

Kiwis for Balanced Reporting on the Middle East

ANTI-ISRAEL BIAS IN THE NEW ZEALAND PRESS

Contents

1	Summary.....	2
2	The Background.....	2
2.1.	The New Zealand Newspaper Market	2
2.2.	The New Zealand Herald.....	2
2.3.	Press Regulation in New Zealand	3
2.4.	New Zealand Attitudes to Israel and Jews	3
2.5.	Fact and Opinion about Israel and Palestine	3
3	The Evidence.....	4
3.1.	Statistical Analysis	4
3.1.1	News Items	5
3.1.2	Opinion Pieces	5
3.1.3	Possible Objections: Sensitivity Analysis	6
3.1.4	Herald on Sunday	7
3.2.	Breaches of the Principles.....	7
3.2.1	Fact and Opinion	8
3.2.2	Balance	9
3.2.3	Double Standards	9
3.2.4	Accuracy	11
3.2.5	Headlines, Images and Captions.....	11
3.2.6	Discrimination	12
3.3.	Some Major Stories	12
3.3.1	Mahmoud Al-Mabhouh	12
3.3.2	Housing in east Jerusalem.....	13
3.3.3	Gaza Flotilla and Blockade	13
3.3.4	Resumption of Peace Negotiations	14
3.4.	Some Examples.....	14
3.4.1	Factual Articles	14
3.4.2	Opinion.....	16
4	The Process and Outcome	17
4.1.	Press Council Complaints Process.....	17
4.2.	Next Steps.....	17
4.3.	Progress (perhaps) with the Herald	18
5	Some Press Council Views	18
5.1.	Balance.....	18
5.2.	Political Aspects, Media Monitoring Organisation and Zionism	18
5.3.	Sources	19
5.4.	Opinions of John Roughan.....	19
	Appendix - Kiwis for Balanced Reporting on the Middle East.....	21
	Copyright Statement	21

1 Summary

A study by Kiwis for Balanced Reporting on the Middle East (KBRM) shows that over the 13 months to December 2010, coverage of Israel in New Zealand's largest newspaper, the *New Zealand Herald*, predominantly presented the Palestinian-Arab side of the complex issues involved. The study analysed over 300 items of news and opinion.

Both news and opinion demonstrated a statistically-significant bias against Israel. We found 46 that news items breached the New Zealand Press Council's Principles of fair reporting, all to the discredit of Israel. The probability of this occurring by chance is less than one in 1 trillion. The most common breach of the Principles involved presenting pro-Palestinian-Arab opinion as fact.

26 opinion items were unfavourable to Israel and one favourable; the probability of getting this ratio by chance is less than one in 1 million.

There is anecdotal evidence that other major papers in New Zealand showed similar anti-Israel bias to the Herald.

Many objectionable items came from the UK *Independent*, a long-time critic of Israel. Anti-Israel commentators such as Robert Fisk and Gwynne Dyer were regularly featured, compensating opinion rarely being printed. Some breaches in items attributed to press agencies appeared to have been introduced during editing. Israel was reported and commented on significantly more harshly than any other country.

When enough evidence had been collected, KBRM made a formal complaint, following the procedure laid down by the Press Council. The Council banned KBRM from communicating with editors and described it as a "Zionist" organisation seeking to "disrupt the media". KBRM then presented to the Council a detailed submission demonstrating the bias observed. The Council rejected it without explaining its decision.

John Roughan, a senior member of the paper's editorial staff whose published views are strongly anti-Israel, is also a member of the Press Council.

Since making its submission to the Press Council, KBRM has observed some improvement in the paper's coverage of Israel. We hope that this will be permanent.

2 The Background

2.1. *The New Zealand Newspaper Market*

The New Zealand newspaper market reflects the early days of European settlement in New Zealand, when the country consisted of a number of autonomous provinces linked only by occasional ships. The four main provincial capitals were Auckland, Wellington, Christchurch and Dunedin. Newspapers were founded in these cities. Today, a daily title is still published in each city and circulates in an area roughly corresponding to its old province. These titles, often called the metropolitan titles, are effectively regional monopolies, since titles from other regions are available only in a few outlets in the major cities and at airports.

There are a number of smaller regional titles, which carry mainly local news, with little overseas coverage. They do not compete directly with the metropolitan titles.

2.2. *The New Zealand Herald*

Our resources allowed us to analyse only one title in depth, and we chose the New Zealand Herald. The Herald is based in Auckland, the largest city in New Zealand, and its circulation area covers much of the more populous North Island. Unsurprisingly, its circulation is the largest of any New Zealand paper, about 170,000, more than double that of its nearest rival.

The Herald is owned by APN News & Media, an Australian company. 22% of APN is owned by Independent Newspapers, an Irish media group which until mid-2010 owned the UK *Independent*, one of the Herald's main sources of material.

We also analysed the Herald's sister title, the Herald on Sunday (which shares an owner, office and website with the Herald, but has a different editor and is held by its management to be a separate title). The Herald on Sunday carries little foreign news or comment.

By focusing on the Herald titles, we do not intend to imply that they were uniquely biased. Anecdotal evidence is that other metropolitan titles also carried unbalanced coverage. This would not be surprising, since all New Zealand newspapers rely on a few international sources.

2.3. *Press Regulation in New Zealand*

The press in New Zealand is regulated by the New Zealand Press Council, a body funded by the industry. It contains equal numbers of industry representatives and lay people under the chairmanship of a retired judge. Its meetings are closed to the public.

The Council publishes Principles by which editors must abide. A point made early in the Principles is that a publication has a right “to adopt a forthright stance or to advocate on any issue”. It is questionable whether this is appropriate in the New Zealand context of regional monopolies. In a market such as the UK, several national titles compete, and readers can choose one which suits their views. The New Zealand reader, with rare exceptions, has no such choice.

The Herald provides an example. It relies for its foreign news on three main sources: Associated Press, the UK *Telegraph* and the UK *Independent*. The *Independent* is known for its strong political stances, which include hostility to Israel. It is the smallest-selling national title in the UK, with a falling market share (1.8% in 2010); contrast the Herald’s 45% share of all New Zealand metropolitan titles’ sales. It is highly unrepresentative of the overseas press, but accounted for 10.5% of news items and 28% of opinion items on Israel in the Herald over the period surveyed.

2.4. *New Zealand Attitudes to Israel and Jews*

New Zealand and Israel are small democracies ranking among the less prosperous developed countries (22nd & 23rd in OECD respectively for GDP, 2009). They are widely geographically-separated and have few national interests in common. They have normal diplomatic relations. There is no obvious reason for Israel to be a major pre-occupation for New Zealanders.

There is no evidence of general anti-Israel sentiment in New Zealand, although there are small but vocal anti-Israel groups, as in other Western countries. New Zealand has a very small Jewish population and Jews are not discriminated against. People of Jewish descent have featured prominently in public and commercial life; the present Prime Minister of New Zealand has Jewish ancestry. It could not be claimed that anti-Israel bias in the media reflected public opinion.

2.5. *Fact and Opinion about Israel and Palestine*

The articles we surveyed breached a number of the Press Council’s Principles. Before looking at the breaches in detail, a general point is worth making. The Principle most commonly breached requires that “a clear distinction should be drawn between factual information and comment or opinion”. Our analysis revealed an underlying viewpoint pervading much coverage which is actually opinion, but was cited as if it were fact. We shall call it the *Arab Narrative*.

The Arab Narrative can be summarised as the opinion that the *State of Israel exists illegitimately in territory which wholly and rightfully belongs to Palestinian Arabs*.

“Arab” is descriptive in that the view is held in some form by all Palestinian Arab organisations and by many Arab states. It is also held by some non-Arab Islamic states, but to call it “Islamic” would give it a religious significance that it does not have - Hamas views the conflict as religious war (*jihad*), but the PLO does not. To call it “Palestinian” would fail to recognise its wider currency.

The Arab narrative is supported by a number of Western organisations with political aims, and by Israeli “revisionist” historians. However, it is *not* generally shared by Arabs who are Israeli citizens, a majority of whom in reputable opinion polls state that they wish to remain Israeli. Nor is it held by all members of the Palestinian Arab diaspora, some of whom strongly oppose the policies and views of the present Palestinian Arab leaders.

The Arab Narrative and Its Alternatives

The main corollaries of the Arab narrative, and its alternative, can be summarised as follows.

