that what was supposed to be "the last war" would become, especially in our region, what historian David Frumkin terms in his instructive recently published book, "the last peace." There are also several items on the

civil war in Russia between the Reds and the Whites, prompted by the Revolution, one of which cites the participation of British tanks on the side of the "Whites" in one of the war theaters. Also on the subject of Russia are "curiosities" such as: "The Jewish Committee of the Bolshevik Authority has decided to...translate the 'Mishna' into the Jewish language [Yiddish]." Noteworthy are the datelines of the items in this column: June 5, June 8 (i.e., 13 and 10 days, respectively, prior to the date of publication), and the most recent — June 13 and 14. Of more immediate interest was an item on the formation of a Palestinian organization in New York dedicated to fighting Zionism, based on the principle that "only iron can strike iron." In the regional category, a long article on "The Solution to the Syrian Question" claimed that "the Syrians have realized, after studying the situation, that the only way to fulfill their aspirations is to request assistance from the U.S.A.," as "America is now the only government strong enough to be Syria's protector."

I was curious to see the front page of the veteran *New York Times* of that day, June 18, 1919. The emphases there, of course, are entirely different, reflecting the animosity toward, and fear of, the Bolsheviks in Russia and their spiritual supporters in America — anarchists and radicals — palpable between the lines. Perhaps the editors of the paper in America sensed that what was touted as a "new world" — just, beautiful and enlightened — would turn onto a hell on earth in a number of years. The *Times* also carried current news from other parts of the world, for example the crossing into Mexico of a unit of the American army; a report titled "Kronstadt in Flames"; and an exciting item in the first column of the front page on two British fliers (Alcock and Brown) who were the first to cross the Atlantic Ocean. (Presumably, it was over this news item that editor Ithamar Ben-Avi, threatened to resign, disputing his night editor's decision to put off printing it by a day because the pages had already been set.)

If there were few news items from abroad in *Hadashot Ha'aretz*, there were many articles and reports on the Jewish people and on Eretz Yisrael by the leading writers of the day, today better known as street names in our cities: Ben-Avi himself, Moshe Smilansky, Jacob Fichmann, Ze'ev Jabotinsky, Mordecai Ben-Hillel Hacohen, Izhac Epstein, Nissan Touroff and others. Ben-Avi, the father of modern journalism in Eretz Yisrael (see the reference to him in the article by Dr. Uzi Elyada), wrote in a long survey of the world situation in the aftermath of

the war: "How has the world we are living in changed? Berlin has no emperor, the Sultan has lost holy Mecca and Baghdad, and Pravoslavic Moscow is controlled by the Jew Trotsky." This is the Trotsky who once said that "journalism generally photographs the posterior of history." Typical of Ben-Avi's biting style and his Jewish-Zionist viewpoint, borne out by events time and again, is the conclusion of his article: "So long as the innocent blood of this people [the Jews] is shed like water in the cities of Poland, Rumania and the rest of the lands of Sodom, there will be no true peace in the world and no guarantee against future wars and new atrocities."

Jabotinsky, too, addressed himself to the subject of pogroms in a feature article titled "Who is Guilty?" He criticizes the disregard by the Jewish people of the explicit signals being sent by all elements of the Polish leadership then of an extermination campaign directed at "two million of our brethren" — a danger "the likes of which we have not witnessed since the days of the Crusades and the days of Spain." Why, Jabotinsky inquires sarcastically, have we chosen the shield of David as the symbol of our flag? "The ostrich with its head in the sand would have been much more appropriate." Similarly, most of the other articles and columns in the first issue of the paper were devoted to the harsh news of pogroms against Jews in the Ukraine and Poland.

There is bitter historic irony in the fact that in the year 1919, when mass communications were much less developed than in the 1940s, Jewish bodies throughout the world knew much more about these pogroms than the world knew, or wanted to know, about the Holocaust in the early 1940s. Nearly every page of the issue of *Ha'aretz* 75 years ago bears a report on, or a raging editorial reaction to, the atrocities being perpetrated against the Jews in Eastern Europe, a region caught in a maelstrom of domestic wars and struggles for independence. Like Ben-Avi, most of the writers linked the hopes of the Zionist movement regarding the Peace Conference to the calamities befalling the Jewish people in the European diaspora. A particularly apt piece titled "National Mourning" quoted Hayim Nahman Bialik: "The sun shone and the slaughterer slaughtered. On the one hand, such shining missions for the near future — a national home for the Jewish people in the Land of Israel — and on the other, deep mourning for our people unparalleled since the destruction of our land."

If further proof is needed for the thesis that an old newspaper can vibrate with contemporary relevance, here is a segment from a feature by a journalist using

the pseudonym "Tarfon" on the role of the media as critic. The writer recounts satirically that he has received inquiries from various persons as to whether the paper will dare criticize every negative development and every institution that abuses its authority. "Will you criticize the Anglo-Palestine Bank [later Bank Leumi]? Will you tell the truth about the ultra-Orthodox?" Yes, the writer replies, there will be criticism. Every institution and every important phenomenon will be monitored as needed. However: "We shall also on occasion criticize the narrowmindedness, the petty grouching and the exaggerated tendency toward criticism for its own sake alone."

To return to a comparison with the *New York Times*, that newspaper recently marked the appearance of its 50,000th issue, published 143 years and 177 days after its founding. In the context of this commemoration, the paper cited various historic events covered by it over the years: Issue No. 4,230, for example, reported the assassination of Lincoln, and Issue No. 38,654 the assassination of Kennedy. Issue No. 25,320 covered the solo crossing of the ocean by Charles Lindberg. Issue No. 30,634 described the Japanese attack on Pearl Harbor. Issue No. 40,721 reported the first small step taken by man on the moon, and so forth.

What an immense portion of Jewish history the 75 years that have passed since the founding of *Ha'aretz* have witnessed. I can think of no other people who experienced such dramatic events in their history — for better and for worse — during so short a period, for 75 years in the life of so ancient a people as the Jews is like the blink of an eye. Suffice to mention the Holocaust and the establishment of the State of Israel as two events with nearly cosmic significance for us. Suffice to mention all the wars that the State of Israel experienced with such inevitable regularity — a war each decade. The great Zionist epic has been ongoing for nearly 100 years in the shadow of a constant threat to our existence, yet recently a small beginning has been made in reconciliation with the Palestinian people, which has the magnitude of the small step taken on the moon. Who could have imagined this development after so many years of mutual bloodletting? Of course, it is only a beginning, for the bloodshed continues still, at this moment, even if it has taken on a different form and different proportions from the past. In addition, there is the first peace treaty with Egypt, the largest and strongest state in the region, and the second treaty, with Jordan. So much history makes the head spin.

Are historymakers aware of the greatness of their acts, or of how they will be viewed in the future? In most

cases, I believe, not only is the answer to this question negative, but sometimes it is precisely the trivia of daily news coverage which contains the nucleus of a historic development, while, by contrast, something grandly touted as a "historic event" can be closer to Trotsky's definition mentioned above. Our sages have said that the beneficiary of a miracle is unaware of the miracle that happened to him. Bismarck, during his military campaign to create the Prussian Empire, was said to have been asked to explain his rationale. His reply was: I do what I do. I conquer. Later, the learned professors from Heidelberg can come and explain the historical motivations of my acts. It is said about Louis XVI that on July 14, 1789, he noted in his diary: *Rien*. Some historians claim that he meant that he did not go out to hunt deer that day. Yet we know what happened to his head sometime after that notation in his diary.

A question no less important and perhaps even more relevant to the topic under discussion is: Does the press itself contribute, and if so, what does it contribute, to what we call the "making of history," whether through the selection and rejection of material for publication, or through editorial comment? Which of the affairs that *Ha'aretz* exposed, and which of the articles that it published, had a direct influence on social and political developments in the state which, retrospectively, we can define as "history"? Perhaps historians will be able to provide the answer.

To conclude, as I have begun, a personal note: I have been a reader of *Ha'aretz* for decades. There were periods, especially during the struggle for independence when I fought in the underground, when certain articles published by the paper made me gnash my teeth in anger. And not only then. On occasion I turned this teeth-gnashing into editorial commentary in newspapers I have worked for both openly and clandestinely. But I have always viewed *Ha'aretz* as an integral part of the cultural and political

landscape first of Eretz Yisrael and later of the State of Israel. This sense has been reinforced during the last few years when I have witnessed the disappearance of some dozen Hebrew dailies, one by one, from this landscape. One is *Al Hamishmar*, whose computer screens have gone blank and whose writers' pens have dried up only recently, while its colleague, *Davar*, is fighting for its life, its fate uncertain. In addition, dozens of important weeklies and other periodicals have gone to their grave, some with loud lamentation and others with a small, still voice. It seems to me that any journalist who values the freedom of his country, and freedom of speech in it, ought to be proud that a quality daily in Israel has lasted for 75 years, when in the Jewish world of the last century, dozens of dailies in various languages on both sides of the ocean have disappeared. History, and the dramatic changes resulting from our bleeding demography, caused them to disappear without a trace, leaving only the yellowing, crumbling pages that tell the story of themselves and of the people and events covered at the time. It would appear that newspapers, like people, are governed by biological laws that determine who will expire before his time and who will live to a ripe old age.

Although *Ha'aretz* is approaching old age, its fighting spirit has not weakened nor has its preparedness and its courage to take unpopular, and sometimes irritating, positions abated. These positions are sometimes very irritating indeed, now as in the past. Still, or perhaps as a consequence, I offer my congratulations wholeheartedly on its 75th jubilee.



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

## *ESPIONAGE, JOURNALISM AND DEFAMATION*

### Judgment in the Case of Issar Harel

v.

"Davar" Ltd., Newspaper for the Workers of Israel;  
Yoram Peri, Editor in Chief;  
Daniel Bloch, Managing Editor

(condensed version)

Judge Sarah Sirota

In the Tel Aviv District Court  
November 1994

#### INTRODUCTION

The deliberation in this case is reminiscent of popular time-warp films. The events dealt with in the defamatory article by one Daniel Ben-Yaakov occurred in the 1950s, and, as some of the figures mentioned during the trial are no longer alive, the witnesses resurrected ghosts, chiefly that of spymaster Israel Ber.

Since that period, the country has undergone vast transformations, and certain government bodies have been removed. Moreover, the peoples struggling under the yoke of the Soviet Union have liberated themselves from it. Nevertheless, it turns out that words can have a significance and force that transcend time and place. Defamation arising out of fathomless hatred is the subject of our deliberation.

Unfortunately, the force of hatred apparently overrides the vicissitudes of age. The hatred harbored by the author of the defamatory article, who met the plaintiff for the very first time in this court, was, it would appear, a blind hatred. The defamatory article which is the subject of this deliberation was the product of a fire of hate burning within him.

Our sages wisely said that blind hate outweighs all other vices, and that it was this attribute that led to the destruction of the Second Temple (Yoma, 9). It is

regrettable that the defendants did not see fit to apologize and end this matter outside the realm of the court.

