1. **Conclusions: *Judocracy* – Ideological Transformations and Structural Changes**

Netanyahu. It’s good for the Jews.

 (Netanyahu’s campaign slogan, 1996).



Netanyahu’s campaign, 1996.[[1]](#footnote-1)

Netanyahu has reinvented the Jewish people for the national camp. The open microphone has recorded his notorious whisper on Rabbi Kaduri’s ear over dinner in 1997: “The left has forgotten what it means to be Jewish” was the most remembered part. The ending of the sentence read: “They think that if we’d give the Arabs part of the land, they would take care of us”.[[2]](#footnote-2) Left meant, back in 1996, being in favor of the two states solution – land in return for peace. The reinforcement of the Jew came by negating the other, the foe, the enemy – the Arab. Finkelstein, Netanyahu’s American campaigner in the personal, direct election between Peres and Netanyahu, a year after Rabin’s assassination in 1995, has coined the slogan ‘Only Netanyahu. It is good for the Jews’ based on a poll he conducted which showed the majority of Israelis have characterized themselves first as Jewish and only later Israeli. But the campaign moto read: “Danger! What is good for the PLO and the Palestinians in not good for the Jews. They have decided: Peres. We would say: Only Netanyahu!” Back then, left and right were still about the Israeli-Palestinian conflict. Netanyahu drove the association of the left with the terror that killed hundreds of civilians in Israeli cities.

The project was to cement a robust ethnoreligious identity into the Jewish camp, and to negate the left – his political rivals – by always mentioning them as taking care of the Arabs – the enemy’s – rights. The left was thus unpatriotic and human rights became identified with helping your enemies. Back in the mid-1990s, with suicide bombers terrorizing Jerusalem streets, the threat was imminent. The fear was behind every corner. The external enemy was inside the state, and the danger was internalized. But it would take another decade and a half before Netanyahu would be able to create a unified national Jewish camp. His first premiership as well as his service as minister of finance under Sharon’s government, were characterized by his neoliberal ambitions and his political conservative heroes – Churchill, Thatcher and Reagan. Neoliberalism and nationalism were built side by side and collided. Netanyahu as a finance minister was the most hated leader for the ultraorthodox parties. His stances on the disengagement from Gaza – left him untrustworthy by the settlers’ camp. Under his leadership the Likud has plummeted to an ever-low – 12 MKs only in the 2006 election, lower even than the first election in 1949, when Begin has mastered 14 MKs despite Ben-Gurion’s personal despise for him.

The defeat sent Netanyahu back to the drawing board. It was then he was inspired by the idea of ‘the other Israel’. Just like the America on which most people think is that of the east coast and the west coast – but between liberal NY and democratic San Francisco therein lies a different America, a bible-belt, so between Tel Aviv and the Supreme Court, was a different Israel, a bible-belt of its own: “We’re not in trouble, we have Mizrachim and Ashkenazim, we have old-timers and new Olim, we have secular and we have religious, we have Amona, and we have Dimona.”[[3]](#footnote-3) Amona and Dimona – the settlements and the developmental towns, where the sociological periphery resides – was Netanyahu’s ticket to rebuilding the Jewish people, and conceptualizing the national camp.

It would be Netanyahu’s political life-project to bracket the Palestinians and to turn the dominant left-right axis to be between Jews and Israelis: he was the only one that held a poll (as he was the only politician making polls and believing in them to determine his political direction) which stated that the majority of Israelis perceived themselves first and foremost as Jews. He had the key to a Jewish majority in the state, in the Knesset. He just had to shape the keyhole of politics to match his silver key.

1. **Conceptual Morphology: National-Conservative Judocracy**

The core concepts of Netanyahu’s regime can now be assembled, under four central themes: Jewish nationality, conservatism (obligations), governability (loyalty) and popular democracy.

1. Jewish Ethnoreligious Nationalism

The declaration of independence was finalized by Ben-Gurion to reflect the journey of the Jewish people in their return to their land as a nation among nations, a sovereign people on its land, and to determine the nature of the newly-born state as a democracy with full personal, social and political rights to all its citizens.[[4]](#footnote-4) The Jewish national movement – Zionism, put Zion – the land of Israel, at the center. Modern secular nationalism transformed the religious Jewish minority in diaspora into an independent democratic nation-state of its independent land. The people was the transformed Jewish people, creating the Israeli Sabra, cultivating his own biblical land, with Hebrew language reinvented as the unifying national language of the nation, the only language authorized for teaching at public schools (albeit granting Arabic the same status – a status which was down-graded by Netanyahu’s basic-law: Nation-State 70 years later). The Israeli citizenry became the demos – with substantial equality and a promise to develop the land for the benefit of all. The convention crystallized into Israeli consensus was: Israel Jewish and democratic. A national democracy, like many European democracies, with a distinct national character, embedded in the holidays, the calendar, the Sabbath, the flag and hymn, but with civic and political equality for all citizens and autonomy for the three religions preserved from the Ottoman rule and British Mandate. The ethos of secular nationalism, and the role of the courts as the guardians of civic rights, together with the pluralistic tradition of the Zionist currents and the liberal roots of socialist, political and revisionist Zionisms, and Ben-Gurion clear commitment to the western democratic model, ensured the political framework as aspiring to liberal democracy. The reality, of course, with the independence war breaking immediately upon the establishment of the state of Israel, the military rule over the Arab villages up until 1966, and the dominance of Mapai-related institutions, was less egalitarian and produced structural discrimination and a resistance to the Israeli melting pot among diverse minorities – both Jewish and Arab.

In order to channel a politically stable change, and put the right and its leader in power for many years, Netanyahu undertook Begin’s mission, to rejudify the party system, narrating the national story as an ethnoreligious history. The Jewish history positioned the Jews as a minority, a threatened religious community: the existential threat was instrumental to Netanyahu’s perception of his role as savior of the Jewish people from a second holocaust – of nuclear Iran. The image of the strong Israeli state, David to Goliath, was crucial in cementing the idea of Jewish power in a hostile region. The judification of the discourse facilitated the assembly of very different minority communities, with different aspirations and political leaderships. The alliance was between the national-religious people, the ‘whole Eretz-Israel’ creed, the ultraorthodox – both Ashkenazi and Mizrachi – and the traditional *Masorti* Mizrachi masses united under one national camp led by Netanyahu’s Likud. The nation has become now the Jewish nation; it mastered a majority – and saw itself fit to rule against the Ashkenazi elites based on the idea of a Jewish majority. Jewish majority combined those groups, communities and congregations which saw their collective identity based on Jewish religion; it was a reactionary idea, hoping to conserve the religious roots of the people, but it also meant a different idea of rule: the rule of the majority, the Jewish majority, posed against ‘state of all its citizens’. How did Netanyahu cultivate these diverse groups under one national camp?

