

December 8, 2008

## REVIEW

### ***Paix, propagande et Terre promise*, a documentary broadcast October 23, 2008, on *Les grands reportages*, Réseau de l'information**

## Summary

More than 150 people contacted my office to protest the airing of a pro-Palestinian foreign documentary, *Paix, propagande et Terre promise*, which was broadcast October 23, 2008 by Réseau de l'information (RDI) on *Les grands reportages*. They accused Radio-Canada of having aired a piece of propaganda that contained factual errors.

Radio-Canada has admitted an error: presentation of the documentary did not comply with its *Journalistic Standards and Practices (JSP)*. There was no mention of the production date (2003) or the fact that the situation in the region had changed since that time, due notably to the dismantling of Israeli settlements in the Gaza Strip.

The documentary, produced five years ago, contains anachronisms and inaccuracies, and pro-Palestinian groups were involved in researching the film.

Given the circumstances and the acknowledged failures of editorial control, this documentary should not have been broadcast.

## THE COMPLAINTS

On October 23, 2008, *Les grands reportages* broadcast on Réseau de l'information (RDI) an American documentary entitled *Paix, propagande et Terre promise*, which discussed how the Arab–Israeli conflict is depicted in the U.S. media.

I received 156 complaints about this broadcast. Most of those filing complaints, who were in various countries, did so in response to an appeal by *HonestReporting* Canada, a pro-Israel media watchdog that encouraged visitors to its website to send complaints to my office.

Other Canadian television viewers who saw the broadcast sent complaints of their own accord. They felt it was not a balanced documentary but rather a work of propaganda, slanted toward Palestinians, that contained factual errors. Here is an excerpt from a complaint from Quebec-Israel Committee:

“(…) By failing to identify the film as a point-of-view documentary expressing clear political or social advocacy, and by picking up the biography of its writer almost word for word, RDI failed to comply with the Radio-Canada *Journalistic Standards and Practices*, which stipulate that *such a production should be prominently identified as a work of opinion at the beginning and at the end.* (…)

The exclusive participation of pressure groups, and organized interests, as well as the production credits acknowledging such groups, seriously compromised RDI's responsibility to see to it that “political interest groups [...] or pressure groups do not attempt to use this type of production to disseminate their opinions,” and should have prompted RDI to question whether the film had been produced independent of any group that might have a direct interest in the issues raised.

RDI was derelict in its duty to ensure fairness and balance, by presenting a one-sided indictment of one of the two parties in the conflict and by neglecting to present other viewpoints on the issue in this broadcast—as stipulated in the Radio-Canada *Journalistic Standards and Practices*—so that viewers might be able to note that different conclusions might be drawn from the same facts.

By tolerating the film's numerous blips in regard to the historic, political, and diplomatic realities of the Israeli-Palestine conflict, RDI failed in its responsibility regarding the factual truth—applicable even in the case of point-of-view documentaries—and failed to subject the film to the criteria for exceptional quality and relevance, as stipulated in its own *Journalistic Standards and Practices*, before broadcasting it.”

The corporate affairs director handling complaints sent this response to all who wrote:

“We received your comments on the documentary *Paix, propagande et Terre promise* broadcast on the RDI program *Les grands reportages* on October 23.

Please allow me to first provide some explanations on the context in which we broadcast documentaries. The documentary format promotes the expression of personal viewpoints. In nearly all cases, these documentaries are produced by film-makers outside Radio-Canada. We choose to broadcast them because we believe they contain information that is considered of interest to viewers.

In broadcasting point-of-view documentaries, Radio-Canada does not endorse the opinions contained therein. To the contrary, we do so as part of our desire to present a variety of viewpoints on topics that are of public interest.

The documentary *Paix, propagande et Terre promise* contained thought-provoking information for the Canadian public on how U.S. media treat the Israeli-Palestine conflict. It was produced in the U.S. by the Media Education Foundation, and distributed by Mundovision.

That said, this documentary was a partial update of a film shot four years ago, before Israel pulled out of Gaza. As a result, our on-air presentation should have positioned it as a four-year-old piece rather than a current one about the impact of the Middle East on the impending 2008 U.S. presidential elections.

In effect, it presented a highly personalized point of view on the conflict. We recognize that this point of view was clearly pro-Palestinian. We wish to ensure you that we have recently acquired other documentaries offering different insights into the situation in Israel and Gaza, and we intend to broadcast them in the coming months. (...)”

After having received this response, a number of those who complained asked me to review the issue because, from their perspective, this documentary should simply not have been broadcast, regardless of how it was presented.