Arab Narrative	Alternative
Jews have little or no historical or religious connection with Palestine, and no special claim to it	Palestine is the Jewish homeland, and its Jewish history goes back over three millennia, much longer than its Arab history

The 1948 Arab invasion of Israel was justified and the territorial changes ensuing are legitimate	The 1948 invasion of Israel was an act of aggression leading to the illegal occupation of Israeli territory
At this time, Israel illegitimately expelled Arabs en masse from Palestine	Arabs left Palestine for a range of reasons, of which expulsion was not the major one
Any subsequent territorial changes, specifically those resulting from the 1967 war, are illegitimate	Territorial changes resulting from the 1967 war represent recovery of territory lost to earlier aggression
Israel occupies the West Bank in contravention of international law	International law tends to support Israeli control of the West Bank
Jewish settlements in the West Bank are illegitimate, as is the security barrier	Both Jewish settlements and the security barrier are legitimate
It is for Israel alone to make further concessions as part of a peace settlement	Both sides will have to make concessions to achieve a fair negotiated peace
Israel's military actions in Lebanon, and more recently Gaza, were aggressive acts against the legitimate owners of the territory of Palestine	Israel's military actions in Lebanon and Gaza were self-defensive
Use of force against Israeli people or institutions is legitimate resistance to an illegitimate occupying power	Use of force against Israeli people or institutions is a criminal or terrorist act

The alternative versions have supporting evidence at least as good as that for the Arab narrative. Matters on which evidence can be cited to support conflicting versions are not matters of fact, but of opinion. *The Arab narrative is therefore opinion, not fact.*

It is true that not all Palestinian Arab groups or sympathisers support the Arab narrative in its pure form. The Fatah faction of the PLO has recognised the right of Israel to exist, and no longer directly supports attacks on Israeli civilians. Whether these positions are principled or expedient is a matter of opinion. However, to the extent that any view goes beyond the bare fact that the ownership of Palestine is disputed, it is expressing opinion.

Questioning the Arab narrative does not imply rejecting a peaceful solution to the dispute, which would be the choice of all reasonable people. However any view as to the relative merits of the Israeli and Palestinian Arab cases, or their entitlements under a peace settlement, is opinion.

It is neither possible nor desirable to list all the ramifications of the Arab narrative or other versions, nor all the facts which may be deployed to support them, although specific points are covered in our report. We do not seek to judge the relative validity of any version.

3 The Evidence

3.1. Statistical Analysis

To demonstrate long-term bias, many items of data are needed. This provides an opportunity for statistical analysis, which relies on having large datasets: the larger the dataset, the more meaningful the statistical result. Consider the act of tossing a coin. To get four consecutive Heads or Tails would not be surprising, and is statistically quite likely, but to get ten is intuitively quite unlikely, and to get 20 very unlikely. Statistical analysis proves the correctness of the intuition; the probability of getting four is 12.5%, and of getting ten 0.2%. Because of the Herald's frequent reporting of Israel, a large dataset was available and definite results possible to obtain.

A statistical analysis of items appearing in the Herald from late October 2009 - early December 2010 follows (the Herald on Sunday is covered separately since the dataset was too small to analyse statistically).

Standard statistical methodology is to formulate a Null Hypothesis - one which asserts that the observation being considered is due to chance - and test it against the data to see if it fits. The standard "confidence level" is that if the probability of achieving the observed result under the hypothesis is less than 5%, the hypothesis is disproved and some cause other than chance is at work. Such a result is described as "significant".

Applying this to the question at hand, two Null Hypotheses can be formulated:

- that if a factual article breaches the Principles, the breach would be as likely to be favourable to Israel as unfavourable. This is reasonable if breaches result from journalistic error
- that equal numbers of opinion articles will be positive and negative to Israel. This is reasonable if a balanced presentation is aimed for.

Neither hypothesis means that mathematical equality is expected for the result to show balance. For example, the probability of finding eight anti-Israel items and two pro-Israel in a set of ten items is about 9%, which is more than 5% and hence not significant. This also shows that the test is rigorous, since most people would say that a 4:1 ratio was biased, though statistically it is not.

3.1.1 News Items

288 items were identified. 46 contained breaches of the Principles at some level, all to the discredit of Israel. In another 15, the breach was restricted to use of clichés expressing an anti-Israel viewpoint. The probability of getting 46 breaches unfavourable to Israel and none in favour under the Null Hypothesis is about 3×10^{-14} , or 0.03 in 1 trillion, i.e. vanishingly small.

Analysis by source shows that some sources have high proportions of objectionable articles (again not counting cliché-only articles).

Source	Items	Objectionable	% Objectionable
Unstated (agency)	83	4	4.8%
AP	79	11	13.9%
Telegraph (UK)	54	7	13.0%
Independent (UK)	31	13	41.9%
Herald	15	5	33.3%
Reuters	12	3	25.0%
Other Publication	5	1	20.0%
AFP	4	0	0.0%
NZPA	4	2	50.0%
Other Agency	1	0	0.0%
All Sources	288	46	16.0%
All Agencies	183	20	10.9%

The Unstated category counts unattributed small news items, typically printed in sidebars, and almost certainly supplied by agencies.

The UK *Independent* was the main source of negative material. From a set of articles of which 16.0% are negative, the probability of getting 13 negative items from 31 is about 0.04%, i.e. it was significantly more biased than the average source. The Herald dataset was too small to yield statistically significant results, but it is suggestive that its proportion of negative items was more than twice the average.

The datasets for Reuters and NZPA, which also showed a high rate of negatives, were even smaller and no conclusions can be drawn, although the results give some support to anecdotal evidence that Reuters is more biased against Israel than other agencies.

Agency sources (including the Unstated category) were less biased than average. Further, the figures for agencies may have been inflated by changes made editorially. We noted cases in which biased headlines appeared to have been added to unbiased agency reports. It is possible that editing may be responsible for other instances of bias in reports attributed to agencies.

3.1.2 Opinion Pieces

Opinion includes that of regular or syndicated columnists, editorials, pieces headed “Comment”, “Analysis” or similar, pieces placed on pages devoted to opinion, and other pieces which on inspection were mainly comment or analysis.

43 opinion pieces were identified (again the Herald on Sunday was treated separately). 26 expressed an anti-Israel viewpoint and one a pro-Israel viewpoint. The probability of getting one positive article from a set of 27 articles expressing an opinion is about 0.00004% (0.4 in 1 million), which is almost infinitesimal.

Analysis by source shows a similar pattern to that of news items.

Source	Items	Negative	Positive	Net %
Herald	19	13	1	63.2%
Independent (UK)	12	9	0	75.0%
Telegraph (UK)	6	2	0	33.3%
Other	5	2	0	40.0%
AP	1	0	0	0.0%
All sources	43	26	1	58.1%

Net percentage allows one positive and one negative to cancel each other out.

Figures for the Herald include items not explicitly attributed to any source, but which must have been chosen, if not commissioned, by the Herald.

Negative articles were predominantly from the same two sources as for news: the Herald and the Independent. For the Herald, the probability of getting this result is about 0.2%; for the Independent it is about 0.4%. Both are statistically significant (the other sets were too small to give meaningful results).

All the Other items were reprinted from published UK or US sources: the Economist, Newsweek and the UK Observer. The very small agency representation is unsurprising since agencies deal in news rather than opinion.

The imbalance could result from the Herald's engaging in anti-Israel advocacy, which it has denied doing. Israel is a sovereign state with which New Zealand has diplomatic relations. Editorial hostility towards it would publicly criticise New Zealand's foreign policy, which would be against New Zealand's national interest in preserving good international relations. The Council's general approval of advocacy might accordingly be regarded as overly-loose.

3.1.3 Possible Objections: Sensitivity Analysis

Our results may appear surprising, and some possible objections are dealt with here, viz.:

- we have selected items to suit our case
- Israel is not unfairly-treated compared with other countries
- the criteria for classifying items were either intentionally or inadvertently subjective
- we have incorrectly classified opinion pieces as news or vice versa
- the breaches complained of are largely trivial.

Identification of Items

We consulted a printed copy of the Herald for every day of the period concerned, and as far as possible identified all items concerning Israel. Items with only peripheral references were excluded, such as those merely listing Israel among other countries (e.g. those which ban a certain "party drug") and those mentioning Israel only as an aside (e.g. that South Africa's Kruger National Park is larger than Israel).

Reporting on Other Countries

Even if articles on other countries breached the Principles as often as those on Israel, two wrongs would not make a right. In samples of foreign news articles taken in the period surveyed, about 5% breached the Principles. Assuming this to be an irreducible minimum, 14 offending articles would be expected in the set of 288 Israel articles. The probability of getting 46 is less than 1 in 1 trillion. Articles which unfairly attacked individuals and organisations such as Sarah Palin, Pope Benedict XVI and the Catholic Church were excluded; these are regular targets of sources used by the Herald, and criticism of them cannot fairly be assigned to the US, Germany or Italy.

