**Jewishness, Governance and/or Democracy?**

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The 2019 elections are a test of character for Israel’s democracy. No, they are not about the cheap, populist scent of fascism vs. democracy. The fascism video (a spoof perfume commercial staring Ayelet Shaked) may have positioned the leaders of the HaYamin Hadash (“The New Right”)—a party that defines itself paradoxically as being secular-religious—within the ranks of far-right leaders such as Geert Wilders and Marine Le Pen in Europe, not exactly the best niche from which to launch a bid for control of the Israeli Parliament and the Prime Minister’s seat. Not only that, but the video made Bennett and Shaked look ridiculous; since the two served as Netanyahu’s ministers of Education and Justice, respectively, at the end of the day the joke is on him as well.

This collection of essays centers around Israeli democracy as a contested concept, an idea facing an existential struggle. A outright battle is taking place in the Israeli political arena between two broad views of democracy. For the sake of this discussion, we can call them “liberal democracy” and “illiberal democracy” (as oxymoronic a term as this may be), or “neo-conservative republicanism,” as its leaders would want it described. And yet, whereas conservatism usually goes hand in hand with slow-moving changes, safeguarding tradition, and respect for ruling classes and elites, the ideologues of conservative democracy in Israel have made drastic structural changes. These changes amount to what some might call a de facto revolution affecting Israel’s constitutional framework; the country’s fundamental character, the relationship between the three branches of government, public discourse, schoolbooks, the public’s collective consciousness, and perceptions of who is Jewish vs. who is Israeli, who is loyal and who is a traitor, who has rights and who, unless specifically mandated otherwise, can be deprived of them.

And no, the April 2019 elections were not, or not only about Netanyahu the man. Benjamin Netanyahu will inexorably leave office: if not after the September re-elections, then after the indictments, or the hearings that will follow. On the other hand, the reforms spearheaded by the Netanyahu government—changes that were aligned with the leader’s mindset, but imbued with much greater ideological and political urgency than the man himself—will persevere long after he is gone. Not only will the big, transformative issues, such as the concepts of unfettered governance, the Nation-State Law, and the upset of the balance among the branches of government, survive the man’s departure. It is also the case that political actors who have slowly been making their way from the back benches, where radical positions are a must if one wishes to get a seat at the table of radicalizing political discourse, to the positions of junior ministers, and from there to key positions in senior ministerial posts, will become leaders of the party system in Israel.

In addition, we must note that the ideas and viewpoints at the center of the discussion here are not necessarily exclusive to the right. Many of these changes began under Sharon’s government and were then advanced by Ehud Olmert, among others. Moreover, the Kahol Lavan (“Blue and White”) party, which picked up an impressive 35 Knesset seats in the April 2019 elections and is vying to become the leading party, includes a clutch of right-leaning representatives who are at the forefront of the movement championing the Nation-State Law and the unfettered governance approach, as well as the Override Clause (which allows Knesset legislators to pass laws that violate rights protected by a Basic Law) and placing new limitations on the courts system. That is to say, one cannot categorically claim that the changes in question are solely the responsibility of the ideological right.

How is it possible for Israeli society to have undergone such fundamental structural changes without most people so much as batting an eyelid? Or is it all just the stuff of election campaigns and, once the dust has settled and the stench of the over-the-top rhetoric has dispersed, everything will go back to normal? The answer is no. These structural changes affect our consciousness, our discourse, our values, our behavior, and our institutions.

So how could we have missed such a dramatic upheaval taking place before our very eyes? It is true that the general public, as well as, let’s face it, most of the journalists and the political strategists covering the elections, are not excited one way or the other about the question of whether the Legal Advisors of the various ministries are elected by tenders or by a selection committee, or whether they are subordinate to the government’s Attorney General or to a director appointed by the minister, or whether their loyalties lie first and foremost with the public or with the minister—it all sounds like tedious bureaucratic nitpicking. When the Prime Minister was finally presented with the full report for the coordination and standardization of regulations, the result of in-depth research conducted by his Chief Operating Officer, Netanyahu declared before the government that what he wants, in fact, is no regulations at all. Regulations restrict the ministers. They restrain the public. They are bad for the country. Of course, all this ignores the fact that safety instructions are regulations, health standards are regulations, clean air and pollution are all a matter of regulations. Yet, there is no avoiding the fact that “regulation” sounds bad. As does placing restrictions on the ministers. So why have regulations at all? What the public hears is that someone is finally taking a big pair of scissors to all that pesky red tape. And that sounds good. Just like tax cuts. Never mind that the latter widen the wealth gaps and directly guarantee lower education standards for children in schools outside of the major urban centers. Who does not want to pay less taxes?

It is important to note that this is precisely what governments are elected to do: to lead the way in term of policy and worldview, to change legislation and to make sure it is implemented and enforced. The Netanyahu governments, the last one in particular, has done just that, and with remarkable efficiency. And that is what the 2019 elections were about: a public trial of the government’s policies. However, whereas this usually implicates issues of the country’s security or economic policies, the way the elections system has been hijacked—from the moment of the elections date being set earlier than foreseen to the daily escalation of rhetoric—into a personal trial of one single defendant suspected in at least three cases of bribery, fraud, and breach of trust, turned these elections into a struggle over the very rules of the game, over the public institutions, practices, standards, and norms common to most Israelis.

In this collection, we will discuss the two dominant arenas in which the struggle over the rules of democracy is taking place in Israel. The first is that of the Jewish and/or democratic state under the Nation-State Law which renders equal the constitutional status of the rights of the individual and the rights of the collectivity, a legal state of affairs which de facto makes it possible for the latter to trump the former and thus nudge Israel outside of the most basic defining boundaries of democracy. The second is governance and/or democracy. The concept of governance has come to mean lifting the restrictions that bind Israeli authorities for the sake of improved efficiency and as a way to sanctify the choice of the accidental majority as the true will of the people. Conversely, anyone who diverges from this choice is portrayed as acting against the will of the people and is immediately singled out as a traitor, disloyal, and a supporter of the enemies of the state. The will of the people is identical to the will of the government. A minister whose party had secured only eight seats in the Knesset changes the constitutional structure of the State of Israel. Another minister ostracizes anyone whose thoughts on how the state budget should be divided differ from her own. After all, what is the point of the corporation if the ministers have no control over it?

How are these arenas interrelated? What is the connection between the country’s Jewishness and the perception of unrestricted governance? While most research has focused on the interrelationship between governance and democracy, in my article I wish to tie both of these concepts in with the idea of Jewishness—or nationalism, or populism—championed by the outgoing government. My aim is to propose a preliminary ideological map delineating the core and peripheral values of the neo-conservative, neo-liberal approach that has presented itself as an ostensibly democratic alternative to liberal democracy.

I will start by sketching a general map of this ideology in the democratic world – for Israel is by no means an outlier in terms of the ideological battles taking place here. The rest of the discussion will be devoted to outlining the interconnectedness between three concepts to illustrate this worldview: loyalty in citizenship, loyalty in culture, and what has been called loyalty in the justice system, but is in fact loyalty in government, a concept that threatens to do away with government professionalism and to replace it with political appointees from top to bottom: in the media, in the national service, in the legal system, and in academia. But before we reach this unholy trinity of loyalty and unpack its significance, a few words to place our discussion in its relevant theoretical and comparative context.

Cas Mudde, one of the world’s leading scholars on the subject of European populism and a student of my mentor at Oxford University, Professor Michael Freeden, defines populism as a lean ideology based on three central ideas, the first of which is the contrast between the pure and good people and the corrupt and bad elites. The elites, according to populist ideology, serve their own private interests, while populist politics give voice to general interests, to the will of the people. The sovereignty of the people and majority rule are the essential building blocks of populism, as opposed to protection of minority rights, the rule of law, and the separation of powers, which are the essential building blocks of liberal democracy. In other words, populism presumes antagonism between the people and the ruling elite. The second fundamental idea of populism is authoritarianism, or what I would like to call here “plurality-rule democracy.” In other words, majority rule without the fear of majority dictatorship. The third is nativism or autochtonism, the assumption that the people constitute one hermetic unit into which one can only be born and which it is almost impossible to join, otherwise known as ethnic nationalism.

In the European context, Mudde analyzes the rise of illiberal democracy as a reaction to what he calls “non-democratic liberalism,” that is to say the establishment of the European Union, on the one hand, and the massive waves of immigration coming into Europe, on the other, which are perceived as threats to European states’ national sovereignty. If that is so, what then has spurred the growth of populism in Israel? In Israel and in the United States, I argue, illiberal democracy sprouts in opposition to what in Trump's America is called the “deep state,” or, as Netanyahu’s campaign manager, Erez Tadmor, posed the issue: “Why do the people vote to the right only to get a leftwing government?”[[1]](#footnote-1) The populists’ answer to this question is that the system itself; the public servants; those somewhat derisively called “officials”; the cultural, legal, and intellectual elites; have a tight hold on the state’s apparatus and are protecting them in the interest of what is called a “leftist agenda.” If Bennett and Shaked want to crush Hamas and restrict the power of the High Court, as their election slogans claimed, they are only following in the footsteps of Netanyahu’s 2015 campaign when he issued a uniform denunciation of the “anyone-but-Bibi” crowd, which in his words included the Broadcasting Authority, journalists, union members, and Hamas terrorists. And what is the accusation against the media, the state officials, the judges, the academics? The accusation leveled against them is, in the words of the retiring deputy Attorney General Avi Licht: “Who are you?” You have not been elected, you are not legitimate or democratic, so who are you to make any decisions in the name of the people? You are working directly to maintain and preserve your own power and thus you must be branded, restrained, eliminated, and crushed under the wheels of justice.

To go back to our theoretical context: as a lean ideology, populism is always in search of a host ideology to latch onto. It can feed off of leftist ideology just as well as centrist, anti-Semitic, or rightwing ideology. The Israeli pairing—i.e., populism coupled with nationalist neo-conservatism—is particularly virulent in that is has been proven to have the power to turn the ruling, national, liberal party into a nationalist, politically illiberal (albeit economically neo-liberal), and neo-conservative party. The concepts of loyalty in citizenship, in culture, and in government can help us precisely track this ideological transition.