#### JUDGMENT REGARDING LIABILITY

##### The Claim

The Plaintiff, one of the founders of the Israeli General Secret Service (GSS), stood at its head from 1948 to 1952. From 1952 to 1963 he headed the Central Institute for Intelligence and Security (the Mossad) and was in charge of the security services of the State of Israel. The suit was filed in respect of an article published on August 2, 1991, in the newspaper *Davar*, edited by Defendants 2 and 3. According to the Plaintiff, the article, written by Daniel Ben-Yaakov, contained serious allegations and libels. Inter alia, the Plaintiff was accused of "covering up for the spymaster Israel Ber for 11 years," and "using violent illegal means and fabricating charges against the man who had accused Israel Ber." The article referred to two previous articles published in the *Jerusalem Post*, one written by Hirsch Goodman on June 29, 1984, and the other by Daniel Ben-Yaakov himself, on January, 16, 1988. From these articles it appears that the writer

had exposed Israel Ber 11 years prior to the latter's imprisonment. Details were also given of violent measures which had been taken against Ben-Yaakov apparently in retaliation for the disclosures. The newspaper, or Goodman, described Ben-Yaakov's story and expressed reservations, commenting that the story seemed unbelievable.

In a letter dated August 11, 1991, the Plaintiff demanded an apology from the Defendants on the grounds that the article was baseless and its author unreliable. The Defendants refused to publish an apology in the manner required by the Plaintiff.

By reason of budgetary constraints and court fees, the Plaintiff set his claim at NIS 550,000.

### Grounds of Defense

1. **First Stage.** According to the Statement of Defense, the article was true and of public interest. Additionally, the Defense claimed that the article was a critique of a literary work, as part of which an opinion was expressed on the Plaintiff's history and actions which formed the source for the literary work (reference is to Ian Black and Benny Morris' book *The Israeli Secret Wars*). The Defense claimed that reasonable steps were taken to ensure that the article was true and that they acted in good faith in accordance with their professional duty to their readership, without intending any malicious or other harm to the Plaintiff.

The Defense also alleged that the article was no more than a reiteration of matters which had been published earlier and which had not been denied by the Plaintiff, and that therefore he had not suffered any damage. The Defendants also claimed that they had been willing to publish an apology, and negotiations had been conducted for this purpose with the Plaintiff. However, as the Plaintiff had demanded publishing the article of apology as drafted by him, including defamatory material against the author of the article, his demand was rejected.

2. **Second Stage.** During the interlocutory stages before the Registrar it was decided to divide the claim into two stages: liability and damages. In the course of the hearing, the Defendants retracted their claim that the article was true. The Defendants relied on the defenses set out in Sections 15 (4) and (6) of the Defamation Law, 1965 (hereinafter "the Law").

Despite focusing on the defense of bona fides, the Defendants presented a long list of witnesses, including the Plaintiff himself, both because they only decided late in the trial to withdraw the contention that the article

was true, and also to prove that they had taken proper steps prior to publishing the article. While the Defendants admitted in their submissions that there had been no foundation for the statement relating to "use of illegal violent means and fabrication of charges against the man who had accused Israel Ber," they claimed that this false allegation was inadvertently overlooked by Defendant 3 and was of minor importance. Defendant 3, Daniel Bloch, took responsibility for the article as managing editor. Counsel asked that Defendant 2, Yoram Peri, be discharged from liability.

The defense relied on the provisions of Section 15(6) of the Law:

In a criminal or civil action for defamation, it shall be a good defense if the accused or defendant issued the article in good faith under any of the following circumstances: (6) the article was a criticism of a literary, scientific, artistic or other work which the injured party had published or publicly exhibited, or of an act he had performed in public, or—insofar as pertinent to such criticism—an expression of opinion on the character, past, actions or opinions of the injured party as revealed in such a work or act.

### Evidence

**Daniel Ben-Yaakov** (hereinafter "the Author"). I obtained the impression that the Author is argumentative, hot tempered and strange. He reveals little and hides a lot. Apparently, his wide education and knowledge of languages did not gain him the standing to which he aspired. Frustration, his constant companion, embittered him and filled him with hate. The Author had a number of friends whom he used to meet in a cafe. His friends Mr. Mazliah, Mr. Aviad and a third mysterious friend brought Mr. Goodman, a *Jerusalem Post* journalist, to the house of the third friend, prior to the appearance of the 1984 article, conjuring up a mysterious atmosphere in an effort to strengthen the impression that the Author was acquainted with security personnel who knew sinister and hair-raising secrets.

The Author indicated (perhaps in jest) that he anticipated becoming the head of the security services. Clearly, his frustration arises from his failure to find what in his view was his proper place in the intelligence sector. He has attempted to represent himself as having been injured in the War of Independence, although in this matter, too, there are contradictory versions. He successfully induced various people to intervene on his behalf so that he would be recognized as an Israel Defense Forces invalid. When

his invalidity pension was cancelled, the Author blamed the Plaintiff and his staff.

An analysis of the evidence of the Author and his friends could be omitted, as the Defendants retracted their claim as to the truth of the article. However, since part of the defense of bona fides relies on the statements of these witnesses, it is necessary to consider the evidence briefly.

With reference to the so-called reprisals, even on the basis of the Author's evidence, it is impossible to conclude that the Plaintiff was behind the reprisals, if there were any. The Author admitted that he had never met the Plaintiff and had never been told that Issar Harel was watching him. The Author admitted that he was paranoid, but claimed that this was only natural in his circumstances. The origin of the Author's wild allegations was the tardy exposure of Israel Ber, who had been tried for espionage and disclosure of official secrets to Russian agents. Israel Ber died while in prison.

The Author made contradictory statements concerning the date of his initial suspicions of Israel Ber, stating a number of times that it was in 1950. This is astonishing. At that time Israel Ber was a member of Mapam, which while initially having had close contacts with Moscow, later changed its orientation, some of its members becoming ministers in the Israeli government. Israel Ber left Mapam and became a journalist for *Davar* and *Ha'aretz*.

The focus of the article, which is the subject of this hearing, is the unwarranted hatred of the Author for the Plaintiff. Prima facie, the article has none of the characteristics of a book review. Ian Black and Benny Morris' book ranges over 600 pages. The chapters dealing with the development and growth of the secret service before the establishment of the state and after it, during Issar Harel's period in office, are partially based on Harel's comments and research. All that Ben-Yaakov found to say in his article was that the book's source was polluted, thereby attacking both authors and source (i.e., the Plaintiff). The entire article is dedicated to the Israel Ber affair — only one of the topics of the book — attributing the tardy exposure to the Plaintiff's wrongful desire to cover up for Ber, despite his knowledge of Ber's treachery. The Author relied on an article in the *Jerusalem Post* as a neutral source for his allegations, but did not disclose to the public that he was referring to statements which had been quoted from him. The *Jerusalem Post* had not cited the names of the Plaintiff and others.

The Author claimed to have revealed his suspicions to the late Yehuda Arbel, who had worked in the Israel Police as head of the Special Tasks Branch. His

grounds for suspicion were that Ber was a Communist, as well as biographical contradictions. His claim against the Plaintiff was that the latter had not paid attention to these contradictions until after Ber was exposed. The Author admitted that he had not transmitted his suspicions of Ber to the Plaintiff.

**Plaintiff's Evidence.** The Plaintiff dealt with the Israel Ber affair in his book *Soviet Espionage — Communism in the State of Israel*. The Plaintiff did not commend himself for revealing Ber's treachery but tells the facts as they were, indicating the damage caused by the tardy revelation. The Plaintiff warned then-Prime Minister David Ben-Gurion about Ber, preventing a military appointment in 1954 but failing to prevent his appointment as head of the History Branch in the Ministry of Defense. Not only did the Plaintiff not cover up for Ber, but he did everything in his power to constrict his options in the face of the many who supported him. In 1961, strict operational surveillance was imposed on Ber, although ultimately he was caught by chance.

**Other Witnesses.** None of the other witnesses supported the Author's claims of cover-up and persecution.

**Daniel Bloch, Managing Editor.** Nothing in his statements supported the defense claims. He did not claim to have examined the article before sending it to print, or to have checked its veracity in any other way. The Author had sent Bloch four articles dealing with military history; in the event, Bloch chose to print the defamatory one. Under cross-examination, the Defendant admitted that the term "cover-up" was too extreme and that the reference to unlawful violent means should have been deleted, as well as that featuring the Plaintiff's picture above the article and subheading — which were the responsibility of the page editor — were improper.

Even if one believes the witness' statements that he asked a number of people if Ben-Yaakov had suspected Israel Ber prior to his exposure, this is insufficient to justify the conclusion that the Plaintiff covered up for Ber. Ben-Yaakov himself failed to establish the basis for this conclusion. If one adds to this the admissions of the witness concerning mistakes that were made, one may conclude that he acted unprofessionally and superficially. To this may be added the witness' admission that he did not look through the book under review and did not know that Ber's part in the book totalled 10 out of 600 pages.

How does the claim to being a book review accord with



the focus on one topic among many and the repudiation of the authors because of their "source" in that particular affair? Such a claim is an insult to one's intelligence. The fact that the editor did not look at the book under review shows indifference, and also that this book was not the focus of public attention. If Mr. Bloch, editor of *Davar*, a historian by training, showed no interest in the book, what interest could the ordinary reader have had? This lack of interest reveals the motive behind the selection. Had the Plaintiff's name not been involved, this article would have met the same fate as the other three.

From the cross-examination of the witness, it became clear that he did not understand Goodman's reservations in the ordinary sense. Goodman asks whether this is an invention of a brilliant paranoid mind and whether the story is credible, and indeed ends with the question, why invent? But from the beginning of the article to the end one senses Goodman's reservations. His attitude to Mr. Ben-Yaakov is as to a curiosity. If Mr. Bloch read that article, he should have weighed the propriety of publishing the Ben-Yaakov article at all, and certainly he should have diligently examined its contents.

Another surprising statement was that he was willing to publish an apology but refrained from doing so because of the ridicule levied on the Author in the Plaintiff's letter. This position is inconsistent with the allegation of the truth of the article, which was only retracted in the later stages of the evidence. The witness had no explanation for this.

An examination of the article, the absence of any element of current affairs in it, and the placement of the Plaintiff's picture, with the addition of the slanderous subhead, raise an unanswerable question, except on the assumption [of malice]. Nevertheless, these remarks are obiter, as this is a civil claim and the Plaintiff is not required to prove intent to harm (Section 15 of the Law).

It should be emphasized that a different attitude is adopted toward an editor who publishes an article by a journalist whom he knows from his work in a newspaper, in contrast to an editor who publishes an article written by someone with whom he does not routinely work. In the latter case, the editor must take special care.