1. Holy Land and the Settlements

 We have not taken a foreign land. We have returned to our land. The connection between our people and this land is eternal. It is from the dawn of history. It was never severed

(Menachem Begin, Special Knesset meeting in honor of Anuar Saadat, president of Egypt, November, 20 1977).[[5]](#footnote-5)

The national-religious cohorts, since Gush Emunim in the post 6-days war and certainly after the disengagement from Gaza led by Sharon, were closely identified with the Jewish settlements in the territories conquered beyond the green line in 1967. Netanyahu knew the suspicion they felt towards him, as he first voted for the disengagement and only later began standing at the front of the pro-settlements act. Likewise, Netanyahu both gave the Bar-Ilan two-states speech and then vowed to annex the settlements. Netanyahu understood that in terms of the new national narrative, the settlements became the spearhead of the holy land and thereby the heart of the national camp. Zionism in the 2000s, in the eyes of the Israeli rightwing, became identified with the settlements and rejecting the idea of Palestinian state and any negotiations was epitomized. By then the religious-national cohort were 35% of the IDF officers, a visible force in the civil service, and dominated the right political parties –especially well-positioned within the Likud activists’ circles and Likud institutions. Netanyahu became a keen supporter of the settlements, with the climax of declaring the intention of annexing all Jewish settlements to Israel, arguing in the *Peace for Prosperity* convention in Washington with president Trump that January 28, 2020 is the second most important day in Israel’s history since:

For too long — far too long — the very heart of the Land of Israel where our patriarchs prayed, our prophets preached, and our kings ruled, has been outrageously branded as illegally occupied territory. Well, today, Mr. President, you are puncturing this big lie. You are recognizing Israel’s sovereignty over all the Jewish communities in Judea and Samaria, large and small alike.[[6]](#footnote-6)

The narrative told by Netanyahu as head of state in Washnigton is an ethnoreligious story of the land of the prophets. It is not about security, diplomacy or national interests: it is about extending Israel’s sovereignty onto parts of its biblical homeland, promised by God to the Jewish people. It is the settlers’ narrative that became identified with the national camp. It fulfills Freeden’s three core ideas of populism: ethnoreligious society as a cohesive body - social monism without an option of foreign penetration or expansion; a founding moment – the idea that “we were here first”: God had promised the holy land to his people; and the fear of change: against negotiations, against peace process, there is ‘no partner’.[[7]](#footnote-7)

1. The people, the Masses, the Base

Ashkenazi? Iraqi? Jews! Brothers! (Menachem Begin, 1981).[[8]](#footnote-8)

The ideological spearhead came from the pro-settlements right, but the masses came from the traditional Jews, the majority of whom made Aliya from Arab countries in the 1950s and were settled by the state of Israel in the periphery – in developmental towns in the north, south and on the borders of Israel as the urban centers of the much heralded agricultural Kibbutzim and Moshavim. Many of these Jews have not experienced the Zionist movement as a secular-national anti-religious movement, but as a direct continuation of their religious belief. In the Israeli statistic data, they were described as secular – for they did not had yarmulke (Kipa) on, but they were in fact traditionalists, Masorti, and Jewish by religion was their prime self-identity. Netanyahu has given these masses, following Begin, a safety in their Jewish identity, a counter-story to that of the secular elites. They were much alienated with the state-secularism of Mapai and the re-legitimation of being part of the Jewish majority, since 1977, and part of the ruling majority, gave them much pride and honor. Netanyahu has harvested their Jewish sentiment with his anti-elite discourse, the elites which founded the state of Israel but were also responsible for a structural discrimination against Mizrachi Jews. This was now Netanyahu’s ‘base’: in the Likud rallies, in the electoral campaigns, in the social media – he was talking to them.

Miri Regev, minister of culture and his most loyalist minister, have turned the narrative of the 70th anniversary of Israeli independence to reflect this new national story, as chapter 4 demonstrated. “It all comes together into one complete story. The story of a people. Our story,”[[9]](#footnote-9) the national reconstruction of the history of the people begins, and continues with bracketing the Holocaust into three figures wearing yellow patches who take the stage, while in the background we hear the sounds of dogs barking and the rattle of train cars. Regev, self-reportedly, preferred to focus on other, ‘equally painful events’ from the chronicles of the Jewish people, such as the destruction of the First and Second Temples.”[[10]](#footnote-10) But the recoding in the national story is based on the reconceptualization of the ‘pioneers’: pioneers not just in Degania, the first and only kibbutz with Kinneret which are mentioned in the ceremony, but in Dimona, Kiryat Shmona, Yeruham and Migdal HaEmek – developmental towns.[[11]](#footnote-11) New narrative, new people, new pioneers: the historical discrimination is being rectified by Netanyahu’s cultural minister, granting the developmental towns, the Likud’s base, the status of pioneers hitherto associated with the Kibutzim and Moshavim only. Of course, in Regev’s list there are also three settlements mentioned – part and parcel of the new pioneers that represent the Zionist movement under Netanyahu’s rule.

This base was most visible in the struggle against the infiltrators. Regev has called them ‘cancer in the body of the nation’ – standardizing the definition of populism offered by Mudde and others as representing xenophobia and the hate of the other. But the infiltrators have served Netanyahu in three complementing ways: first, to define the people: the base, the disenfranchised, the poor South Tel Aviv largely Mizrachi population. Second, to create the leader-people bond which makes Netanyahu the savior of the people, the one chosen by the people and defending them by building the wall and seeking to deport or lock away the infiltrators. Third, there are those who try to aid these ultimate others, thereby acting against the national interest: The courts and the civil rights organizations, in particular the New Israel Fund on which Netanyahu writes in his Facebook page: “The fund’s ultimate goal is to erase the Jewish character of Israel and turn it into a state of ‘all its citizens,’ alongside a Palestinian nation-state clean from Jews, on the 67’ borders with Jerusalem as its capital … the activity of the New Israel Fund, endangers the security and the future of the State of Israel as the nation-state of the Jewish people”.[[12]](#footnote-12) Thus, human rights organizations are traitors – trying to help the illegal infiltrators, working to erase the Jewish character of the people thereby threatening the people and to establish an enemy Palestinian state on Israel’s borders. They are represented by the left which is thereby presented as enemies of the Jewish nation. Just like the 2015 ‘Arabs are going to vote in droves’, the coalition of the Left, the civil rights organizations and the courts defending the enemies of the nation (Arabs, illegal infiltrators etc.) is juxtaposed to the national coalition of the Jewish people, its leader and God.

1. The Ultraorthodox – the holy alliance

Just before the 2021 election Netanyahu had asked his rightwing ‘natural partners’ to sign – yet again – a loyalty plea to his government and his government alone. It read: “we, heads of parties signed, are committed to establishing a shared government to materialize the unique opportunity to establish a true rightwing government.”[[13]](#footnote-13) MK Miki Zohar, chairperson of Netanyahu’s coalition reiterated: “uniting the rightwing bloc is important for the victory of the right. We were and remain united, no one would drive as apart. In the name of God, we would act together for the people of Israel. The land of Israel and the bible of Israel”.[[14]](#footnote-14) Only this time over, none of the other ‘natural partners’ – not even the extremist Religious Zionist party – signed up. How did the ultraorthodox parties remain the last standing loyal partners to Netanyahu? Zohar’s declaration exposes the kern of the answer: Netanyahu has Judified the national camp – the religious triangle of people, land and religion in the name of God. It became the official collective identity of the Israeli rightwing. The Jewish people, far removed from the secular-national-universalistic notion of the people under Labor, was now united under God. Not only that, there was no mention of the State of Israel – only the holy triangle of people, land and religion. The National Camp is an ethnoreligious camp. Considering that back in 2003, Netanyahu as a finance minister was the most hated man on the Charedi camp, it is quite extraordinary.

