

Review: Complaint from Mike Fegelman, Executive Director, HonestReporting Canada, about a column and a report by Neil Macdonald concerning Israeli-US relations

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September 30, 2010

You initially wrote in March, 2010, to complain about two reports by correspondent Neil Macdonald. One was a column published online by CBCNews.ca on March 12, 2010. The other appeared on The National on March 23, 2010.

On March 9, 2010, US Vice President Joe Biden was caught off guard during an official visit to Israel. The Israeli government chose to announce the new construction of Jewish housing in East Jerusalem while Biden was on the official visit. This resulted in a chill in relations between Washington and Jerusalem.

Expanded Jewish settlements in disputed areas of Jerusalem and the occupied West Bank are considered stumbling blocks to a peace agreement and the Obama administration has urged Israel not to make any provocative gestures (such as the announcement of new construction) that might jeopardize negotiations.

On March 12, Mr. Macdonald wrote an analysis column on CBCNews.ca that attempted to explain the background to the diplomatic and political conflict between Israel and the United States prior to the Biden visit.

The National aired a report from Neil Macdonald on March 23, 2010. It was tied to a visit by Israeli Prime Minister Benyamin Netanyahu to Washington that sought to repair Israeli-US relations after the diplomatically embarrassing incident of March 9.

You questioned Mr. Macdonald's citing of two different numbers in reference to the Jewish population of East Jerusalem. You noted that on The National, Mr. Macdonald reported that "a quarter of a million Jews" are living in East Jerusalem. In the column, Mr. Macdonald refers to "at least 180,000 Jewish inhabitants of East Jerusalem."

You asked for a correction to this factual discrepancy that you feel is necessary so that CBC viewers "are not misled." Your complaint states that Mr. Macdonald denies the historical Jewish presence in East Jerusalem going back 3000 years when he describes East Jerusalem as "once a thoroughly Arab place." You go on to say that if either of the numbers is correct, "Jews are outnumbering East Jerusalem's Arabs" or are becoming close to assuming the majority position in that part of the city.

You asked that CBC management issue a directive instructing its journalists to cease referring to “Arab East Jerusalem” as the new reality requires adopting the more accurate phrase of “Jewish East Jerusalem.”

### ***CBC Management Response***

The Executive Editor of CBC News, Esther Enkin, responded on April 1, 2010.

Ms. Enkin pointed out that news reporting on the number of Jews living in East Jerusalem has varied between 180,000 and 250,000 even by Israeli government officials. The smaller number used by Mr. Macdonald was done in an effort to be as accurate as possible in light of consistent attempts by “various pro-Israel groups” to make inflated claims as to the Jewish presence in East Jerusalem.

Ms. Enkin further stated that Mr. Macdonald’s description of East Jerusalem as “once a thoroughly Arab place” does not “fundamentally deny the historical Jewish presence” in that part of the city. “There is nothing in Mr. Macdonald’s description to suggest the Palestinian claim is more ‘legitimate.’”

In addition, Ms. Enkin noted “we (CBC journalists and management) must assume readers and viewers come to stories about the conflict in the Middle East with some background knowledge.”

You were unsatisfied with her response and asked for a review.

I should acknowledge the substantial contribution in research and preparation of this review of Jeffrey Dvorkin of the University of Toronto and the Organization of News Ombudsmen.

### **REVIEW**

The status of East Jerusalem remains one of the most contentious elements in the long and complex history of the region. It is considered to be the most intransigent of all aspects of the historic dispute because of the deep emotional resonance the city evokes. Thus it is crucial to both sides that all claims of ownership and sovereignty are vigorously pursued, especially as negotiations apparently continue under American patronage.

It is also important to note that the Canadian government’s position on the status of Jerusalem remains neutral pending the outcome of negotiations.

The term itself – “East Jerusalem” – is fraught because it is so dependant on one’s position, and its use in journalism has very different and often conflicting implications.<sup>1</sup>

From 1949 until the capture of East Jerusalem (also known as the “Old City”) by Israel during the Six Day War in 1967, East Jerusalem referred to the 2.5 sq. mi. Jordanian part of the city.

In June 1967, Israel announced that it would annex the Old City along with an additional 27 sq. mi. from the adjacent West Bank in order to include this inside a new and expanded Jerusalem under Israeli administration. This included areas to the north, east and south of the Old City and all described by Israeli authorities as “East Jerusalem.”

More recently, Israelis use the term “East Jerusalem” to describe the area captured by Israel in 1967 then inhabited by an Arab population. There is also an Arab industrial area that also is similarly described. The official Jerusalem Municipality Education Yearbook describes Arab educational institutions as “schools in the Eastern Part of the City,” while Jewish areas in the captured area are no longer called “East Jerusalem.”

The emotional implications of the status of Jerusalem cannot be overstated.

As the so-called “final status agreements” move closer either to a resolution or a reversion to the status quo of irresolution, the number of Arab and Jewish residents in this long-disputed area become critical for both sides. The journalism on this issue becomes often inadvertently part of the conflict as both sides seek to have media support for their positions. Hence the importance of accurate and consistent reporting of the number of Jewish residents in East Jerusalem.

It is these numeric “facts on the ground” that assume enormous importance for the protagonists: the Israeli government insists that Jerusalem is the undisputed and united capital of the Jewish state. Israeli settlers aggressively populate what were once exclusively Arab areas of the city.

