The cultural obligations of broadcast television in Israel

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Abstract. In this study, a textual analysis of policy papers, drafts of legal documents and laws enacted by the Knesset are used in order to demonstrate how broadcasting policy has been shaped in Israel in order to serve cultural needs. The study describes the historical development of policy toward broadcast television in Israel, from the 1960s to 1993, when commercial television was introduced. It demonstrates how all along, though cultural goals and understandings have changed, cultural considerations were at the basis of the policy. The analysis demonstrates the changes in the value systems of Israeli policymakers and lawmakers over the years and between broadcasters, but maintains that the cultural policies in regard to non-Jewish cultural expression have remained unchanged.

1. Introduction

Policymakers worldwide often try to use the mass media in order to create and influence national culture. This study demonstrates how policymakers in Israel have designed broadcasting policy in order to propagate values and cultural understandings of certain segments of society, alienating others. It will also demonstrate how political and cultural changes over the years have resulted in changes in policy goals for television.

The cultural policies of the mass media have aroused the interest of media scholars in recent years. Indeed, Shaughnessy and Fuente Cobo (1990) put together a collection of what they described as "cultural obligations of broadcasters" in all European countries, and Blumler (1992) compiled a series of studies demonstrating how policymakers use broadcasting in order to defend "vulnerable" social values.

This study attempts to expose the underlying beliefs of policymakers concerning the role of television in society, using a critical evaluation of policy papers, drafts of laws and the laws themselves. This critical evaluation is based on a textual analysis of those documents.
2. Television as a cultural medium

When presenting the Broadcasting Authority Law to the Knesset in 1963, Israeli Justice Minister, Dov Yossef, rejected linking the legislation to the creation of television, stating that as long as the sitting Knesset was in power there would be no television. As Katz and Haas (1994), Caspi and Limor (1992), Katz (1971), Lehman-Wilzig and Schejter (1994), and others have noted, the main reason it took until the mid 1960s for television to make its debut in Israel was the fear of its cultural impact — a fear articulated particularly by Israel’s first Prime Minister, David Ben Gurion. But two groups of experts invited by the government to study the matter — one representing the United Nations Education, Science, and Culture Organization (UNESCO) in 1961, and the other representing the European Broadcasting Union (EBU) in 1965 — introduced Israeli policymakers to the developmental approach to mass media, and television in particular. This approach met a receptive ear among Israeli policymakers, and eventually led to the creation of a television service.

The establishment of a television service that would serve national cultural needs was not a unique invention of Israeli policymakers. The centralized-mobilized manner of introducing media to society was both a European and a post-colonial concept. In Israel, this approach was set by the above mentioned reports, one written by a group specializing in post-colonial policies, the other by European broadcasting experts. They covered technological, as well as production aspects, of the future Israeli television, but their most significant impact was in the area of content.

The UNESCO team, which included Dr. H.R. Cassirer of the organization and T.S. Duckmanton of the Australian Broadcasting Commission, concluded that:

A publicly operated television service, financed out of non-commercial revenues, serving the entire territory of Israel with a limited number of programme hours whose objective is educational and cultural (p. 10)

should be created, and that:

we have interpreted the term “educational television” in its broad sense, and include in it a programme range from instruction to cultural enjoyment.

From the point of view of the UNESCO experts, Israel was a developing country. It therefore required a type of television service that could be used to advance national goals. These goals, referred to briefly in the beginning of the report, included:
... the teaching of Hebrew and Israeli culture to new immigrants, their integration into the civic, economic, social and cultural life of the country, the provision of equal opportunity of education for all, irrespective of their social status or place of residence, and a proper balance between respect and appreciation for the culture of the various communities and the promotion of nationhood (p. 4).

The EBU team concluded in its report that the following basic characteristics of Israeli society could not be overlooked by outside observers when discussing problems of organization and television program planning:

a. A deep common spiritual-religious heritage.
b. A rich variety of special traditions for different groups that have differences between them – linguistic as well – that are not yet fully joined.
c. A strong, though problematic, self consciousness of the special position and role among the nations of the world.
d. The felt need by the leadership and citizens alike, and the internal demand for a commitment to a spiritual, political, and economic effort.
e. A large Arab minority, in a special situation.