## THE REVIEW

### *The rules to be followed*

Information broadcast on Radio-Canada must comply with three core principles set out in the *Journalistic Standards and Practices*: accuracy, integrity, and fairness. However, there are exceptions for documentaries produced outside Maison Radio-Canada, particularly “point-of-view documentaries expressing clear political or social advocacy.”

“The phrase “point-of-view” is also used at times to describe a work of clear opinion, advocacy, or a factually-based polemic which argues a specific remedy or perspective in a controversial matter. While factually based, the work does not fairly portray the range of opinions involved in the issue or story. The programmer will at times be faced with the decision whether or not to broadcast an entire production which substantially transgresses the CBC’s journalistic standards because it openly espouses an opinion on a controversial matter, to the exclusion of other pertinent facts or reasonable views. (...)”  
(JSP, Appendix A, 2.4)

The documentary *Paix, propagande et Terre promise* meets these criteria. The film claims, without proving it, that the government of Israel controls U.S. print and electronic media. In order to illustrate this argument, the film uses excerpts from television newscasts that fail to mention the fact that the Palestinian territories are **occupied** by Israel. This omission, the choice of words, and the routine absence of context reinforce false perceptions among the U.S. public, according to the film. There is no fairness, balance, or nuance here: this pro-Palestinian documentary presents one point of view, one side of the coin. All those interviewed—academics, Israeli and Palestinian activists, media critics and journalists—agree with this perspective. If Radio-Canada chooses to present a documentary of this type, some rules apply:

“In considering such works of opinion or argument for broadcast, the CBC has to assure fairness and balance by other means. The CBC should also guard against political or economic interest groups and lobbies exploiting this avenue. (...)”  
(JSP, Appendix A, 2,4)

“Such a production should be prominently identified as a work of opinion at the beginning and at the end.”

(JSP, Appendix A, 2.4, b)

“Even in a work of opinion, facts should be respected and arguments should reasonably flow from those facts. (...)”

(JSP, Appendix A, 2.4, d)

### *Is the production clearly identified?*

Management at Radio-Canada quickly admitted its error: presentation of this piece did not comply with Radio-Canada journalistic policy. Here is a transcription from the episode of *Les Grands reportages* in question:

“Peace, propaganda, and the Promised Land. Do the U.S. media view Israeli settlement in the occupied territories as merely an act of defense?

Welcome to *Les Grands reportages*. Is it still possible that a Middle East peace agreement, as envisioned at last year’s Annapolis conference, might be signed before the end of 2008? With the U.S. election around the corner and the prime ministers of Israel and Palestine both leaving office, many doubt it. According to Middle East experts, over the past 40 years, the State of Israel’s colonization policy has been stepped up in occupied Palestinian territory. The result: daily violence, from both the Palestinian and Israeli sides. So what do the U.S. media have to say about this never-ending conflict? Are they distorting the judgment of our neighbours to the south?”

There was no mention—during this presentation or at the end of the broadcast—that this was a point-of-view documentary, an advocacy film. Nor was there mention of its writer or U.S. production company, Media Education Foundation. In fact, it was the name of its Montreal distributor that appeared at the opening and in the credits. Even more disturbing, at no time during the presentation or in the credits was it made clear that the documentary came out in **2003** (the date confirmed for me by the producer). These omissions deprived viewers of essential information. Yet, the production company’s website clearly shows that this film dates from 2003. Five years is a long time in the Israeli-Palestinian conflict. At the time the film came out, the second wave of the Intifada was under way. The situation has since changed: Israelis pulled out of the Gaza Strip; Ariel Sharon, before suffering a stroke and falling into a coma, formed a new party in favour of dismantling the settlements;

Yasser Arafat died; Palestinians in Gaza elected the radical group Hamas; Israelis erected a fence around the West Bank; suicide bombing attempts ended in Israel; the Israeli army offensive against Hezbollah left 1,200 dead in Lebanon. The presentation of the film creates the impression that the documentary is recent. The senior director in charge of documentary content at Radio-Canada admits that the piece was not situated in time. In his opinion, it should have been made clear that Israeli settlers and the army had departed the Gaza Strip, and the documentary could have been introduced with the question: “Has the situation changed in the intervening years?”

When Radio-Canada purchases documentaries, it adapts them, translates them (if necessary), and condenses them—in this case from 52 to 43 minutes. This work was handled by a producer, who said he was unable to locate the documentary’s production date. Instead, the producer opted to clearly identify the video excerpts in the documentary, which were from the period 2000 to 2003.