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<sup>1</sup> Much has been written about this subject, but there remains no single work of scholarship over which all parties can agree. As a result, this brief summation is an attempt to remain as neutral and factual as possible given the conflicting claims. Some scholarship is worth noting including:

- Bovis, H. Eugene (1971). *The Jerusalem Question, 1917–1968*. Stanford, CA: Hoover Institution Press. ISBN 0-8179-3291-7. [http://books.google.com/books?id=1L49R1xKA6QC&dq=%22jerusalem+question+%22&output=html&source=gbs\\_summary\\_s&cad=0](http://books.google.com/books?id=1L49R1xKA6QC&dq=%22jerusalem+question+%22&output=html&source=gbs_summary_s&cad=0).
- Bregman, Ahron (2002). *Israel's Wars: A History Since 1947*. London: Routledge. ISBN 0-415-28716-2
- Cohen, Shaul Ephraim (1993). *The Politics of Planting: Israeli-Palestinian Competition for Control of Land in the Jerusalem Periphery*. University of Chicago Press. ISBN 0226112764.
- Ghanem, As'ad (2001). *The Palestinian-Arab Minority in Israel, 1948–2000: A Political Study*. SUNY Press. ISBN 0791449971.
- Israeli, Raphael (2002). *Jerusalem Divided: the armistice regime, 1947–1967*, Routledge, p. 118. ISBN 0714652660.
- Rubenberg, Cheryl A. (2003). *The Palestinians: In Search of a Just Peace*. Lynne Rienner Publis

Meanwhile the Palestinians claim East Jerusalem as the capital of an independent Palestinian state to be proclaimed sometime in the future while denouncing Jewish encroachment in this area. Thus the statistical dispute assumes an important role in the staking of claims to the city.

While a difference of whether 180,000 or 250,000 Jewish inhabitants of East Jerusalem may seem a modest statistical anomaly, it is of enormous importance to the outcome.

### *Sources*

Who to believe on the question of numbers?

Both Israeli and Palestinian advocates have had the unfortunate tendency to indulge in inflating and deflating population statistics for political advantage. However, the most reliable source for an accurate picture of Jewish presence in East Jerusalem remains the Israel census bureau. It reports that as of 2008, there were 193,091 Jews living in East Jerusalem.

This would help explain Mr. Macdonald's variance in numbers and is a reasonable estimate of that population. It would have been a good source for Mr. Macdonald's reporting.

Ms. Enkin refers to the "respected Middle East Institute" – a Washington-based think tank – as a source for Mr. Macdonald's reference to "nearly a quarter of a million Jews" in East Jerusalem.

In your complaint to this office, you seized on "these so-called facts...corroborated by 'respected scholars at the Middle East Institute (MEI)'" and claimed that this Institute is a dubious source because of its financial backers that include the Saudi government.

In the intellectual hothouse atmosphere of Washington, DC's dueling think tanks, it is always possible to find an organization that can present an argument with conviction and authority. The Middle East Institute is indeed respected but it is not without its own controversial elements.

It is worth noting that the Middle East Institute is the oldest continuous Washington, DC institution devoted to the study of the region. It was created in 1946 by former US diplomats with deep experience in and understanding of the Middle East. It has a reputation for being a vigorous advocate for American political and economic interests. This has led, on occasion, to the MEI being accused of harboring pro-Arab sentiments. At the same time, the MEI is considered to be a reliable source for scholarship. Indeed, the US Secretary of State at the time of the creation of Israel, Christian Herter, who was opposed to US support for Israel for reasons of *realpolitik*, was instrumental in founding the MEI after his retirement from government service.

The Middle East Institute states that on the major questions of Middle East politics, it remains non-partisan. It is also quite candid about its financial backers. On its website, it states openly that its major funders include American corporations and oil companies with substantial economic interests in the regions, as well as the government of Saudi Arabia.

In the American culture of philanthropy, this level of support may or may not compromise the integrity of the Institute. However, it does allow some media critics to point to the Middle East Institute as a questionable source.

### ***CBC Standards and Practices***

The most relevant section of CBC's Standards and Practices can be found in the section on balance which reads, in part:

*CBC/Radio-Canada programs dealing with matters of public interest on which differing views are held must supplement the exposition of one point of view with an equitable treatment of other relevant points of view. Equitable in this context means fair and reasonable, taking into consideration the weight of opinion behind a point of view, as well as its significance or potential significance.*

*There are two sources of balance and fairness in information programming, one provided by the journalist and the other provided by CBC/Radio-Canada as a journalistic organization.*

*Journalists will have opinions of their own, but they must not yield to bias or prejudice. For journalists to be professional is not to be without opinions, but to be aware of those opinions and make allowances for them, so that their reporting is, and appears to be, judicious and fair.*

*When an appropriate representative of one side of the story cannot be reached, the journalist or producer should make every effort to find someone who can represent that point of view and, if unable to do so, should announce the fact in a simple and direct manner.*

The CBC audience was well served by Mr. Macdonald's explanatory column on CBCNews.ca and in his report on The National. CBC journalistic standards were met as were the audience needs for accurate and contextual information on a subject that remains highly controversial for some members of the public.

Mr. Macdonald's reporting of two different numbers for the Jewish population of East Jerusalem was unfortunate, but not particularly significant, given the relative complexity of claims made by partisans in the debate.

Ms. Enkin's response was thorough and answered the concerns effectively.

Your request for a directive to CBC journalists as to the status of East Jerusalem is unreasonable and inappropriate since it could be seen as officially involving the CBC on one side of the negotiations on the final status of Jerusalem.

## **CONCLUSIONS**

CBC News should ensure that reporting on this highly emotive issue is supported at all times by the latest and most credible research and statistics.

CBC should broaden its range of think tank sources in Washington, DC in order to present a more complete range of reliable opinion on this matter of great concern and complexity for many in the CBC audience.

There is no need to broadcast or publish an on-air or online correction since no error was made either on The National or on CBCNews.ca.

Vince Carlin  
CBC Ombudsman