In order to analyze the precepts of the Netanyahu government’s ideology, I will focus, as a microcosm, on three concepts that have arisen out of different contexts, at different times, in different ministries, and in the minds of different people: loyalty in citizenship, in culture, and in government (the latter also known as loyalty in the justice system). The first was the brainchild of the Lieberman campaign during the 2009 elections. Lieberman ended up leading his party to join forces with the Likud, and with their help spearheaded the changes made to the Citizenship Law (2010) which would eventually lead to the Nation-State Law, a Basic Law with constitutional force submitted to the 19th Knesset and voted into effect in 2018. The second was the idea of the Minister of Culture, Miri Regev, in her bid to obtain the power to decide—on her own, without the help of the Minister of Treasury or professional committees—which art is “loyal” and which is not. And the third was coined by Deputy Attorney General Dina Zilber in the context of the discussion around the Legal Advisors Law, as a way of cementing the unfettered governance approach adopted by the Netanyahu government.

**No citizenship without loyalty**: This slogan takes us back to the 2009 elections, when the Yisrael Beiteinu (“Israel Our Home”) party declared that it would seek to change the Citizenship Law, demonstrating that this particular worldview had developed gradually, its various components taking shape over the years. The changes to the Citizenship Law were passed in 2010. At the heart of the law is a clause stipulating that any person applying for citizenship—outside of the citizenship granted by the Law of Return—would not only have to declare loyalty to the State of Israel, but also to declare loyalty to the State of Israel as a Jewish and democratic country. Whoever refuses to swear loyalty in this way would be denied citizenship and be eligible for permanent residence only. At a government session, Netanyahu explained: “Citizens of Israel, the State of Israel is the national state of the Jewish people and it is a democracy for all its citizens. Everyone has equal rights. There are those around the world who are trying to blur the connection between the Jewish people and our country, but this connection is the air we breathe and it cannot be denied.” In the 2013 election, Yisrael Beitenu and the Likud party merged, and the spirit of loyalty in citizenship can now be found in this one line from the wording of the constitutional law born in the 19th Knesset and voted in by the 20th: “Israel is the nation state of the Jewish People.” And yet it omits the rest of the Prime Minister’s words and does not mention Israel being a democracy for all its citizens. This focus on Israel as a Jewish state and the omission of liberal democracy is not coincidental; it is part of a historic trend. Already by the 2013 election, the Likud-Yisrael Beiteinu slogan was “a strong and Jewish Israel.” The state’s democracy had been elided and replaced. The Nation-State Law does not even mention equal rights for all citizens. Neither does the Declaration of Independence. Israel is the nation state of the Jewish people. And that is that.

Loyalty in citizenship is made up of two main concepts: “citizenship,” in the sense of who is considered a citizen and who is not, and that of “loyalty” as a tool, among other things, for determining a priori who is one of the people and who is inherently suspected of disloyalty and ostracized on that account.

The Citizenship Law, with its oath of loyalty to the State of Israel, is separate from the Law of Return which embodies the state’s commitment to the Jewish people. The balance between these two laws made it possible for the Declaration of Independence to navigate between the history of the Jewish people and the establishment of the democratic State of Israel. The requirement that newly naturalized citizens swear an oath of loyalty to the State of Israel as a Jewish state, the clause added to the Citizenship Law, shuffled the cards and merged these two components (Jewishness and the democratic state), subordinating the two to Jewishness first and foremost and disrupting the existing balance. Let us elaborate on this point.

Yisrael Beiteinu’s 2009 platform stated that: “in order to enjoy the rights of a citizen of the State of Israel, one must also fulfill one’s obligations as such. We shall work towards instating a law requiring all Israeli citizens to declare loyalty to the State of Israel and to serve in the IDF or perform national service as an alternative.”[[2]](#footnote-2) The question of citizenship thus becomes dependent on three conditions. First, Yisrael Beiteinu sought to enact territorial swaps in order to transfer the Umm al-Fahm triangle to Palestinian control, and in return to annex the settlements in Judea and Samaria as Israeli territory. This would entail depriving hundreds of thousands of Israeli citizens of their citizenship and moving the border so as to make their place of residence outside of the state’s borders. Secondly, citizenship would become conditional upon a declaration of loyalty. It is worth noting that the 2009 platform called only for declaring loyalty to the State of Israel. However, the change in legislation passed in 2010 relates only to non-Jewish applicants for citizenship and demands a declaration of loyalty to the State of Israel as a Jewish and democratic state. In other words, a non-Jew is not eligible for Israeli citizenship in Israel without swearing loyalty to Israel’s Jewishness; only then can he or she be granted the rights of a democratic citizen. This does not apply to persons receiving citizenship under the Law of Return. On the subject of the 2010 amendment of the Citizenship Law, Lieberman stated: “It is clear that this does not bring the issue of loyalty and citizenship to its conclusion, but it is an important step. As we know, words have meaning, what is important is that it focuses the debate for the next stage: Will we be a Zionist country, or the country of all its citizens?”[[3]](#footnote-3) In other words, the oath of loyalty is to Israel as a Jewish state, and as we said, this amendment only applies to those requesting citizenship not under the Law of Return, in other words, non-Jews. They are the ones who must swear allegiance to Israel as a Jewish state. And yet, as we recall, according to the Yisrael Beiteinu campaign, citizenship is conditional not only on an oath of loyalty but also upon military or national service. This implies that an Arab citizen would have to serve in the Israeli armed forces or perform national service and declare allegiance to the Jewish state, otherwise they would not be eligible for citizenship but for permanent residency alone. The law itself applies only to those who do not yet have Israeli citizenship, but Yisrael Beiteinu’s campaign aimed to delegitimize the Arab citizens of Israel in light of these two intertwined conditions.

The third condition of loyalty in citizenship excludes Israel from being defined as a liberal country and transforms it into a republican country, as it conditions a citizen’s rights upon the fulfillment of certain obligations: “in order to enjoy the rights of a citizen of the State of Israel, one must also fulfill one’s obligations as such.” The discourse thus switches from one of rights entailing the protection of the individual and of minorities, a discourse whose point of origin is that every citizen is equal and has equal rights before the state, regardless of their viewpoints, actions etc., to a discourse of rights and obligations: of citizenship requiring loyalty and army service.

The 2009 Yisrael Beiteinu campaign began as republican bid demanding there be a scale of obligations that would then be translated into additional rights. For example, completing army service, combat service, and becoming a career soldier—every such sacrifice in the interest of the state would grant one more rights. However, it gave rise to the notion that the citizenship of those who did not fulfill their obligations must be reconsidered, and the weight of importance shifted from military or national service to a declaration of loyalty to the State of Israel.[[4]](#footnote-4) The idea of loyalty transformed the State of Israel from a civil concept into a nationalist concept, and turned civic nationalism into ethnic nationalism. It put in place conditions that Arab citizens had almost no chance of meeting, with the possible exception of the Druze population.

The republican discourse of loyalty, then, synthesizes citizenship law with ethnic-national law and eliminates the possibility that Israel could be the nation state of the Jewish people and also a state of all its citizens. As Lieberman’s quote above directly states, the choice is starkly either/or. Israel is the nation state of the Jewish people and a democracy for its citizens, who are more and more narrowly defined based on their loyalty to the Jewish state. This perception would later be solidified in the Nation-State Law, which excludes a clause concerning the democratic nature of the State of Israel and contains no civil equality clause at all. What Lieberman saw as just the beginning in 2013 made a dramatic leap forward in 2018 with the passing of the Nation-State Law. The issue of borders and of voluntary or involuntary transfer remains open, but it has already come up in the demands of the United Right party in the coalition negotiations preceding the establishment of the fifth Netanyahu government.

In this way, the concept of loyalty in citizenship will lead the way to building a conservative, rightwing worldview of a Jewish state based on loyalty to an ethnic nation with religious roots and entail the delegitimization of all those who are not Jewish, patriotic, and rightwing.

**Is Loyalty Anti-culture?**

“No citizenship without loyalty” not only delineated the new boundaries of public discourse on citizenship and established who is in and who is out, it also defined who is one of “us” (Jews as well as those who immigrated under the Law of Return) and who is of questionable loyalty, and therefore citizenship (Arabs, illegal immigrants, and other foreigners). The requirement to declare loyalty to the State of Israel as a Jewish and democratic state also became the dividing criterion between and among Israeli citizens, as reflected in the Party Disqualification Law and in the Nakba Law as reiterated within the Loyalty in Culture Law. Whereas loyalty in citizenship focused on establishing external borders, loyalty in culture took it upon itself to draw up internal dividing lines in order to equate “the people,” who are of course loyal in and of themselves, with the Jewish ruling majority. The transference of loyalty into the cultural sphere is anything but trivial. It brings about a head-on confrontation with the principle of free speech, the ultimate ideal and basic right of citizens living in a democracy. Under the Loyalty in Culture bill, the role of culture and art as critics of society—another basic right and an essential internal check on any democratic regime—becomes constantly threatened by the normative content control enacted by whatever minister happens to be in charge at the time.

The discussion of loyalty in culture evokes three key questions: First, who, exactly, is the “people” in whose name the distinction between elites and the general public is to be made? How did the Netanyahu government, along with its Minister of Culture, succeed in making the cultural “elite” and the audience it addresses into an enemy of the public—inherently suspected of disloyalty and allegedly working against the people? Secondly, what is the new national narrative taking shape and how does it re-imagine the “people’s story”? Does it, for example, replace “Israeli” with “Jewish” or “Mizrahi”?[[5]](#footnote-5) And third, what vision of governance can be derived from the proposal to place the Minister of Culture in the role of fiscal censor over Israel’s cultural productions? How does this develop and change the concept of loyalty?