Integrity of Criteria

In the case of opinion pieces, the criterion was the opinion expressed, not whether the analyst agreed with it. The test was therefore objective. A person not in possession of all the facts might believe that the opinions expressed were facts; but s/he would be wrong. In any case, more than half the opinion articles would have to be reclassified before the result could have been achieved by chance.

In the case of news items, continual reference was made to the Principles to determine whether they were really breached. Items in which the breach seemed marginal were given the benefit of the doubt and excluded. Items to which the only objection was use of anti-Israel cliché were counted separately, since it could be argued that they are less severe than other breaches (although we do not do so, for reasons given under Severity, below).

The most common breach was mixing fact and comment. As noted above, a person not knowing all the facts might regard statements of opinion as fact, but that does not make them so.

News and Opinion

There are articles that are borderline cases between news and opinion. Such items tend to present the author's interpretation of events in the news rather than to contribute new information, and have therefore generally been classed as opinion. It is highly-unlikely that enough of our classifications could be challenged to make a material difference to our findings.

Severity

It could be argued that the breaches in news articles were generally not material. We grant that not many of the breaches were egregious, but the rules are not there to deal only with the very worst cases. In any case, more than three-quarters of the articles would have to be re-classified before the result could have been achieved by chance.

More importantly, it is well-known that repeating any assertion, even in a low-key fashion (such as the use of cliché), reinforces belief in it. The principle is used in, and validated by, successful advertising. The sheer number of instances - one every few days over more than a year - must have a cumulative effect, whether or not breaches in individual items are regarded as minor.

3.1.4 Herald on Sunday

Only nine Israel-related items appeared in the Herald on Sunday in the period surveyed. Four were news items, of which one was slightly negative. Five were opinion pieces, four of which were negative. Four of the five opinion pieces (three negative) were from the same regular columnist, whose brief was to put a left-wing viewpoint.

3.2. Breaches of the Principles

Breaches of the Principles can be categorised as in the following tables. Items may infringe in more than one category and therefore be counted more than once. Categorisation is somewhat subjective but trends are clear. For example, one would not expect frequent factual inaccuracies in material from reputable sources, but adherents to the Arab narrative may be tempted to slant material by mixing comment and fact, and applying double standards.

Breach	News Items	Opinion Items
Failure to distinguish between fact and opinion	34	*
Inadequate right of reply ("Allegation-imbalance")	14	*
Double standards - fairness	18	6
Inaccuracy	6	5
Misleading headlines	15	0
Misuse of images and captions	6	4
Racial or religious discrimination	3	3

* In opinion pieces, distinction between comment and fact is inapplicable, and allegation-imbalance is permissible. The issue is whether opinion is balanced over the long term.

Criticism of Israel, if expressed in a way compliant with the Principles, is not a ground for complaint *per se*. In news items, criticism must be attributed and subject to a fair voice in reply. Objective reporting of positive aspects of Israel (e.g. its technical and logistical aid to Jordan, 15 April 2010) cannot be counted as bias towards Israel. We make this point because the Herald has argued that it offsets criticism of Israel (often breaching the Principles) on other topics. This is illogical, and in any case few such “positive” articles appeared in the period surveyed.

Bias tended to be concentrated in the reporting of major stories. In their absence, reporting was largely limited to brief agency reports, which were typically fair. Accordingly, there were periods when little bias was manifest, but these lasted only until the next major event occurred.

In quoting from the Press Council’s Principles, the wording is that applicable in late 2010.

3.2.1 Fact and Opinion

Principle 4 states that “*a clear distinction should be drawn between factual information and comment or opinion. An article that is essentially comment or opinion should be clearly presented as such.*”

The difference between fact and opinion is usually clear. However, it can arise that facts are disputed, with contending parties each giving their own, conflicting, versions. It is essential to recognise that these versions are opinions and not facts, whatever the contenders claim. One version might seem to accord better with the facts than another, but it is an expression of opinion to assert that it is therefore true, or that other versions are wrong. Whether or not the author or editor knows that there are conflicting versions is immaterial, except insofar as it would show culpability or ignorance respectively.

Opinion can also be conveyed by using facts selectively or out of context. There are conflicting expert views on the legality of Jewish settlements in the West Bank, but only the view that they are illegal was reported, nor was the matter placed in context by mentioning the original 1948 Jordanian invasion of the West Bank.

In the case of the Israel/Palestine dispute, almost every significant event is interpreted differently by Israeli and Palestinian Arab sources. To the extent that it selectively uses facts, any interpretation is opinion. The Arab Narrative version was dominant in the material surveyed.

Unattributed Opinion, Loaded and Emotive Language, and Cliché

Failure to distinguish news and comment may take three main forms:

- direct unattributed expression of anti-Israel opinion (uncommon in news items)
- use of loaded, emotive or exaggerated language hostile to Israel
- use of cliché disparaging Israel.

Use of emotive rather than objective words is an inherent value-judgement. Journalists are aware of this, so loaded language is almost certainly used deliberately. Whatever the intention, the practice breaches Principle 4 if it occurs in news items. For example, a law was described as “draconian”, although it is not dissimilar to Western countries’ laws on the subject. An objective rendering would merit no adjective at all.

A few words were so commonly-used in reporting of Israel as to be clichés. They were by definition unattributed, thereby breaching Principle 4. These were arguably low-level breaches, but were frequent, and as noted above, repetition of an assertion builds belief in it.

Common clichés were that Israel “captured” the West Bank and Gaza in 1967, “unilaterally annexed” them without “international recognition”, and “occupies” the West Bank, and that these actions were “illegal” or “against international law”. All reflect the Arab narrative. While Israel did recapture the West Bank and Gaza in 1967, it was never stated that Jordan and Egypt captured those territories in 1948, and Jordan’s case, annexed them without international recognition.

Other clichés included the routine description of Israeli PM Netanyahu and his government as “hard line”, religious Jews as “ultra-Orthodox” and various Israelis and Israeli organisations as “hard-right”. Opponents of Israel were described with the neutral terms “activist” and “militant” even if their views were more extreme than the Israeli views stigmatised, and they engaged in violent action in support of their opinions.

3.2.2 Balance

Principle 1 states that “*Publications should be bound at all times by accuracy, fairness and balance, and should not deliberately mislead or misinform readers by commission or omission. In articles of controversy or disagreement, a fair voice must be given to the opposition view. Exceptions may apply for long-running issues where every side cannot reasonably be repeated on every occasion and in reportage of proceedings where balance is to be judged on a number of stories, rather than a single report.*”

The Israel/Palestine dispute is undoubtedly a long-running issue. While the qualification may be used to excuse imbalance in isolation, it requires that balance appear elsewhere. This implies that if some items present the Arab narrative, others should put alternatives.

In some cases, one or two sentences were given to the Israeli view in a lengthy report otherwise adopting the opposing view. This is not the “fair voice” required by Principle 1.

News items commonly cited the views of organisations and individuals opposed to Israel on ideological or political grounds, because they were making “news” by organising protests or other actions. There are organisations in New Zealand able and willing to put Israel’s point of view; their views could have been printed to provide balance, but almost never were.

Authority for Opinion

By printing an opinion, an editor endorses its tenability. A responsible editor would therefore aim to present authoritative opinions. Inappropriate selection of commentators can lead to imbalance. A senior British Army officer, Col. Richard Kemp, observed the 2008-9 “Cast Lead” Israeli military action in Gaza and opined to the BBC that no army “has made more efforts to reduce civilian casualties and deaths of innocent people than the Israel Defence Force in Gaza”. There is no evidence that this was reported in the Herald, which however did publish the opinion of Robert Fisk (9 June 2010) that the IDF is an “indisciplined (sic) rabble”, contemptuous of the lives of civilians. Fisk has a record of vituperative criticism of Israel. A reasonable person would regard Col. Kemp, who was not heard, as more authoritative and objective than Fisk, who was.

The Herald regularly published opinion by Fisk, who appears obsessed with Lebanon and blames all its woes on Israel, rather than on Syria, Iran, or its own sectarian divisions. Gwynne Dyer, another commentator with anti-Israel views, was also regularly published in the Herald. No regular columnist putting a pro-Israel or even a neutral view was published in the period surveyed.