The political turning point goes back to Zipi Livni’s decision after Ehud Olmert’s resignation from prime minister position and in the following election in 2009 in which Kadima, Livni’s party, won as the largest party in the Knesset, and lost to Netanyahu’s bloc, because of the ultraorthodox parties. The ultraorthodox parties have always played a pivot parties role in Israeli politics – willing to go with the higher bidder and establish a coalition.[[15]](#footnote-15) Thus, over the last 25 years Shas, for example, has only twice set in the opposition – for two years each time: in all other governments and coalitions it was in the coalition – and the king maker too. The king Shas made, was Netanyahu. Back in 2008, with Olmert’s resignation due to his indictment, Livni was asked by Shas to give the party as part of the coalition agreement 600 million shekels. This was against the position of Kadima party but Livni has agreed.[[16]](#footnote-16) Upon going to Rabbi Ovadia Yosef to finalize the deal, Eli Yishai, Shas leader and minister of interior affairs, announced that he had already signed up with Bibi and that Netanyahu has given him also a signature for the future coalition, not just for the remaining time until the elections. Yishai disclosed that it was not only the money: “had she put a more rightwing line, I wouldn’t have ruled her out”.[[17]](#footnote-17) Thus, Shas has turned from a classic pivot party to a rightwing one: the party received a promise for more funds from Livni than Netanyahu, but chose Netanyahu because of his rightwing agenda. Yishai has insisted on two issues – Jerusalem, meaning no negotiations with the Palestinians, and a hardline towards the infiltrators. In the 2009 election Livni won over Netanyahu receiving more seats in the Knesset then the Likud, 28:27; it was the first time ever in Israeli politics – albeit not the last – that the head of the largest party did not form a government. It was the beginning of the holy alliance between Shas and the Likud. Shas has gone right, all the way to the extreme right, with its stress that the African immigrants are ‘a real threat to the Jewish state’ as Yishai argued.[[18]](#footnote-18)

Signing a coalition agreement even before the election, was a new invention by Netanyahu. He used it in 2009, to return to power after a decade in the political wilderness, and harnessed it again in the 2015 election, which symbolized the death of the ultraorthodox parties as pivot parties and their resurrection as part of the national camp. If Peres’ stinky exercise back in 1989 was built on a secret alliance with the ultraorthodox to offset Shamir from power, the only time that a government in Israel was taken off power by a no-confidence vote, another stinky exercise, 25 years later, has failed – this time in advance. Lapid, minister of finance under Netanyahu’s government, in a rare coalition with no ultraorthodox parties in it, has legislated draconic economic cut offs from ultraorthodox budgets, called by Shas and Aguda people ‘Lapid’s decree’. However, in 2014 he has secretly strove to join the ultraorthodox parties into his government and take Netanyahu off power, in return for the cancelation of the decrees.[[19]](#footnote-19) Alas, Liezman, head of Aguda, went straight to Netanyahu: he signed a coalition agreement with the ultraorthodox for the next election – 2015 – and immediately dismissed Lapid and his ministers from his government. 2015, the out-right rightwing government, was also the first government in which the Ashkenazi ultraorthodox were accepting for the first time ever a ministerial position. The ultraorthodox finally were the rulers in the Jewish state. The climax came when Liezman was acting as the minister representing the government in a memorial ceremony to the IDF soldiers in independence day in 2016. Liezman, said: “our enemies did not distinguish between ultraorthodox and secular, Ashkenazi and Sepharadi, right and left, Olim (Jewish immigrants) and veterans. All of us, all the sons of our people, share a common fate.”[[20]](#footnote-20) The people of Israel – ultraorthodox included – share a common destiny. The anti-Zionist ultraorthodox, whose community refuses to send its sons to the IDF, and hitherto abstained from taking ministerial positions, is standing side by side with Israeli soldiers and says prayers over the dead in the name of the Jewish state.

The most fundamental change in the idea of the Jewish people was however the "Western Wall compromise". Given that the reformist and conservative Jewish congregations are the largest in the USA, and an active NGO Women of the Western Wall have practiced for years mixed men and women prayers in the southern part of the Western Wall, the plan instructed to allow non-Orthodox denominations to pray at the Western Wall in accordance with their own beliefs and traditions.[[21]](#footnote-21) It was passed in January 2016. The government’s ultra-Orthodox ministers have objected to it, but did not use their veto power to fail it. They were also part of the planning of it, behind the scene. However, it took just a short time before those same ultra-Orthodox ministers succumbed to pressure from their rabbis and from the ultra-Orthodox media which launched an attack on the compromise. Six months later, it was frozen and later cancelled. The relation with the American Jewry was at stake. Netanyahu, despite the fact the compromise has passed the government, decided to extinguish the compromise and to enter a sever crisis with the greatest Jewish community in the world. The ultraorthodox have won the battle on the kind of Jewishness that the state of Israel, led by the national camp, has adopted. Netanyahu, throughout the years, would succumb all major positions to do with religion in the public Israeli arena – from city rabbis to the judges in the Jewish courts – to the ultraorthodox who have controlled not just the religion ministry, but also the ministry of interior affairs and were in charge, by and large, to determining ‘who is a Jew’. “Why do I go with the right”? ask MK Gafni of Aguda, and answers: “because the traditional public is in the right. I am connected to the traditional public… and – what can one do – they are on the right.”[[22]](#footnote-22)

1. Revolutionary Conservatism: Undoing the secular-national Zionist Revolution

On the face of it, the Israeli national camp is a distinct exemplar of conservatism, particularly the Anglo-American conservatism. The political order and institutions on which conservatism is based, according to HaIvry and Hazony, two of the recent founding fathers of Israeli conservatism, are: nationalism, religious tradition, the Bible and the family.[[23]](#footnote-23) Universalizing conservatism, placing it within a specific historical (Anglo-American) tradition, and curving through it a place for Israeli conservatism. Yet, there is no conservatism as an Israeli political movement before the 2000s. At best, an ethnonational ethos.[[24]](#footnote-24) It is a revolutionary, invented ‘tradition’ seeking to base its roots in preexisting ideological current and present itself as part a long-lived political tradition. Thus, the ruling party proud of the conservative order, the Likud, is rooted in nationalism, liberalism and revisionism – not in conservatism.[[25]](#footnote-25) The national-religious movement, revolutionized itself after the 6-days war and invented a redemption ideology of the whole Eretz-Israel theory which transformed Israeli politics – but is a young ideological creed. Shas, the most conservative-traditionalist ultraorthodox movement, has created a community of the Haredi Mizrachi Jews with no obvious precedents in North Africa and great resemblance to the Ashkenazi ultraorthodox, far removed from its ‘original tradition’.[[26]](#footnote-26) There is no viable ‘tradition’ of conservatism as a political movement in Israel. The invention of a Conservatist movement in Israel, and its phenomenal success in reconceptualizing the political discourse and the major ideological axis of left-right continuum into conservatism vs. liberalism, is one of the great contemporary creations. It was the project of political agents but behind the scene American funded think-tanks and NGOs, which became extremely influential as the national rule of Netanyahu extended, were at the core of this development.[[27]](#footnote-27)

Yet ‘indigenous’ conservatism, even as an imported tradition, is fundamental development in Israeli politics. In Freeden’s terms, conservatism itself is a thin-centered ideology, which defines itself constantly against the idealist and revolutionary movements of the day.[[28]](#footnote-28) In fact, inventing conservatism is an immanent feature of conservatism for “its perceived enemies change contingently over time: classical liberals, welfare liberals, socialists, fascists, communists… The result is thus a structural mirror-image reaction.[[29]](#footnote-29) The invention of conservatism as a counter-image of the dominant ideology of the day, is therefore a recurring feature of conservatism. Only in Israeli context it had no political tradition to latch onto, and thus invented itself as a tradition with no actual roots. Yet, the implant was successfully assimilated into the political body of the emerging national camp.