The basic premise of populism is the contrast between the elites and the people. The populist leader (paradoxically, of course, in a position of leadership and control, and therefore part of the elite, himself) paints the elites in the eyes of the public as inherently corrupt and too close to the government and the centers of power. Therefore, the elites are the focus of an “us” versus “them” incitement; “us” being the pure, wholesome, unprotected, and unrepresented people.[[6]](#footnote-6)

Miri Regev was somewhat shocked to be appointed the post of Minister of Culture and Sports: “I knew why I didn’t want to take the job. I knew that I was going to work for ungrateful people…. In the world of culture people are uptight, some of them are hypocrites, schemers, ingrates. I didn’t feel like working for the ingrates, but I suppose that’s the lesson God Almighty has decided to teach me.”[[7]](#footnote-7)

Regev, the social issues minister of the Likud party, found herself heading a ministry that she considers to be in service of the elites, and very far removed from her own voting base. The minister decided to exploit her position and change its meaning on three levels. First, she would delegitimize the cultural elite in the eyes of her base by representing it as anti-patriotic and as anti-Mizrahi. Secondly, she would create a distinction between the creators of culture and its consumers, changing the ministry’s overall approach from focusing on the creative elite to promoting a policy centered around cultural consumers. In order to popularize the move among her voters, she called for a reexamination of the distinction between “high” and “low” culture, a distinction she sought to abolish in order to reform the ministry’s policies and redirect budgets to reach new consumers: those living outside of the major urban centers, West Bank settlers, and the lower classes. As she put it:

My first battle will be to get a bigger culture budget, and I say: ‘who am I going to work for?’ But I suppose that’s the lesson, learning to work with people who don’t like me. I have a mission here. I will fight for a fair distribution of resources. The distribution hasn’t changed in decades, but it will change now. There is a national priority map that aims to support the areas outside of the major urban centers. Why shouldn’t we decide to give all of our support to those areas alone?[[8]](#footnote-8)

Creating this dichotomy between the elite and her base would allow the minister to enact drastic changes and rewrite the defining criteria of who is eligible to receive funding, with an emphasis on outlying areas, all of which amounts to diverting resources from the existing elites and transferring them to the so-called “periphery” of society. And thirdly, by aligning herself with popular (as opposed to “high”) culture, she would create an alternative national narrative of “Israeliness,” one that pushes the hegemonic (in her opinion) story of the secular Hebrew culture of Tel Aviv, and places traditional, Mizrahi, peripheral, rightwing, and patriotic culture at the center.

What is the connection between loyalty in the Citizenship Law and the Loyalty in Culture bill? The Loyalty in Culture bill passed the first hearing in the 20th Knesset and stipulated:

a unique arrangement regarding the reduction or negation of support provided by the budget of the Ministry of Culture and Sports to cultural bodies carrying out activities that contravene the grounds enumerated in the proposed bill: the denial of the existence of the State of Israel as a Jewish and democratic state; incitement to racism, violence, and terrorism; supporting armed struggle or acts of terrorism by an enemy state or a terrorist organization against the State of Israel; marking Independence Day or the anniversary of the establishment of the State of Israel as a day of mourning; an act of vandalism or physical degradation that violates the honor of the state flag or the state emblem (unsupported activity).[[9]](#footnote-9)

The declaration of loyalty to Israel, the only demand in the Yisrael Beiteinu platform in 2009, became the radical requirement that new citizens declare loyalty to Israel as a Jewish and democratic state, as inscribed in the Citizenship Law of 2010. In 2015, the same idea takes center stage in a debate about culture in Israel. The transition from threshold requirement for those who apply for citizenship to threshold requirement for cultural actors seeking public financing for their art is dramatic. The freedom of expression and creation is a basic right in a democracy. The intervention of the government—and of the Minister of Culture in particular—as a censor of Israeli art (in her own words: “If I need to censor things – I’ll censor things”[[10]](#footnote-10)) challenges the essential nature of freedom of expression in a democratic country. It also dangerously imposes the will of the momentary majority, as expressed on election day, on all citizens alike, muzzling free art and criticism.

During the discussion of the bill, former Deputy Attorney General Dina Zilber summarized its legal complications when she described the expression “loyalty in culture” as an oxymoron:

The only loyalty a cultural production needs to uphold to is loyalty to itself, to creativity and the inner truth it wishes to express. The bill gives rise to real legal difficulties. To put it briefly, we are dealing with a law that grants wide-ranging authority, to the point of denying and closing institutions; a law that allows for very broad discretion without giving any weight to the creative, artistic value of the work; while creating a chilling effect and encouraging self-censorship in the field of cultural production, a field that is part of the basic core of the freedom of expression and freedom of speech.[[11]](#footnote-11)

What was the minister’s justification for striking such a fatal blow against freedom of speech? Regev drew legitimacy for the campaign of incitement against Israeli artists as anti-patriotic from the prime minister himself:

The State of Israel has suffered attempts to impose a boycott on the state, its values, its citizens, its economy and its culture. As a state, we are making an effort to contain and retaliate on every front we encounter.... The prime minister instructed the Israeli government to show zero tolerance towards the boycott attempts.[[12]](#footnote-12)

In other words, Regev frames her entry into the role of minister of culture in the context of resistance to critical art that, in her opinion, slanders the State of Israel and as part of the Netanyahu government’s project to counter those who criticize the regime’s policies at home and abroad. Zilber, in the same discussion, would come out against the use of “a fake barometer of patriotism or tests of regime suitability,” however, after further discussions and amendments, the bill was reluctantly approved by the Attorney General. It did not pass a second or third hearing because elections were declared before that could happen. Nevertheless, a “barometer of patriotism” was precisely the kind of tool Regev was seeking to put in place.

For instance, Regev made the following comment on the film *Foxtrot*, which was nominated for the Golden Lion at the Venice Film Festival and represented Israel at prestigious film events abroad, without having seen the movie: “The state will not fund films that slander our country. My harsh criticism of the movie stems from its final note: it was funded by the state and represents Israeli soldiers as killers who then cover up their crimes.”[[13]](#footnote-13)

Regev was establishing a distinction between freedom of expression and freedom of funding. With the help of the Loyalty in Culture bill, she sought to control the public funding of cultural institutions. The bill already existed under the authority of the Ministry of Finance, but Regev’s amendment would have made her, as minister of culture, the central authority over loyalty to the state’s character and preventing the desecration of its symbols.[[14]](#footnote-14)

“It’s all there, in the legal code: the Boycott Law, the Anti-Incitement Law, the Nakba Law, the Law Against the Degradation of the State Flag and the State Emblems,” she said, explaining her insistence that the amendment be approved. “For example, if you burn a flag as part of a theater play, it becomes subject to legal proceedings. But I don’t want to wait two years for the legal process to run its course and continue supporting the institution financially in the meantime. No way. I want to withdraw or at least cut back funding right away.”[[15]](#footnote-15)

In other words, Regev was asking to be the first line of defense against sedition and to wield her power to immediately impose sanctions on cultural institutions—a deterrent to free artistic expression—creating a constant threat looming over artists in Israel. This was despite the fact that the Ministry of Finance’s records show not one instance of such a sanction ever being imposed. Out of the 90 complaints filed in 2018, roughly 20 were filed by Regev herself. The committee found no grounds to pursue any of them. Regev, however, illustrates how the system would function differently under her command: “The fact that I am expressing my positions now is in the interest of all the artists who are currently writing scripts and plays, so they’ll know in advance what they can and can’t get funding for. Like the Chairman of the Actors’ Guild, Ohad Knoler, said to me: ‘Miri, I’ve been writing a script for the last two years and I want to know what’s allowed and what’s not allowed.’ I told him, ‘in about a month you’ll know exactly what’s allowed and what’s not allowed.’”[[16]](#footnote-16) The influence on art and creative content would thus be direct. Free artistic expression would be replaced by art sanctioned by, or—even more unfortunately perhaps—according to the taste of the minister whose budget doles out the necessary funding.

There are two fundamental conflicts that arise from this agenda: the first is between freedom of expression and freedom of financing, which we have discussed above. The second is between decisions made by professional committee as opposed to politically motivated decisions made by a minister. Regev’s stance on the latter is that the government’s position is the position of the state. In other words, even though she, the current minister of culture, belongs to a party who secured only a quarter of the seats in the Israeli Knesset, she should be the sole authority to decide which artists and cultural institutions can and cannot receive the state funding necessary for their cultural initiatives. Famously, it was Regev herself who said: “There’s nothing anybody can do about it. The people are with the Likud. We received 30 seats.”[[17]](#footnote-17) The lack of distinction here between representing the voters of one party and making policy for the entire body of Israeli citizens is positively alarming. To maintain that only those who agree with the government’s interpretation of what a “Jewish state” is or what “loyalty to the state” means can get public funding for their art severely violates the freedom of expression of minorities, and in fact, of that half of the Israeli people who did not vote for the present government, or the three-quarters of the people who did not vote for Likud. This lays the groundwork for majority rule to become a dictatorship of the majority in the most sensitive of domains: freedom of expression and the freedom of criticism. It means the subordination of the general public to the current administration, and a significant blow to freedom of expression in making eligibility for funding hinge on the political position being expressed. It was, after all, Regev who notoriously said, in reference to the Israeli Public Broadcasting Corporation: “What’s the point of the Corporation if we do not control it?”[[18]](#footnote-18)

In order to secure the minister’s direct control over budgeting and decision-making, it was first necessary to undermine the legitimacy of professional committees and entities, by claiming that they are in fact part of the elite, which retains its power and pursues its own agenda even when it directly opposes the positions of the elected representatives. As Regev put it: “We were chosen by the people, and yet there are advisors and clerks who have become accustomed to deciding what’s right and what’s wrong—they are what we call the ‘gate keepers’ today.”[[19]](#footnote-19) She, on the other hand, positions herself in opposition to the elites, by appealing to “cultural justice”: “For decades there has been a conspiracy of silence here, about the issue of the ‘members-only club.’ This club would accept only those who had been green-lit by the foundation managers and their partners, and thus whole populations had been excluded from the world of Israeli cinema. The time has come to put an end to that. Therefore, I have decided to put in place two measures to attempt to spearhead the first comprehensive reform in the field since the Cinema Law: the first is a legislative procedure already approved by the Knesset, and the second an amendment of state funding eligibility criteria. The map of Israeli culture will be a new, more just, fairer, more diverse, and more equitable map, the map of Israeli culture 2020.”[[20]](#footnote-20) The picture she paints here is thus one of Israeli culture versus the “members-only club.”