The researcher tasked with writing the presentation admits having made an error. He told me that he was absorbed at the time in another documentary series. Each year 200 documentaries are adapted for RDI’s *Les grands reportages*.

The Radio-Canada producer in charge of acquisitions said that, first on paper, than upon viewing *Paix, propagande et Terre promise* struck him as likely to generate interest as it offered a new slant on the Israeli-Palestinian conflict. The producer believed that the piece was current, since in the 2008 catalog of the “international showcase for documentary screenings” (MIPDOC), *Paix, propagande et Terre promise* was described as being “in production.” He told me that the distributor had not warned him that the film was not recent. The distributor recalled having said that *Paix, propagande et Terre promise* had been released in theaters in early 2005. Whatever the case, Radio-Canada became aware of the actual production date (2003) only when complaints began to flood in. The staff to whom I spoke all told me that they will need to be more circumspect in the future.

The main difference between the 2003 documentary and the version broadcast on RDI in October 2008 is its length. The original ran 80 minutes; the distributor asked the producer to cut the film to 52 minutes so it could be sold to television stations. The distributor had a narration recorded for the abbreviated version. He removed some obvious anachronisms in the international English language version. In my opinion, this was not sufficient to merit the description “updated version.” The documentary in its entirety and a transcription of it can be viewed on the production company’s website:

<http://www.mediaed.org/cgi-bin/commerce.cgi?preadd=action&key=117>

## *A pro-Palestinian documentary or a work of propaganda?*

Radio-Canada must ensure that the documentaries it purchases are not the propaganda tools of pressure groups. If Radio-Canada had viewed the full 80 minutes of *Paix, propagande et Terre promise*, it would have seen the acknowledgements addressed to various pro-Palestinian groups at the end of the film (Electronic Antifada, Al-Awda Right of Return Coalition, Islam Online). The producer/director assures me that these pressure groups did not finance the film and contributed only research assistance.

This proximity is disconcerting. For example, one shocking item of information featured in the documentary is that only four percent of televised news reports mention that the West Bank and Gaza are “**occupied**.” A small note at the bottom of the screen attributes this statistic from **2001** to the group “Fairness and Accuracy in Reporting, FAIR.<sup>1</sup>” This is a pro-Palestinian media watch group, the counterpart of pro-Israeli groups like CAMERA (Committee for Accuracy in the Middle East Reporting in America) and HonestReporting, which is involved in the bulk of complaints to my office against this documentary. It is not a case of independent research.

At the very least, these facts should have been known by Radio-Canada so that it could participate in the editorial evaluation of the product.

## *Are the reported facts true?*

Even if it is a point-of-view documentary, the arguments presented must be based on facts, in accordance with Radio-Canada regulations. However, the anachronisms are blatantly obvious. These anachronisms lead the unaware television viewer to believe that the Gaza Strip is still occupied by the Israeli army and Israeli settlers. The reality is completely otherwise: the settlers left the Gaza Strip in 2005 and the Israeli army has vacated the territory, although it does still surround and control the entry and exit points for Palestinian people and goods.

- Three and one-half minutes into the film, one can read on the screen “The West Bank and the Gaza Strip under **military occupation**.”
- Nine minutes into the film: “Therefore, we can conclude that in addition to the occupation of the West Bank and the **Gaza Strip**, Israel...”

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<sup>1</sup> <http://www.fair.org/index.php?page=1055>: This article states that 4 out of 99 stories on ABC, CBS and NBC News did not use the words “occupied” or “occupation”. CNN does better, with 20 per-cent of stories using the same words.

- Twelve minutes into the film, the narrator says, “. . . four percent of the reports aired on the media network <sup>2</sup> concerning the occupied West Bank and the Gaza Strip mention that these are **occupied territories**.”
- At twenty minutes and seventeen seconds, the narrator says, “The Palestinian territories are scattered with strategically established settlements along with the neighbouring lands that they have appropriated to control more than 40% of the West Bank and the **Gaza Strip**.” On the screen, a map is shown in which little white dots illustrate the settlements scattered throughout the West Bank and the **Gaza Strip**.

The first erroneous subtitle was added by the Radio-Canada producer in charge of the adaptation. Not a single person noticed the anachronisms prior to the film being aired. Even if the producer who adapted the work tells me that he found the documentary to be “borderline,” he never communicated his reservations to management. The result is that no line manager ever viewed the documentary before it was broadcast.