### Findings

There is no dispute that there were no grounds for the slanderous statements in the article either in the matter of the Plaintiff's cover-up of spymaster Israel Ber for a period of 11 years, or in the persecution of the Author because

of his "disclosures." The Defendants did not succeed in discharging the burden of proof that they had checked the Author's statements prior to publishing the article. The Defendants published an article under the guise of a book review. The Author used unrestrained language and attacked the Plaintiff, as reflected in the subhead, which is the responsibility of the editor. The malicious spirit may also be seen in the choice of the Plaintiff's picture to illustrate an article which purported to be a "review" of a book written by others. It was no secret that the Author hated the Plaintiff and wished to harm him. There was no support for the additional defense that they had relied on an earlier article, as legally, reliance on an earlier article is not a defense (C/A 34/71 *R. Benidon* 2[1] P.D. 529; C/A 492/89 *Slonin v. Davar & Others* 46[3] P.D. 827).

The interpretation of the defenses provided in Section 15 of the Law had been considered in F/H 9/77 *Electricity Co. v. Ha'aretz* 32 P.D. 337. The majority opinion delivered by Justice Landau (adopting the minority opinion of Justice Ben-Porat in the appeal) has not been changed to this day, and the Supreme Court of Israel recently followed it (President Shamgar dissenting) in C/A 334/89 46(5) P.D. 555 and C/A 259/89 46(3) P.D. 48, 54.

The inspiring words of Justice Landau then are even more appropriate to the constitutional position today. His comments were made prior to the enactment of the Basic Law: Human Dignity and Freedom. Today, the Basic Law gives primacy to a person's right to freedom and self-respect — Section 2: "No injury may be caused to the life, person or dignity of a human being as a human being" — and Section 4: "Every person has the right to protection of his life, his person and his dignity." There is no express provision relative to freedom of speech or the right to protect one's reputation, although, the term "dignity of man" includes both. I do not deny the primacy given to freedom of expression; this right is so well anchored in the rulings of the Supreme Court that in the name of this principle, freedom has also been given to commercial articles which contain implied vulgarities (H.C.J. 606/93 *Promotion of Initiatives and Publishers [1981] Ltd. v. Israel Broadcasting Authority and Others*, Supreme Court Judgments Vol. 93[1] 1667). As with all freedoms, freedom of expression also gives rise to the duty not to turn it into freedom of contempt.

Judge Shamgar was of the opinion that primacy must be given to freedom of expression in the interpretation of Section 15(4) of the Law:

Under my approach, there is no need to seek support for

this important point in the words of Sections 15 and 16. The criteria set out in Section 15 of the Law should properly be interpreted according to their open substance... and in a way which does not lead them to be imbued with constraints which are not requisite. Moreover, the presumptions created by the legislature in Section 16, and the burden of proof arising therefrom, support the assumption that the legislature intended to ameliorate the position of the publisher who does not act maliciously. The incorporation of a fact in an article which is substantively an expression of opinion does not, therefore, have to be interpreted restrictively.... (majority opinion in 723/74 31[2] P.D. 281).

In contrast, Deputy President Landau held that freedom of expression should not be treated as a super-right:

If we are to be precise, here the freedom of the citizen confronts the right of the citizen, i.e., his freedom to state what is in his heart and hear what others have to say, against his right not to have his honor and good name harmed; if there is any need to rank the two, I would place the right above the freedom.... It appears that this is the way the drafters of the Basic Law Bill: Human Dignity and Freedom present the matter.

And his conclusion:

The formula which places the right to a good name on an equal footing with the right to life itself reminds us of the saying of our forefathers: "Whoever shames another in public, it is as if he is guilty of bloodshed." Today we call this "character assassination".... Thus, if freedom of expression is a super-right, how would we categorize the right of a man to defend his honor and good name?

Section 15(4) of the Law states:

In a criminal or civil action for defamation, it shall be a good defense if the accused or defendant issued the article in good faith under any of the following circumstances: (4) the article was an expression of opinion on the conduct of the injured party in a judicial, official or public capacity, in a public service, or in connection with a public matter; or on his character, past actions or opinions as revealed by such conduct.

According to Justice Landau's interpretation, there must be a reference to facts, and the facts must be true. In respect of the expression of opinion, the publisher is given a defense in certain circumstances even if there was no truth in the opinion:

The very intermingling of the two elements is likely to cloud the written words and allow the insertion of untrue

defamatory facts into the expression of opinion. The writer must indicate on what facts he relies — and these must be accurate (except for accompanying details which do not cause real harm) — and after indicating the facts, he may draw conclusions by expressing an opinion on them, however on condition that he explains and differentiates between the facts and the conclusion.... (p. 350).

### Conclusions

There is no dispute that the truth of the article was not proved. How is it possible to argue that factual findings are at one and the same time not true and also an expression of opinion to which the defense of good faith applies?

We cannot go so far as to release the Defendants from liability on the grounds of good faith, as they did not take reasonable steps prior to publishing the article to ensure its truth, in accordance with Section 16(b) of the Law. I am convinced that the Defendants did not publish the truth and did not take reasonable measures to check its truth. The principle which guides us is that the issue of good faith is tested according to the sources of information examined by the publisher.

### JUDGMENT REGARDING DAMAGES

The Defendants sought to reduce the damages to be awarded the Plaintiff on the following grounds:

**1. The difficult financial condition of "Davar".** The damages awarded by the court will not be the cause of the newspaper's collapse. *Davar*, whose first editor was Berl Katznelson, was and remains a haven for philosophers, poets and politicians of the first rank. With regard to the claim that it only has 10,000 subscribers — a newspaper is a newspaper even if it has few subscribers. Its readership is generally larger, especially on a Saturday. The libellous article appeared on a Friday. The article appeared in the literary column, which has a faithful readership. Mr. Harel emphasized that quality is what counts, as well as and the nature of the readership whose opinion he values. Moreover, ridicule and slander make an impact, and their spread is not measured by the number of subscribers.

**2. Earlier article.** The Plaintiff did not see fit to sue in

respect of the earlier article in the *Jerusalem Post* because of the caution exercised by Mr. Goodman: the Plaintiff's name had not been stated and, most important, the writer expressed reservations about the interviewee's comments, implying mental instability. A distinction should be drawn between prior articles and concurrent articles as occurred in the case of C/A 492/89 *Slonim v. "Davar" and Others* 46 P.D. 833, relied on by the Defendants. Thus, rules relating to the right of the injured party to choose a particular newspaper to sue are not relevant here. The previous article in the *Jerusalem Post* cannot serve as a fig leaf for the Defendants.

**3. Absence of an apology.** I have a serious complaint with the obstinate way in which the Defendants treated the Plaintiff after committing the defamation, and their failure to lessen his damage. I have no doubt that at the root of this attitude is the fact that the two parties function as editors. The Defendants explained that they could not publish the apology as drafted by the Plaintiff because it injured the author of the defamatory article. This is a baseless claim. They could have published a more moderate apology, or a unilateral apology in their own words. The late stage at which the Defendants retracted their allegation of the truth of the article did not lessen the damage to the Plaintiff. Attempts to cast aspersions on the Plaintiff's character aggravate the position of the Defendants and show that despite retracting the defense of justification, they were attempting, under the cover of mitigating damages, to harm the Plaintiff during the conduct of the trial. Another defense related to the irrelevancy of the article in light of the passage of time. However, the very fact that this matter, which lacks any public interest or relevance, was resurrected despite the passage of time, shows the absence of good faith.

Dr. Peri's liability arises by virtue of his job — editor in chief. In practice, he did not deal with the matter. Nevertheless, an article which purports to be a book review could have waited until an in-depth examination was undertaken, and it was the responsibility of Mr. Bloch, who claimed to have taken precautions, to consult with Dr. Peri prior to publishing the article. This is particularly so as the article did not deal with current affairs but with an event of a generation ago.

**4. Passage of time.** The publication of the article after the passage of such a long period of time, even if once it contained a grain of truth, is a serious matter, as was noted by Judge (as he then was) Zvi Tal in C/F 172/88 before

the District Court of Jerusalem, in which he awarded a plaintiff NIS 500,000 and costs as compensation for defamation. The defamatory article had been published 30 years after the plaintiff had been convicted of manslaughter. By law, the conviction had been "erased" 29 years after the conviction. In parentheses I must point to the absurdity that where a person has not been put on trial in the past, he has no defense of "erasure" and his past can be resurrected and dissected endlessly.

**5. Plaintiff's reputation.** Some of the impressive exploits for which the Plaintiff was responsible were:

- a. The establishment of democratic norms in Israel's secret service.
- b. The eradication of dangerous internal terrorism exemplified by the murders of Folke Bernadotte and Rudolf Kasztner.
- c. The dissolution of left- and right-wing undergrounds.
- d. Organizing protection for Jews around the world.
- e. Organizing Moroccan Jews and smuggling thousands of them into Israel.
- f. Dealing with Nazi war criminals.
- g. The capture of Adolf Eichmann.
- h. Exposing Russian spies.

Each of these feats has earned the Plaintiff a place in Israel's halls of honor. The Plaintiff has written 10 books. He has been awarded honors from organizations around the world.

Today, in the autumn of his life, he is attacked by slanders and statements which aim at the heart of his achievements. The venomous article coming from a reputable newspaper caused him great mental anguish. Had the Defendants apologized immediately and set the record straight, they would have saved the Plaintiff suffering, shame and the trial.

**6. Principles guiding levels of compensation.** Following the enactment of the Basic Law: Human Dignity and Freedom, a type of "constitutional revolution" has occurred with regard to certain of the basic human rights in Israel, including the right to protect one's reputation. In C/A 214/89 43 P.D. 874, Justice Barak refers to the need to award suitable compensation to a person who has been injured by a defamatory article. In light of the above, it seems to me that a higher ceiling of compensation should be set than was applied in the past. In a long line of cases, the Supreme Court of Israel has held that injury to a person's reputation is worse than injury to his person.

Defamation may be oral or in writing. Worst of all is defamation published in the media — see Justice Berenson's remarks in C/A 552/73 30(1) P.D. 589:

I see no conflict between safeguarding the reputation of an individual by awarding fair compensation for publishing a libel in a newspaper and guaranteeing freedom of the press — the law has established reasonable boundaries.... I would say the opposite. Because of the widespread dissemination of the press and its enormous power to cause harm, it requires greater restraint. If there is adequate self-restraint — all is well; if not, the courts will ensure it by awarding suitable compensation....

In the present case, the position is even graver, as the publication of the article was not motivated by reasons of sensationalism but was malicious for its own sake.

**7. Compensation criteria in defamation cases.** Judges are free to award damages for pain and suffering in

accordance with the circumstances. In this case, damages are awarded according to the nature of the libellor and the injured party in the accompanying circumstances and in the absence of an apology. At the advanced age of the Plaintiff, an apology has great significance, contrary to the principle of deducting the age of the plaintiff in personal injury actions. In defamation cases, advanced age is an aggravating circumstance which increases the damages.