First, the holy trinity – people, land, religion – was at the core of the new conceptualization of the Jewish people with the national-religious, Mizrachi traditionalists and ultraorthodox natural partners in this national camp led by Netanyahu. This traditionalist ethnoreligious bloc was also conservative in its outlook – connected to rabbis, religion, tradition and respecting authority. It was identified both with the Jewish nation, founded on biblical images of nation-as-religion, and the Jewish family, justifying both the Law of Return, citizenship laws, and policies for Jewish demography and geography – Judifying the Negev and the Galilee, not to speak of Judea and Samaria, as crucial components in this conservative outlook.

Second, conservatism was imported into Israeli politics by importing the professional distinction between activists vs. formalists judges. This was translated into liberal vs. conservative. Ayelet Shaked, minister of justice under Netanyahu, was particularly proud of her mission to appoint conservative judges. Conservative judges were defined as nationalists, right-wingers often national-religious and pro-settlements, if not settlers themselves. They were juxtaposed to activist, liberal, pro-universal rights judges. The key to this conservatism is a counter-revolution against what the national camp has seen as the constitutional revolution led by Supreme Court president Aharon Barak. Shaked explicates: “the Israeli judges used ‘live constitution’ concept – but without having a constitution. At the same time the court expanded ever more the constitutional definition of Israel as a democratic state, the same court reduced the constitutional definition of Israel as a Jewish state. It interpreted its democratiness as essential while its Jewishness as technical”.[[30]](#footnote-30) Thus, while the Anglo-American distinction was between equality and liberty, Shaked’s conservative judges were not pro-liberty but nationalists. Equality was designated as the enemy of Zionism. Levin disclosed: “The most difficult struggle I led concerned the fact that the law includes no mention of equality, and of “Jewish and democratic.” I, of course, accept the individual equality principle, but it was explicitly clear that if we had written it in, the Supreme Court’s interpretation would have nullified its meaning.[[31]](#footnote-31) ‘Equality’ and ‘democracy’ were seen as the core values which the liberal court protects and therefore Jewish and nation-state were the main concepts which the struggle to overturn the constitutional revolution demanded. Shaked explicates: “the question of demography and Jewish majority are classic examples. The Israeli ruling of the courts does not perceive them as values to be considered… The Jewish majority question is not relevant in any way.”[[32]](#footnote-32) It is not merely Judaism, but the Jewish majority which becomes a prime value under conservatism. Shaked concluded her role as justice minister: “In my time the constitutional regime on Israel changed, it became more balanced and more conservative. More conservative judges were integrated into the system. Regulation has substantially decreased, something in the discourse has changed.”[[33]](#footnote-33) The political discourse has certainly changed: it moved from liberalism being identified as a consensus of the party system, and the roots of the Likud party originated in the Liberty party (Herut), to liberalism being identified with the center-left. The right camp endorsed national-conservatism.

Third, the identification of the Supreme Court with human rights meant that the conservative camp has gradually became hostile to rights’ discourse. It adopted from the British conservatism the conceptualization of rights and duties.[[34]](#footnote-34) So much so that basic rights like citizenship were conditioned upon loyalty – to Israel as a Jewish state. Once the deep state argument got hold of the national camp discourse, and Netanyahu’s hostility towards the gate keepers – the judicial system, the police, the civil service and the public media – grew, so the discourse became more anti-liberal and illiberal. Nationalistic ethnoreligious populism took hold of the right-wing ideology and loyalty became a demand as a proof of patriotism.

1. **Governability**

Officials who try to rule the country against those chosen by the people – this is undemocratic (Shlomo Karhi on Twitter, July 16, 2020.).

In a parliamentary democracy in which the ministers are elected to their posts not because of their profession or expertise, but because of their ranking in the primaries or loyalty to the prime minister, the civil service is thought to be the professional arm of the minister. However, under Netanyahu’s 2015-9 government, as enshrined in its coalition agreement, the attempt was to politicize all the senior civil servants.[[35]](#footnote-35) Political appointment based on ideological or personal loyalty, replaced expertise and professional appointments. How was loyalty connected to national-conservatism? Just as Lieberman demanded from non-Jews loyalty to Israel as a Jewish state, just as Shaked demanded the judges she appointed to be loyal to her conservative ideology, so did Netanyahu demand complete loyalty to him as a prime minister: the parties in the national camp had to sign a loyalty plea before and after the elections; senior civil servants were demanded to plea complete loyalty to him personally; and every member of the national camp who criticized Netanyahu or left the party was declared not loyal, a traitor and ‘leftist’.

Loyalty became the defining feature of what was expected of the civil service. But the hostility towards the state workers, and the demand to change the relations between the political and professional ranks, encompassed an accusation that ‘professionalism’ was merely disguising a liberal position. Shaked argued: “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”.[[36]](#footnote-36) The Netanyahu government worked under the convention that professionalism is but a guise for political view. The two opposing ideologies differed on their view of democracy. In the liberal democratic convention, the civil servants are public trustees. They are loyal to the rule of law and to the public interest. In national-conservative ideology, the only public trustees are those chosen by the public through elections – the MKs and especially the ministers; the civil service practice ‘the rule of the officials’ and look after their own interests. It is therefore crucial that the minister would appoint to all senior roles in the ministry those who are loyal to him personally.

**Table x: Civil Service within a worldview**

|  |  |
| --- | --- |
| **Parliamentary Democracy** | **Deep State Argument** |
| Public trustees | Loyalty to minister |
| Public interest | Political interest |
| Rule of law | Party-line |
| Professional appointments  | Personal appointments |
| Civil service as gatekeepers  | ‘Rule of the officials’ |

The hostility towards state-mechanisms was even stronger because it emanated from the neoliberal creed which encapsulated the relegation of individual’s rights to the market. Politics reflects collective will of the people; the market enshrines the individual’s interests. Liberalism was pushed into the free market and away from politics. What was rejected as a constitutive concept in the national arena, has found refuge in the economic one. Neoliberalism – anti-regulation, anti-state-intervention – were translated into the idea of governability. Rolling the state back was the prime mission of neoliberals. The civil service represented everything which is bad about statism: bureaucracy, regulations, lack of management skills, unprofitability, mediocracy and anti-reformatory. The mediating force between neoliberalism and governability was New Public Management. Netanyahu’s metaphor of the fat and thin man – the first simulating the civil sector the latter the market entrepreneur – provided the rationale for cutting down on taxes and on the public sector. Netanyahu has worked with small loyal teams which acted without consulting or even notifying the professional ranks in the ministries. So was it in the UN infiltrators outline, the submarines sold to Egypt, the Covid-19 pandemic, Abraham Accord and many other policy realms: by-passing the civil servants, the experts and the ministers and working through hand-picked loyal teams. The argument was the ‘deep state’ argument: the state mechanisms are held prisoners by the civil servants who serve not the public or the government but their own interests or the political interest of the elites in power, not those chosen by the people. Governability thus encompassed both the neoliberal creed – efficiency, profit-orientation, management-led, anti-public sector attitude – and national-conservative principles of loyalty, acting on behalf of those winning elections and accusing the bureaucracy of political views and elitist democracy.

1. Popular Democracy

"The people’s decision is clear” declared Netanyahu just before the final results of the 2020 elections were published “the Rightwing-Zionist camp has 58 mandates. The Leftist-Zionist camp, together with Lieberman who united with them, has 47 mandates. The Joint List which slanders IDF soldiers and resents the existence of Israel as a Jewish and democratic state, and definitely resist me as a prime minister that promotes our sovereignty in the homeland’s territories of the state of the Jewish nation – of course cannot be brought into this equation. And this was the will of the people.”[[37]](#footnote-37) Democracy is no longer the state of all its citizens. The Arab citizens, casting their votes, are out-casted from the people, the demos. The people is exclusively the Zionist people. And the Jewish majority, the will of the people, stands with the national rightwing camp. Jewish majoritarianism is the will of the people propagating its great leader who promotes Jewish sovereignty on the biblical Jewish homeland. The will of the people becomes the basic value of democracy, the will of the Jewish people.