3.2.3 Double Standards

Principle 1 requires fairness in news reporting. Fairness is not easy to measure, but a reasonably objective test is whether the same standards are applied to reporting on Israel and on other countries, or on Israel’s opponents. It was common for different standards to be applied in this way, by reporting similar matters differently according to who was involved, or reporting matters only when one party was the protagonist or victim.

The application of double standards often arose from adoption of the Arab narrative, i.e. Palestinian Arab actions were taken to be justified where equivalent Israeli actions were not.

It is not always possible to find directly equivalent situations, so it may be necessary to use analogy. It may be argued that no two situations are identical. However by considering the closeness of the analogy and the disparity in reporting, a reasonably-objective evaluation can be made. Some general examples:

- there has never been a Palestinian Arab state. Another people in the region which desires a state but has never had one is the Kurdish people (which has a more distinct ethnic identity than the Palestinian Arabs). The subject is scarcely mentioned in the Herald, and there is no criticism of Turkey, Iraq or Iran for “occupying Kurdish land”. Even nations which have been invaded and lost their sovereignty, which have arguably suffered worse injustice, get little attention. Commentary in the Herald regarding Tibet, invaded by China in 1950, is typically pro-China and anti-Tibet
- two closely analogous events were the massacre of several hundred Arab refugees at Sabra and Shatila by Lebanese militiamen in the presence of Israeli troops in 1982, and that of several thousand Bosnian Muslims at Srebrenica by Serb extremists in the presence of UN peacekeepers in 1992. After the Lebanon massacre, Israel dismissed the head of its army and forced the resignation of its Defence Minister (who subsequently won a libel action

against *Time* magazine for accusing him of complicity in the killings), but 28 years later was still being criticised in the Herald for its role. Little criticism was ever made of the UN peacekeepers or their leaders, blame being quite justifiably placed on the killers

- as noted above, both Israel and Jordan have at different times captured, occupied and annexed the West Bank and east Jerusalem. The Israeli actions were mentioned repeatedly, but the Jordanian ones were not - giving the impression that Israel's acts were unprovoked aggression, though the sets of events have clear parallels. Principle 1 recognises that all the issues in the conflict cannot be recapitulated in every article, but a balanced presentation would cover all the facts over time, not repeat one side while ignoring the other
- a December 2009 attack on a mosque by extremist settlers (an action deserving criticism) was covered fairly in the Herald. However the desecration of a nearby Jewish cemetery, in retaliation for the attack on the mosque, was not covered at all. A one-sided view was thus given, although the Principles refer to "commission *or omission*" in defining the need for balance. Again, in November 2010 it was reported that Israeli settlers and Palestinians were destroying each others' crops, actions clearly inviting censure. The Israelis were condemned but the Palestinians were not. This was imbalance, since both parties could reasonably have been criticised equally
- Israeli PM Netanyahu and PLO chief Abbas are both to some extent hostage to extremists who are opposed to meaningful concessions. Abbas is in the worse position, because Netanyahu is not at the "dovish" end of the Israeli political spectrum, and could marginalise his extremists if they disrupt his programme. Abbas has no such option. By agreeing to peace negotiations, he has placed himself at one extreme of the Palestinian Arab political spectrum, which runs from him via those who seek an interim deal after which further action can be taken against Israel, through to those who desire the immediate destruction of Israel. However Netanyahu was typically cast as secretly supportive of Israeli extremists and opposed to a peace settlement, while Palestinian Arab commitment to peace was unquestioned, and evidence of dissent within and between factions disregarded.

Further examples, which support the Arab narrative:

- Israel's actions, such as approving Jewish housing in the West Bank, were commonly labelled "setbacks to peace", whereas Palestinian Arab actions, including lethal assaults on Israelis, were not. This exemplified the Arab narrative that only Israel is an obstacle to peace, and only Israel has to make concessions
- attacks by Palestinian Arabs on Israelis were minimised, whereas any Israeli response was criticised. This is an example of moral equivalence (below)
- Israel's reaction to events was commonly described as "angry", whereas comparable Palestinian Arab reactions were stated without comment. The inference is that Israelis are emotional and irascible whereas Palestinian Arabs and their representatives are calm and reasonable.

Moral Equivalence

The assertion of moral equivalence is a specific case of double standard, typically used to support extra-legal action by arguing that the actions of a lawbreaker are no more, or less, blameworthy than the countermeasures of legitimate agencies. It was used in criticising Israeli actions and mitigating the actions of its opponents. For example, an article appearing in June 2010 blamed the 1982 Sabra/Shatila massacre on Israel, although its Army merely failed to use enough force to restrain a numerous armed militia, who were not mentioned or censured in the article.

A more extreme form of moral equivalence is shown by the reporting of attacks on Israelis only as asides during criticism of the Israeli response. The September 2010 killing of four Israeli civilians by Hamas gunmen was not reported; the only coverage criticised Israelis for being outraged by it. If Israeli extremists had killed four Palestinian Arab civilians, one a pregnant woman, it is certain that it would have featured prominently in the news, with reports of "international condemnation", images of coffins and grieving mourners, and hostile commentary. All these appeared in Herald reports of the Mabhouh killing (for which Israel is only conjecturally responsible) and the deaths of the Gaza flotilla activists (after they challenged the Israeli military).

Availability of Material; Trivia Stories

Another form of double-standard arises from the paucity of news coverage from the West Bank and Gaza, compared with that in the active and outspoken Israeli media.

It is easy to obtain trivia stories from the Israeli press which portray Israel and/or Israelis as abnormal, weird or obsessive. These receive greater coverage in the Herald than if they related to other countries, which is a double-standard. Also, it is always possible to obtain the views of Israelis hostile to this or that policy of their government, but those views may be representative only of extreme opinion. When reporting Israeli statements or policies, dissenting views were almost always provided, whereas balance to allegations against Israel was typically not.

By contrast, few reporters are based in the West Bank or Gaza, where the authorities exercise close control over society and the media. This imposes restrictions on reporting, and specifically discourages reporting adverse to the ruling parties. Nevertheless, reputable journalists who venture there have filed stories inconsistent with the prevailing view of Palestinian Arabs as victims of Israel. No such stories appeared in the Herald in the period surveyed.

Events in the West Bank are known to have been staged or manipulated to discredit Israel. A very successful example was the alleged Israeli "massacre" of hundreds of Palestinian Arabs at Jenin in 2002, which deceived news organisations worldwide, but was later shown to be fabricated.

The Palestinian Arab pattern is typical of authoritarian regimes. In other cases, there would be a measure of scepticism of the "official" view, but Palestinian Arab statements were typically taken at face value. This shows either naiveté or adherence to the Arab viewpoint.

3.2.4 Accuracy

Accuracy - referred to in Principle 1 - is a requirement of both news and opinion. If a reasonable person in possession of all the relevant evidence would hold that an assertion agrees with established fact, it is accurate. If the same person held that an assertion did not agree with the facts, the assertion would be inaccurate. In contentious matters, evidence would need to include that of all contending parties, and the evidence could conflict so as to prevent *any* version being described as accurate.

The matter becomes more complex when more than one effect is at work. Arabs fled Israel during the 1948 war for many reasons. Citing only one reason, such as intimidation by Jewish militias, and implying it is the whole story is an expression of opinion, even if the statement is true as far as it goes. A fully-accurate statement would be one that Arabs fled for a variety of reasons, or one giving all the known reasons.

The test applies to both news and opinion, although a commentator may make assertions that are not provably true as long as they are not provably false, whereas news reporting must identify and provide balance to assertions that are possibly but not provably true.

Inaccuracies in attributed opinion, should - if printed at all - be amplified or corrected by the reporter. They are often known canards or inherently implausible, and little if any research would be needed for an informed person (as journalists are assumed to be) to detect their inaccuracy.

3.2.5 Headlines, Images and Captions

The eye-catching qualities of headlines, images and captions have a disproportionate effect on readers. If they are loaded or emotive, they are important in forming opinion, and if this occurs in news items, opinion is being mixed with fact, contrary to Principle 4.

Principle 5 states: "*Headlines, sub-headings, and captions should accurately and fairly convey the substance or a key element of the report*". Principle 10 is similar but less explicit, stating that "*Editors should take care in photographic and image selection and treatment*". It seems obvious that "care in selection" requires that the image be relevant to the article it illustrates, and - in a news item - not be such as to promote an opinion.

We found two cases of articles attributed to AP with emotive headlines which were not borne out in the reports. We could find no articles with those headlines in AP's archive. This suggests that the headlines were added editorially.