As such the EBU team recommended that the main function of television in Israel – unlike that in the United States or Europe – should be to increase among its viewers the desire for information, the interest in cultural participation and thoughts about – instead of the escape from – reality, rather than to serve as a medium for entertainment. The experts did not suggest banning light television altogether, but stressed that Israeli television should contain a “certain seriousness”. It is no wonder, therefore, that the policy which eventually developed, as well as the first broadcasts, took the form they did. Indeed, the policy regarding the electronic media reflected the Zionist-Socialist ideology which sought equality and social solidarity, and characterized much of policymaking in Israel in its first years (Ben Yisrael, 1994) – in fact, probably until 1977.

In July 1965, the government decided in principle to create a television service, under the auspices of the Israel Broadcasting Authority (IBA) – then still a radio service – and in addition to the Instructional Television Trust already created by the Rothschild Foundation and whose terms were discussed separately – and appointed the “Bendor Committee” to study the cultural, political and economic aspects of this decision.

The committee, appointed a month later with representatives of all relevant government ministries, presented its conclusions and recommendations in
October 1965. The 26 recommendations covered economic, technical and cultural aspects of television. Because of the scope of this work, only the latter will be addressed. The recommendations stated (their original numbering precedes them):

1. The Broadcasting Authority should be the guarantee to the level of the programs and their *Mamlachtiyut*. ¹

2. The power of television will be of considerable magnitude in the advancement of a few *Mamlachi* targets such as the ingathering of the exiles, population dispersal, the elimination of ignorance and the teaching of Hebrew.

3. An Israeli television will reduce the destructive cultural and political influence of foreign television. The less educated people are, the more inclined they are to watch television and be affected by its content. Therefore, the most vulnerable population is also the one that watches the most television.

4. Television programs should be attractive and not frugal. This is to ensure that the audience will watch them instead of turning to foreign broadcasts.

5. Television broadcasts must reach all areas of the country, especially remote areas.

6. Israeli television, especially Arabic broadcasts, will serve as a useful explanatory and information tool in neighboring countries.

7. The programs will be in one language. In certain programs in Hebrew, there will be Arabic translation.

8. The General Television will begin by broadcasting 14 hours a week in Hebrew and about 3.5 hours in Arabic. It is preferable that broadcasts begin at the same time. Quality and quantity — quality should prevail.

9. Israeli television programs will not be broadcast in the Diaspora but they will be attainable through program exchanges.

10. The programs should be as Israeli as possible. This will also help create an industry of writing and producing television programs.

17. For the benefit of the young television service, it should develop and be strengthened without outside influences. The budgetary needs [beyond the license fee discussed in other recommendations, A.S.] should be met by government rather than by commercials.

What emerges clearly from the recommendations is that the government committee gave cultural considerations considerable attention, and in fact placed them above all other considerations, including economic and technological.
The committee describes a country threatened by propaganda broadcasts from neighboring countries that reach a vast and vulnerable audience. Indeed, what comes through from recommendation number 3 is that the committee was troubled about the influence broadcasts from neighboring Arab countries could have on the Jewish Arabic speaking population, which was able to understand the foreign broadcasts and was perceived as less educated and less sophisticated, thus more vulnerable to outside influences. Taking a patronizing view of this population, the committee was seeking to attract its attention away from the foreign influence and thus lessen the impact of foreign propaganda.

As part of the mobilized media policy the committee recommended – a policy associated mainly with developing nations – it delegated to television certain goals that were beyond the original charter of the IBA which was formed at the same time. Not only was television to enhance certain cultural understandings, it was also to serve as a tool to advance government policies, as well as a defense mechanism against foreign influences. As television became a probable feature in Israel, government officials began seeking ways to use it for the government’s purposes.

Following the inauguration of broadcasting by Instructional Television in May 1966, the government accepted Prime Minister Levi Eshkol’s proposal to postpone implementation of the “Bendor” recommendations. Eshkol, who was at odds with IBA officials, liked the idea that the only television service would be instructional television (Gil, 1986). However, the reality created after the June 1967 Six-Day War with the occupation of vast amounts of land with a large Palestinian population, required a review of this position. In September 1967 the government decided:

1. To start as soon as possible emergency television broadcasts, using the Instructional Television installation, which will be directed mainly at the population of the territories occupied by the IDF [and] the Arab citizens of the State of Israel.