Against the checks and balance equilibrium of state organs, the national-conservative government propagated the rule by the people – the ethnoreligious people. The government, albeit having no direct elections by the people and representing only the loyalty to he who appointed the ministers – the prime minister – was thought to be the agent where the will of the people resides. Winning a majority meant that the government should override the courts, no judicial review and no constitutional principles should limit the will of the people as expressed by the elected government. Shaked argued that the courts’ rulings completely abstain from taking the Jewish majority as a factor: “the question of the Jewish majority is irrelevant… and all in the name of individual rights.”[[38]](#footnote-38) The Jewish majority is juxtaposed against human rights’ discourse. If the foundation for democratic values is individual rights, in the national-conservative discourse human rights have overtaken the courts’ rulings and therefore the power of judicial review has to be curtailed, as well as a change of the fundaments of democracy: from individual rights to majoritarian rule of the Jewish people. The will of the people is reflected through elections in the overall majority of the national camp, the Arab Israeli citizens being removed from the equation.

This is reflected in the demand of loyalty – to Israel as the Jewish state – which becomes a condition for citizenship. Lieberman’s slogan ‘No Citizenship without Loyalty’ is the foundation of the rights-obligations discourse. Rights are not free nor universal: rights and duties, like the UK Conservative values, replace civil rights as basic understanding of democracy. It emanates from Netanyahu’s “will give will receive” slogan, vis-à-vis the Palestinians, but it also took hold of the republican discourse of Yesh Atid and Jewish Home – people who serve in the army and pay taxes deserve more than others. The dichotomy becomes clearer: the ultimate others – African immigrants, Palestinians, Arab Israelis – are protected by civil rights organizations, the courts and the Left and are being funded by foreign (European) governments; they are therefore unpatriotic and disloyal to the Jewish state of Israel.[[39]](#footnote-39) These agents are designated as unelected actors propagating leftwing agenda against the democratic choice of the people – the leader.

Against elitist democracy, popular democracy was propagated. The people have chosen their leader – and he is the state and commands complete loyalty from coalition parties, his own ministers and the people. These elites persecute Netanyahu, as the representative of the people: “They do whatever they can to get rid of me and thereby perpetuate the rule of the left… against the will of the voters, the majority of whom are right-wingers”.[[40]](#footnote-40) The majority of the Jewish people has chosen Netanyahu, and it is the people who is being persecuted through Netanyahu by the left: “Bibi, they don’t just want to take you down, they want to take us down, all of us, the Likud and the national camp… they know they can’t defeat us in the polling booth, so they try to bypass democracy and take us down without elections”.[[41]](#footnote-41) In this view of popular democracy the leader represent the will of the people and democracy is being sanitized from all mediating institutions – parties, civil service, laws, courts – there is only direct democracy in which the leader was elected, and government should practice its governability against the rule of the officials. The key institution is the government, presented as directly representing the people. Of course, the government – the ministers – are being elected by the prime minister reflecting their loyalty to him, and not even because of the support they have received in the primaries. Needless to say, in Israeli elections not the prime minister nor his ministers are directly chosen by the people. Yet the government demands supreme power over the courts and the Knesset. In all the overriding clause suggestions coming from Levin, Shaked or Smutrich, as chapter 6 showed, it is a simple majority which overrides the Supreme Court’s rulings: not an overall majority of 70 or 65 MKs – a majority which would represent the whole Knesset – but a regular majority or a 61 meaning just the government. The government, led by the prime minister, is the main institution in popular democracy and all mediating institutions are being deplored as jeopardizing its governability and working against the will of the people. Tyranny of the majority comes to mind. In this kind of democracy, the checks and balances are reduced to the minimum and pure power of the government, representing the Jewish majority, can override any ruling that the court found unconstitutional or undemocratic. The protection of minorities and citizens is minimal in the name of the Jewish character of the nation. Collective identity overrides individual rights.

Thus, the core concepts of national-conservative populism are the Jewish people, counter-constitutional Zionist revolution, governability based on neoliberal anti-statist ethos and loyalty, and popular democracy based on majoritarian notion of electoral choice, rights and obligations, and the chosen leader and his government as embodying the will of the people.

1. **Structural Changes: Jewish majority, Governability, Paradigm Change**

The evolution of national conservatism under Netanyahu’s government in Israel is unique, as the ideology has evolved whilst the national camp is in power. Far from being merely conceptual transformations, they have entailed structural changes. Crucially, these were not just change of policies or legislation, as every government lead, but structural changes which restructured the constitutional design, the practice of government rule, the paradigm of foreign policy and public media as well as transformed the public discourse and the very notion of national identity in Israel. The structural changes thus transformed the rules of the democratic game itself. I follow these changes under the three headings of the parts of the book – the constitutional design, governability and the policy paradigm.

1. The Constitutional design – The Zionist Anti-Constitutional Revolution

The trust in the Supreme Court, until the 1990s ranking the highest after the IDF and across the board, has declined substantially over the last two decades. In 2004 more than 80% of the Jewish population had trust or a very high trust in the Supreme Court.[[42]](#footnote-42) In 2008, just before Netanyahu went back to power, it declined to 50% rising again with the social protest of 2011-2 to 75% and since then declines steadily resting in 2020 on 52%. Yet the true story in terms of the polarization of the Israeli society, and the narrative of Netanyahu’s era, is embedded in the results between the center-left and right. In 2020 84% of the left and 70% of the center has very high trust or substantial trust in the Supreme Court. For the self-identified right in Israel, 38% low. The Supreme Court was at the center of the attack for delegitimizing Israeli liberal democracy.

**Table x: Trust in the Supreme Court by political camp 2003-2020 (Jews):**

 **Right (Green) Center (purple) Left (red).[[43]](#footnote-43)**



The centerpiece of the national camp’s reading of the constitutional design prior to Netanyahu’s return to power was the legislation of the Basic Law: Human Dignity and Liberty (1992) and Freedom of Occupation (1994) as the Human Rights Bill of the Israeli constitution built on accumulative Basic Laws. The courts have taken liberty, according to this reading, of providing a super-constitutional status for these laws including the authority to reject other legislation which contradicts them. Simcha Rothman, MK of Religious Zionist party titled his book ‘Bagaz (the Supreme Court) Party”. It explicates: “Israel today is not a state that has a court, but a court that has a state. The courts’ system and not Israeli government runs de facto the national policy on immigration, security, religion and state, war against terror and other issues… The role switch between the (executive and judicial G.T.) authorities is thought provoking and emphasized – in many senses the Supreme Court has turned into an alternative government”.[[44]](#footnote-44) The liberal ‘agenda’ of the Supreme Court comes under attack.

However, the historical narrative posing this struggle between left and right is of course wrong. The government which constituted Basic Law: Human Dignity and Liberty is a rightwing government led by Likud’s Shamir and Dan Meridor as the Justice minister. The third piece of legislation, part of these basic laws, was Basic Law: Legislation which was to determine the superiority of the Bill of Rights over other legislation and the role of the Supreme Court through judicial review in overriding laws which contradict the bill of rights. Only the ultraorthodox together with Shimon Peres had a vote of no confidence and the government fell. The pressure from the religious and ultra-religious parties was such, that there was no majority to legislate this law, as was enshrined in the coalition agreement of the new all-right Shamir government. The courts operationalized what the legislator has intended in the first place. The power engine behind these laws did not come from the left: it was the liberal forces within the Likud and the center-right parties with the cooperation of the left. The objection came from the religious and ultraorthodox parties. The ideological struggle was not between left and right but within the right: the liberal right against the illiberal conservative right. The latter has won under Netanyahu’s regime.