Regev’s clear-cut dichotomization is an example of the textbook populist tactic of pitting the people against the elites:

Yes, them. The left-wing, the elites. They’ve realized that I mean business and I don’t get scared easily. That I have a great army of people behind me, who know what it is I’m fighting for. From a power struggle, we’ve come to these last-ditch efforts of the dying elites against me and what I represent. They still have contempt. They’re less up in arms about it, but they still want to regain control. To remain the elites. But I’m insisting on turning them back into the people. And they find that difficult to swallow. I can understand them. They’ve gotten used to ruling, to making decisions, to being up there alone. It’s hard for them to accept the new state of things.[[21]](#footnote-21)

The cultural elite is therefore unambiguously identified with the left, with the call to boycott Israel, i.e., anti-nationalism, with the “State of Tel-Aviv,” with the overfunding of high culture. Counter to all that, she positions her definition of “the people”:

In the interest of keeping control in the hands of the Western elite, anyone who talks about diversity is perceived as talking about Mizrahi-ness, and there goes that race card again, and that’s how you shut people up. Come on, Miri Regev, stop playing the typical whiny Mizrahi. What have you got to complain about? Master’s degree, Brigadier General in the IDF, minister in the Israeli government. But I’m not here to represent myself. I am representing thousands of people who remain invisible. Who don’t count.[[22]](#footnote-22)

The silenced, invisible, folksy, Mizrahi masses are cast as the “we” that is “the people.”

The identification of the elite with the de-legitimization of the State of Israel, defined as support for the boycott of Israel, against which the government has been waging an all-out war, justifies the need to wage war against that Ashkenazi elite, no matter how much they try to defend their Israeliness. Regev would have the cultural elite stripped of their identification with Israeliness, by claiming that it is an Israeliness of exclusion, and demand reparations for the insult to traditional, Mizrahi culture, not only through changes to budgeting but by changing the definition of the term “people,” and therefore of what it means to be Israeli.

This identification of the cultural elite with left-wing politics and anti-nationalism is also achieved by claiming a parallel between her skirmishes with artists who have expressed opposition to the violation of free speech through censorship (whether government mandated or self-imposed) and the narrative of Ashkenazi patronization of Mizrahim. Especially notable was her confrontation with Oded Kotler. Kotler’s poignant argument against the Loyalty in Culture Law was as follows:

The Loyalty Law is one of a whole family of racist laws such as the ones proposed lately by the minister of justice. This disgrace will be remembered forever. She will not be able to shut any of us up. She talks about the freedom of funding, but let us remind her that the money is neither hers nor her grandmother’s; the money belongs to all of us and what she does with it is obscene. We must join in a civic uprising until this damned law is abolished. She is taking us back to the dark ages, to the kind of heinous laws that existed back in the time of the British Mandate.[[23]](#footnote-23)

However, the minister’s wrath against Kotler was actually incited by this statement, spoken during the emergency artists’ convention in Jaffa: “Imagine if you will, Ms. Regev, our world, your world, grown silent without books, without music, without poetry. A world where nothing stands in the way, nothing stands in the way of the nation celebrating 30 parliamentary seats followed by a herd of cattle chewing straw and cud. Do you find it ‘wonderful’?”[[24]](#footnote-24) Kotler chose to use the image of the herd to represent those who are not exposed to art, in a place where criticism is silenced. However, Regev immediately reframed the quote as a display of elitism against the voting—Mizrahi—Likud public in the speech she delivered in the Knesset, known as the “Flag Speech”:

Mr. Kotler, are the 61 members of the Knesset seated here cattle, or sheep in your eyes? Are the mere dozens of artists who applauded you and your world of imagery convinced just like you are that a million people are nothing but cud and straw chewers? Is this the same **handful** of people who stood at Rabin Square and applauded Yair Garbuz, or is it the same **handful** who heard Dudu Topaz call us riffraff? Who exactly are you talking about and in whose name do you speak? Is that kind of discourse civilized in your eyes? Members of the Knesset, I am proud to stand before you as the Minister of Sports and Culture of the State of Israel, of the entire public. Even those who did not vote for me. I will be everybody’s Minister.[[25]](#footnote-25)

And with that, Regev drew a straight line between Kotler’s “cattle” speech, Garbuz’s “mezuzah-kissers” speech, and Topaz’s “rifraf” speech, and thereby created the “handful” narrative of the tiny Ashkenazi elite disdainful of the people, disdainful of “everybody.” It is worth noting that the right has been in power and has owned the Mizrahi vote since the days of Menachem Begin; all the cultural elite have left at this point, if anything, is artistic criticism. In other words, Regev and her friends in power have long been the elite themselves. Nevertheless, the struggle here is for control of the narrative, with the aim of rewriting it, not as one unifying story of diversity and multiculturalism, but as a unified narrative of the anti-Ashkenazi, Mizrahi popular masses—as folksy Israeliness.

Minister Regev’s agenda was therefore two-pronged: to shift policy in favor of “the people” or the periphery, and to change the collective national narrative. In terms of budgeting policy, Regev’s “cultural justice” rests on two pillars. First, she claimed,

most of the entities supported by the Ministry receive funding based on the size of the institution, as well as other parameters that make the strong stronger. The policy enacted in Israel solidified Western culture as the dominant culture and labeled Mizrahi culture, its creators and consumers, as inferior. This will not go on under my watch. I am now moving the cheese…. And if I have to lay into the cultural elite who want to hold on to their power, their connections, their control, that is what I will do.[[26]](#footnote-26)

This discourse is antagonistic towards the cultural elite, and its organizing principle is breaking down the dichotomy between high and low culture. The benchmark for designating either, in her eyes, is not a question of artistic merit or professional standards, but one of discriminative labeling at the hands of the elites, simply because they hold the power. Counter to that, the new criterion by which culture is be judged will be budgeting, meaning that anyone who receives government funding—by decree of the minister—is therefore inherently a purveyor of culture. The mere diversion of budgets to Mizrahi culture, its creators and its consumers, erases their status as inferior culture, and rebrands them as high culture, by granting them legitimacy. In other words, government-funded culture is high culture. This includes increasing financial support given to Mizrahi artists, shifting budgets to the periphery (municipalities outside of the major urban areas), and tailoring promotional and marketing efforts to Mizrahi cultural consumers, i.e., Regev’s electoral base.

This principle is expressed in a policy reform that shifts budget priorities through two main mechanisms: the “rookie” regulations and the “wisdom of the crowd.” The rookie regulations seek to overturn the policy which dictates that an institution needs to prove two years of consecutive operation in order to be eligible for funding. As Regev put it: “There will be a process here, which I am lucky enough to spearhead, of narrowing gaps, changing budgets and correcting decade-old wrongs. I will go to certain institutions and say to them, how many times have you had steak this week? From now on you’ll be eating half, and the rest will go to other institutions who, up until now have been eating only chicken. They want to enjoy some of that steak too.”[[27]](#footnote-27) In other words, the goal is explicitly not only to reallocate funds to the weaker populations, but to cut the budgets—and power—of established cultural institutions. And this is despite the minister’s success in increasing the Ministry of Culture’s budget—thanks to of her remarkable relationship with the Prime Minister and her personal loyalty to him—by 40% (as opposed to the 18% average recorded by other ministries). She could very well have preserved the existing budget allocations and channeled the surplus toward supporting her personal causes. However, the attack on the “elites” and their established cultural institutions is too dominant a part of her ideology, and they have to be sanctioned for their “lack of loyalty.” On the other hand, unlike the satiated and anti-nationalistic urban centers, the development towns will be eligible for funding based solely on their categorization as peripheral, rather than on any artistic or professional merit. That is to say, according to this circular logic, the very fact of being funded by the Ministry of Culture defines the funded initiative as culture a priori, and as culture, it deserves to be publically funded.

While the policy of “taking from the strong and giving to the weak”[[28]](#footnote-28) can certainly be considered a worthy shift in priorities in some contexts, in the field of cinema, the minister introduced an additional measure she termed the “wisdom of the crowd”: “Another recommendation is to divert 15–20 million shekels to the ‘wisdom of the crowd’ funding initiative: when a film achieves box office success, it will receive additional funds retroactively. Such an initiative will give priority to films that reflect the public’s tastes, at the expense of political films that target the artistic tastes of the official reviewers and disseminate anti-Israeli propaganda abroad.”[[29]](#footnote-29) Therein lies the heart of the matter. While the general idea of public culture subsidies in the democratic world is to lend public support to art that cannot fund itself, Regev’s proposal is to flip this policy on its head and subsidize films that already have box office success! Its rationale: the people’s taste, rather than that of reviewers or specialized committees, will determine where resources are best spent. In contrast to any democratic cultural budgeting policy, the minister’s policy therefore positions popular taste (and the already commercially successful entities that benefit from it) as its focus in order to prevent “anti-Israeli propaganda abroad,” a direct expression of the Loyalty in Culture Law, and a blatant act of censorship over art and content. When asked whether it is not slightly absurd to fund art which already rakes in millions of shekels, Mizrahi music for example, Regev replied: “That’s right, Mizrahi music has beaten all other kinds of music. But that’s only happened in recent years, and not because anyone made space for it, but because the public voted for it with their feet.” The claim put forth here is that Mizrahi music has been wronged by being labeled “low culture,”[[30]](#footnote-30) and therefore its creators deserve to receive millions in state funding, even though they are already making millions without the state’s support. It stands to reason that the policy’s intention is not to redistribute wealth to the poor, but to enrich those who are already rich, to strengthen the strong, to overfund popular culture in order to appease the people and their cultural heroes, popular Mizrahi singers, for example. The rationale behind cultural resource distribution in a democracy is “the need to secure the financial conditions for freedom of cultural expression and for the feasibility of public cultural creation in fields where creation would not be possible without public support. Accordingly, public funding for cultural endeavors is not designated to support commercial cultural activity.”[[31]](#footnote-31) But the minister’s new policy opts for the reverse: it clearly prioritizes one specific genre of cinematic and musical creation—the Mizrahi, or popular genre—over other cultural domains, despite the fact that it is already commercially successful and therefore ineligible for public support under the old rationale. “Cultural justice” in fact revolves around the denigration of art that relies on public funds for its existence in favor of popular art, which is already financially robust but doesn’t necessarily meet the professional standards of experts in the field. What it does is it serves the minister’s associates, it raises her status thanks to the disproportionate support she wishes to lend popular singers who are closely linked with her electoral base, and it does all this while defiantly and proudly boasting of bringing down the elites by changing public funding criteria.