2. The broadcasts will be in the format of three hours in Arabic and one in Hebrew, according to programs cleared by the Broadcasting Authority.

thus reversing the time division advocated by the “Bendor” report.

The task force created after this decision was headed by Hebrew University sociologist Elihu Katz, who later acknowledged that:

In choosing me, the government could not have found a more skeptical person as far as belief in the short-term mass media effects are concerned. I did not think that television could by itself cause the Arabs to like Israelis, and I said so (Katz, 1971, p. 254).
The first broadcast of Israeli television was an experimental live broadcast of the Independence Day parade of the Israeli Defense Forces in reunited Jerusalem, in May 1968. It may have been intended to cause Arabs to like Jews, but this initial effort made sure that whoever was watching would first be afraid of the Jews.

The single public channel, highly politicized and rarely rising above mediocrity, was first challenged as a concept only in 1978, even though at least two attempts were made to bring outside experts to help the fledgling operation in the beginning of the 1970s: the first, a CBS Television Services report in 1970 (CBS, 1970), and the second, a report submitted by Sir Hugh Greene a former director general of the BBC, to Minister of Education and Culture Yigal Allon (Greene, 1973).

The political upheaval which ended 29 years of Labor party rule and replaced it with a free market oriented government, served as the ideological background for the creation of the "Kubersky" committee – the first committee to address the need for a second television channel. This need was not fulfilled until the end of 1993, but by then the Labor party – by now a free market oriented party itself – was back in power.

3. Public service television: The Israel Broadcasting Authority

As the Israel Broadcasting Authority Law went through the stages of legislation, the Authority’s cultural obligations and functions underwent changes. The initial draft of the law published by the government in February 1963 stated that the Authority will maintain the Broadcasting Service, then still a government run radio service, as a Mamlachti service. Consequently the following tasks were delegated to it in article 3 of the draft:

1. to broadcast programs in the fields of policy, society, education, culture, science, arts, and entertainment, in order –
   a. to reflect the life of the State, its creation, achievements, and struggle;
   b. to propagate means of good citizenship;
   c. to deepen the knowledge of Jewish heritage and its ways;
   d. to expand the knowledge of listeners and their education;
   e. to reflect the life of the nation in the Diaspora, its fate, and its struggle;
2. to promote Hebrew and Israeli creativity;
3. to provide decent broadcasts in the Arabic language for the needs of the Arab speaking population and for the advancement of under-
standing and peace with the neighboring states according to the basic course set by the State;
4. to maintain broadcasting to the Diaspora;
5. to broadcast abroad programs that are of interest to the State.

The final product was slightly altered. It maintained that article 3 would read as follows:

1. to broadcast education, entertainment and information programs in the fields of policy, society, economics, culture, science, and the arts, in order –
   a. to reflect the life of the State, its creation, achievements, and struggle;
   b. to propagate good citizenship;
   c. to strengthen the connection with the Jewish heritage and its values, and to deepen the knowledge of;
   d. to reflect the lives and cultural assets of all tribes of the nation from the different countries;
   e. to expand education and to distribute knowledge;
   f. to reflect the life of the Jews in the Diaspora;
   g. to enhance the aims of the Mamlachti education as described in the Mamlachti education law of 1953;
2. to promote the Hebrew and Israeli creativity;
3. to provide broadcasts in the Arabic language for the needs of the Arab speaking population and for the advancement of understanding and peace with the neighboring states according to the basic course set by the State;
4. to maintain broadcasting to the Jews of the Diaspora;
5. to broadcast abroad.

A comparison of the two versions demonstrates that the Knesset members were aware of the need to create a more independent, less paternalistic, more Jewish, more “activist Zionist,” and more Mamlachti service, than had been originally intended by the government. Table 1 demonstrates these changes.