Reports of casualties caused, or allegedly caused, by Israeli action were commonly illustrated with images of coffins and grieving mourners, while the same was not done for Israeli casualties. Images of Israeli soldiers in aggressive postures, and Israeli weaponry, having dubious relevance to the story, were often used.

3.2.6 Discrimination

Principle 6 requires that editors should not “*place gratuitous emphasis on*” matters of “*gender, religion, minority groups, sexual orientation, age, race, colour or physical or mental disability*”.

The terms “Jew” and “Jewish” can apply to both race and religion. By no means all ethnic Jews are religious Jews, although nearly all who profess Judaism are ethnically Jewish.

It could be argued that a negative focus on Israel constitutes discrimination *per se*, since Israel is the only Jewish-majority state and the only state subjected to such a level of criticism. It is suggestive that Israel is the only state whose right to exist is routinely challenged, and that Jews have for centuries been the main target of Western religious and racial prejudice. Negative portrayal of Israel in the Herald might therefore have been at least partly motivated by racial or religious prejudice, which if so would be discriminatory. This is not provable, but any doubts would be resolved by an even-handed presentation.

The epithet “ultra-Orthodox” was regularly used as a term of disapproval for religious Jews. It is meaningless; Orthodoxy is a stream of Judaism as Anglicanism (Episcopalianism) is a stream of Christianity, and “ultra-Orthodox” has no more meaning than would “ultra-Anglican”. All religious Jews recognise Israel as their holy land, but their opinions as to how this should be manifested are political, not religious. Use of this term is therefore religious discrimination.

3.3. Some Major Stories

During the period surveyed, six Israel-related stories featured prominently in the Herald:

- the attempted prosecution of Israeli leaders for alleged war crimes in the UK courts
- protests against the presence of an Israeli tennis player in an Auckland tournament
- the assassination of Hamas leader Mahmoud al-Mabhouh
- Israeli plans to extend Jewish housing in areas of Jerusalem
- the Gaza flotilla and its aftermath
- the resumption and rapid failure of peace negotiations.

The “war crimes” story was covered in five news articles, all of which were fair. The tennis story was covered in seven articles (two opinion) with one negative news item. The other stories were more significant.

3.3.1 Mahmoud Al-Mabhouh

The assassination of Hamas leader Mahmoud al-Mabhouh featured in 22 news reports and six opinion pieces. Four news reports and three opinion pieces were negative to Israel.

To an impartial reader, the story was ambiguous and Israel one of a number of suspects. The Herald took the position that Israel’s Mossad intelligence service was responsible both for the killing and for forging passports used by the killers. However, the reported facts do not bear out such a simple explanation. Not all of the following appeared in the Herald, nor if they did were they always given appropriate prominence:

- Mabhouh made his travel plans known, increasing the range of possible perpetrators
- over 20 suspicious persons, some crudely disguised, were seen in and around Mabhouh’s hotel. Experts suggested that the modus operandi was too amateurish for Mossad
- it was argued that Israel killed Mabhouh because he was buying arms for Hamas. However Mabhouh was involved in acrimony within the Palestinian Arab movement, and Hamas sources suggested that Jordan or Egypt was responsible. Three Palestinians were detained in Dubai in connection with the case, one having been extradited from Jordan. Other suspects fled to Iran. The Dubai police accused Israel, but offered no evidence of its involvement
- Most or all the suspects entered Dubai on false passports, based on genuine passports issued by various Western states. Some used the names of persons who had visited Israel. The British and Australian Governments concluded that the passports had been copied in Israel, although it is unclear how they did so, since only images of the passports were available. This at least shows that modern technology allows *any* country to collect and

store passport images. Forging passports does not need the resources of an intelligence agency; a passport “factory” was found in an Auckland house ca. 2004.

Authoritative reports exist which challenge the assumption that Israel was to blame. A report from AP (below), casting suspicion on moderate Arab groups, would have given balance to the Herald’s coverage. It was not printed, nor was any other report suggesting other parties’ involvement.

Associated Press item (excerpt)

Arab countries may be complicit in the January 19 [2010] assassination of Hamas terror chief Mahmoud al-Mabhouh, Hamas sources said, according to various reports. Citing a report by *Al-Quds Al-Arabi*, Reuters quoted Hamas official Mahmoud Nasser as saying that Jordanian and Egyptian intelligence agencies had probably tracked Mabhouh prior to his assassination.

Nasser told the newspaper that there was evidence showing that Mabhouh had been targeted by moderate Arab countries because he had handled sensitive information concerning the activities of Hamas and other Islamist elements. He added that that assassination may have been carried out earlier than planned. According to the newspaper, Nasser is in charge of Iran's ties with Hamas and had worked closely with Mabhouh prior to the latter's death.

3.3.2 Housing in east Jerusalem

Plans to develop further Jewish housing in east Jerusalem were covered in the Herald in 14 news stories (four breaching the Principles) and three opinion pieces (one negative). The negative items supported the Arab narrative that all of east Jerusalem is rightfully Palestinian Arab. Israel allows both Jews and Arabs to build there subject to compliance with local regulations, though because neither Jews nor Arabs usually wish to live in mixed neighbourhoods, areas tend to self-segregate. There is no evidence that Israel wishes to segregate its citizens by race.

3.3.3 Gaza Flotilla and Blockade

The partial blockade of Gaza and attempts to break it were covered in the Herald in 39 news items (eight breaching the Principles) and 10 opinion pieces (eight negative, one positive). The positive opinion was the only one in the period surveyed.

As noted above, it is not easy to obtain objective reporting from the disputed territories. This is especially true of Gaza, which is ruled by a more militant regime than the West Bank.

The predominant impression of Gaza given in the Herald was of pervasive hardship caused by Israeli action. However alternative credible views exist, and Gaza is not the only place on Earth where people suffer hardship. It is claimed that 60% of Gazans lack “food security”, but this figure is almost certainly exceeded in many African countries. Other reports - not featured in the Herald - describe the existence of a small but prosperous Gazan middle class, and a few Gazans who are very wealthy, some as a result of corruption. In other words, Gaza is a fairly typical Arab society. This is not to argue that there is no hardship in Gaza, but to suggest that it is often exaggerated for political reasons, and that Israel’s policies are not its sole cause.

Organisations attempting to breach the partial blockade of Gaza received widespread favourable coverage. Three points barely touched on in the Herald deserved to be:

- the organisations were political in orientation, and ideologically-opposed to Israel, although they were described as “humanitarian” or “aid” organisations
- their stated purpose was to publicise their view of the conflict. The Herald lent its support to this, which in any other circumstance would receive its correct name of propaganda
- the quantity of aid delivered was insignificant in relieving hardship, typically representing a few days’ supply of a few commodities.

The “original” Gaza Flotilla, June 2010

A number of relevant facts favourable to Israel or in mitigation of Israeli actions were reported belatedly, scantily, or not at all. They include:

- there are legal precedents for blockades in international waters against hostile states
- the Palestinian Authority and Egypt both publicly opposed lifting the maritime blockade

- Israel made diplomatic requests to Turkey to pass the aid through UN-sponsored channels, but was rebuffed
- a large number of weapons was found on the ship which defied Israeli interception, also some 40 men equipped with body armour and convertible currency, but no ID
- Hamas refused to admit the goods on the flotilla to Gaza, in part because they were substandard or unsafe
- Hamas leaders acknowledge that there is no starvation in Gaza.

The extensive coverage of the flotilla may be compared with the muted coverage of the sinking of the Korean warship *Cheonan* by DPR Korea, in an unprovoked attack that was without warning, caused over 40 deaths, had the potential to start large-scale hostilities, and was geographically closer to New Zealand than Israel is.

These points are essential to a balanced understanding of the flotilla incident and its background. In particular, the fact that Turkey declined to work with Israel to process the aid put the flotilla in a light more discreditable to Turkey than to Israel, but was mentioned only briefly at the end of one of the later articles.

3.3.4 Resumption of Peace Negotiations

It is unclear why, having obtained a nine-month moratorium on most construction of Jewish housing in the West Bank, Western leaders took little action to re-start peace talks until it had almost expired. In August 2010 it became a major story, covered by the Herald in 17 news items (three breaching the Principles) and three opinion pieces (two negative).

Israel was portrayed as uninterested in a peace settlement, trying to use demographics to gain territory, wanting a military solution, and favouring the status quo. Little if any attention was given to Israeli efforts to remove unauthorised settlements; nor to underlying problems such as differences in negotiating styles and the wide range of Palestinian Arab opinion including that hostile to any negotiations. By contrast the extreme Israeli viewpoint was well-covered, fostering the incorrect impression that most Israelis are extreme and unreasonable.