The national-conservative right wanted nothing less than a counter-revolution: “Only a moral and political revolution in the order of what we have experienced in the 1990s, one that would reassure the achievements of Zionism and its central positions since its inception could overturn the problematic trend.”[[45]](#footnote-45) Shaked, minister of Justice, explicates that the Basic Law: Nation State would do exactly that by “providing a constitutional web that includes, side by side with individual rights, also national constitutional foundations for the state of Israel. It fulfills the concept ‘Jewish State’ precisely with those contents that the constitutional revolution has deprived it from.”.[[46]](#footnote-46)

Basic Law: Nation State is the jewel in the national camp’s crown. The mission is not a declarative basic law, like Gavizon have recommended, but a counter-power to the Basic Law: Human Dignity and Liberty. For this new national constitutional design, it was crucial for Levin and Ohana, the senior Likud ministers who designed the discussions in the parliamentary committee and the final wording of the law, that the words ‘equality’ and ‘Jewish and democratic’ would not appear. [[47]](#footnote-47) Only Jewish nation-state. They did not want the court would have an equality clause to rely on. They wanted the clear superiority of the Jewish nation over the democratic state. As chapter 2 demonstrated, there is no other democracy in the world that has a national clause in the constitution and does not mention equal citizens’ rights and usually also minority rights in the same clause. [[48]](#footnote-48) Thus, Benny Begin has suggested, in the committee, to phrase the law reiterating the consensus in Israeli public for many decades – “Israel is the nation-state of the Jewish people, with equal rights for all its citizens.” However, this consensus has changed under Netanyahu’s government. As for the balance between the two basic laws, at least for the judicial experts of the national-conservative camp, there was no controversy that the newest basic law overrides the older one. According to Diskin and Vinitsky, there was no need to explicitly stipulate that the Nation-State Law overrides other laws because a newer law always has priority over older basic laws. The constitutional counter-revolution, from the perspective of the right-wing experts, was on its way.

The complementary structural changes in the new constitutional design, ensuring the national-conservative interpretation of the basic laws, and adopting formalist, anti-interventionist and anti-activist agenda, was the appointment of 330 judges by Shaked under Netanyahu’s government. Summing up her own revolution in the justice ministry she proudly describes: “we broke the thought monopoly by appointing 6 judges to the supreme court and 330 judges to all courts. The courts today are more diverse, more representative and more balanced”. Setting her 100 days’ plan for her next term in office she sets the goal of changing not just in practice, who is appointed to be a judge, but also transforming the system itself: “it is time to speak of changing the system. My first move would be to change the way judges are being appointed. In most democracies, politicians choose judges, it is impossible that judges will have a veto right over choosing their colleagues.”[[49]](#footnote-49) Thus, we witness a well-structured well-designed counter-revolution adopting a systemic view of how to change the constitutional design of Israel. The next steps – legislating the override clause, changing the system of appointing judges so that politicians would choose them according to their political agenda, and firmly inserting national concerns to override individual rights – were the goals of Yamina, the Zionist Religious party, the ultraorthodox parties and the Likud in the 2021 campaigns. Only the elections result turned against the ultimate leader of the national camp. Whether Israel has turned, under this constitutional restructuring, from a liberal democracy to an illiberal democracy, or merely transmuted from an embedded democracy to a defected democracy, time would tell.[[50]](#footnote-50)

1. Government before all – Governability and Principles of Rightwing Rule

The governability law, passed on July 31, 2013, used the Knesset legislation to raise the electoral threshold from 2% to 4%. This were to limit new small parties from running for elections, aiding stability of the party system, but it was mainly designed to threaten the Arab parties as those parties that passed the 2% threshold and were represented in the Knesset – Ra’am-Ta’al with 4 MKs, Balad with 3 and Hadash with 4 – were highly unlikely to pass the new 4% threshold. In the discussion at the Knesset, the Arab MKs used their one minute of reaction to the law to stand silently, with masking-tape on their lips, to symbolize the racial outcomes which the new governability law involved.[[51]](#footnote-51) The spirit of governability did not end with the electoral threshold. Netanyahu, on his part, had led major electoral changes in the hope to remain prime minister under his trial with no majority over the four cycles of elections 2019-21. He invented the two standing prime-ministers’ idea, legislated to allow the national unity government between him and Gantz, ensuring that Netanyahu would enjoy the status of a prime minister after the rotation, in the event that Gantz is a prime minister in office. The event was not to be. He also hoped to have a majority to run direct elections for prime minister only, when the results of the 2021 elections reflected, yet again, a tie between his national camp and his rivals.[[52]](#footnote-52)

Yet the main changes in the idea and practice of governability came in the realm of the relationships between the political and professional ranks of the civil service. The main argument was that despite the fact that the Likud is the governing party since 1977, the right does not actually rule as the unelected officials and clerks, judges and journalists, control the mechanism of democracy and prevent the true representatives of democracy – the ministers – from practicing their public mandate.[[53]](#footnote-53) Just as the liberal-conservative dichotomy was imported from the US, so the idea of replacing the whole senior public service by political appointments was taken from the presidential political imagery. The change in the corridors of power, in the ministries which determine policy outcomes and implement legislation, was explained by Avi Licht, deputy general attorney, thus: “over the last years, our role, and the thrust of our activity as gatekeepers, promoting public interest and human rights, are perceived by growing audiences – including the Knesset and the government – as illegitimate. A new ideological attitude rose that argues that what we do is forbidden. In essence, it asks: “Who put you in charge?”[[54]](#footnote-54) Licht, one of the most dominant judicial advisors, in charge of major reforms like gas, media and insolvent act, had no chance under Shaked’s Justice ministry to be promoted. He resigned. This was the symptom of the most draconian law which sought to politicize the civil service – the law of legal advisors. Supreme Judge Rubinstein said: “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.”[[55]](#footnote-55) The bill has passed the governmental ministries committee but the elections delayed its passing in the Knesset. The spirit of this law – making do with professionalism and the idea of public interest, and accusing all the officials of promoting a ‘liberal’ and ‘leftist’ agenda and preventing the ministries of changing policies, became the dominant atmosphere under Netanyahu’s rule. Professionalism and neutrality, Shaked argued, were the disguise of officials promoting their own agenda. [[56]](#footnote-56) The hostility of the politicians and the ministers towards the civil servants in governmental offices changed the ethos, the ability to work and the appeal of the civil service.