The following changes should be noted:
1. The two content obligations added by the Knesset, both strive to take a broader, more equal view of society: adding the Mamlachti educational system as a system to be served by broadcasting and adding the “cultural assets of all the tribes of the nation”.
2. The term “education” of listeners was replaced with a less binding “knowledge”.
Table I. IBA Aims: Draft and Law

<table>
<thead>
<tr>
<th>1963 Draft</th>
<th>1965 Law</th>
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<tbody>
<tr>
<td>(a) to reflect the life of the State, its creation, achievements, and struggle;</td>
<td>(a) to reflect the life of the State, its creation, achievements, and struggle;</td>
</tr>
<tr>
<td>(b) to propagate mean* of good citizenship;</td>
<td>(b) to propagate good citizenship;</td>
</tr>
<tr>
<td>(c) to deepen the knowledge of Jewish heritage and its-ways;</td>
<td>(c) to strengthen the connection with the Jewish heritage and its values, and to deepen its knowledge;</td>
</tr>
<tr>
<td>(d) to expand the knowledge of listeners and their education;</td>
<td>(e) to expand education and to distribute knowledge;</td>
</tr>
<tr>
<td>(e) to reflect the life of the nation in the Diaspora, its fate, and its struggle;</td>
<td>(f) to reflect the life of the Jews in the Diaspora;</td>
</tr>
<tr>
<td>(2) to promote the Hebrew and Israeli work of art;</td>
<td>(2) to promote the Hebrew and Israeli work of art;</td>
</tr>
<tr>
<td>(3) to provide decent broadcasts in the Arabic language for the needs of the Arab speaking population and for the advancement of understanding and peace with the neighboring states according to the basic course set by the State;</td>
<td>(3) to provide broadcasts in the Arabic language for the needs of the Arab speaking population and for the advancement of understanding and peace with the neighboring states according to the basic course set by the State;</td>
</tr>
<tr>
<td>(4) to maintain broadcasting to the Diaspora;</td>
<td>(4) to maintain broadcasting to the Jews of the Diaspora;</td>
</tr>
<tr>
<td>(5) to broadcast abroad programs that are of interest to the State</td>
<td>(5) to broadcast abroad.</td>
</tr>
<tr>
<td>(d) to reflect the lives and cultural assets of all the tribes of the nation from the different countries;</td>
<td></td>
</tr>
<tr>
<td>(g) to enhance the aims of the Mamlachi education as described in the Mamlachi education law of 1953;</td>
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</tr>
</tbody>
</table>

3. Deleting "that are of interest to the State" from subsection (5) reflects an attempt to establish an international service independent of a mission of propaganda.

4. Deleting "decent" from the description of broadcasting in Arabic while adding the "cultural assets of all the tribes of the nation" in reference to the Jewish population call for a less paternalistic service.

5. Adding "to strengthen the connection with the Jewish heritage" in addition to "deepening the knowledge of," demonstrates a greater commitment to Judaism on behalf of the Knesset.
6. The description of life in the Diaspora was minimized, as the words "its fate and its struggle" were deleted. In addition, the term "nation" was replaced by the term "Jews". The term "Jews" was also added as the target audience of broadcasts abroad. While this may seem semantic, and although it is dangerous to draw conclusions based on textual differences alone, there is an obvious change in the reference to Diaspora Jews, which distances them as a group and part of the Nation, minimizes their historical role, but at the same time distinguishes them as a separate audience from that of the general "broadcast abroad".

Both versions demonstrate a clear difference between what broadcasting represents for the Jewish population and what it represents for the Arab population. While the values of Judaism and the life of the Jewish people are an integral part of the cultural content of broadcasting, the broadcasting to the Arab population is meant to serve its "needs" with no detailed description of what these "needs" are or reference to whether cultural needs exist at all. Indeed, following a detailed description of Jewish cultural myths, such as Jewish heritage and Jewish "cultural assets," the "needs" of the Arab population contain no description of religious or other mythical or ritual aspects of Arab life.

The Knesset reaffirmed the aims of IBA's broadcasting in a resolution reached on December 17, 1979. In this resolution, the Knesset established that:

- television broadcasts according to the Broadcasting Authority Law must reflect the life of the State, its struggle, creation, and achievements; propagate good citizenship; strengthen the connection with Jewish heritage and its values, and deepen knowledge of; expand education, distribute knowledge, reflect the lives of Jews in the Diaspora; promote the aims of the Mamlachi education as described in the Mamlachi education law of 1953, and promote Hebrew, Israeli, and Jewish creativity.