The struggle over the national ethos is nicely reflected in the conflict between Miri Regev and the author Meir Shalev. When asked why all of his protagonists were Ashkenazi, in the wake of the minister’s comment, Shalev replied:

There were no Mizrahi Jews among the founders of Nahalal…. Do you want me to make some up? There weren’t any, sorry. In the old labor settlements, the first kibbutzim and cooperatives, there was a decisive Ashkenazi majority. An author writes within the landscape of their birthplace. I am a free human being. I am a free artist. I will not provide literary services or hand my pen over to anyone…You can’t instruct the spirit of a creative person: “Now you’re going to sit down and write me a story with more Sephardic people in it.’[[32]](#footnote-32)

Regev’s response was:

Meir Shalev has some nerve…The Mizrahim weren’t part of his childhood landscape? What is he talking about? He grew up in the Jezreel Valley. What about Afula, Migdal HaEmek, Beit She’an? The immigrants who made aliyah in the fifties weren’t part of the setting in which he lived? Really? The residents of Migdal HaEmek guarded Nahalal for him. He just didn’t want to see them. That’s why they’re not part of his story.[[33]](#footnote-33)

In response, during a radio interview, Shalev said the Minister’s argument was “error mixed with ignorance” and explained that the book *A Russian Novel* is set in the period of the Second Aliyah, a time when there were indeed no development towns. By the time Shalev was a child, this was no longer the case, and that is why he does have a character named Mordechai Buskila from Migdal HaEmek, he remarked.[[34]](#footnote-34)

Looking past the particulars, we can see that the argument here is really over the national narrative. Regev, of course, did not take long to retaliate:

He’s the kind of author that defines the Zionist ethos. Who’s present and who’s absent from the story of this country. He speaks from his elitist position. From the exclusive crowd that sees only itself and is blind to others…. The Zionist ethos is made up exclusively of stories of the pioneers of the first *aliyot*, the kibbutzim movement, and the cooperative movement, and the resistance movements that existed before the establishment of the state. Pardon me, but where is everyone else? Where are the transit camps? Where are the development towns? Are they not part of the Zionist ethos? No, heaven forbid. This country was built by Western immigrants alone, from Beit Alfa to Nahalal.[[35]](#footnote-35)

Historically, there really were no Mizrahi Jews in the Land of Israel during the time of the second and third *aliyot* (with the exception of the Yemenite rabbi in *A Russian Novel*). Is the minister then demanding that authors be forced to write narratives that fit her agenda? Is she in any position to chastise an author for choosing to write about the ideologically motivated Zionists who had immigrated to Palestine to help establish the emergent state? Of course not. The question of the Zionist ethos and the exclusion that immigrants from Arab countries feel from the narrative of labor and agricultural settlement is a critical one when pertaining to the ethos of the early Israeli state. It is irrelevant, however, to the period of the early Yishuv.

As for her vision of the national narrative, the new Zionist ethos, the minister unfurled it at the ceremony for Israel’s 70th Independence Day, a ceremony designed and planned under her direct supervision. Under the heading “A Tradition of Innovation,” a logo incorporating “national” elements that represent the minister’s particular brand of nationalism—writing with oriental ornaments, a star of David, emphasis on tradition along with a nod to the start-up nation—the narrative that was delivered could have been taken straight out of a midrashic sermon.

The story of Israel’s seventy years of existence, in Regev’s version (“I am the one responsible for the ceremony and its success or, God forbid, failure. The Knesset has nothing to do with it”)[[36]](#footnote-36) is to be delivered “from the mountain top.”[[37]](#footnote-37) “It all comes together into one complete story. The story of a people. Our story,”[[38]](#footnote-38) proclaims Ya’akov Cohen, an actor from Migdal HaEmek wearing a big black yarmulke on his head as he launches into the tale of the State of Israel. The story begins with the reception of the ten commandments at Mount Sinai, then moves on to the twelve tribes of Israel coalescing into one united kingdom, and on through the destruction of the Temple and the diaspora. According to a close associate of the minister, on the subject of the Holocaust, she insisted that “the historical review reenacted on stage include ‘equally painful events’ from the chronicles of the Jewish people, such as the destruction of the First and Second Temples.”[[39]](#footnote-39) And indeed the lament over the destruction of the Temple lasts a good number of minutes, while the Holocaust—with less than sixty seconds of stage time—is relegated to a footnote in the margins of the national narrative on the county’s seventieth birthday. The exile and the diaspora in “our story” thus ends with an implied Holocaust: less than a minute during which three figures wearing yellow patches take the stage, while in the background we hear the sounds of dogs barking and the rattle of train cars—Regev’s idea of having “cracked the Holocaust.”[[40]](#footnote-40) This at minute 33, and following it we see “tower and stockade” settlements rising up from the ground with the second and third waves of pioneers, decades before the events of the Holocaust, of course. Not only are the Zionist *aliyot*, in Regev’s narrative, represented as taking place after the Holocaust, once the tower and stockade settlements have been erected, Ya’akov Cohen announces:

Pioneers. Pioneers in Jerusalem and in Tel-Aviv. Pioneers in Degania and in Dimona. In Petah Tikva, Kiryat Shmona, Kinneret, Yeruham. Pioneers in Hadera, Gedera, Kefar Saba, Hebron, Tel-Hai, Migdal HaEmek. Pioneers in Nahalal. In Arad, Beit-El, Nitzana. Pioneers in Rishon LeZion. Pioneers in Amihai. Pioneers.[[41]](#footnote-41)

There it is again, the minister’s eternal reply to Meir Shalev: the pioneers in her narrative were also in Jerusalem, in Dimona, in Yeruham and, of course, in the aforementioned Migdal HaEmek, historical inaccuracy aside, before Nahalal. Take Degania and Dimona: a likely pairing in terms of alliteration, except that Degania was the first kibbutz founded by the early Zionist pioneers in 1910, a model of communal life and labor never before seen in the world, whereas Dimona was established by the sovereign State of Israel in 1955. Proclaiming the settlers of the West Bank towns of Hebron, Beit El, and Amihai, including those evacuated to Amihai from the illegal outpost of Amona, to be “pioneers” has even more drastic ramifications: it is a de facto endorsement of the theory that the illegal settlement of the occupied territories in the West Bank is but a continuation of the pioneering Zionist efforts in 1920s Palestine.

Regev explains:

Every cowshed in this country has been turned into a museum. Every plough in every kibbutz is an exhibit. Just look at all the heritage sites that have been established to this day with the support of the Council for Conservation of Heritage Sites, which answers to me, to the Ministry of Culture…. It is unbelievable. There is not one synagogue, not one development town among them. The story of the **pioneers** who had built the 21 development towns is nonexistent. They are invisible in the Zionist story…. It’s inconceivable that the grandson of Moshe from Dimona shouldn’t be proud of his grandfather, who was also one of this country’s pioneers…. There have never been any funds invested in this, and so they are excluded from the textbooks, from the culture, from everything. I want the grandson of Moshe from Dimona to feel proud, and so I’m going to make sure that Moshe’s story is told.[[42]](#footnote-42)

Of course, there is no contesting that the development towns are a chapter in Israel’s story, but it is a chapter that takes place in the 1950s, as opposed to being part of the waves of ideological immigration of the early twentieth century. However, Regev does not stop there: “It’s not just the story of the immigrants from North Africa that hasn’t been told, but also the story of the settlers in the West Bank. The early Israeli settlements of the 1970s. People had settled there in order to protect my home, and yet their story is not considered part of our ethos.”[[43]](#footnote-43)

This is “cultural justice” at work, at the expense of creating a historical hodgepodge. The members of the first Zionist *aliyot* who had immigrated through volunteer-based self-organization and created innovative communal models never before seen in the world, find their contribution equated with that of members of migrations managed, disseminated, and fully funded by a sovereign state in the 1950s and that of the occupied West Bank settlers. Pioneers all of them. And of course, not a word, at any point in “our story” about the Arab-Israeli natives and citizens, whom Regev, to paraphrase her own words, simply does not want to see. If she does not want to see them, then they are not part of the story, because she is now in charge of defining the national ethos and deciding who is represented in and who is absent from this country’s narrative. The Ethiopian Jews, a tiny minority in Israel, demographically speaking, find themselves center stage in the ceremony, whereas Israeli Arabs, constituting twenty percent of the population, are never once mentioned.

The minister’s actions and worldview regarding the shaping of Israel’s national narrative and culture are not anecdotal; they are direct manifestations of the version of governance promoted by her and the Netanyahu government as a whole. In the words of the minister:

The fact is that the torch lighting ceremony has always been the business of the government, never of the Knesset. The body that runs it is the Israeli government, through the Center for Public Diplomacy and the Chairman of the Ceremonies and Symbols Committee, which is my job. I am the one responsible for the ceremony and its success or, God forbid, failure. The Knesset has nothing to do with it.[[44]](#footnote-44)

This is precisely the core principle of unfettered governance: the government plays the central role, not the Knesset. Even though the Knesset is the representative body of the polity, it is cast aside to make way for the government. Decision-making involves direct interference in public content, and not by professionals but also by the minister herself and her delegates. This shift is not just symbolic; let us remind ourselves of the bitter debate between Regev and the Speaker of the Knesset on the subject of the Prime Minister’s appearance, which the Minister insisted on including in the ceremony, thus gifting the Prime Minister an election speech— lasting twice the time allotted to him— only days before the election.