**8. Plaintiff's damages.** The compensation must reflect the anguish as well as provide relief for damage due to the Plaintiff. At the same time, a judicial policy must be adopted which does not restrict freedom of speech. In the circumstances, the Plaintiff is awarded NIS 300,000, costs and legal fees.

Translated by Rahel Rimon

## SOKOLOW AND THE "IZRAELITA": A HIDDEN CHAPTER IN THE JOURNALISTIC LIFE OF THE NOTED ZIONIST LEADER / Shoshana Shtiftel

Nahum Sokolow (1859-1936), born in Wyszogrod, Poland, was the scion of a distinguished family of rabbinical scholars and leaders who, in addition to receiving a traditional religious education and rabbinic ordination, was allowed to learn foreign languages, a reflection of the influence of the Enlightenment. He eagerly absorbed European culture, German Jewish Enlightenment views, and especially Polish liberal ideas. The 1870s witnessed the emergence of a positivist ideology in Poland that demanded cultural and social reforms to modernize Polish society as well as create a vibrant national identity despite the absence of political independence, inasmuch as Russia controlled the country. Sokolow assimilated these ideas as a model for the reform of the Jewish community and the shaping of a modern Jewish identity, believing that a Jewish autonomous culture was possible despite the dispersion of the Jewish people throughout the world. He actively promoted the revival of the Hebrew language and the rejuvenation of Jewish culture through Hebrew journalism and literature, to which he made prolific contributions, and became a dominant figure in Jewish cultural life in Warsaw. Initially dubious about Zionist activity, he later became an enthusiastic supporter of Herzl's ideas.

One of his concerns was the widespread assimilation of Jewish intellectuals and their loss to the Jewish people. This led him to join the staff of a Polish-language Jewish assimilationist weekly, *Izraelita* (published 1866-1912), side by side with editing the Hebrew-language newspaper *Ha-Zefirah* ("The Dawn"), in the hope that he could influence the assimilationist readership.

*Izraelita* reflected the universalist humanism of the Enlightenment generation. Its founder and editor, Henryk (Samuel Hirsch) Peltyn, was the prototype of the Enlightenment intellectual, an admirer of European culture anxious to introduce it to his co-religionists in Poland, while also nurturing Jewish values and a tie to Judaism. He tried to show that Jews had no separate national identity, inasmuch as the dispersion had dissolved this tie, and that Jews, therefore, assumed the nationality of their country of residence. To believe differently, he wrote, was to live in the past.

Sokolow, focusing, by contrast, on the uniqueness and

vitality of Jewish culture, nevertheless credited Peltyn's periodical for presenting Judaism both to enlightened Jews and to Poles. From 1880, *Izraelita* began publishing articles written by him advocating the cultural improvement of the Jews not only for the purpose of integration into Polish life, but to enhance their self-image and self-pride as Jews. In 1889, he began writing for the magazine on a regular basis and soon played a major role in it. He wrote extensively on literature and on Jewish life in Russia and throughout the world, and had a personal column on current affairs focusing on anti-Semitism in Poland and elsewhere, consistently appealing to the young Jewish intelligentsia to return to their Jewish roots and become knowledgeable about them. In this respect he followed in the footsteps of leading Polish positivists, especially Boleslaw Prus, who had initiated a similar column in the Polish press years beforehand with the aim of enhancing Polish self-identity.

Sokolow's material in *Izraelita* shows that he carefully followed the Polish periodical press, and, while adopting many of its ideas, took issue with others. For example, he rebutted a series of vicious anti-Jewish articles by Prus himself, who had become a nationalist extremist, as well as other recurring cases of anti-Jewish slander. He took on the difficult task of defining the essence of the Jewish people to an audience of assimilationists, handling it with integrity and skill. The Jews were not a nation in the accepted sense, he wrote, as they lacked certain essential prerequisites, nor were they a "nation within a nation" — a recurring accusation by Polish anti-Semites — as they had no defined political ideals. But neither were they simply a religious group. They were, actually, a unique entity, the product of many historical influences, including tribal. This entity was flexible, he pointed out, both contributing to mankind and being nourished by it.

Sokolow came to the conclusion that the young Jewish intelligentsia lacked a practical program by which they could learn to love their people and play an active role in Jewish life. In 1890, he wrote an ambitious series of articles in *Izraelita*, later published as a booklet, outlining such a program, which combined combatting anti-Semitism with helping to raise the consciousness of the Jewish masses vis-a-vis the outside world.

The subject of the Jewish national movement was raised by him in *Izraelita* only in 1895, when the term "Zionism" first appeared in the Jewish and Polish press. Explaining the significance of the concept to the Polish readership, he belittled the venture to settle Palestine as a marginal, if laudable, effort, not worthy of what he termed the exaggerated attention it was receiving in the press. This presentation was similar to what he wrote on the subject in the Hebrew press, with one difference: there he wrote that while the Zionist idea was impractical, it contained the seeds of hope for the future. Moreover, he published a large number of articles about events in Palestine in *Ha-Zefirah* during the 1880s, and his explicit message in the Hebrew press was the right of Jews to a separate cultural identity. By contrast, he expressed this notion only indirectly in Polish, probably in order to safeguard the availability of this forum to him.

By 1895, Sokolow had tired of his task in *Izraelita*, and had begun traveling widely in Europe, meeting with leading writers, rabbis and Jewish public figures. However, with Peltyn's death in 1896, Sokolow was offered the literary management of the weekly and initiated a new phase of the publication. He introduced three new columns: a press survey, reports on Jewish life throughout the country, and Judaica research. In 1897, he mounted a campaign for study and research of the Hebrew language as the only means to comprehend Judaism. He also expressed support openly, for the first time in the Polish magazine, for the idea of Jewish cultural autonomy. The solution to the problem of assimilation, he asserted, was mutual tolerance, not the disappearance of Jewish culture.

During that year he addressed himself to the worsening economic plight of the Jews of Russia and the need to organize ways of aiding them. A month before the opening of the first Zionist Congress (August 1897), he once again belittled what he termed utopian dreams about Palestine and the preoccupation with definitions of national identification, yet articles that he had written about Zionism earlier that year, while objective in tone, revealed a growing openness to the topic.

Close to the date of his own departure for Basle to cover the congress, he admitted that the success of Zionism was attributable not only to anti-Semitism, but to the bankruptcy of Jewish and Western liberalism. There was a popular yearning, he believed, for ideological fulfillment. Moreover, a portion of Jewry needed to emigrate, which itself justified the congress. He openly criticized the belief

of the assimilated Jews that by nationality they were Poles, Germans and so forth, and by religion members of "the Mosaic faith." By nationality, he said, they were Jews, although so lacking in any social, political or civil structure, that they could fit into any social framework. Acknowledging his error in underestimating the viability of the Zionist idea, he now saw it as valuable not because of its utopianism, which, he predicted, would wear off, but because of the vitality it had injected in the flaccid Jewish entity.

Reporting from the congress itself, Sokolow emphasized the positivist aspect of arguments presented there, namely that the Jews must work to lift themselves out of their misery by themselves — i.e. they must change — a position that would speak to his liberal and assimilationist readership. Later, he analyzed the Zionist ideas raised at the congress as being closer to those of the assimilationists than they might think, in that both groups regarded the integration of outside influences as a necessity. Referring to the impact that his personal meeting with Herzl after the congress had on him, Sokolow pointed out that Herzl, too, had made changes in his plan during the course of the congress, acknowledging that a portion of the Jewish people wanted to, and could, assimilate in the lands of their residence, but that for most, persecution would not abate so long as they did not have a land of their own. The challenge, he wrote, was not limited to philanthropic support for colonization efforts in Palestine, but involved widespread self-help, for Zionism was not only a Jewish movement but a humanitarian one linking the Jews with the rest of mankind. Sokolow concluded by formally aligning himself with Herzl's movement.

He devoted many articles thereafter to the topic, covering the second Zionist Congress, in 1898, as well, consistently trying to present the new movement in a palatable fashion to his readership. Toward the end of that year, however, his name disappeared from the masthead, undoubtedly reflecting the publishers' opposition to his support of the Zionist movement, however artful his rationalizations. During the third congress, in 1899, his reports became detached and equivocal, and from then on he no longer had a Polish-language platform for his ideological views, although he continued writing for the magazine on various topics until 1902. His final article reflected his pessimism about the possibility of preserving Jewish identity in the assimilation process, implying that Zionism was the only solution.

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## "HADASHOT" — BEGINNING (1984) AND END (1993) / Ella Kaveh

A comparison between the first week's issues of *Hadashot* ("News"), a Tel Aviv-based daily begun in March 1984, and the last week's issues (in November 1993) illuminates the metamorphosis which the paper had undergone during its existence.

The very emergence of the paper had a major impact on the modest media scene in Israel at the time. There were only two mass daily newspapers then, and only one television channel. The format and design of the paper were a novelty in Israel, and were widely viewed as typical of yellow journalism. The paper was also the first to use color photographs. An additional first for Israeli journalism was the paper's employment structure: all employees had personal contracts, with no guarantees of tenure, which evoked fierce protest by the Journalists' Association and enhanced the rogue image of the paper.

In short, the paper projected a sensationalist image from the start, although this was actually more a product of its provocative design, along with errors stemming from inexperience, than its content. The front pages contained standard political news, while the inside pages contained a mix of political, economic, crime, gossip and fashion items that gave the impression of yellow journalism only because of an absence of differentiation between the various categories. There was no systematic placement of columns or sections, and no fixed allocation of space in any given category. The impressive composition of the writing staff, however, reflected a quest for variety and wit, not low standards.

The final issues of *Hadashot* over nine and a half years later, by contrast, contained a larger amount of text per article than the first issues, with a smaller proportion of space allocated to photographs. The inside pages were arranged according to fixed categories that were covered daily. The paper also contained a daily supplement on current topics and an additional supplement devoted to a specific target audience. Essentially, improved organization, definition and regularity were the obvious changes in comparison with the first issues.

The design of the paper had changed as well. At first, the paper ran large color photos with large headlines and shorter text, which cut down reading time. An absence of defined frames for advertisements resulted in difficulty in differentiation between editorial content and ads. In the final issues, photos and headlines were smaller, and subheads were added (previously, there had been no room for them). The front page referred the reader to the daily supplements. Most of the sensationalist style had

disappeared, replaced by a more restrained and credible image.

Editorially, the paper took no specific position at first, and did not even print an editorial. By the end, however, it expressed a defined left-wing political line, a liberal approach, and a feminist point of view. Articles at first were placed in the paper randomly, in no apparent order. Moreover, they conveyed an impression of inaccuracy and lack of credibility. Headlines were vague and often gave no clear indication of the nature of the content. In the final issues, however, the categorization and hierarchical organization of articles was clear and headlines were explicit.

Despite its instantaneous image as a typical tabloid, the paper carried relatively little gossip material even at the start — and none at all on the opening pages — while in the final issues all gossip material was concentrated in a single full-page section in the weekend supplement, which gave the topic an aura of sophistication and legitimization.