Amir Ohana, Miri Regev and Israel Katz, the three most loyal ministers of Netanyahu’s government, lashed an uncompromised attack not just against the officials in their ministries, but Ohana as justice minister against the judicial system, the attorney’s office and the judges, and as minister of internal security against the police and its chiefs. Regev as a culture ministry took the cultural elites to be hostile to her and the government. [[57]](#footnote-57) Regev, as chapter 4 demonstrated, changed the policies, not just the rhetoric of the elites against the people: she distinguished between freedom of expression and freedom of funding, to endow state budgets only to those creations loyal to the Jewish state, and she provided funds for popular films and music shows, devising a policy of “‘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.”[[58]](#footnote-58) Loyalty was put into budgeting policies. Governmental funds were distributed to local authorities without quality check. Popular culture became the project of the anti-cultural-elite minister. Katz, as finance minister, was a loyal follower of Netanyahu and distributed 6 billion shekels against the advice of all economists and professionals of the ministry because this is what Netanyahu wanted. No criteria, no discussion, no justifications. The leader was chosen by the people and he would do what he sees fit for the people, regardless of professional stances. The mechanisms of critique, of checks and balances and of public discussions were eroded. The gatekeepers were deplored as having a political agenda. The concept of public interest was erased from the books as it was thought to be a justification of the bureaucracy to work against the ministers. A culture of personal loyalty took hold of governmental departments. Under this governability perception, the professionals – judges, officials, journalists – were drugged into the political struggle. Personal accusations were thrown at the chief of the police, the attorney general, the state attorney – all appointed by Netanyahu. Complete loyalty – or you would have been declared a traitor, a leftist, anti-patriotic.

1. Netanyahu Era: A Paradigm Shift – Foreign Policy and Public Media

I promise you that as prime minister, I will never gamble with the security of Israel… As prime minister of Israel, I will never let my people live under the shadow of annihilation.

( Benjamin Netanyahu, "Speech at Aipac," (2012).

Persecutor: How important was the media for Netanyahu?

Hefetz: “One cannot underestimate how crucial it was for him. Netanyahu is way beyond control-freak… His control over the media is not high but absolute. It is total… He was involved (in the media) at least as much as in security matters” (Testimony of Nir Hefetz against Netanyahu in the court, 22 November 2021).[[59]](#footnote-59)

The two major concerns which pre-occupied Netanyahu throughout his years in power and in which he led a paradigm shift were the Middle-east geostrategic situation and the Israeli public media.

1. Paradigm Shift: Palestinians at the Sidelines of History

In his foreign policy, Netanyahu, the author of *A Place Under the Sun* and the son of historian Ben-Zion Netanyahu, was guided by his core belief in the threat of a second Holocaust,[[60]](#footnote-60) and that only a determined policy from a power position is effective against the Arabs. After more than a decade in power, he also came to believe that, being in a league of his own, he is the only leader capable of keeping the Jewish nation safe. The threefold project was to focus on the Iranian threat, which reshaped Israel’s relationships with both the United States and the regional powers, thereby to the undermine the role of the Palestinians in the Middle Eastern geopolitical map, and to use the association of the Palestinians with terror organizations against the Arab Israelis, painting them as a fifth column aided by the unpatriotic left, thereby reshaping the internal political landscape in Israel. Painting the Iranian nuclear threat as the new threat of annihilation for the Jews, shifted the internal power-relations within the Middle East, and placed Israel and the moderate Sunni regimes on the same side. Once Trump unequivocally condemned Islamic terrorism and fundamentalism, the time was ripe for removing the Palestinian issue from the center of the Middle Eastern stage. As chapter 8 exemplified, the narrative through which the Trump-Netanyahu alliance was forged was a religious one, connecting a Judeo-Christian tradition. The Land of Israel – all of it – belongs to the ancient Jewish people, as does its capital, Jerusalem. The Palestinians, refusing to accept this worldview, and rejecting the economic offer of 50 billion dollars, were pushed out of the new Middle East deal of the century. Proving that this is Netanyahu’s historical legacy, was his speech at Washington, on 28 January 2020, in which he called Trump’s recognition in the Israeli sovereignty over all Jewish settlements in Judea and Samaria (small or large, legal or illegal) and acceptance of the principle that no Jew would be removed, that is evacuated, from his home ever again, the second greatest moment in Israel history. It was second only to Ben-Gurion’s declaration of Israel’s independence. Netanyahu was the greatest leader of contemporary Jewish, on the same line as Ben-Gurion. Only this very speech enraged even the pro-Israeli Trump administration which sent a resounding denunciation to this interpretation. In fact, the Abraham Accords built on another deal: Israel would give up the idea of Jewish sovereignty declared unilaterally (or with American support) in return for a security and economic alliance between Israel, the UAE, and Bahrain. The settlers, flying with Netanyahu to Washington, condemned the retreat from an immediate annexation of the settlements and accused Netanyahu – as they did after the Bar-Ilan sppech – of supporting the two-states solution.[[61]](#footnote-61) Netanyahu, however, was still reassured that his grand-plan was standing: he achieved his mega-goal of pushing the Palestinians to the sidelines of history.

The Trump administration was instrumental and magnified Netanyahu’s aura in the world. He was thought to mediate deals between remote states as Sudan, Morocco, UAE and the Visegard states, bypassing the European Union influence. In order to strengthen this new paradigm, Netanyahu worked with Eastern European leaders such as Orbán and Morawiecki, building upon Islamophobia and the anti-immigration sentiment shared by like-minded populist nationalists to try to achieve a new balance at the EU against the liberal bloc of Western European democracies. The personal, economic, and military were combined to engender a new set of relationships. If anti-Islamic immigration became the symbol of the Eastern European bond, evangelism was the glue binding Israel’s relationships with right-wing Latin America leaders, as chapter 8 analyzed. Bolsonaro, the nationalist leader of Brazil, but also Narendra Modi, the Hindu nationalist of India, and Orbán, the illiberal Hungarian leader – along with Trump and Vladimir Putin, were the key leaders Netanyahu proudly presented to the Israeli public as his personal friends.[[62]](#footnote-62) This perpetuated his status as a statesman. The choice of these particular leaders was no coincidental: The personal connections were based on a shared ideological outlook. They were all right-wing conservative, proud nationalist-populist leaders. National pride, patriotism, Islamophobia, and anti-immigration were their core values. One of their goals was to tip the scales against liberal democracy in their respective states. Liberalism, and especially equality, justice, civil rights organizations, and the media were designated as enemies of the people. Netanyahu has certainly left his historical mark on Middle-Eastern politics and economics. The shared military drills in April 2021, in which The US, Israel, Greece, UAE with Egypt and Jordan as observers, were instrumental in the context of growing Iranian aggression and prospects of greater instability in the region.[[63]](#footnote-63) This was a few months into Bennet’s government, a vibrant legacy of Netanyahu’s paradigm change. Yet once both Trump and Netanyahu lost elections and gave up power, it remains to be seen whether the Israeli-Palestinian conflict would stay on the sidelines of history.

