

# Sharon And The "Time" Machine

Opinions abound as to who won, who lost, in the Ariel Sharon-Time Magazine trial. One courtroom spectator had a foxy guess: "Sharon," he said, "won by losing." And naturally both the Israeli warrior-politician and key Time spokesman were sure they were the winners.

Here's a vote for several other winners: 1- lawyers for both sides, said to be in line for \$3m plus for services during the 10-week trial; 2- the dog-tired but exemplary jury of six that deliberated 11 days and proved its mettle by releasing a post-verdict statement critical of Time employees for acting negligently and carelessly in reporting and verifying information eventually published; 3- Presiding Federal Judge Abraham David Sofaer, who provided a stellar example of how to handle litigants and jury alike.

(A special word about Judge Sofaer: Now 46, he was born in Bombay and is a graduate of Yeshiva College. He has served as editor-in-chief of New York University Law Review and has taught law at Columbia. He was one of Supreme Court Justice William J. Brennan's law clerks. And he served in the U.S. Air Force).

What follows now will be riveted attention on the libel suit brought by General William C. Westmoreland against CBS and an intensive re-examination of libel law along with a likely flood of additional libel suits. In 1964, the U.S. Supreme Court, in New York Times Company v. Sullivan, concluded that when public officials file libel suits, a higher standard of proof must be met than is the case when private individuals

file. There is an assumption when a public figure (say General Sharon or General Westmoreland), sues, that the reputation and conduct of such folks are matters of public concern and often justify criticism and attacks.

Sharon was defamed and the damaging paragraph in Time's account was false, the jury decided, giving the general two legs up. But a monetary award? No. Time pays the lawyers but not Sharon.

Time gloried in what it considered an all-out victory. In its report of the outcome, it quoted its own lawyer with five times as many words as it printed from Sharon's attorney. That tells us something, but not enough. A former White House correspondent for Time remarked: "Having the group journalism process held up to scorn and ridicule as it was during the trial can't do the news magazine any good."

How about that "group journalism process" of Time? It seems to have been invented by Henry R. Luce himself, the man who took us by the hand and tried to lead us through The American Century, loaded down with a cornucopia of only goodies for all in the U.S.

That's one key to the Time Machine. A second is what some of the crack journalists who have worked for Time said when free to speak up. One lamented: "Every morning before leaving for work, he would throw up." Another concluded readers can spot Time's "false narrative integrity of a story; the flip cynicism, the hollow, know-it-all air."

In a telling article (Commentary, Nov. 1967) Julius Epstein commented: "Through the agency of his magazine, he (Mr. Luce) confused more issues than he clarified, harmed more people than he helped."

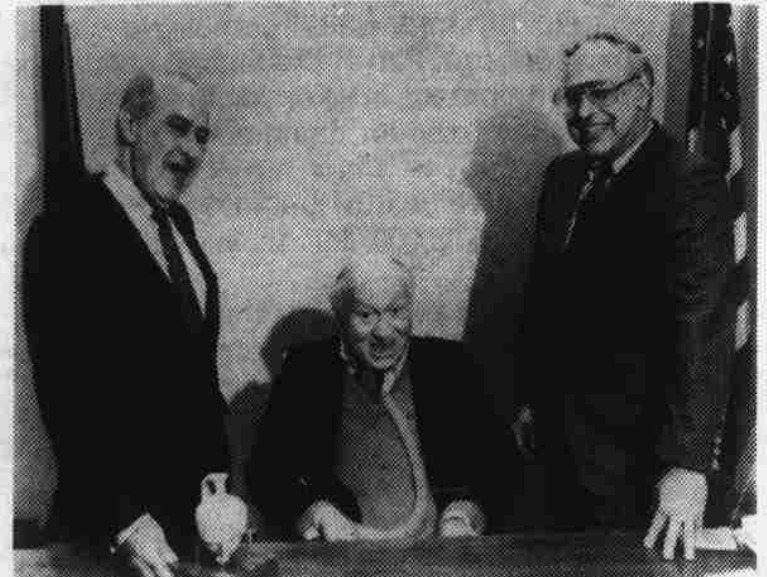
How have Jews and Israel fared? One of Luce's editors referred to Leon Blum as "spidery Jew Blum."

And the Luce empire's old "Life" Magazine let England's Evelyn Waugh, after a Jerusalem visit in 1951, dismiss Judaism as an insignificant "system of rites and social habits," not at all to be ranked with the universals, Christianity and Mohammedanism....(that offer) "cosmic systems of the relations of all mankind to God." Beholding the Wailing Wall, Waugh was irritated by the Jews' "national disposition to mourning." Conditions which provoke the First Crusade, he said, "were scarcely more offensive to the pilgrim than those existing (in Israel) today."

Now back to Time: Ray Cave, Time's managing editor, who boasted victory over Sharon, was accurate when he said: "We don't separate opinion from straight news coverage." Easy does it when you choose to deal in rancor.

Ah, that Time Machine -- Sharon won on two points, but now he knows how deep one journalistic buzz saw can cut.

## Javits Honored By American Ort Federation



Former New York Senator Jacob K. Javits received the American ORT Federation Community Achievement Award "in recognition of his lifetime of service on behalf of the children of ORT and humanity at large" from Shelley Appleton, Vice President, American ORT Federation, and Chairman, Executive Committee, World ORT Union, left, and Donald H. Klein, Executive Vice President, American ORT Federation, right, in conjunction with the American ORT Federation 60th Anniversary National Conference Banquet, January 26 at the Sheraton Centre New York. The former Senator's health did not permit him to attend the conference in person, so the award presentation was videotaped earlier and shown on giant screens to the delegates assembled at the banquet session.

ST. LOUIS (WNS) — The Jewish Federation of St. Louis has sent \$10,000 to the American Jewish Joint Distribution Committee to aid in general relief of famine in Ethiopia, it was announced here. The JDC has received permission to operate in the Gondar region where half a million people face starvation, Israel Goldberg, Federation president, said in making the announcement.

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