The paper had no supplements at first, in contrast to the other dailies, which had weekend supplements and, in the case of *Ma'ariv*, a weekly business supplement. In the final issues, however, *Hadashot* had supplements every day, as well as on the weekend.

The sports section, which occupied an important place in the paper, at first projected an image of aggressiveness through the consistent use of certain kinds of key words, while in the final issues it was more moderate in approach and was critical of violence at sports events.

The target audience changed as well. At first it was unsophisticated and politically unidentified, while in the end it was more discriminating, as well as more urban. Increased attention to women's and children's issues was particularly evident both in news and feature items. While the point of view toward women in distress was exploitive in the first issues, it was supportive in the final ones.

Another area of change was coverage of the media. During the first week, the single instance of coverage in this area was a survey of various foreign newspapers, while during the last week the topic was covered intensively. This was an innovation on the Israeli scene, as other newspapers refrained from mentioning their competitors' names entirely.

Conceivably, the very consolidation of the newspaper's point of view, and consequently its focus on a specific audience, signalled both its improvement and its failure, inasmuch as the readership that was targeted proved too constricted from an economic point of view.

## MILITARY CENSORSHIP IN ISRAEL: AN ONGOING "TEMPORARY" COMPROMISE BETWEEN CONFLICTING PRINCIPLES / Hillel Nossek and Yehiel Limor

Censorship generally, and censorship for security and military reasons in particular, is one of the most widespread manifestations of political and social control of mass communication. The very existence of censorship in any form contradicts, and to some extent undermines, the principle of the social responsibility of the media to monitor itself. Israel is the only democracy in the modern world where legal a priori military censorship is imposed on all types of print and broadcast materials, including reports by foreign correspondents and materials received from abroad. Ostensibly, this situation reflects a basic contradiction in terms, even if the reason for censorship is national security. Moreover, the coexistence of freedom of the press and a strict censorship law has been ongoing in Israel for decades, without any serious confrontation between the relevant sides and without any substantial change in the law, even though many changes have occurred in the country's social and political spheres, the media, and the power balance in the world generally and the Middle East in particular.

Generally speaking, the widespread acceptance of security censorship of mass communications in Israel is a reflection of the "armed camp" self-concept within Israeli society, a consensus which enables the state to maintain a democratic form of government despite an ongoing state of war. It also accounts for the unique integration of the military and security aspects of the country into everyday civilian life. The "armed camp" conception reflects the Israeli view that their society is not — and cannot yet be — entirely normal, i.e. a society where national security and the army play only a limited role. Periodic wars have reinforced this perception. Nevertheless, changes are occurring in this respect: individualism is gaining in status at the expense of collectivism, while the consensus regarding the inviolability of the military leadership, on the one hand, and the permanent enmity of the Arab world, on the other, has begun to erode, a process in which the media has played a major role.

External changes, too, have lessened the extent of the threat to the state and consequently the importance of security considerations. The peace agreement with Egypt in 1979 was the first development in this process, followed by the collapse of the Soviet Union — the primary patron of the Arab states, and the start of the peace process

between Israel and the various Arab parties.

Another kind of change has been in the area of mass communications in Israel, the result of technological modernization, intensive ongoing coverage of events in the country by the foreign media, including satellite coverage, and the partial privatization of the Israeli media, all of which lessen the effectiveness of censorship efforts. Nevertheless, the extant censorship format has been maintained, without any significant effort by the media to challenge it. In fact, both sides — government and the media — favor avoiding confrontation and reaching compromise, sometimes even by ignoring or circumventing the law. This unwritten agreement theoretically undermines the necessary adversarial relationship between the sides in a democratic society, but it must be viewed in the context of Israeli history.

The basis for the Israeli censorship system dates back to a similar arrangement under the British Mandate, and, after independence in 1948, to an agreement drawn up between a representative committee of press editors, on the one hand, and army and government representatives on the other. This agreement, first concluded in 1949 and amended several times thereafter — most recently in 1966 — defined the censorship authority and its relationship with the Israeli press. The most important point in the agreement stipulated that censorship is not imposed on political reports or opinions unless they contain, or imply, security information. The military censorship organization is headed by a brigadier-general who, while part of the military hierarchy (specifically, Intelligence), is also an appointee of the minister of defense, thereby drawing his authority directly from the law. This arrangement allows him considerable latitude, as well as independence from military authority.

Formally, all published or electronically broadcast material must be approved by the censor a priori, but in practice only material on specific topics must be submitted in advance. Thus, only a small proportion of reports in, or emanating from, Israel pass through a priori censorship, although all published material is liable for punishment ex post facto. Punishments range from rebukes to monetary fines (donated to public works), although theoretically they can also include closure (not imposed, in practice, since 1972). Appeals of decisions to disqualify material may



be submitted to a three-man committee composed of a representative of the public at large, a representative of the editors' committee and a representative of the army, with decisions handed down within 48 hours. This committee also fixes punishment.

The censorship system is criticized from time to time both within the political arena and in the media for its methods, the scope of its authority, or decisions in specific cases, but no proposal has been made to abolish it entirely. All parties demonstrate a desire to compromise, inasmuch as the agreement between the censor and the press has proven viable. It allows the press a measure of influence on the censor, with whom there is a close working relationship, rather than confinement within the more rigid bounds of a formal law. The latter option would involve a judicial process in the courts in order to appeal a censorship decision, thereby automatically stripping the news item in dispute of any news value.

More basically, the question of why the media in Israel does not press for disbanding the veteran, and possibly

anachronistic, institution of military censorship has two possible explanations: 1) The media (along with the political and defense establishments themselves) has not yet internalized the significance of recent developments, namely the collapse of the Soviet Union as a menacing world power, and the peace process in the region, which decrease the threat to the survival of the country. One reason for this delayed reaction is continued, and even heightened, acts of terrorism against Israel. 2) The media is fearful of taking on the responsibility implied in the disbandment of censorship, namely responsibility for possible harm it could cause to individuals, sectors of the population, or the entire state.

Ultimately, the extant Israeli censorship model will probably be retained as long as no dramatic political or social changes occur, for example real peace in the region. Only in the event of that kind of change would the present model disappear, to be replaced, in all probability, by the American model: placing responsibility for coverage of security matters solely on the media.

## THE REVISIONIST "DO'AR HAYOM": A TUMULTUOUS CHAPTER OF JOURNALISTIC HISTORY / Uzi Elyada

In December 1928, the founder and editor of the Jerusalem-based Hebrew *Do'ar Hayom* ("The Daily Mail"), Itamar Ben-Avi, transferred the editorship of his paper to Ze'ev Jabotinsky, the noted Zionist Revisionist leader, following which the paper bore a pronounced Revisionist stamp for over two years, until February 1931.

The period was tumultuous in Palestine, and the paper not only reported on events but, becoming increasingly radical, also contributed to the tempest. This radicalism was reflected especially in articles by the poet Uri Zevi Greenberg, who contributed sporadically to the paper, and columnist Abba Ahimeir — both of whom represented the extreme right wing of the movement — provoking opposition not only by the Revisionists' political rivals, but by Jabotinsky himself, based in London, as well as by the executive committee of the Revisionist movement in Palestine. The paper was temporarily closed by the British for incitement on three occasions during this period. In February 1931, Ben-Avi resumed control of the paper, forcibly ejecting the Revisionists from the staff after a prolonged struggle which came to a head in the latter part

of 1930, the focus of this study.

Disregarding Jabotinsky's guidelines, the *Do'ar Hayom* staff incited public opinion editorially, attacking both the Zionist movement under Chaim Weizmann's leadership as traitorous, and the British Administration for its anti-Zionist policy. Ahimeir demanded that the Revisionists disassociate themselves from the "dead body" of the Zionist movement, charging Weizmann with leading the movement backward to pre-Herzl times. Detaching themselves from the movement would allow the Revisionists to pursue a program of political activism against the British, he wrote.

Ahimeir also organized extra-editorial activities, namely street demonstrations, while campaigning in the newspaper for the formation of a small community of young activists who would spearhead the Jewish masses to oppose British policy. The Arab riots of 1929 and the anti-Zionist British White Paper that followed served to reinforce this radical trend.

The editorial tone of *Do'ar Hayom*, and especially of Ahimeir's pieces, led to prolonged confrontation during October and November 1930 between the staff of the

newspaper and the more moderate executive committee of the Revisionist movement in Palestine. The committee viewed the paper as a party organ that was obligated to obey party instructions, while the editorial staff ostensibly viewed itself as answerable to the editor, Jabotinsky, who, as head of the world Revisionist movement, was based in London. In fact, the staff capitalized on Jabotinsky's absence from Palestine in order to set its own, radical, policy, which often conflicted with that of the world movement.

The local committee attempted in vain to bring about a moderation in the tone of the paper and an avoidance of "hysteria," but the conflict between the sides grew more acrimonious. It was abruptly terminated, however, when the British ordered the closure of the paper on November 19, 1930, for the third time, lasting ten days. This development also led to a temporary warming of relations between the left-wing daily *Davar* and *Do'ar Hayom*. *Davar*, devoting its editorial on the following day to the closure, accused the British of adopting a double standard regarding the Arabic and the Hebrew press in Palestine, namely ignoring the increasingly inflammatory and threatening anti-Jewish tone of the Arabic press, which was nowhere paralleled in the Jewish press, while closing *Do'ar Hayom* merely for its criticism of London's policy. *Davar* would continue opposing *Do'ar Hayom's* positions, it asserted, but in this case an injustice had been committed which affected the entire *yishuv* in Palestine. The British "strong hand," it wrote, was misplaced, and had managed simply to endanger freedom of the press. Whether coincidentally or not, four days later, the British closed down the Arabic *Filastin* as well.

With the reopening of *Do'ar Hayom* on November 26, its editorial policy became even more aggressive, targeting, despite *Davar's* supportive gesture, the labor leadership. This policy reflected a change in the composition of the executive committee of the Revisionist movement in Palestine, which was now led by the activist, maximalist faction of the party, including Ahimeir. They were determined to harness what they viewed as the frustration and rage of the Jewish community in the country at the conciliatory positions taken by Weizmann and his leftist supporters, and they aimed at taking control of the political bodies in the *yishuv*.

The immediate challenge for *Do'ar Hayom* was the imminent elections for the Elected Assembly (the communal leadership body of the *yishuv*), scheduled for early December 1930, with the largest rival political grouping — the labor movement — targeted for an all-out

attack. The campaign focused on alleged assistance given by representatives of the Histadrut (General Federation of Labor) in England to a Labor Party candidate for Parliament from the Jewish district of Whitechapel in London. Inasmuch as it was the Labor Government which was responsible for the White Paper, *Do'ar Hayom* branded the Histadrut leaders traitors to the Zionist cause, an accusation which *Davar* labelled as "charlatanism." With the postponement of the Assembly elections by a month, to the outrage of *Do'ar Hayom*, which taunted the Zionist leadership as fearful of elections, the Revisionist paper continued its combative anti-labor campaign, branded "demagogic" in the labor press.