3.4. Some Examples

The following are summaries of articles published in the Herald.

3.4.1 Factual Articles

Israelis “deny Palestinians water”: October 2009. Lengthy report of Amnesty International’s claim that Israel systematically denies Palestinian Arabs fair access to water. Only a very limited Israeli response was printed. It was noted that Syria, Lebanon and Jordan all draw from the river Jordan, but only Israel was accused. Major improvements in Palestinian Arab water supplies since 1967 were not mentioned, although information is readily available.

Thousands stripped of right to live in East Jerusalem: December 2009. Withdrawal of numerous permits for Palestinian Arabs to live in east Jerusalem. Again a very limited Israeli response was allowed. An image of a Jew apparently evicting an Arab was unconnected with the story, which was not about evictions. The report used emotive language and cliché to stigmatise Israel.

Jesus’ birthplace no goldmine for locals: December 2009. Palestinian Arabs complained that Israeli tourist guides exaggerate the dangers of visiting Bethlehem, reducing tourist spend there. No evidence was provided and no Israeli response printed.

West Bank raid raises tensions: December 2009. Israeli response to the killing of a rabbi (identified only as “an Israeli”), in which three gunmen were killed. The killing of the rabbi was not reported at all, implying that killing Jews was not newsworthy, but killing the Palestinian Arabs responsible was. Emotive and loaded language was used.

Protesters target Israeli player again: January 2010. Protesters against an Israeli tennis player at an Auckland tournament were quoted at length, including the absurd claim that “Palestinians have no chance of being involved in sport”, although the Herald had previously reported international soccer involving Palestinian Arab teams. No alternative view was printed.

Asylum-seeker “threat” to be kept out by border fences: January 2010. Report of Israel’s plans to secure its southern border against illegal migrants. Use of quotes in the headline implied that

there was no real risk, although the existence of a problem with asylum-seekers was clear from the statement - without comment - that Egyptian forces have killed many of them in recent years. By contrast, “draconian” laws were to be “pushed through” by Israel to address the problem. A sceptical and at times sarcastic tone was used to mock Israel’s concerns. By contrast the deep-level Egyptian security barrier with Gaza, and the long US-Mexico border fence are not described with such scorn.

We’ll stay in West Bank: Netanyahu: January 2010. Report of proposal for some Israeli forces to maintain security in the West Bank following a peace deal. “We” in the headline referred to units of the Israeli armed forces, but implied that Israel rejects any handover of West Bank territory. Image of an Israeli soldier firing a large hand weapon implied Israeli aggression, and was irrelevant to the story, which used loaded and emotive language.. The overall implication was that Israel is unreasonable in seeking to prevent terrorist attacks; no other country would be so criticised.

Bomb find undermines Gaza claim: February 2010. Report stressed a single probable error in Israel’s response to the Goldstone report, but ignored many “Goldstone” allegations investigated by Israel and found not to be of substance, and the failure of Hamas to report at all. This was the only report of Israel’s response to Goldstone, which had by that time included more than one formal report, although 34 Israel-related articles were printed in the month, many of them of trivia. The image of an aerial explosion over (presumably) Gaza was emotive, unrelated to the report, and conveyed the impression that such events continue.

For sale, a zoo in Gaza City: February 2010. Lengthy report of financial problems at a zoo in Gaza; trivia which would not appear if about any other country. Report used emotive language, complaining that Gazan children are not “allowed” to visit Israel - apparently reflecting the belief that children have a basic right to travel (to Israel, with which Gaza is at war!) for their amusement. Salient facts, e.g. that Gazans *are* admitted to Israel for medical treatment, were omitted.

Row as Oz passports used in killing: February 2010. Alleged misuse of Australian passports in Mabhouh killing. The report quoted at length the opinion of an expert in Arab Studies (i.e. not an expert on Israel), that Israel was responsible for the killing. No alternative view was printed.

Mayor unveils plan to raze Arab homes: March 2010: Plans to create a park in east Jerusalem, involving relocation of 22 Arab households. Loaded language, such as “razed” in the headline, which the Herald never uses for projects such as a motorway tunnel in Auckland which will involve major demolition of houses and relocation of residents. The Herald did not cover the concurrent eviction of 30 Gazan families by Hamas without compensation or re-housing.

West Bank unrest strains limits of Israel’s patience: March 2010: Ongoing Palestinian Arab protests against Israeli presence in West Bank. Report quoted Palestinian Arabs at length, but not Israelis, and reflected throughout the Palestinian Arab viewpoint: stone-throwing was “peaceful” and stones thrown at Israelis not weapons, while Israeli use of rubber bullets (an internationally-used method of crowd control) was condemned. Reporting of the concurrent and more serious unrest in Thailand was by contrast restrained and objective. No report appeared on the concurrent trauma suffered by Israeli civilians from Hamas rockets.

Slaughter on aid flotilla: June 2010. The first report on the Israeli conflict with the Gaza flotilla. The emotive word “slaughter” was used in the headline to describe nine casualties, but was not borne out in the article itself. Although the report was attributed to AP, no such headline could be found on any AP story, suggesting that it was supplied editorially. Israel does not “bar” building materials from Gaza as claimed, but restricts them to approved projects - an error often made.

Jews take jail over ethnic mixing: June 2010. Report of some Jews’ refusal to let children share classrooms with other ethnic groups. It claimed that “Ultra-Orthodox sects” have “long considered themselves unfettered by society’s norms”, an intruded opinion which denigrates religious groups. No similar comments are ever made about the practices of extreme Muslims where they come into conflict with secular law.

Angry settlers vow to resume building, September 2010. Israeli response to Hamas killing of four Israeli civilians. “Angry” in the headline was intruded opinion and was not borne out in the report. Again the item was attributed to AP but no such headline could be found. Killing of the Israeli civilians, which led to the Israeli response, was not reported; once again, killings of Israelis appeared not to be newsworthy, though Israeli protests attracted condemnation.

The challenge: September 2010. Brief article on the restarted peace talks intruded opinion by asking “What’s the problem?” and answering “The Israeli Government”.

Israel told talks are off without settlement freeze: October 2010. Otherwise-unobjectionable report of Palestinian Arab responses to Israel's lifting of the freeze on West Bank building was spoiled by a large picture of Israeli soldiers firing tear gas at a protest about the West Bank security barrier, an entirely different matter. Report and image were from different sources and therefore combined editorially.

NZ activists sail with aid for Gaza: October 2010. New Zealand would-be blockade-breakers were described as "humanitarian workers", although their organisers publicly admit their aims are political. In a later story (*Gaza mission ends: November 2010*), an activist claimed Gaza is "hell on Earth", which is not borne out by the evidence and was not rebutted.

Harvest turns hostile in olive groves: November 2010. Clashes between Jewish settlers and Palestinian Arab farmers, involving destruction of olives and other crops. Much more prominence was given to Palestinian Arab claims than to Israeli ones. The report expressed opinion and used anti-Israel cliché.

3.4.2 Opinion

The fight for homes in East Jerusalem: November 2009. Emotive report of evictions (then a topical story), with allegations of Jewish violence and brutality by an unnamed Arab. The claimed "accelerating series of highly charged incursions by settlers", was scaremongering and did not occur. Claimed that it is harder for Palestinian Arabs to obtain building permits than Israelis, though evidence shows this is untrue. Omitted the readily-available fact that evictions are a last resort after court action triggered by non-payment of rent, also that most properties concerned were earlier taken by force from their Jewish owners.

Gaza conflict provokes new generation to pick up guns: December 2009. Claimed wanton killing of civilians by Israeli forces, with image of oncoming (presumably Israeli) tank amid rubble, which was emotive and misleading.

Student on a mission in West Bank: December 2009. New Zealand Muslim woman's visit to West Bank as part of pro-Palestinian-Arab women's group, strongly anti-Israel opinion often parroting the words of militant Palestinian organisations.

He's the hardline PM but staff say she's the real bully: January 2010. Lengthy comment on Mrs Netanyahu's servant problems, containing loaded language and allegations without evidence. Such a trivial story would not get this coverage if it concerned any other country.

Keep your passports away from the spies: February 2010. Scornful and sceptical comment about alleged Israeli forgery of passports in the Mabhohu case. Dual Israel/New Zealand citizenship was attacked as "not on", but no other dual citizenship was criticised. In labouing this point, the author invoked the anti-Semitic libel that Diaspora Jews are more loyal to their "race" than the country they live in. Prominent image of Mabhohu being mourned, irrelevant to a piece about the alleged misuse of passports.