Simon Durivage, the host, is not responsible for these errors. He records the presentations that are prepared for him between two *en direct* segments on RDI, where he is on the air for four hours or more per day.

The failure to mention the withdrawal from the Gaza Strip is not insignificant, since a part of the argument that the film makes is that “Israel’s goal is to permanently annex these occupied territories.” This is perhaps true for a portion of the West Bank, but this has already been recognized as false in regard to the Gaza Strip.

Other identified inaccuracies:

- The 2002 clashes in Jenin. “These events, although largely condemned as war crimes by human rights organizations, were minimized by the U.S. media, which doubts and rules out the occurrence of a massacre” (excerpt from the documentary). On the Palestinian side, there was talk of 500 victims. An investigation by Human Rights Watch found no proof of a massacre. Fifty-seven Palestinians and 24 Israelis died in these clashes.
- “The Israeli position is anything but **defensive**.” This is a questionable generalization.

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<sup>2</sup>. “Network news reports” is wrongly translated in French by “réseau médiatique” (media network in the English text)

- The occupied territories: “a **foreign** country”. The West Bank and the Gaza strip are not part of Israel. These territories are under no jurisdiction. Palestinians want to have their country, but it is still not a reality.
- Repeatedly, the documentary mentions the “illegal” occupation of Palestinian territories by Israel. The legal reality is more complex: Jewish settlement and the construction of a security fence in the West Bank are without a doubt illegal. But the experts do not agree on the “illegal” nature of all Israeli military presence in the West Bank because of the ambiguity in the English version of United Nations Resolution 242 (1967). Withdrawal must be made “from territories.” Is the Israeli withdrawal from the **totality** of territories mandatory or not under Resolution 242? The interpretation of this provision has never been clarified by the courts.

In regard to this matter, the program director at RDI thinks that Radio-Canada does not have sufficient personnel to check the facts for the 200 documentaries purchased each year. It is therefore important to write a solid presentation to provide the necessary warnings to television viewers. The senior director responsible for documentary content adds that Radio-Canada trusts reputable foreign producers (e.g., the BBC), but explains that Radio-Canada cannot ignore its responsibility to earnestly evaluate the content of aired works. These two managers, who have a number of responsibilities, say that it is unthinkable for them to look at all documentaries before broadcasting, especially given that to purchase 200, it is necessary to view twice as many. When staff have doubts about a documentary, they must seek advice from one of their superiors. This time, not one red flag was raised during the entire process. The program director at RDI believes that this is an isolated incident, which should not discredit the work performed over the last 14 years. In light of this error, the senior documentary director adds that editorial control for the Acquisitions Department must be tightened.

### *Should the documentary have been aired or not?*

The fact that this documentary is biased towards the Palestinian cause is not the issue here. Radio-Canada has the right to broadcast point-of-view films as long as they are clearly identified as such. Radio-Canada must also promote a diversity of opinion in its programming. There is no strict accountability framework in place in terms of the aired “viewpoints” regarding the Israeli-Palestinian conflict, but the senior documentary director assures that attention to diverse opinions exists. Before this controversy erupted, he purchased the rights to some “very interesting” Israeli documentaries that will be broadcast in the first months of 2009.

The senior director believes that this documentary merited broadcasting because of the renown of certain participants. He is however of the opinion that, to maintain the integrity of the work, it must not be altered so that the film no longer seems to be dated by five years. He is therefore not in agreement with the steps taken by the distributor, who states that he updated *Paix, propagande et Terre promise* in 2008.

The producer/director of *Paix, propagande et Terre promise* remains convinced that the film is still relevant. He told me, "The fact that the Gaza Strip is no longer colonized by Israel changes nothing, since this territory has become an open air prison." The situation on the ground has not changed, in his opinion, and it is still just as true that print and electronic media in the U.S. systematically exclude discussion of the West Bank occupation and the motives behind the Palestinian resistance. He is currently preparing a new film on the American media coverage of the Gaza Strip and the Israeli offensive in Lebanon.

## *Conclusion*

The error has already been recognized by Radio-Canada management. *Journalistic Standards and Practices* were not followed in the presentation of the foreign documentary *Paix, propagande et Terre promise*, broadcast on the program *Les grands reportages* on October 23, 2008. Radio-Canada should have indicated that the film was a point-of-view documentary and that the situation on the ground had changed in the last five years. The film's production date should have been indicated, especially since Israel had withdrawn from the Gaza Strip. Finally, it should have been clear that the documentary was a foreign-produced work.

Given these circumstances, and the failures noted with respect to editorial control, this documentary should not have been broadcast.

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