One of the most revered figures in the Revisionist movement in Palestine then was Uri Zevi Greenberg, who wrote periodically for *Do'ar Hayom*, and would later continue writing for its Revisionist successors, *Ha-Am* and *Hazit Ha-Am*, in a prophetic, thunder-and-lightning style, especially during times of crisis. His pieces were invariably given page one placement and were regarded as an unparalleled means of rousing the readers to action. Often he would write anonymously, but his style was unmistakable, and the absence of his signature did not prevent the labor press from attacking him, branding him, inter alia, as ideologically fickle (he had once been close to the labor movement) and as "chief psalmist" of *Do'ar Hayom*.

The results of the Assembly elections, held on January 5, 1931, signified gains for the Revisionist movement, which achieved over 20 percent of the vote, as compared to over 40 percent for Mapai. Both Greenberg and Ahimeir were elected as representatives. Conceivably, the provocative, aggressive style of the party organ had constituted an important element in the success of the radical stream both within the Revisionist movement and in the electorate generally.

*Do'ar Hayom* kept up its attacks against the labor parties and their allies in the Zionist leadership, as well as against the British Administration, even after the elections, and Greenberg's articles continued to appear on page one almost daily through February 1931. The forthcoming challenge that was addressed was the elections to the 17th Zionist Congress, scheduled for the summer of 1931.

Curiously, the editorial staff of the newspaper appeared to be completely unprepared for the development that was to take place in February 1931 — the loss of control by the Revisionists of the management of the paper — despite growing pressure on them. The paper had never belonged to the Revisionist movement; the management of it had

simply been transferred to Jabotinsky by the publisher, the Hasolel Company, jointly owned by Ithamar Ben-Avi and Zalman White, an accountant, in exchange for a sum of money. The Revisionist editorial board was completely dependent on this company financially, although it was given virtually free reign editorially. Jabotinsky passed on this authority to others, resulting in the perception by Ben-Avi that the paper had been taken away from him by the Revisionist editorial board. The journalists, however, lacking any business experience, assumed that true control rested with the molders of the paper's editorial policy.

They were rudely awakened to the realities of publishing life in June 1930 when the publisher threatened to discontinue publication if the editorial policy were not moderated, because of revenues lost as a result of recurring closures by the British. With yet another closure by the British, the publisher went further, demanding, in December 1930, that the paper disassociate itself from the Revisionist movement and broaden its political horizons in the interest of attracting more readers. This demand was rejected by the board, and all the publisher could do was wait until the expiration of the contract between them, in mid-February 1931.

Growing increasingly apprehensive about the prospect of being left without a public forum, part of the editorial board apparently threatened to retain control of the paper by force, and Ben-Avi made counter-preparations accordingly. He entered the *Do'ar Hayom* building on February 20 escorted by a group of loyal print workers

and an additional band of robust young men whom he had gathered, which impressed the Revisionist staff members sufficiently to impell them to vacate quietly.

Two days later, on February 22, 1931, the first issue of the paper came out under Ben-Avi's renewed editorship. *Do'ar Hayom* resumed its previous character as a mass, commercial, sensationalist daily, complete with serialized novels, bold headlines focusing on crime, articles on daredevil acts and supernatural events, and an increasing use of photographs. According to Ben-Avi's memoirs, circulation rose from 2,000 at the end of the Revisionist period to 4,700.

Over a month later, the Revisionists launched *Ha-Am*, further radicalizing their political line until it reached its apex in a successor newspaper, *Hazit Ha-Am*.

*Do'ar Hayom*, during its Revisionist period, proved to be an active and influential element in public life, eliciting editorial reactions from other newspapers as well as mention as an inflammatory factor by the Shaw Commission, which investigated the causes of the 1929 riots in Palestine. The three closures of the paper by the British also illustrates their perception of its influence. Undoubtedly, the paper contributed to the radicalization of positions in the *yishuv* both toward the British and toward the low-profile communal leadership by Weizmann with the support of the socialists, positions which were further radicalized by the Arab riots of 1929 and the White Paper in 1930. Even the moderate Hebrew press was challenged by the activist stand taken by *Do'ar Hayom* and was forced to sharpen its positions.

## THE JEWISH PRESS IN LIVORNO / Bruno di Porto

The roots of the Italian Jewish press, according to recent research, go back to the *Gazeta de Amsterdam*, the earliest known Jewish newspaper, which was published in Amsterdam in Spanish in the latter seventeenth century but which, for a time, also appeared in Italian either instead of, or side by side with, the Spanish edition.

The first attempt at publishing a Jewish newspaper in Italy dates back to 1821, when Leon Vita Romanini published the short-lived *L'Educazione della femmina israelitica*, devoted to a female audience, in Venice. The first ongoing Jewish periodical in Italy was *Rivista israelitica* ("Jewish Periodical"), founded in 1845 in Parma

by Dr. Cesare Rovighi of Modena, which included contributions by the noted Jewish scholar and rabbinic seminary head Samuele David Luzzatto. It lasted until 1848, the start of the Emancipation in Italy.

Opportunities for Jews began opening up during this liberal period in Italy, including in the field of journalism, where many Jews became prominent. The Jewish press also expanded. A monthly titled *L'Educatore israelita* ("The Jewish Educator") was founded in Vercelli by Guisepppe Levi and Ezra Pontremoli and lasted over ten years, renamed *Vessillo israelitico* ("The Jewish Flag") under the editorship of Rabbi Flaminio Servi, and later

his son, Rabbi Feruccio Servi, in Casale Monferrato. This paper, which lasted until 1921, covered a broad range of Italian and world Jewish issues. By contrast, periodicals established in Trieste and in Florence had a more local approach.

Luzzatto himself launched the short-lived *Il Giudaismo illustrato* ("Judaism Explained"), devoted to Italian Jewish culture. In 1859 he contacted Rabbi Israel Costa of Livorno, in the Tuscany region, proposing to conduct an ideological debate with the noted Livorno theologian Elia Benamozegh, a Kabbalist. The background for this proposal was the concern by the Jewish leadership then of losing Jews to the proliferating philosophies of atheism and deism against the background of the newly formulated definition of Judaism as purely a religion rather than a synthesis of religion and nation as previously perceived. In the event, nothing came of Luzzatto's proposal.

The Jewish community of Livorno had sprung up together with the development of the city and its flourishing port, under the protection of the local duke. Jews there were integrated into the mainstream of society to a greater extent than elsewhere in Europe from the turn of the nineteenth century onward, including in the field of journalism and publishing, where a significant number of Jews were active. The involvement of the Jews of Livorno in this field, as well as in politics, increased after the unification of Italy in 1861, reflecting their cultural and social integration in the city despite ongoing clerical and rightist hostility.

A monthly titled *L'Israelita* ("The Jew"), which appeared in the city in 1866 and lasted for a year, was published by Benamozegh together with a Jewish historian, Leone Racah, who served as managing editor. It was dedicated

to preserving Jewish identity in light of the loss of Jewish national identity in Western countries, when the Zionist redefinition of Jewish nationalism still lay in the future. Italian Jews at the time no longer knew Hebrew, and, influenced by new liberal trends in society, were no longer religiously observant, developments which were addressed with concern by the publishers.

A unique monthly that constituted a continuum to *L'Israelita*, called *Il Romanziero israelitico* ("The Hebrew Writer"), appeared in Livorno in 1867 in four issues dedicated to developing popular Jewish literature. Edited by Graziadio Gallichi, and written, or compiled, by Amadio Gallichi, the periodical published works by Italian Jewish writers as well as foreign writers, including non-Jews.

The next periodical with a link to Livorno was a bimonthly established in Pitigliano in 1895 by Rabbi Guglielmo Lattes, *Il Pensiero israelitico* ("Jewish Thought"), which published major works by Livorno's Rabbi Elia Benamozegh. It also addressed itself to modern forms of anti-Semitism, including that of the Christian Socialists. *Bibliothèque de l'Hebraïsme* ("Judaism Library"), launched in 1897 as a monthly to publish Benamozegh's writings, appeared only twice, as did *Antologia ebraica* ("Hebrew Anthology"), begun in 1901, a year after Benamozegh's death, envisioned as a scholarly compilation.

The final examples of the Jewish press in Livorno, also published under rabbinical leadership, were *Lux* ("Light"), begun in 1904 and closed that same year. One of the publishers of *Lux* was Sabato Toaff, father of today's chief rabbi of Rome, Elio Toaff. The periodical, which reflected an enlightenment approach, contained such multi-faceted elements as news reports, a view of religion as central to Jewish life, support for Zionism, and love of Italy.

## THE COLUMNS THAT PRECEDED NATAN ALTERMAN'S "SEVENTH COLUMN" / Dan Almagor

For veteran Israelis, the genre of Hebrew rhymed journalistic satire is associated with the noted poet Natan Alterman, who popularized this style of political commentary in his weekly "Seventh Column" in *Davar* from February 1943 until the mid-1960s. However, the genre did not originate then. In fact, Alterman had written similar columns in rhyme previously, starting in 1934, for both *Davar* and *Ha'aretz*. Yet he did not actually

originate the style; at least half a dozen Hebrew poets in Eretz Yisrael, including Avigdor Hame'iri, Abraham Shlonsky and Alexander Penn, preceded him by at least six years, initiating the genre of Hebrew political rhymed commentary in the press during 1927-28.

The roots of Hebrew satiric poetry on current events, however, go back much farther, essentially to the moment Hebrew verse was born, namely, the Bible. Many of the

epic poems there — the Song of the Sea, Deborah's Song, Yotam's Proverb, and the message of the "cows of Bashan," for example — were written about real events in a satiric, sarcastic or daring style.

Hundreds, and perhaps thousands, of Hebrew satiric poems and *makamas* (a rhymed prose form) were written during the Middle Ages and the Renaissance period commenting on major events in the community such as expulsions, prohibitions, natural disasters and many lesser events, often at great risk to the poet, a phenomenon that recurred in all communities.

The Hebrew "newspaper poem," specifically, emerged together with the Hebrew press itself at the end of the eighteenth century, and is found in virtually every Hebrew periodical of the Enlightenment period. These verses ranged from paeons of praise to local rulers, to satires of rabbinical figures, the ostentatious rich and the corrupt. An outstanding example is the rhymed actualia of Judah Leib Gordon.

Examples of the genre are to be found in the early Hebrew press in Eretz Yisrael as well, for instance in Eliezer Ben-Yehuda's *Ha-Zevi* in 1893 and thereafter. The very first writer to use this format in Eretz Yisrael was none other than Naphtali Herz Imber, father of the national anthem "Hatikva," who in 1883-84 wrote a rhymed commentary on the immigration of Jews from Yemen to Eretz Yisrael, published in *Havazelet*. Imber also boldly used the genre to satirize various establishment figures in the *yishuv* then, including Dov Frumkin, Ben-Yehuda, and even the revered benefactor Baron Rothschild and his imperious administrators in Palestine.