Debacle dents Mossad mystique: February 2010. Opinion of "expert" (in Arab studies) that Israel was responsible for killing Mabhohu, with similar allegations about other killings which opponents have claimed as Israel's responsibility.

How Mossad teams use licence to kill: 27 February 2010. Comment by the author of (reportedly) the only "approved" book on Mossad, asserting as fact that Mossad was involved in the Mabhohu killing; that he "moved to the top" of Mossad's wanted list, and that Mabhohu's name "was on a document" authorising his assassination and signed by Israeli PM Netanyahu; the author could not have known any of this. Further image of mourning for Mabhohu reinforced the impression that Mossad was responsible for his death.

West complicit in Israeli "terror and oppression", Herald, June 2010. Very hostile comment by anti-Israel activist Antony Loewenstein, describing deaths of flotilla protesters as a "massacre" and Israeli policies as "apartheid" - a term with particular resonance in New Zealand, where widespread rioting accompanied the 1981 tour of the South African rugby team. The article claimed Israeli "sharing of nuclear technology" with South Africa, which had earlier been shown to be false.

Aid flotilla attack may be Israel's turning point: June 2010. : Strongly negative opinion of Israel, which was compared with DPR Korea, Myanmar and Zimbabwe, using pejorative language throughout. Article made the wishful-thinking claim that the West would now turn against Israel, and inaccurately claimed that Israel is at "war" with Iran.

Israel visit prickly issue for Key: June 2010. Call for New Zealand Prime Minister John Key to take stronger action against “increasingly hardline” Israel by demanding an “end to the blockade and plans to intercept aid ships”.

Propaganda war fought for the flotilla raid headlines: June 2010. Negative opinion from Fisk, using pejorative language throughout and blaming the Mabhohu killing on Israel; also claiming that Orthodox Jews are especially bellicose.

Tree casts shadow of war in a blood-soaked land: August 2010. Comment from Fisk about an incident on the Lebanese border, quoting only the Lebanese version which was already known to be incorrect. Report used hysterical language: it was “preposterous” for Israel to return Lebanese fire, Israel “promised to smash up Lebanon for the sixth time”.

Activists’ deaths beginning of end for blockade: August 2010. Dyer’s attack on the Gaza blockade with loaded language and innuendo, repeating the claim that the West would turn against Israel.

Mideast peace in Netanyahu’s hands: August 2010. Background on the revived peace talks, almost entirely based on the Arab narrative, e.g. that the creation of Israel was the *naqba* (“catastrophe”). Claimed that it requires a “heroic leap of imagination” that Israeli PM Netanyahu wants peace, but did not question Palestinian Arab sincerity or commitment.

Power trumps peace in the Middle East: October 2010. Article by Dyer, hostile to Israeli PM Netanyahu and sceptical of Israel’s commitment to talks, while Palestinian Arab commitment was not questioned. Sarcastic tone throughout.

Lieberman pushing policies to right: November 2010. Attack on “hard-right” Israeli Foreign Minister Lieberman, with negative language, scepticism and fear-mongering. “Palestinian rights” were contrasted with “Israel’s security” as being mutually-exclusive (!)

4 The Process and Outcome

At an early stage, we tried to discuss our findings with the Herald, but it rejected our arguments and refused to correspond further. Therefore, we invoked the Press Council’s complaints process.

4.1. Press Council Complaints Process

The Council requires that complaints be submitted in the first instance to the title concerned; only if the complainant and editor cannot agree may the matter be referred to the Council. When appealing to the Council, the complainant must submit all correspondence with the editor, including any the editor has not answered. The Council then requires the editor to respond. If the editor introduces “new material”; the complainant may respond to it but is limited to 150 words. The complaint is then judged on all the written evidence.

The process seems biased towards editors, who have the opportunity to make statements which the complainant cannot effectively challenge in the brief space allowed them. While there must be some limit to dialogue, it would be fairer if either party were entitled to respond at any stage to new material introduced by the other.

4.2. Next Steps

We made a formal complaint to the Herald about its January 2010 coverage of Israel, citing eight articles, and subsequently made complaints about its February and March coverage. Instead of responding to us under the established process, the Herald notified the Council, which took the very unusual step of telling editors of all New Zealand papers (not just the Herald) that they need not accept complaints from us, pending its own intervention. This is arguably a violation of our human rights.

Following protracted correspondence, the Council agreed to admit two of our representatives to its September 2010 meeting. The meeting was amicable except for the attitude of John Roughan (see below), who tried to cut short the discussion.

In October 2010, the Council invited us to submit two specimen complaints, one about a single article and one about a single topic. This disregarded the fact that the Principles demand that imbalance be demonstrated over a period of time. In December 2010 we submitted the two specimen complaints, together with a document covering all the issues to date, on which this report is based.

The Council considered our responses at its February 2011 meeting, and did not reply to us until April 2011. In a four-page letter, it rejected our comprehensive submission without giving specific reasons. The Council largely failed to answer our requests for clarification of its views and requirements. It agreed to forward the specimen complaints to the Herald, but minus the opinion pieces cited, for reasons it did not make clear. Finally it suggested that further complaints from us would not be accepted. It did not lift the restriction on our making complaints to editors.

4.3. Progress (perhaps) with the Herald

We continued to monitor the Herald's coverage of Israel after making our submission to the Press Council.

In the five months to April 2011, 62 news items and 17 opinion pieces appeared, fewer than in equivalent previous periods. Six news items were negative, i.e. 9.7%, as against the 2009-10 figure of 16%. Six opinion pieces were negative and three positive. This is again an improvement on 2009-10, and is statistically within the range for a balanced presentation.

The Herald has appointed a "Jerusalem correspondent" whose occasional pieces provide a more balanced perspective.

While it cannot be shown that the change results from our efforts, and no title would admit to being influenced by a media-monitoring group, the coincidence is suggestive. The change is nonetheless welcome, and we hope that it will be permanent. The Herald on Sunday has published no anti-Israel material since our discussions with the editor in mid-2010.

The Herald's apparent change of approach contrasts notably with the Council's attitude.

5 Some Press Council Views

This section discusses views expressed by the Council and by one of its members. We have sought clarification of apparent inconsistencies in them, which has generally not been forthcoming.

5.1. Balance

The Council has said that its members "*believe that their balanced views [on the Middle East] have come from reading New Zealand newspapers*". If this means that the Council regards New Zealand press coverage of Israel as *ipso facto* balanced, it makes a mockery of Principle 1 (balance). If it means that its members' views have been formed by the New Zealand press, and that they agree with the press which formed those views, it is using a circular and hence meaningless argument.

5.2. Political Aspects, Media Monitoring Organisation and Zionism

The Council stated that it did not wish to "*become a platform for political views*" and that KBRM's "*members are probably aware of the effect that complaints from ... organisations, such as Honest Reporting, CAMERA and Palestine Media Watch are having on various media overseas. The Council seeks your co-operation to ensure that the same position does not arise in New Zealand.*" We sought clarification of why it felt it was at such risk, and what its objections were to overseas media-monitoring organisations.

The Council responded that "*your website indicates that your sister organisations include Honest Reporting and CAMERA. There are many articles which suggest that these organisations are strong, forceful, Zionist groups aimed at affecting and disrupting media coverage [our emphasis]. It was assumed that, as these are your sister organisations, your aims are the same.*"

The aims of HonestReporting (HR) and CAMERA, as stated on their websites, are as follows:

- "To ensure Israel is represented fairly and accurately, [HR] monitors the media, exposes cases of bias, promotes balance, and effects change through education and action"; and
- "[CAMERA] is a media-monitoring, research and membership organization devoted to promoting accurate and balanced coverage of Israel and the Middle East".

It is unclear why the Council considers this to be "disruption". It must mean either:

- that to seek balanced coverage of Israel/Palestine is a "Zionist" (i.e. political) attempt to subvert the integrity of the press; or
- that HR and CAMERA have hidden agendas which conflict with their declared aims.

By coupling “Zionism” and “disruption” of the media, the Council invoked the long-running anti-Semitic slur that Jews seek to advance their interests over those of non-Jews by controlling and manipulating the media.

Zionism involves support for the presence of a Jewish homeland (Zion) in Palestine. The New Zealand Government recognises Israel and is Zionist on this definition, as are many sovereign states, the UN, the OECD and other supranational organisations. If the Council believes that a Jewish homeland should *not* exist in Palestine, it is definitely taking a political view.