As we have seen, Regev’s main influence has been on the mechanisms of policy making and budgeting. The Cinema Law was changed, because of Regev’s claim that film budgets were awarded based on the artistic taste of reviewers (in her eyes, prime suspects for anti-Israeli sedition), in two essential respects. Following the results of the investigation committee she appointed—consisting of likeminded peers and representatives of the Kohelet Policy Forum—Regev decided to create a pool of reviewers. Seventy percent of these were chosen by the Ministry of Culture—in other words, consisting mainly of the Minister’s people—thus completely neutralizing the influence of the film foundation managers on film selection. In addition, the “wisdom of the crowd” rule, as previously discussed, funds commercially successful films contrary to any public budgeting criterion in the democratic world. Together, these methods enable Regev to erect a monolith of popular, commercial culture, reflecting the “people’s” tastes, one which deliberately excludes industry professionals from the decision-making process and replaces them with the minister’s cronies. The amended Cinema Law is therefore an extreme expression of loyalty to the establishment, and loyalty to the minister’s taste in particular. Regev’s shift of focus to the periphery also signals a structural change. The Municipal Culture Budget (MCB) regulations allow for the transfer of up to 50 million shekels to local authorities to distribute among local cultural enterprises, without any specification of what constitutes culture or what professional body is certified to determine that. Any budget expense necessitates only the approval of the head of the municipal or local authority. It is therefore money that is transferred directly to the mayors—political money.[[45]](#footnote-45)

Local cultural entrepreneurship has given rise to local festivals and created a significant change in what merits the definition of “culture.” In fact, erasing the line between high and popular culture has become Regev’s trademark. The local culture she had in mind is of course uncritical and apolitical. Regarding the poetry of Mahmoud Darwish, she said: “This kind of expression is not a cultural voice I am interested in having heard in this country. Customs, traditional cuisine, prayers, language—no problem, they can do as they please. But there is a balance of rights. The value of life in a Jewish democratic country trumps the value of the Jewish people’s laws concerning the consumption of meat. The value of preserving the character of the State of Israel trumps the attempts to undermine it.”[[46]](#footnote-46) Culture in the sense of customs, traditional cuisine, prayers, and language, is apolitical folk culture, and therefore merits funding. Critical art that challenges the government’s stances or the political consensus may fall under the umbrella of freedom of expression, but, as far as the minister and her policies are concerned, it does not fall under the freedom of being eligible for state funding. And the right to decide—and to censor—falls of course to the minister of culture herself, as dictated by the Loyalty in Culture bill proposed by Regev.

In summary, one can say that the concept of governance championed by Regev is a personal one that places the minister and her world view in position to determine the criteria for public funding. The establishment of mechanisms that reward the personal loyalty of close associates and transfer enormous sums to the direct electorate—heads of local authorities, popular culture, Mizrahi music, and commercial cinema—creates a culture that is incentivized to remain folksy and apolitical, while silencing any critical art that fails to align itself with the minister’s politics or personal tastes. While the questions of cultural justice and funding the periphery are key issues in cultural budgeting policy, and worthy of in-depth discussion and consequential policy changes, the identification of institutional bodies with anti-Israeli sedition, with the “old elites,” with the “members-only club,” and with the “left” (which Regev a priori defines as defamatory against the state and therefore traitorous), leads to a structural shift that risks restricting freedom of expression and impairing critical art. As she said in the “Flag Speech” defending the Loyalty in Culture bill: “We are for Israeli culture. Whoever votes for this motion of no-confidence is saying yes to the cattle speech, yes to the rifraf speech, yes to the amulets and mezuzah-kissers speech, and yes to homegrown boycotts. Whoever votes against this motion of no-confidence is saying yes to Israeli culture, yes to freedom of expression, and no to homegrown boycotts. No to homegrown boycotts.”[[47]](#footnote-47)

It is the same old story of the few but treacherous, patronizing elites versus the popular masses, who are loyal to the flag, represented by their own personal minister thanks to the Loyalty in Culture bill. Regev summarized her term as Minister of Culture as follows: “I think I made revolutionary transformations in the Ministry of Culture. I made transformations that I don’t think other ministers who come after me will be able to undo. Even if they want to turn back the clock to the way things used to be, they won’t be able to. We have to understand that culture is a basic right held by every citizen of the State of Israel; there is no high and low culture, there are people who like the violin, and there are people who like the oud.”[[48]](#footnote-48)

**Loyalty in Government**

Dina Zilber, Deputy Attorney General, argued during a hearing of the Committee on Education, Culture and Sports on the subject of the Loyalty in Culture bill:

During the past hour, I was attending a Constitutional Committee hearing on the Legal Advisors Law, a law that converts a public-federal legal counsel model, into a position of confidence, legal counsel not to but on behalf of the Minister, a law might as well be renamed “Loyalty in Justice.” Now, in this room, we shall discuss the Loyalty in Culture Law. Culture is imagination running free, it is beauty and diversity and a plurality of voices and courage and defiance and honesty and excitement and expression that does not seek to ingratiate itself to anyone and does not contort itself to fit any measures of patriotism or pass any state-approved suitability test. The two rooms are separated by one floor, but as the poet said, one straight line passes between two points. It like a puzzle: put the pieces together and the big picture unfurls before us and takes on visible meaning. We are changing. And the country too has changed its face. These are complicated days and they bring with them not only new times but also new words. Governance, loyalty, override. This is antagonistic discourse that cuts into and scars the common social tissue. It labels, tags, who’s with us and who’s against us, and if there are those who are loyal—are there also those who betray us? The fifth column? Give us obedient legal advisors, neutered artists, muzzled media, a compliant, well-behaved people with uniform thought.[[49]](#footnote-49)

Whereas the Loyalty in Culture Law applies to one specific field, the Legal Advisors Law—the proposition to replace the legal advisors to the various government ministries from professional advisors, under the supervision of the Attorney General, to advisors appointed by the ministers themselves, subordinate to their will and expected to display personal loyalty—has a wide-reaching, systemic effect on the entire public sector. The concept of governance, entailing inherent loyalty to the minister, stands to transform entirely the scope of civil service in Israel. The basic worldview behind it is that there is no such thing as legal professionalism. Every legal advisor adheres to one party ideology or another, which informs their every action; therefore they must be chosen by the minister, to be a trusted associate. While it would seem to reason that, in that case, the legal advisor must resign whenever a new minister is chosen, they are instead accorded a seven-year term. The bill was submitted as a private piece of legislation, signed by 24 members of the Knesset, and by Amir Ohana, Netanyahu’s current minister of justice. The explanatory statement attached to the bill read thus:

Recent years have seen far-reaching changes in the role and status of legal advisors in government ministries. Today, the legal advisor is perceived not only as a counselor, but also as someone with the authority to disqualify ideas and processes promoted by the minister in charge if, to the best of his or her understanding, they are legally or constitutionally flawed…. This bill is intended to change the method of appointing legal advisors to government ministries, so that the advisor is selected by the minister as a person placed in a position of confidence, as is the case today for the appointment of ministerial chiefs of staff. This change will empower governance and strengthen the governmental ministries in order to allow them to implement the ministerial policy entrusted to them in a more effective and harmonious fashion, while eliminating conflict and frustration. The outlook underpinning this bill is that the function of the legal advisor is to assist the minister in realizing their policy by providing them with the appropriate legal tools. The functions of monitoring and control are already carried out by numerous other bodies—ministry comptrollers, the State Comptroller’s office, the courts, and the law enforcement agencies.

Former Supreme Court Justice Yitzhak Zamir said of the Legal Advisors Law: “This bill, more than the Override Clause or the Nation-State Law which are on everybody’s mind, is a very grave danger to the rule of law in Israel.”[[50]](#footnote-50) Why does Zamir see this bill as a serious danger to the rule of law? What does it matter if the appointment of legal advisors takes place through a tender published by the Civil Service Commission or, according to the new proposal, through a search committee headed by a ministerial chief of staff? Former Supreme Court Justice and former Attorney General Elyakim Rubinstein provides the answer to this question in his letter to the constitutional committee:

What the bill proposes is an outright politicizing of legal advising to the government. A legal advisor is not a position of confidence. Under no circumstances is it that…. His job does not depend on “loyalty” to minister so and so, who in our country tends to get replaced rather frequently, but on loyalty to the law…. The very fact of being appointed by the minister, even if it is with the consent of the Attorney General, which is the current proposition, stamps the legal advisor with a political seal…. The resulting creature will inherently be identified as the “minister’s crony,” as someone who is “indebted” to the minister even if he is a decent and competent person all circumstances aside. And that is not the purpose of a legal advisor.[[51]](#footnote-51)

The problem, then, with turning the job of ministerial legal advisor into a position of confidence is that it transforms the system itself, by restructuring the relationship between the executive branch and the civil service, from one based on the professional, impartial, highly qualified, and well-trained maintenance of the rule of law, to one based on personal loyalty to the minister in charge. This is the same paradigm shift we saw earlier in the case of Miri Regev’s Loyalty in Culture bill, however, when it comes to the Legal Advisors Law, the transformation applies to the entire system of governmental appointments.