The next satirist of the genre in Eretz Yisrael was Kadish Yehuda Silman, a teacher, editor, public speaker and prolific writer in Jerusalem. He published the first independent humoristic periodical in the country, launched on Purim 1909, *La-Yehudim!* ("To the Jews!"), aiming barbs everywhere — at Ben-Yehuda's newspapers, at *yishuv* institutions and leaders, at immigration and immigrants, at the "language wars" over the designation of the official language of the *yishuv*, and much else.

A contemporary of Silman's during the 1920s was Aaron Ze'ev Ben-Yishai, who published a series of humoristic magazines containing biting rhymed satire on current

events and personalities in a similar vein as Silman's, and also wrote a similar column in the Jerusalem newspaper *Al Ha-Mishmar*.

Avigdor Hame'iri, who wrote popular songs and satiric material for the stage, began publishing a one-man newspaper, *Ha-Mahar* ("The Tomorrow"), in 1927 which featured his own satiric poems. He developed a specific content structure of ever-widening arenas that was to typify Alterman's work later on, namely: Stanza 1: personal context; Stanza 2: municipal context; Stanza 3: national politics; Stanza 4: world politics.

Humoristic periodicals containing satiric verse proliferated in Eretz Yisrael from the 1920s onward, targeting every facet of *yishuv* life and constituting a defined element in the country's journalistic milieu. Contributors included established writers such as Bialik, Tchernichowsky, Zalman Shneur, Itzhak Katznelson, Uri Zevi Greenberg, Abraham Shlonsky, Hame'iri, Yehuda Karni and Alexander Penn.

Only occasional examples of the genre appeared in the Hebrew dailies in Eretz Yisrael before Alterman's regular column began to be published. Abroad, however, the revived Hebrew Warsaw daily *Ha-Yom* ("The Day") carried this type of column daily from 1925, written by Aaron Zafnat, a journalist who later published a similar column in *Ha-Zefira* ("The Dawn"). An anthology of a portion of these columns was published in Warsaw by Zafnat in 1929, titled *Le-Ru'ah Ha-Yom* ("In the Spirit of the Day").

A journalist who was probably aware of Zafnat's work was Yehuda Karni, who immigrated from Poland in 1924 and worked for *Ha'aretz*, where a considerable amount of his material in this genre was published. The poet Alexander Penn, who began writing for *Davar* in 1931, published occasional satiric political verse there, but possibly because of internal censorship eventually switched to humoristic verse that was uncontroversial.

Alterman's political verse began appearing in July 1934. Whether he was familiar with Zafnat's, Silman's or Ben-Yishai's work is not known, but undoubtedly he was aware of Hame'iri's, Karni's and Penn's. So remarkable was his talent, however, that the output of his predecessors in this genre is largely forgotten.

## BAGHDAD JEWISH JOURNALISTS, 1946-1948 / Sasson Somekh and Nissim Rejwan

The Jewish community of Iraq witnessed dramatic upheavals during the 1940s. Pan-Arab riots in 1941, during which 180 Baghdad Jews were killed and hundreds were wounded, shocked the community, but soon the pro-British regime regained control of the country, and from 1942 to 1948 the Jewish community prospered and its educational and welfare networks expanded. With the outbreak of war in Palestine in 1948, however, the entire community was in jeopardy, marking the beginning of the end of the Jewish presence in Babylonia since ancient times.

During the brief, relatively liberal post-World War II period, a group of young Jewish writers, educated in and identifying with Arab culture, and fluent as well in English and French, sought entry into the literary and journalistic establishment in Iraq. Some were accepted on the staffs of such leading newspapers as *al-Zaman*, *al-Sha'ab* and *al-Ahali* as night editors or editorial writers, although their names, especially if they were Jewish-sounding, did not appear on the masthead. A unique development was the granting of a government permit to a group of young Jewish intellectuals in 1948 to publish a daily, *al-Barid al-Yawmi* ("The Daily Mail"), an effort, however, which was soon terminated and its editors expelled from Baghdad.

One of the young Jewish writers then, Nissim Rejwan (b. 1924), differed from his colleagues in that from the start he wrote only in English, his fluency in the language and his familiarity with English culture acquired entirely through self-education. He also ran a bookstore which specialized in the import of English books and which became a kind of cultural club for many young Iraqi intellectuals, several of whom are prominent Arabic writers and poets today.

Rejwan began writing for the English-language *Iraq Times*, based in Baghdad, in 1946. The paper, initiated by the British soon after they conquered Iraq during World War I, continued to appear even after the establishment

of independent Iraq. Its readership was mainly the British diplomatic, military and commercial community, although it also included local Jewish and non-Jewish intellectuals. At first, Rejwan wrote film reviews, and then moved on to reviewing books as well, especially novels and belles-lettres. These reviews included translations of works by noted Arabic writers, but mainly centered on the latest works in Anglo-American literature.

A friend at the *Iraq Times*, who in fact helped Rejwan get his job there, was the young Elie Kedourie (1926-92), later to become a renowned professor of political science at the London School of Economics. He left Iraq for England in 1947, while Rejwan arrived in Israel with the mass immigration from Iraq during 1950-51. Accepted as a proofreader with the *Jerusalem Post*, Rejwan was soon assigned to write his own page-one column. In 1959 he became editor of the semi-governmental Arabic *al-Yawm*, the only Arabic newspaper in Israel then, and from 1968 he served in various capacities in the Arabic Departments of Israel Radio and TV. He also wrote two books in English: on Nasserist ideology, and on the 2,000-year history of the Jews of Iraq.

An autobiography which he is presently writing includes reminiscences of his period with the *Iraq Times*. An impassioned admirer of the avant-garde in literature then, including T. S. Eliot, James Joyce and Virginia Wolfe, as well as in film, the young Rejwan, along with his colleague Kedourie, unrestrainedly leveled withering criticism at works they considered "middlebrow," which encompassed a good deal of what they reviewed. Significantly, Rejwan, by his own account, was disinterested in events in Iraq, or in the Arab world generally, molding himself as an "observer and connoisseur of British, American and European literature" from a young age. This course proved a judicious one, as "politics was not a safe subject for anybody in Iraq to write about anyway," he recalls understatedly.

## ERICH SALOMON: FATHER OF PHOTOJOURNALISM / Peter Hunter-Salomon

Expressive, candid photographs of prominent personalities, a challenge for photographers to achieve even today, were revolutionary over half a century ago, when political events were usually recorded in photographs of participants staring stiffly at the camera, grimly endeavoring to maintain a composed expression in anticipation of the explosion of the magnesium flash. The person who was responsible for this revolution, and whose innovative photographs were published in magazines all over the world in the latter 1920s and early 1930s, was Dr. Erich Salomon. A German Jew who, in 1925, at age 30, first came into contact with a camera while working in the advertising department of the Berlin-based Ullstein Verlag publishing house, he was soon taking pictures for Ullstein newspapers, including the prestigious *Berliner Illustrirte*, and was to be responsible for a radical change in the art of photographic journalism.

Born in 1886, the son of a prosperous Jewish family, he studied law, obtained a doctorate, and, with the outbreak of World War I, was conscripted into the Germany army. He was soon taken prisoner, at the Battle of Marne, and spent four years in a POW camp, where he acted as an interpreter. After the war, when his family's wealth melted away as a result of inflation, he held a succession of different jobs, but once he discovered photography,

he was fascinated by it. Using an inauspicious camera with no flash, he became singularly adept at working inconspicuously, and the stories of how he obtained his pictures became legends. To conceal his camera, he used hats, briefcases, flower arrangements, an arm sling and even a hollowed-out book.

In 1929, the London-based magazine *Graphic* coined the expression "candid camera" to describe his style of photography. The press celebrated him as the "master of indiscretion" and the "invisible cameraman." He himself preferred the term "historian with the camera," and invented the designation photojournalist to describe his vocation. Above all a photographer of political events, Salomon was aided by his background, his knowledge of languages and even his age, which gave him an aura of a man of the world. His ubiquitous presence at major events came to be taken for granted by the dignitaries involved. Among the elite German photographers of the time, it was Salomon who most caught the imagination of the public.

His fame in his own country was short-lived, however, for with the rise of Hitler, he emigrated to Holland. He continued photographing important events on the Continent, but during the war he and his family were betrayed to the Nazis and he died in Auschwitz in 1944.

## "THE HOLY COMMUNITY OF SADAGORA HERALD": AN UNKNOWN ANTI-HASIDIC SATIRE / David Assaf

The ideological contest during the first half of the 19th century between the growing Hasidic movement, which made strong inroads within the Orthodox community, and the Enlightenment movement, with its message of modernity, left its imprint on Jewish life in Eastern Europe to a greater degree, perhaps, than any other development of the time. Both these movements of revival advocated a set of cultural, social and religious mores that were in many ways mutually contradictory. The struggle between them was waged both in the political and the cultural realms over the question, inter alia, of which movement represented "true" Judaism. The Enlightenment intellectuals viewed the Hasidim as fanatics blindly following ignorant

and corrupt leaders, and themselves as a revivalist avant-garde for Jewish religion that would purify it from acquired distortions and restore its glory. The Hasidim, for their part, viewed their rivals as traitors to their people who wanted to destroy religion, cut themselves off from Judaism, and assimilate, and themselves as the loyal bearers of the mystic Kabbalist tradition in Judaism, reviving vital religious tenets that had long been neglected.

While the East European Enlightenment intellectuals were not above promoting their cause by means of petitions to the civil authorities to suppress Hasidic leaders or practices, they devoted their primary efforts to the literary realm, convinced that the logic of their message

would persuade the masses if only they were exposed to it.

Anti-Hasidic satire played a central role in this effort to win over Jewish public opinion, assuming a variety of formats throughout the 19th century: disputes, poems, comic plays, stories and fictionalized articles, mock Hasidic epistles, dream interpretations, confessions of Hasidim who strayed, stylized Talmud or Mishna pages, etc. Most of the Enlightenment literary figures tried their hand at this form, notably Isaac Erter, Joseph Perl, Isaac Dov Levinsohn, Judah Leib Gordon, Moses Leib Lilienblum and Zevi Hirsch Shapira, among others. Outstanding among them was the Galician Perl, whose *Megalleh Temirin* ("Reavealer of Secrets"), written as an exchange of epistles, influenced many of the anti-Hasidic satires that followed, including the one under review.

*The Holy Community of Sadagora Herald* is probably the first Hebrew effort to be written in a satiric newspaper format, thereby initiating the long Hebrew-language tradition in this style that continues to this day. Divided into three sections — Politics, Technology and Humor — it is also the first Hebrew publication to assimilate this standard journalistic format of the period, possibly influenced by the German *Allgemeine Zeitung des Judentums* (established in 1837) or, more likely, the English *Jewish Chronicle* and the *Voice of Jacob*, both founded in London in 1841.