This resolution – a combined effort of a mainly right-wing coalition, consisting of the nationalist Likud, the National Religious Party, the ultra-orthodox Agudat Israel, and the liberal Democratic Movement – represents a retreat from the direction the Knesset took in 1965. Two years after the first transfer of political power to the right, the Knesset chose to center the cultural obligations of the IBA on the Jewish population, while the diversity of the Jewish population as a central goal was omitted, and IBA's obligations toward the non-Jewish population were totally ignored. In its reference to original production, the Knesset for the first (and only) time introduced "Jewish" in addition to Hebrew and Israeli.
Article 3, therefore, has been interpreted and manipulated in a manner that demonstrates that even its "liberal" version which supposedly reflects social equality, can become hegemonic and self-serving to the group in power.

Article 3 has also been put to challenge and interpreted in court. In the "Shiran" (1981) case, a group of Jews of Middle Eastern background appealed to the High Court of Justice in order to prevent the screening of a historical documentary, "The Pillar of Fire," which was to relate the history of Zionism over a period of six months in 26 episodes. The appellants claimed that to the best of their knowledge, the role of Oriental Jewry was virtually disregarded in the series, and thus it should not be broadcast for it conflicted with article 3(d) of the Broadcasting Authority Law. The court rejected the request to issue an order to prevent the broadcast and ruled that the Authority's freedom of expression came before the duty for "equality" or "fairness" in a particular program. It also claimed broadcasting should be seen as a whole and not only through the narrow prism of one program, no matter how epic. Whether the court found the cultural needs of Oriental Jews not important enough to enforce them on the public broadcaster, is a matter open to interpretation. Because the main thrust of the decision concerned the issue of prior censorship, the court's decision has usually been regarded as liberal. The "Shiran" case has since served as a cornerstone decision for the principle of limiting censorship on the public broadcaster.

4. Commercial broadcasting: The Second Authority

The Second Network for Radio and Television Law was passed in the Knesset in 1990. This followed a very long process of mainly political infighting, initially of the pure political partisan nature, and later of the commercial nature, when the issue of cross ownership of electronic and print media surfaced.

The process was an outcome of the political changes of 1977. The Labor social-democrat coalition which had ruled the state for 29 years, lost its first election to a coalition of right-wing parties, the Likud, which was consisted of a combination of hawkish and free market-oriented political groups.

The "Kubersky Committee" was appointed jointly in July 1978, by the minister of education and culture and the minister of communications, and as a result of the decision of the ministerial committee on issues of the IBA, the committee was given a mandate to investigate the possibility of creating a second television channel taking into account two factors: First, it was clear at the outset that this would be a commercial service, since the government stated it would not participate in financing a second television
channel; second, it had to be decided whether the new channel should operate under IBA or independently.

Although a new liberal approach seemed to be looming after years of socialist-collective policies, the committee was headed by a public servant closely associated with the National Religious Party - the only party to survive the political change, and replace its historical alliance with Labor with a new alliance with Likud - while its members represented conservative, as well as liberal, standpoints. This should be borne in mind when examining the differences between the Broadcasting Authority Law, the "Kubersky" report, and the eventual 1990 Second Authority Law. It should also be borne in mind that the eventual report was highly influenced by the concept of Independent Television as it appeared in Great Britain at the time. The first draft of the commercial television law was even entitled "The Independent Broadcasting Authority Law".

The "Kubersky" report concluded that the time was ripe for a second channel, and that this commercial enterprise should be established independently of IBA. In addition, the committee believed the new television channel should follow the same cultural guidelines as the IBA, and should be structured in such a way as to minimize financial hardship to two industries: the print media and movie theaters. It was to be a commercial enterprise supervised by a public body which would have the power and function of authorizing in advance all broadcasts.

The "Kubersky" report concluded that there are many advantages in creating a second television channel, mostly advantages of the "cultural" kind. Although it may not encourage abstract thought, the report said, television plays an invaluable role in raising the "informative knowledge" of the population; it opened up society to the world-at-large; since the population does not read books or newspapers it is its only source of information; it can supply more of the public's needs in the fields of news, political commentary, education, science, culture and entertainment with new content and new ways of presentation; it has an important educational role in creating values by being an alternative to the monopolous information supply of one television channel; and it would allow for more diversity in the broadcasting of Educational Television.