Evidence that the Legal Advisors Law is not a lone example, but rather part of an active attempt to change the system itself, can be found in Article 13 of the 34th government’s coalition agreements: “As part of the effort to empower governance, we shall examine the proposal for increasing the number of positions of confidence in government ministries for the purposes of rendering them more efficient. This proposal will seek to extend the position of confidence definition to posts such as: deputy chief of staff and their equivalents, vice chief of staff and their equivalents.”[[52]](#footnote-52) Changing the position of the deputy chief of staff in government ministries— the highest ranking professional in a government office, since the chief of staff is already a position of confidence—and adding the position of vice chief of staff as a position of confidence constitutes a veritable revolution in the nature of the civil service. As Amir Ohana explains, in defending the Legal Advisors Law:

This bill doesn’t pretend to be merely technical or trivial in nature. When you are talking about detriment to the rule of law, what you are really referring to is detriment to the rule of lawyers. When has anyone made a decision against the advice of the legal advisor? They are the ones who decide these days, the legal advisors. When we talk about rule of law, there are no right and wrong answers, or exact science; it is all a matter of worldview and interpretation. Not only does this bill do no harm to democracy, it in fact consummates democracy. It says no to the tyranny of the minority.[[53]](#footnote-53)

Rule of lawyers, rule of law as a matter of worldview and interpretation, the tyranny of the minority: these are all hefty accusation that shatter the basic assumptions of the democratic regime in Israel, and accuse the legal advisors themselves of ruling the country undemocratically. The worldview that underlies the government’s conception of governance was aptly explained by the Minister of Justice at the time, Ayelet Shaked, in her written response to the committee:

Essentially, the State of Israel has undergone a “lawyerization” process in recent years. The balance of power that prevailed for years in the relations between the elected and the official ranks has been violated, the power of the elected rank has been weakened and the power of the official—mainly legal—rank has been strengthened at the former’s expense.... Needless to say, **it is the political rank that represents public interest**.[[54]](#footnote-54)

This battle over the balance of power between the two ranks, what she termed elsewhere the “rule of advisors” or the “rule of clerks,” takes place first and foremost in the appointment of legal advisors. Her argument elucidates the dispute between the two sides: according to Rubinstein’s statement quoted earlier, the role of legal advisors is to be “loyal to the rule of law,” while according to Shaked’s claim, their loyalty should be to the elected representatives of the public alone. That is, loyalty to the appointed and—if the proponents of unfettered governance have their way—appointing minister, since the elected rank is the one that represents “public interest.” Shaked’s legislative advisor, Gil Bringer, also spoke out against Dina Zilber’s claim that legal advisors are meant to be public servants, rather than the regime’s “consiglieres,” who have committed themselves to carrying out a public mission out of loyalty to the public in general, rather than to the minister’s individual interests.[[55]](#footnote-55) Bringer argued that viewing the confidence-appointed advisor as a “consigliere”—a derogatory term referring to a mafia lawyer—defines all elected officials as a priori potentially corrupt, and the legal advisors as their adversaries. The problem, to his mind, lies in the argument over public interest. While Zilber would have the legal advisor determine the public’s agenda, Bringer argues that this is precisely what elected officials are elected to do: to represent the public interest. He adds:

I suppose the Ministry of Justice and other offices can put their finger on the public’s interest in a way that publicly elected officials simply can’t? And since there are also conflicting interests, who should be the one to balance them? Not the government, heaven forbid, but the lawyer in the room, he’s the one who’ll balance them out, prioritize them, and pinpoint the interest of the general public.[[56]](#footnote-56)

This sarcastic, derisive statement mocks the culture of civil service in Israel as a service that is loyal to the public and to the law, and paints it instead as part of the deep-state elite. It is Bringer’s way of explaining what the head of Im Tirtzu defined as the paradox of why the people vote right and get left: civil servants, headed by the attorneys at the Prosecutor’s Office and the Attorney General’s Office, are seen as acting systematically and deliberately to thwart ministers’ policies.

Whereas the ethos of civil service in general, and of legal advisors in particular, is one of loyalty to the rule of law and the representation of public interest, Ohana and Bringer maintain that the rule of law is not a matter of legal professionalism but of interpretation fed by ideology, and that the representation of public interest is the function of elected officials alone. In fact, according to Bringer, the relationship between legal advisors and government officials should be nothing but a special case of the attorney-client relationship.

The argument became more heated when it came to writing the Civil Service Code of Ethics. The vision that opens the Code of Ethics was drafted by a broad committee of civil servants led by former Deputy Attorney General Malchiel Ballas, after extensive rounds of consultation. It states:

The civil service, through its employees acts as a public trustee, and by way of its actions contributes to shaping the culture of a prosperous and fair, exemplary society in Israel, for the common good, and in the spirit of the principles defined in the declaration of the establishment of the State of Israel.[[57]](#footnote-57)

As we can see, while the civil service is a public trustee that acts for the common good, the Civil Service Code of Ethics says nothing about loyalty to the ministers and to the Israeli government. This provoked Shaked’s anger, so much so that she was compelled to respond:

We often witness clerks imposing a political agenda under the guise of professionalism and neutrality, and fighting, presumably, in the names of those values, to thwart government initiatives as if they were sitting on the opposition bench and seeking to create an alternative regime.[[58]](#footnote-58)

As a matter of fact, the civil service’s obligation to promote government policy without bias is actually stipulated in the second sentence of the Code of Ethics, as part of the civil servant’s function. However, Shaked interprets it as if the Code of Ethics suspects all ministers of corruption and the role of the civil servant is to prevent them from violating the rule of law.

What is loyalty to the rule of law and how is it different from loyalty to a minister? How does the Legal Advisors Law express the basic concept of governance as promoted by the Netanyahu government; that is, loyalty to the regime? While the Civil Service Code of Ethics refers to government employees in general, and legal advisors in particular as “trustees,” those who have been put in place to protect public interest and the rule of law, Shaked, Liberman, and Regev wish to replace the word “trustee” with the word “loyal.” That is to say, those who used to be **entrusted** with responsibility by the public, will from now on be charged with **loyalty** to the minister. Loyalty, in the unfettered governance worldview, is the key concept that links the minister, as an elected official, with his ministry’s employees. However, while loyalty can be interpreted to mean personal loyalty as well as loyalty to a principle or to one’s office, the Netanyahu government’s conception of governance—and particularly that of the prime minister himself—is entirely based on personal loyalty. The Civil Service Commissioner, the Attorney General, the Chief of Police, and others in a long string of appointments, are viewed by Netanyahu as appointments based on personal loyalty, and when they perform their duties out of loyalty to the office or to the law—rather than to the person who appointed them—they are denounced as traitors. This logic has led the prime minister to denounce President Rivlin, Tzipi Livni, Gideon Sa’ar, and lately even Avigdor Liberman—all of whom are members of the nationalist-liberal right—and accuse them of being “leftists,” aka traitors. The sole reason for this is that they showed a lack of personal loyalty to him, to Netanyahu, the man. Not to the ideology of the Likud or of the right, but rather disloyalty to an individual. That is what loyalty in government means, and these are the dangers it entails.

If so, the dispute between Shaked and Ohana, on the one hand, and Zamir and Rubinstein, on the other, over the issue of the legal advisors, is really about the concept of loyalty. The latter would have legal advisors be loyal to the law, as trustees, whereas Shaked and Ohana—the two most recent ministers of justice—and proponents of the Legal Advisors Law perceive loyalty to mean allegiance to a minister, to an individual and his or her worldview. The transition from loyalty to the public, in the sense of a trustee position, to loyalty to a minister, in the sense of allegiance, is at the core of the Netanyahu government’s push for unfettered governance. The Shaked-Naveh affair demonstrates the ease with which loyalty to principle can transform into loyalty to a person, and the catastrophic price the system can pay for the lack of checks and balances and for changing the rules of the game.

As Zilber argued, the ideas of governance, loyalty, and override are all interconnected and point to the significant ideological change among the political right: from the historically nationalist-liberal approach of the Likud party, to the neo-conservatism, neo-liberalism, and populism of the Netanyahu governments. Reshaping the concept of “the people,” defining it as the antithesis to the leftist elites, who are portrayed as traitors, and building an ideological alternative—the people as a Mizrhai popular culture that emphasizes tradition, religion and nationality, together with the concept of governance that concentrates power in the hands of the neo-conservative government which sees the distinction between conservatism and liberalism as the new division between right and left—are all elements that point to a worldview that developed gradually. But this worldview is not content to remain in the realm of ideology: the Netanyahu governments have implemented structural changes in the citizenship laws, in the constitutional framework (by way of the Nation-State Law), in the system of civil service and in the balance between the three branches of power, by way of the Legal Advisors Law and the Override Clause. The transition from loyalty to the public, is the sense of trusteeship, to loyalty to a minister, and especially to the prime minister, in the sense of allegiance, allows us to trace the ideological transitions and the subsequent constitutional and institutional structural changes that express this ideology. The notions of loyalty in citizenship, in culture and in government demonstrate this change both in their theoretical frameworks and in political practice.

To quote Regev one last time: “I am proud that my vision to position the Mizrahi Israeli culture front and center has started to permeate our cultural institutions. The production of *This is Me* is a welcome step forward for the Kameri Theater, Tel-Aviv’s municipal theater, and a huge step toward achieving the vision of cultural justice. It’s not just “this is me,” but also, and most importantly ‘this is us.’”[[59]](#footnote-59)