In summary:

- there are other organisations with similar aims to ours, i.e. we are not alone in perceiving a problem
- those organisations have proved cases of anti-Israel bias in English-language media elsewhere, to the satisfaction of impartial authorities. It would be rash to assume that similar cases could not happen in New Zealand, which draws nearly all its foreign news from overseas sources
- there is a body of opinion which has the power to publish “many articles” opposing those who seek fair reporting on Israel, and with which the Council appears to side.

This suggests a need for more vigilance in monitoring reporting of Israel, rather than less.

5.3. Sources

The Council holds that that “*reports sourced from overseas agencies are not to be equated with editorial opinion*”. It is unclear to us precisely what this means. Opinion pieces necessarily reflect editorial opinion. Opinion in news may be attributed or unattributed. If attributed, it is (i) easy to identify; (ii) subject to a “fair voice” in reply. Unattributed opinion in news contravenes Principle 4 by failing to distinguish comment and fact. Editors have a duty of care and should be alert for disguised opinion, especially on a topic as contentious as that of Israel.

On its website, the Council is explicit that “*Editors have the ultimate responsibility for what appears in their publications*”. This appears to conflict with its first statement.

Editors clearly have control over agency-sourced material, because:

- agency reports are often edited, while still attributing the item to the agency. We noted above items attributed to AP in which headlines appeared to have been edited so that they conveyed opinion. Items are regularly shortened or conflated editorially
- editorial staff routinely select items from the large quantity of material provided daily by the sources they use.

In any case, our statistical analysis shows that although agency reports are the main source of foreign news, they are not the main source of breaches of the Principles.

The Council later argued that if a New Zealand newspaper uses a biased overseas source, even if it has access to an unbiased one, it is not itself manifesting bias. It appears to be absolving editors - in advance - of responsibility for what they print, as long as it was first published overseas. This would make unimpeachable authorities of overseas titles, mainly British ones which are allowed by their own regulator to be “partisan”.

5.4. Opinions of John Roughan

John Roughan is Assistant Editor of the Herald and sits on the Press Council. He writes regular opinion articles which appear mainly in the Herald’s online version. Over the past few years he has published some 20 pieces referring to Israel, almost entirely critically (these are not the subject of a complaint at this point). His published opinion is permeated by the Arab narrative, and often goes beyond it. Roughan acknowledges as authorities Robert Fisk, John Pilger and Noam Chomsky, all known for their anti-Israel views.

While Roughan is entitled to his opinions, it is seriously to be questioned whether he can take an impartial stance on complaints about coverage of Israel. There is also scope for a conflict of interest if Roughan is involved in processing complaints against the Herald.

A selection of Roughan’s opinions, from the Herald’s online archive in early 2011 follows:

- Israel was “imposed” on - or was “given” - “Arab territory” as a consequence of the “discovery of the [Nazi] death camps” towards the end of World War II. Roughan does not appear to have heard of the Basle Congress (1897), the Balfour Declaration (1917), the Sevres Treaty and San Remo Conference (1920), or the resulting British Mandate over Palestine (1922)
- “Invasion and seizure of homes and property is still a common experience for Palestinians in the West Bank.” as part of the “steady, strategic clearance of Palestinian homes and villages”. “West Bank settlers continue seizing Palestinians' homes” This is not borne out by evidence, including that of Israeli pro-Palestinian groups
- the “expression” of a “promised land” for Jews is “brutal”
- Zionism is a “peculiar xenophobia”
- Israeli security barriers are aimed at “dividing and weakening any potential Palestinian state”
- Israel is not “criticised as strongly as it deserves” - though his own paper published 26 opinion articles critical of Israel and one supportive in a period of 13 months
- anti-Semitism is an “anachronism”, or does not exist, or has not existed since the end of World War II, and “to let [it] into discussion today is ridiculous”. This seems confusing, but Roughan finds anti-Semitism “incomprehensible” and so is not the best authority on it. Roughan is clearly uninformed as to recent racial attacks on Jews in Sweden and Germany, and apparently believes that all anti-Jewish attacks are motivated solely by political opposition to Israel
- anti-Semitism expressed by “Arab or other Middle Eastern” sources “can be forgiven”. Roughan appears confused between hostility to Israel’s policies and hatred of Jews, even though the article from which this quote was taken also argued that they can and should be differentiated
- those who desecrated a Jewish cemetery in Wellington, New Zealand were exercising their right to protest against Israel (“What... has [this] got to do with Israel? Probably everything”), but their methods are to be criticised for discrediting the anti-Israel cause (“Cemetery wreckers hurt us, not Israel”). Roughan is “almost afraid now to argue for the freedom of a Holocaust sceptic to visit [New Zealand] or even to criticise Israel... strongly”, thereby casting Holocaust denial (which arises from anti-Semitic conspiracy theory, and is illegal in many countries) as an extension of legitimate criticism of Israel
- the idea that the Arab side is equally to blame for the conflict “cannot comfortably” be adopted, i.e. Israel is by definition more, or solely, to blame. Roughan seems unaware of the 1948 Arab attacks on Israel which started the conflict
- the US should “enforce UN resolutions in Palestine” and “cease to finance Israel until it withdraws from the occupied territories”. Roughan seems unaware that no enforceable UN resolutions have been passed against Israel, and that Israel has largely complied with (advisory) Security Council resolution 242, the basis of the “road map” for peace
- The Holocaust is “invoked for the defence of Israel's conduct”. There is no evidence that this occurs to any extent, although it seems to be an article of faith among holders of anti-Israel views
- Israelis are to blame for not trusting Palestinians, in spite of their experiences with suicide bombers and similar. An unnamed Israeli was strongly criticised because he “still does not believe that after 55 years of [violent] failure to dislodge Israel, Palestinians would settle for a co-existing state”. Roughan seems unaware that many Palestinian organisations state firmly that they will not accept the existence of Israel
- “the destruction of Jenin” was carried out by Israel. The claim of a massacre at Jenin is known to be a hoax, and even so “destruction” is an exaggeration
- Israel has “chosen Zionism over biculturalism”. In New Zealand, biculturalism specifically means equivalent status for European and Maori cultures and is widely viewed as morally right. Roughan seems unaware that Israel has a large peaceful Arab population, and that Palestinian Arabs have repeatedly rejected “biculturalism” with Jews
- in response to the hypothetical question, *If 4 million Maori had left New Zealand when it was founded and now wanted to come back, would you let them in?* he answered “yes”. It did not

apparently occur to him that for the analogy to be meaningful, the hypothetical Maori would wish to destroy the present New Zealand culture

- Israel is a “running sore in the Middle East” and the Jewish homeland should be transferred to the US, as Israel is “the size of Northland” (a smallish region of New Zealand) and “the US would hardly miss the territory”
- “no credible” efforts to deal with weapons of mass destruction “could leave a nuclear option in the hands of Ariel Sharon and his ilk.” Meanwhile, Iran is to be believed when it claims no interest in nuclear weapons, in spite of its nuclear development programme and threats against Israel. An Israeli suggestion that it would retaliate if attacked by Iran is a “threat and a pre-emptive raid”. It is unclear what Roughan means, since Israel has never carried out an attack on Iran. Both Iran and Israel are widely-believed to have or seek nuclear weapons, but it is Iran which is threatening to destroy Israel and not vice versa
- the presence of Jews at Jerusalem’s sacred sites “snuffed the last life out of the candle lit at Oslo”. Roughan appears to endorse the Arab argument that Jerusalem’s religious significance is purely Islamic
- Muslim “resentment” of the existence of Israel as “an ongoing affront to the territorial integrity and pride of the Arab people” is to be “understood”
- the US should get on with “mollifying Islamic nationalism by getting serious about Israel”
- the “conduct of American policy towards Israel and the Middle East” “prompts” terrorist attacks such as those of 9/11. This implies that terrorism would cease if the US turned against Israel. Under the Presidency of Barack Obama the US *has* turned significantly against Israel, with no reduction in violence or advancement of the peace process.

Appendix - Kiwis for Balanced Reporting on the Middle East

KBRM was founded by people concerned that in the New Zealand media, both news coverage of Israel and opinion about Israel were often unfair and unbalanced.

Its members come from a variety of ethnic and religious backgrounds, and share only a connection with New Zealand and a concern for fairness in its media.

KBRM is funded by the donations of its members and receives no external financial or other support.

Copyright Statement

This report may be reproduced in whole or in part for non-commercial purposes provided that acknowledgement is made to “Kiwis for Balanced Reporting on the Middle East” (in full). A link may be provided to the report on our website, www.kbrm.org.nz. For permission to reproduce this report or part of it in any publication intended for sale, please contact KBRM via our website.