The "Kubersky" report followed the lines drawn by the Broadcasting Authority Law. In creating the cultural obligations of the commercial channel, it copied word for word article 3 of the IBA law. The Knesset, when legislating the Second Authority Law of 1990, chose to create a new list of cultural commitments. Article 5 of the law states that:

a. The roles of the authority will be to maintain the broadcasts and supervise them, and this in the fields of learning, education, entertainment,
and information on the subjects of policy, society, economics, culture, science, art and sports.

b. In fulfilling its obligations the authority will act in order to –
1. promote Hebrew and Israeli works of art;
2. propagate good citizenship and strengthen the values of democracy and humanism;
3. give expression to the Jewish heritage and its values and to the values of Zionism;
4. give expression to the culture of the nations, the human work of art, and the values of civilization over the generations;
5. broadcast in Arabic for the needs of the Arab speaking population, and for the advancement of understanding and peace with the neighboring states according to the basic course set by the State;
6. give expression to the cultural diversity of Israeli society and the different points of view in society;
7. broadcast reliable, fair and balanced information;
8. maintain broadcasting aimed at providing education to the public at large and to specific populations;
9. maintain broadcasting in foreign languages for new immigrants and tourists;
10. prevent forbidden broadcasts according to this law.

The different roles assigned to IBA and to the Second Authority may be related to the changes in time or to the fact that commercial broadcasting was seen as inherently different than public broadcasting. But the truth is a combination of both. A comparison of the texts of the two laws shows that the policymakers of 1990 were more open to, and aware of, the outside world on the one hand, but still wanted to maintain the clear divisions between Jew and Arab, on the other. Setting side by side the two lists in Table 2 points out these changes.

In the 1990 law, the order of the cultural obligations has been changed (although this has been corrected in the table). Instead of starting with the “life of the State,” and the other content obligations, the list starts with the requirement to promote local production. This can be seen as a shift in the role of television as perceived by policymakers – from a mobilized medium in service of government to a “cultural” medium in service of human creativity and art. In other words, the underlying theory of mass media presented here is a “cultural” rather than a classic “effects” approach. More proof of this change can be found in the language difference between the obligation to “reflect” aspects of society set upon IBA in 1965, and the task to “give expression” to those same aspects set upon the commercial channel in 1990. Broadcasting in the 1990 law is not seen only as a passive documenter of reality, but also
Table 2. Comparison of cultural obligations

<table>
<thead>
<tr>
<th>Broadcasting Authority 1965</th>
<th>Second Authority 1990</th>
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<tbody>
<tr>
<td>(2) to promote the Hebrew and Israeli work of art</td>
<td>(1) promote the Hebrew and Israeli work of art</td>
</tr>
<tr>
<td>(b) to propagate good citizenship</td>
<td>(2) propagate good citizenship and strengthen the values of democracy and humanism</td>
</tr>
<tr>
<td>(c) to strengthen the connection with the Jewish heritage and its values, and to deepen the knowledge of</td>
<td>(3) give expression to the Jewish heritage and values and the values of Zionism</td>
</tr>
<tr>
<td>(a) to reflect the life of the State, its creation, achievements, and struggle</td>
<td>(4) give expression to the culture of the nations, the human work of art and the values of civilization over the generations</td>
</tr>
<tr>
<td>(3) to provide broadcasts in the Arabic language for the needs of the Arabic speaking population, and for the advancement of understanding and peace with the neighboring states according to the basic course set by the State</td>
<td>(5) to provide broadcasts in the Arabic language for the needs of the Arabic speaking population, and for the advancement of understanding and peace with the neighboring states according to the basic course set by the State</td>
</tr>
<tr>
<td>(d) to reflect the lives and cultural assets of all the tribes of the nation from the different countries</td>
<td>(6) give expression to the cultural diversity of Israeli society and the different points of view in society</td>
</tr>
<tr>
<td>(article 4): The Authority will make certain that in the broadcasts an appropriate expression will be given to different ideas and points of view existing in the public and that balanced information will be broadcast</td>
<td>(7) broadcast reliable, fair, and balanced information;</td>
</tr>
<tr>
<td>(e) to expand education and to distribute knowledge</td>
<td>(8) maintain broadcasting aimed at providing education to the public at large and to specific populations;</td>
</tr>
<tr>
<td>(g) to enhance the aims of the Mamlachti education as described in the Mamlachti education law of 1953</td>
<td>(9) maintain broadcasting in foreign languages for new immigrants and tourists</td>
</tr>
<tr>
<td>(f) to reflect the life of the Jews in the Diaspora</td>
<td>(10) prevent forbidden broadcasts according to this law</td>
</tr>
<tr>
<td>(5) to maintain broadcasting to the Jews of the Diaspora;</td>
<td></td>
</tr>
<tr>
<td>(6) to broadcast abroad.</td>
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</tbody>
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as a forum for cultural expression and creativity. Indeed, the long list of social and cultural goals in itself minimizes the significance of this change.
But commercial television is seen as an industry, unlike public broadcasting which is seen as an arm of the state.