1. Erez Tadmor, 2017, *Why do You Vote Right and Get Left?*, Sela Meir. [↑](#footnote-ref-1)
2. <https://www.idi.org.il/media/6579/%D7%99%D7%A9%D7%A8%D7%90%D7%9C-%D7%91%D7%99%D7%AA%D7%A0%D7%95.pdf> [↑](#footnote-ref-2)
3. <https://www.ynet.co.il/articles/0,7340,L-3967134,00.html> [↑](#footnote-ref-3)
4. Interview with Lieberman’s political strategist, Rafi Barilai, 29.04.2019. [↑](#footnote-ref-4)
5. A Jew of Middle-Eastern or North African extraction. [↑](#footnote-ref-5)
6. The will of the people is, therefore, far more essential in the populist worldview than human rights or constitutional equality. Cas Mudde, 2007, 23. [↑](#footnote-ref-6)
7. Thiya Barak, Miri Regev: A Story of Love and Darkness, 30.06.2015. <https://www.atmag.co.il/%D7%A1%D7%99%D7%A4%D7%95%D7%A8-%D7%A2%D7%9C-%D7%90%D7%94%D7%91%D7%94-%D7%95%D7%97%D7%95%D7%A9%D7%9A/> [↑](#footnote-ref-7)
8. ? [↑](#footnote-ref-8)
9. <https://m.knesset.gov.il/news/pressreleases/pages/press05.11.18bv.aspx> [↑](#footnote-ref-9)
10. <https://www.atmag.co.il/%D7%A1%D7%99%D7%A4%D7%95%D7%A8-%D7%A2%D7%9C-%D7%90%D7%94%D7%91%D7%94-%D7%95%D7%97%D7%95%D7%A9%D7%9A/> [↑](#footnote-ref-10)
11. Dana Zilber speaking in front of the Education Committee about the Loyalty in Culture bill, 12.01.2019, <https://www.youtube.com/watch?v=dSHTFn89Iho>. [↑](#footnote-ref-11)
12. <https://www.ynet.co.il/articles/0,7340,L-4668785,00.html> [↑](#footnote-ref-12)
13. Ina Toker, 04.09.2017, <https://www.ynet.co.il/articles/0,7340,L-5011883,00.html> [↑](#footnote-ref-13)
14. An explanation of the bill states: “This order is intended to alter the bodies concerned by the general arrangement set forth in the Budget Foundations Law and suggests that the authority given to the Minister of Finance under said law should be vested in the Minister of Culture and Sports and that, under the conditions prescribed in the bill, he/she shall be able to reduce the amount of support provided to the body for the unsupported activity, and if he/she sees that the unsupported activity constitutes a significant and substantial part of the body’s total activity for that year, he/she may retract the amount of support to which the body is entitled for all of its activity for that year, in total or in part.” <https://m.knesset.gov.il/news/pressreleases/pages/press05.11.18bv.aspx>. [↑](#footnote-ref-14)
15. Na’ama Lanski, “You Won’t Tell Me and What’s Right and What’s Wrong,” 11.09.2015, *Israel HaYom* <https://www.israelhayom.co.il/article/313067%20/> [↑](#footnote-ref-15)
16. Thiya Barak, “Miri Regev: A Story of Love and Darkness,” 30.06.2015. <https://www.atmag.co.il/%D7%A1%D7%99%D7%A4%D7%95%D7%A8-%D7%A2%D7%9C-%D7%90%D7%94%D7%91%D7%94-%D7%95%D7%97%D7%95%D7%A9%D7%9A/> [↑](#footnote-ref-16)
17. <https://www.israelhayom.co.il/article/466349> [↑](#footnote-ref-17)
18. Ibid. [↑](#footnote-ref-18)
19. “Miri Regev’s ‘Feast Speech,’” 03.03.2018, <https://www.inn.co.il/News/News.aspx/367614>. [↑](#footnote-ref-19)
20. Na’ama Lanski, “Meir Shalev has some nerve. The mizrahim weren’t part of his childhood landscape? The residents of Migdal Haemek guarded Nahalal for him” 07.04.2017, *Israel HaYom* <https://www.israelhayom.co.il/article/466349>. [↑](#footnote-ref-20)
21. Ibid. [↑](#footnote-ref-21)
22. Ibid. [↑](#footnote-ref-22)
23. <https://www.ynet.co.il/articles/0,7340,L-5376290,00.html> [↑](#footnote-ref-23)
24. <https://www.ynet.co.il/articles/0,7340,L-4668785,00.html> [↑](#footnote-ref-24)
25. <https://www.ynet.co.il/articles/0,7340,L-4668785,00.html> [↑](#footnote-ref-25)
26. Reference? [↑](#footnote-ref-26)
27. Na’ama Lanski, “You Won’t Tell Me and What’s Right and What’s Wrong,” 11.09.2015, *Israel HaYom* <https://www.israelhayom.co.il/article/313067%20/> [↑](#footnote-ref-27)
28. Ibid. [↑](#footnote-ref-28)
29. Bat El Binyamin, “Regev Speaks Out Against Cinema Funds,” 16.07.2018, <https://www.makorrishon.co.il/opinion/62199/> [↑](#footnote-ref-29)
30. Thiya Barak, Miri Regev: A Story of Love and Darkness, 30.06.2015. <https://www.atmag.co.il/%D7%A1%D7%99%D7%A4%D7%95%D7%A8-%D7%A2%D7%9C-%D7%90%D7%94%D7%91%D7%94-%D7%95%D7%97%D7%95%D7%A9%D7%9A/> [↑](#footnote-ref-30)
31. <https://www.idi.org.il/media/10937/%D7%94%D7%A2%D7%A8%D7%95%D7%AA-%D7%9C%D7%AA%D7%96%D7%9B%D7%99%D7%A8-%D7%97%D7%95%D7%A7-%D7%94%D7%A7%D7%95%D7%9C%D7%A0%D7%95%D7%A2-%D7%94%D7%9E%D7%9B%D7%95%D7%9F-%D7%94%D7%99%D7%A9%D7%A8%D7%90%D7%9C%D7%99-%D7%9C%D7%93%D7%9E%D7%95%D7%A7%D7%A8%D7%98%D7%99%D7%94docx.pdf> [↑](#footnote-ref-31)
32. Na’ama Lanski, “Meir Shalev has some nerve. The Mizrahim weren’t part of his childhood landscape? The residents of Migdal Haemek guarded Nahalal for him” 07.04.2017, *Israel HaYom* <https://www.israelhayom.co.il/article/466349>. [↑](#footnote-ref-32)
33. Ibid. [↑](#footnote-ref-33)
34. Interview with Ben Caspit and Aryeh Adler, 103FM, quoted in “Meir Shalev: ‘If Miri Regev Hasn’t Read Chekhov, Why Should She Read Me?” *Ma’ariv*,06/04/2017, <https://www.maariv.co.il/culture/literature/Article-580589>. [↑](#footnote-ref-34)
35. Na’ama Lanski, 07.04.2017. [↑](#footnote-ref-35)
36. <https://www.calcalist.co.il/consumer/articles/0,7340,L-3735334,00.html> [↑](#footnote-ref-36)
37. Reference? [↑](#footnote-ref-37)
38. Ibid. [↑](#footnote-ref-38)
39. Itay Stern, “We’ve Cracked the Holocaust,” *Haaretz*, 04.12.2018 <https://www.haaretz.co.il/news/politi/1.6009376>. [↑](#footnote-ref-39)
40. Ibid. [↑](#footnote-ref-40)
41. Israel’s 70th Independence Day ceremony, 18 April 2018 <https://www.youtube.com/watch?v=aHQLCV6xiOo> [↑](#footnote-ref-41)
42. Reference? [↑](#footnote-ref-42)
43. Reference? [↑](#footnote-ref-43)
44. <https://www.calcalist.co.il/consumer/articles/0,7340,L-3735334,00.html> [↑](#footnote-ref-44)
45. “MCB for local authorities,” 05.05.2016, <https://www.gov.il/he/Departments/news/sela_regulation2> [↑](#footnote-ref-45)
46. Na’ama Lanski, “Meir Shalev has some nerve,” 07.04.2017. [↑](#footnote-ref-46)
47. Moran Azulay, “Regev: Mr. Kotler, are these 61 Knesset members cattle to you?,” 15.06.2015, <https://www.ynet.co.il/articles/0,7340,L-4668785,00.html> [↑](#footnote-ref-47)
48. <https://www.msn.com/he-il/news/other/%D7%9E%D7%99%D7%A8%D7%99-%D7%A8%D7%92%D7%91-%D7%A9%D7%A0%D7%99-%D7%A9%D7%A8%D7%99%D7%9D-%D7%90%D7%97%D7%A8%D7%99%D7%99-%D7%9C%D7%90-%D7%99%D7%AA%D7%A7%D7%A0%D7%95-%D7%90%D7%AA-%D7%9E%D7%94-%D7%A9%D7%A2%D7%A9%D7%99%D7%AA%D7%99-%D7%91%D7%9E%D7%A9%D7%A8%D7%93-%D7%94%D7%AA%D7%A8%D7%91%D7%95%D7%AA/ar-BBS9Goh> [↑](#footnote-ref-48)
49. Dina Zilber, Hearing of the Committee on Education, Culture and Sports on the subject of the Loyalty in Culture bill, 12.01.2019, <https://www.youtube.com/watch?v=dSHTFn89Iho>. [↑](#footnote-ref-49)
50. Chen Ma’anit, “Former Attorney General, Prof. Itzhak Zamir: ‘Dina Zilber must be protected’,” *Globes*, 08.11.2018, <https://www.globes.co.il/news/article.aspx?did=1001259722> [↑](#footnote-ref-50)
51. [https://fs.knesset.gov.il//20/Committees/20\_cs\_bg\_501024.pdf](https://fs.knesset.gov.il/20/Committees/20_cs_bg_501024.pdf) [↑](#footnote-ref-51)
52. “Coalition agreement between the Likud and Kulanu,” 29.04.2015, <https://knesset.gov.il/docs/heb/coalition2015_1.pdf> [↑](#footnote-ref-52)
53. Reference? [↑](#footnote-ref-53)
54. <file:///C:/Users/owner/Documents/%D7%92%D7%99%D7%99%D7%9C%D7%96/%D7%A0%D7%90%D7%9E%D7%A0%D7%95%D7%AA%20%D7%91%D7%9E%D7%A9%D7%A4%D7%98/%D7%A9%D7%A7%D7%93%20%D7%A2%D7%9C%20%D7%99%D7%95%D7%A2%D7%9E%D7%A9%D7%99%D7%9D8.pdf>, emphasis in the original. [↑](#footnote-ref-54)
55. “Shaked’s senior advisor against the high echelon of the Ministry of Justice: ‘Self-righteous women’,” Revital Chovel, *HaAretz*, 20.06.2018, <https://www.haaretz.co.il/news/law/1.6196139>. [↑](#footnote-ref-55)
56. Ibid. [↑](#footnote-ref-56)
57. <https://www.gov.il/BlobFolder/policy/tashaaz10/he/tashaaz10.pdf> [↑](#footnote-ref-57)
58. <https://www.haaretz.co.il/.premium-1.4124179> [↑](#footnote-ref-58)
59. “Minister Regev supports musical based on the songs of Eyal Golan: ‘Cultural justice’,” *Ma’ariv*, 31.05.2018, <https://www.maariv.co.il/culture/theater-art/Article-640762> [↑](#footnote-ref-59)