While on the international arena the mission of Netanyahu was to erase the Palestinians, on the home front the Palestinization of the Arab Israelis was a viable tool in the de-legitimation of the Israeli left. The September 2019 election campaign of Netanyahu read: “We cannot allow a Left government that will rely on the Arabs that want to exterminate us all and enable nuclear Iran that will annihilate us.”[[64]](#footnote-64) The identification of the ‘bad Arabs’ with fundamentalism and terror rubbed onto the image of the Arab citizens’ in the Likud’s campaigns. The target was de-legitimation of the left and the liberal discourse of the human rights organizations; the Arab Israelis were instrumental in that respect as they were the obvious ‘foe’ in the anti-national coalition. However, as of 2018 they have also become a potential deal breaker in the party system deadlock. The two intertwined narratives became three. First was the “Arab voters are streaming in droves to polling stations. Leftist NGOs are bringing them in buses” on the 2015 election day. A classic national-conservative alleged incitement on which Meridor said: “This incitement against the Arabs ‘voting in droves’ – they are all citizens, but they can’t participate? This is a horrific thing that is happening to us, we have to stop it.” [[65]](#footnote-65) This symbolized the struggle within the right, between the liberal-national wing and the illiberal conservative nationalism. Against it, was the – reluctant – endorsement of program 922 for the Arab society by Netanyahu. The rational here was economic: economic growth can be achieved by investing in the infrastructures of the Arabs and raising their levels of education and employment, producing a systemic change in the budget mechanism for the Arabs. The economic plan is the economic flip side of the conservative coin. But with it came the pressure from the hokish members of government to harden the ‘law and order’ elements of supervising the Arab sector, buiding police stations and ruining houses built illegally. Thus, there are two ideological streams that conflict within Netanyahu’s government: Gila Gamliel, Kahlon and Dery supported 922. Levin, Elkin, Regev and Akunis were against. And the prime minister? While Netanyahu initiated the committee, he was resentful of the plan. The finance ministry, president Rivlin and others pushed for its approval. In his reluctance, Netanyahu sought to link the economic program with stringent measures against the illegal construction in the Arab villages. Two weeks after the program has passed 11 houses were destroyed in Kalansua and Um El-Chiran was to suffer the same destiny had it not been for a policeman that was killed in the riots against the obliteration of houses there. The two narratives – economic growth based on investment in infrastructures, and a hardline against the Arab Israelis – both played a role in Netanyahu’s 2015-9 government. However, a third possible scenario has evolved in 2018. For the first time, the opportunity arose for the prime minister to divide the Joint List and rule with one of its parties – the Islamist party. This had some resonance with the national narrative, as the other parties were presented in the media and by Netanyahu’s people as propagating mainly the Palestinian state and supporting terror as a way of fighting Israel. But creating a differentiation on the basis of a social movement which its prime concern is the civic life of the Arab society, endowed Netanyahu with a potential winning political card. Building the legitimation of Mansur Abbas, as chapter 7 demonstrated, facilitated the idea of being in the coalition but outside of the government. This was a step further from Rabin’s minority government which relied on the Arab parties from outside the coalition. This time Netanyahu and Abbas concocted an option of full participation and support within the coalition. Alas, this political option was reject by the other creation of Netanyahu – the post-Kahana potentially racist Religious Zionist party. It was Netanyahu who pushed Ben-Gvir, Kahana’s student, into Smutrich’ party. It was Ben-Gvir and Smutrich that object vehemently to any support of the Islamist party in the national-conservative coalition. Still, it was the Netanyahu-Abbas invention which did, in the end, solve for the time being the political tie: only Abbas played for the other team, and closed the deal with Bennet-Lapid government. Netanyahu immediately went back to the first, ethnonational incitement. In November 2021 Netanyahu has accused Ra’am of passing on funds to the Hamas in Gaza under Bennet’s government. “A budget with blood on its hands” Netanyahu’s men titled their demonstration.[[66]](#footnote-66) Once the superbly talented magician of Israel politics uses new tricks, they are up for use by other players too. For the first time ever, an Islamist party was part of a coalition, a coalition for change. One thing was definitely changed: change of power.

1. Absolute Control over the Media: Netanyahu’s Quest for Media of his Own

The changes in the constitutional design sought to reshape the relationships between the executive, the legislative and the judicial arms of government. The attempt to curtail judicial review, to limit to the minimum the ability of the courts to rule unconstitutional laws which violate citizen’s rights, the superiority of the nation-state law over individual rights, and the focus of the governability discourse on empowering the government in the name of the people to neutralize any criticism were intensified with the vilification of the public media. News broadcasting, investigative journalism, critical analysis and public discussion are the essence of the media as the fourth arm of government. In his quest for total control, Netanyahu embedded his plea against the media into his deep state argument against the gatekeepers. Chapter 9 disclosed the love-hate relations between Netanyahu and the media, and his obsession with it is unfolding in the court as his trial progresses. Netanyahu understood that media determines the mindset, the framing, the political consciousness of the public and sought to control the different mechanisms of mediating the message to the people. The chapter exposed seven strategies which Netanyahu used to gain gradual control over the public media in Israel. His efforts were on all four levels: printed journalism, TV newsrooms, radio and internet news websites. Side by side with attempting to influence the social media.

Netanyahu had a vision: he wanted to establish a news empire owned by media tycoons who share his right-wing, nationalist-conservative worldview and provide him the means to design and control a pro-Bibi media. This is while taking systemic steps to influence from within the public media which is not exclusively ‘pro-Bibi’. He took comprehensive action in pursuit of this goal. The first strategy was to influence directly the tycoons who own the media to finance for him a Fox news like media as well as to manipulate the commercial news agents to either be more ‘balanced’ or to have less news. The second strategy was an attempt to appoint, or influence, CEOs and Chief Editors. The balancing act, importantly, was not with greater diversity – say Mizrachi or women – nor with rightwing people. ‘Balancing’ meant inserting his own people, his army of pro-Bibi media people, as they often self-identified, into the talk shows. The third strategy was to infiltrate the Public Media with Pro-Bibi Journalists, publicists, Panelists or public intellectuals who directly supported him. These served as the cadre which would rotate between political jobs within the national camp – often within the Likud party – the public media and the pro-Bibi channels. The fourth strategy was to launch direct attacks on journalists and to present them as the enemy of the people. In particular, to personally persecute investigative journalists and their programs, like Illana Dayan’s *Fact* or Raviv Drucker *The Source* or Satire show like Lior Shlein’s *Back of the Nation*. The fifth strategy was to try to gain control over public media from within – on radio, TV, print and internet. This was done by attempts to gain full control over public media by appointing their CEOs and forcing them to bring on pro-Bibi journalists, or threatening to shut down the stations should Netanyahu’s control was denied, like happened with the first channel and the Army radio. Using the threat to shut down, to split or to unite channels, were also instruments of gaining power in Netanyahu’s toolkit. The sixth strategy was to establish pro-Bibi media. Yisrael Hayom was the first such home-paper, but channel 20, Galey Israel radio, Makor Rishon, i24, Walla news and an attempt to overtake the Knesset channel were all part of this linkage between like-minded tycoons, pro-Bibi media people and public-like channels. The final strategy was to control the media by regulation, legislation, and ministers of communication. Hefetz testifies how the decision to appoint Netanyahu himself to the minister of communication, in direct response to Aluvitch’s demand for regulatory benefits, was taken at the Netanyahus household at Balfour.[[67]](#footnote-67) Alternatively, Netanyahu has appointed loyalist ministers for the job and controlled their reforms and actions in the ministry. But his ultimate tool was concentrating media legislation in his hands – from the Yisrael HaYom bill to the attempt to manipulate the independent Kan public corporate and to try to force it to give up news broadcast though legislation that was only stopped by the courts. The final such tool was regulation: Netanyahu had attempted to concentrate all regulation of news broadcasting media under one regulative body that he was to control.

Partial as these overtaking attempts may have been, Netanyahu has certainly discredited the very idea of professional journalism. Professionalism is a guise for political view, said Shaked, and Netanyahu was convinced that each and every critical journalist holds an agenda against him. While his demand for a more diverse, pluralistic and representative media may have well been phrased, for Netanyahu diversity did not mean different social groups or political opinions. It meant solely pro-Bibi. The media people that gathered around him, have notoriously declared that they are not journalists. That they use pseudo-journalism for a greater cause – to bring about political change, to fight against the media elites. They did not even have the pretention of a diverse, critical and investigative journalism. Whether professional journalism could be restored in the public mind in a post-Netanyahu era, it is yet to be seen. However, Netanyahu’s vanity in assuming he could manipulate regulation in favor of tycoons in return for full control over his internet news website, is unfolding in the courts. The public media suffered detrimental blow under Netanyahu’s long march through the institutions of power.

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