The 1990 law also shows greater openness to the world than in the Broadcasting Authority Law. Here again, it can be argued that the difference reflects the role of the specific medium – commercial vs. public. Taking a more historical perspective however, it appears that, from the siege mentality of 1965 and the “Bendor” committee’s defensive media approach, Israel had become a far more cosmopolitan society by 1990 more open to the world and to foreign influences. This was already evident, as previously mentioned, in the “Kubersky” report. This change is evident in such transitions in text as in the switch from reflecting the “life of the state” to “the culture of nations”; from promoting values of Judaism, to the addition of values of Zionism, which are more secular in nature; the values of democracy and humanism were adjoined with good citizenship, thus putting it in a more Western oriented context.

What has remained unchanged is the paternalistic approach to the non-Jewish, Arab speaking, population. Indeed, in this context alone, the Second Authority Law is a verbatim repetition of the Broadcasting Authority Law. This is further proof of the fact that the changes in wording between 1965 and 1990 not only reflected different approaches to different media, but even more importantly – historical changes among generations lawmakers and their value systems.

One vital difference in the laws concerns Diaspora Jewry. The requirement in the Broadcasting Authority Law to broadcast to Diaspora Jews and to reflect their culture in local broadcasting was omitted from the roles of the Second Authority. The former seems more natural, it seems ridiculous to force commercial broadcasters to broadcast non-commercial type of broadcasts, and especially to broadcast in the service of the state. The latter denoted another cultural change overcoming Israeli society. Opening to foreign influences was a different matter than opening to portrayals of Jewish life in those nations. This has become less relevant to Jews in Israel.

The Second Authority Law has a general “forbidden broadcasts” clause, article 46, in which subsection (a)(2) has cultural consequences, as it demonstrates the values safeguarded by the lawmakers:

A franchisee will not broadcast broadcasts which contain – . . . (2) incitement to racism, discrimination, or actual damage to a person or a group of people, on the basis of their belonging to a religion, race, nationality, gender, ethnic group, lifestyle, or origin.

This, and the other provisions of article 46, which include a ban on broadcasts which are illegal and on partisan or election campaign materials, apply, according to article 86(1), to the content of advertising as well.
5. Discussion: Can these policies be vindicated?

Israeli electronic media policy has evolved over the years from a strictly authoritarian model, to a developmental one, to a public service one, and eventually to a mixed commercial-public broadcasting model whose consequences are yet to be seen. Along the way, the main characteristics of democratic policies were adopted, namely freedom of expression and freedom of access to the media infrastructure.

Throughout its history, the policy has been rooted in a strong belief of powerful media effects. As the 1961 UNESCO report notes:

Emphasis on [television's] constructive role seems especially called for in view of the potential harmful effects of television which preoccupy Israel public opinion (p. 6).

The list of fears of the Israeli public cited in 1961 included, among others, the fear that television viewing "induces passivity" and that "trivial crime or sex-centered programming will have a corrupting influence upon the audience." Fears of this sort appear even after television was introduced, and are cited widely in the 1979 "Kubersky" report and in the 1982 "BarSela" report on cable television. The fears demonstrated by the "Bendor" committee were of propaganda influences.

It is these sort of fears and policy considerations that create media policies aimed at shaping public attitudes. It is important to note though, that these policies do not arise from authoritarian or developmental traditions alone. A study of the policy papers leading to the creation of public broadcasting in the United States, mainly the Carnegie Reports of 1965 and 1979, will demonstrate that they contain similar jargon. For example the statement that "the power of communication media must be marshaled in the interest of human development" (Carnegie, 1979, p. 12).