The unsigned handwritten *Sadagora* manuscript (which was never printed) consists of a single page composed as a mock internal Hasidic bulletin issued in Sadagora, in Bukovina, Austria, in the "court" of the famous *zaddik* (Hasidic rabbi) Israel of Ruzhin. While the page is dated explicitly (April 5, 1849), the date may be fictitious, for the handwriting points to a strong possibility that the writer was the Galician-Rumanian author Moses Ornstein (1839-1906). He was an Enlightenment intellectual who came from a Hasidic family closely tied to the Sadagora court, but, as a young man, revolted against Hasidism and devoted most of his literary efforts thereafter to opposing it. He was known as the author of several

clever satires, as well as a series of textbooks on world history. He also edited several short-lived Hebrew newspapers. In addition, he left a number of unpublished autobiographical works. His prose style in all of these, as well as his handwriting, show a great similarity to *Sadagora*. Moreover, the manuscript in question was found in the archive of the Hebrew newspaper *Ha-Shahar*, which had published several of Ornstein's pieces. The date of the manuscript, therefore, is probably the 1870s or early 1880s.

The "Politics" section of the newsletter mocks the messianic world of the Hasidim, as well as their belief in the unlimited powers of their *zaddikim*. It depicts a clandestine conference of Galician *zaddikim* gathered to decide the best way of presenting the question to the angels as to why nothing had yet been done to remove the Divine Presence — and, by implication, the Jewish people as well — from exile and return it to its rightful place, Jerusalem. The premise that is ridiculed is that the *zaddik* has the capacity to direct the Almighty's actions through dialogue and negotiation. The "Technology" section satirizes the pedantic extremes of the laws prohibiting the consumption of leavened products during Passover by announcing the invention of a new unleavened whiskey produced from perspiration(!). This recommended product is sold only by the "sons of the *zaddikim*" — a criticism of the widespread practice of family members of *zaddikim* holding a commercial monopoly on products recommended by the *zaddik*.

The third section, "Humor," is a satire within a satire on the role of the "entertainer" in the *zaddik's* court, whose job was to cheer up the master when he became overburdened. In this case he invents a ridiculous game, which the Hasidim, led by the *zaddik*, greatly enjoy but which reveals the idle and gluttonous way of life, in the view of the writer, of the multitudes of Hasidim in these courts. An addendum scrawled in a somewhat different handwriting, possibly that of an editor, satirizes the cultist practice by Hasidim of purchasing items of clothing and other relics belonging to noted *zaddikim*.



## ALBERT LONDRES: THE ZIONIST FROM VICHY / Uri Dan

The most famous French journalist during World War I and the 1920s, Albert Londres was an advocate of human rights who championed the Jewish people, exposed anti-Semitism with passion, and extolled the Zionist cause and the achievements of the Jewish community in Palestine in a series of articles for the leading daily *Le Petit Parisien* which caused a sensation in France.

Widely assumed to be a Jew himself, a misconception that sprang from attacks against him by the right-wing press, as well as a disbelief, in the anti-Semitic milieu of France, that a non-Jew would harbor such sympathetic views, Londres was in fact a Christian of Basque descent. He was born in Vichy in 1884, launching his career in journalism only at age 30, in 1914. From then on, he was a peripatetic reporter, covering stories all over the world at a time when international travel was an arduous process. He visited, inter alia, the Dardanelles, Russia, Japan, India, Africa, the Middle East, China and South America. The immediacy of his style of writing, characterized by humor, irony and authentic dialogue, turned many of his reports into literature. In time, France's most prestigious journalism award, paralleling the American Pulitzer Prize, was to be named for him.

Londres visited Jewish ghettos in Eastern Europe in the late 1920s, and, deeply moved, wrote a series of sympathetic articles in *Le Petit Parisien* depicting both the misery and the beauty of Jewish life there. He then visited Palestine twice, during 1929 and 1930, following the Arab riots there, producing a remarkable series for his newspaper, which ran them on page one. His combined series of 27 articles on the Jewish people was titled "The Drama of the Jewish Race: From the Ghettos of Europe to the Promised Land." Displaying rare insight, as well as unique attention to authenticity in the portrayal of persons, places and events, Londres depicted the implacable Arab hostility toward the Jewish presence in Palestine, recorded threats by Arab leaders to slaughter the entire 150,000-strong Jewish community there, and predicted that the "new Jews," as he described them, would defend themselves vigorously should they be attacked. These new Jews, he explained in detail,

came from many lands: Britain, Holland, Czechoslovakia, Belgium, Germany, America, Russia, Canada, Chile and others, although, Londres lamented, he had not yet met one from France. They were statesmen, jurists, professors, agronomists, architects, artists, writers, musicians and actors, and if their lives in Palestine were difficult, was this not infinitely preferable, he asked rhetorically, to the "yoke of the Europeans"? Was Tel Aviv in a less advantageous position for commerce than New York, Constantinople or Paris? he asked in 1930, when Tel Aviv, with a population of some 40,000, was in its infancy. Sketching noted figures then such as Colonel Frederick Kisch, who gave up a career in the British army to come to Palestine and become a communal leader; Siegfried van Vriesland, formerly a jurist in Amsterdam; Meir Dizengoff, the first mayor of Tel Aviv; and Pinhas Rutenberg, who established the country's electricity network, Londres portrayed them as Jews who had the Jewish state in their blood. Zionism, he said, was a kind of instinctive passion which affected some, though not all, Jews. The fulfillment of such desire, he commented, resulted in happiness, and those idealists who remained in Palestine were, in his view, pure.

His depictions of people and places were replete with accurate Hebrew terminology, as were his articles on the Jewish communities of Eastern Europe, which contained authentic Yiddishisms. Displaying an uncanny understanding of the Jewish condition, he pointed out that anywhere else in the world, when a Jew is guilty of a misdeed, he is no longer a Frenchman, a German, a Belgian or an Englishman — he is a Jew. But when a Jew discovers something important or contributes something beneficial to mankind, he is no longer a Jew, but a Frenchman, German, etc. In Palestine, however, the Jews acquired the right to be villains or geniuses without having to stop being Jews as a result.

In 1931, approximately a year after his travels in Palestine, Londres went to China to cover the Sino-Japanese War for another newspaper, *Le Journal*. On his return voyage to France in 1932, he was lost at sea on a ship that caught fire and sank.

## LETTER FROM THE "PRINCE OF THE DIASPORA" TO THE "ORATOR OF MANKIND": A JEWISH DETAIL IN "CHRONIQUE DE PARIS," THE FRENCH REVOLUTIONARY DAILY / Baruch Mevorach

One of several dailies published during the French revolutionary period was *Chronique de Paris*, launched in March 1790 by "Anacharsis Cloots," who was Baron de Cloots, Jean-Baptiste du Val-de-Grace. Born into a noble Prussian family of Dutch origin, Cloots was a radical rationalist and atheist who arrived in Paris with the outbreak of the Revolution in 1789 and was later granted the status of French citizen. Heading a delegation of 36 foreigners who identified with the Revolution and called themselves the "Embassy of the Human Race," he addressed the revolutionary National Assembly in June 1790. He began referring to himself as "Orator of Mankind," which reflected his internationalist ideology as well as his bombastic style. In 1792, he published the noted *La Republique Universelle*, and, in the spirit of the times, thereafter expressed increasingly anarchistic and radical views, advocating a revolutionary war by France against the rest of Europe.

Curiously, in contrast to most of the radical rationalists, French and otherwise, Cloots was an admirer of the Jewish people. This sympathy was expressed in a slim volume published by him in 1783 in Berlin, *Letter About the Jews to a Priest, One of My Friends*, in which he ascribes to the Jewish people the beneficial historic role of promoting international commerce. Shortly after the appearance of his

*Republique Universelle*, another public "letter" appeared, this time in his *Chronique de Paris*, on April 3, 1792, signed by one "Samuel Levi, Prince of the Diaspora." Speaking, as it were, in the name of the entire Jewish people, the writer of the letter extolls Cloots' *Republique* as containing truths even greater than the prophets', and calls upon all Jews to regard France as the true Palestine. Obviously written by the "Orator of Mankind" himself, possibly with the assistance of a lifelong Jewish friend with like-minded views, J. Pereire, the letter heralded the exclusively religious redefinition of the Jewish people that was to emerge during the Napoleonic period some 15 years later, and that was to become the ideological basis for the assimilation of the Jews into Central and Western European society during the 19th century.

Cloots, for his part, became the leader of the radical "Cult of Reason" which opposed all religious views and institutions, identifying himself with the oppositionist wing of the Jacobins under Jacques Hebert. Incurring the wrath of Robespierre, leader of the mainstream Jacobins, Cloots was ejected from the Club of Jacobins in early 1794, removed from the revolutionary Convention thereafter, and finally arrested, together with other "Hebertists," in March 1794. All were guillotined.

## המחברים

ד"ר עוזי אלידע: מרצה בחוג להיסטוריה כללית, אוניברסיטת חיפה.

ד"ר דן אלמגור: פזמונאי, מתרגם ותוקר הספרות, הלשון העברית והווי ארץ-ישראל בדורות האחרונים.

פרופ' ששון סומך: החוג לשפה וספרות ערבית, אוניברסיטת תל-אביב.

נסים דג'ואן: עתונאי ועורך. כתב ב"ג'רוזולם פוסט". ערך את היומן בשפה הערבית "אל-יום". מילא תפקידים מרכזיים בבית השידור הישראלי ובטלוויזיה הישראלית.

ד"ר דוד אסף: מרצה בחוג להיסטוריה של עם ישראל, אוניברסיטת תל-אביב. מתמחה בחקר החברה היהודית המסורתית במזרח אירופה.

אורי דן: סופרו המזרחי תיכוני של ה"ניו יורק פוסט". בעל טור ב"ג'רוזולם פוסט" ו"מעריב". משתתף קבוע בשבועון הצרפתי "ו.ס.ד."

פרופ' ברוך מבורך: החוג להיסטוריה של עם ישראל, האוניברסיטה העברית, ירושלים.

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

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אלה קווה: למדה באוניברסיטת תל-אביב בחוגים לחינוך ולספרות עברית. עובדת ב"ידיעות אחרונות".

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יחיאל לימור: עמית-הוראה בכיר בבית הספר החדש לתקשורת, במסלול האקדמי של המכללה למינהל, תל אביב וחוקר במכון לקומוניקציה על שם משפחת סמארט, האוניברסיטה העברית, ירושלים.

ד"ר הלל נוסק: מרצה בכיר בבית הספר החדש לתקשורת, במסלול האקדמי של המכללה למינהל, תל-אביב, וחוקר במכון לקומוניקציה על שם משפחת סמארט, האוניברסיטה העברית, ירושלים.

פרופ' בריגו די פורטו: המחלקה להיסטוריה בת זמננו, אוניברסיטת פיזה, איטליה. מתמחה בחקר יהדות איטליה.

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