A policy that aims to influence the public's behavior is a "social regulatory policy" (Tatalovich and Daynes, 1988). The social regulatory policy that characterizes Israeli electronic media is based within a model common among developing nations (as described in Katz and Wedell (1977), and Rogers (1986), for example). Israeli governments sought the expertise of international organizations and accepted their initial observation that Israel was a developing society. Later on, a foreign system was adopted, and eventually foreign programming became a major part of broadcasting content. The self-image of a developing nation was worth preserving, because it allowed policymakers to formulate undemocratic solutions to issues which require democratic solutions. Still, Israeli politics cannot be defined undemocratic,
the opposite is correct. It is mainly in the cultural policies in this democratic system that these developmental tendencies are so apparent.

If the policies concerning censorship can be justified because of real security problems, the creation of the Mamlachti education system and then the Mamlachti broadcasting service, were justified in view of social-cultural needs. The reports put out in the 1960s – the UNESCO report and later on the EBU report – depicted Israel as a society in need of social cohesion whose direction and scope is to be determined from top to bottom. This is a classic developmental attitude that has been criticized over the years (for example: Rogers, 1976). It is a policy that serves governments, irrespective of the real needs of their constituents, but again, it is not limited to developing nations. Public service broadcasting’s British tradition was also paternalistic at the outset. Similar trends were seen in Canada where the Canadian Broadcasting Corporation seeking to renew its license in 1978 stated that “what the CBC is really all about is the creation of a national consciousness” (Schudson, 1994).

The switch from government controlled broadcasting media to a free market concept did not resonate fully among Israeli policymakers. It is not surprising, therefore, that commercial broadcasting has been put under tight content supervision of a government appointed council. Only the enormous economic power of the print media, which eventually became the owners of these commercial enterprises, was able to minimize the impact of government on Israeli cultural industries. Discussion of the issue of cross-ownership of media outlets and its threat to democracy warrants a separate study.

It is believed that Israeli public policies have become less communal-socialist and more individual-hedonistic (Ben Yisrael, 1994). According to Katz et al (1993) this transition reflects public sentiment at large. But the broadcasting policies instated in the 1980s and 1990s reflect a view, although still only on paper, that commercial media outlets should also adhere to a higher calling. Since commercial broadcasting was only introduced in November 1993, it is yet to be seen how their cultural obligations will develop. At this stage, it seems they will be minimal.

But even though some of the paternalism of the system may be justified on the grounds of a true public need, it is hard to justify the marginalization of the real ethnic minority, the non-Jewish population. The Israeli system has advocated democratic solutions, mainly through the court system, in an inherently authoritarian legal system. These breakthroughs did not go unnoticed by Non-Jews. They too have been awarded the same freedoms of expression that Jews have acquired, and the marginalization of their cultural needs cannot be justified under any of the ideological principles which served as the basis for the policies.
The very idea of enculturating roles assigned to social institutions smacks of paternalism. Indeed, social regulatory policies can generally be regarded as paternalistic. Israeli policymakers have taken a paternalistic view of media’s roles. However, over the years, and with the introduction of commercial media, the approach of policymakers has become less paternalistic.

The cultural role of broadcasting has become the subject of public debate in Israel in recent years. This debate, triggered by the introduction of commercial media, also took place in other countries undergoing similar changes. In all countries, policymakers have created social regulatory policies for mass media. The introduction of commercial media would seem to carry the promise of more freedom for society and less regulation. In fact, however, it has brought about the creation of policies that do not necessarily promote freedom of speech or an open undistorted communication process in society.

What remains to be seen is what lies in the future. Predicting is a dangerous and awesome task. The history of policy which has been detailed in this study may help us to predict its future. Israeli policymakers have not demonstrated at any stage of the changes the policy underwent that their will to control media content has diminished. The contrary may be true. Still today all government actions concerning electronic media demonstrate an urge and a need to control content. The next few years will not, I believe, bring change, at least not in government attitudes. What may bring change is the introduction of computer mediated communication and the digitalization of communication. Commercial entrepreneurship in Israel may in the not-so-far future prove to policymakers that their attempts to control are around the wrong media.

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Notes

1. Mamlachti can be defined in at least two different ways, and these different interpretations are evident in this study as well. On the one hand, Mamlachti is what lies in the public sphere, that sector of social life which is between the governmental and the individual. In this sense Mamlachtiyun is represented in the educational system, and in the public broadcasting system, differentiated from "government" which is naturally politically one-sided.
2. There were additional reasonings for the injunction, not concerning section 3.

References


