

12

The Israeli Agendas Project

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12.1 Introduction

The Israeli Agendas Project was launched in 2012 at the Hebrew University of Jerusalem in order to contribute to the analysis of issue attention and policy dynamics from a regulatory governance perspective. The Project's main aim is to understand how and why regulations and primary law vary in number, content, and purpose over time and across issues and countries. This should help to better understand the conditions under which there is an increase in regulatory output. Regulation has become a core concept of governments in the last few decades, yet too little attention has been paid to the questions of how, when, and where regulatory output is growing. By shedding light on longitudinal and cross-national analyses of the study of regulations, as assessed quantitatively via official gazettes, we aim to open a new research agenda on the different national patterns of regulations. We seek to understand whether national dynamics and clear national differences exist across different countries regarding the bureaucratic activity and agenda. Since 2014, the Project's aim has been expanded to examine changes in the Israeli agenda in the executive branch, focusing on cabinet decisions.

12.2 The Israeli Political System

Israel was established in 1948 as a parliamentary democracy. It is a unitary system, and the unicameral parliament is composed of 120 members. The president is the official head of state and his role is mainly symbolic, without substantive executive responsibilities. On the constitutional level, Israel does not have a formal written constitution. However, although it does not have an

official constitution, it has several constitutional laws that are known as “basic laws.” Their superior status over ordinary laws gives the Supreme Court the right to act in any case where ordinary law conflicts with what follows from basic laws.

One of the basic laws (“The Knesset” 1958) that holds special standing in the Israeli legal framework is the law that provides for general, free, equal, discrete, direct, and proportional elections to be held every four years. In Israel, every Israeli citizen over age 18 is eligible to vote in the general elections. Members of the Knesset (Israeli parliament) are elected by national and proportional elections with a 3.25 percent electoral threshold.

The party system is composed of left-wing, right-wing, and center-wing parties as well as sectoral parties representing various segments of the population, such as immigrants from the former Soviet Union, ultraorthodox Jews and Arabs. Until the mid-1970s, the party system was dominated by the Labor Party. Since then leadership for most of the period has transferred to the right and to the Likud Party. At the same time the effective number of parties has grown significantly since the 1990s, as the number of parliamentary seats held by the first- and second-biggest parties has declined steadily. During the Israeli legislative election in 2015, the Likud and the Zionist Union (a center-left political alliance of the Labor Party and two other parties), the two biggest parties, won nearly 40 percent of the votes. Thus, in the Israeli party system, the power of small parties is greater than their actual size. As a result, the size of the left/right blocs determine the ability of a prime minister to compose a coalition, rather than the size of his/her own party.

12.3 Datasets

Table 12.1 presents the various datasets of the Israeli Agendas Project. As shown, it consists of both the regulatory and legislative agenda in Israel over long periods.

Table 12.1. Datasets of the Israeli Agendas Project

Dataset	Period covered	Main topic/subtopic	N
Laws	1948–2014	Main topic	6,841
Arrangement laws	1985–2013	Main topic and subtopic	1,375
Regulations	1948–2014	Main topic	49,396
Cabinet decisions	2003–2016	Main topic and subtopic	3,985

Source: Comparative Agendas Project—Israel

12.3.1 *Laws and Regulations*

The datasets of laws and regulations provide a longitudinal perspective on the Israeli regulatory and legislative agenda, and provide us with a better understanding of corresponding legislature and bureaucratic agendas. The former dataset includes the numbered list of primary laws that the Knesset (i.e., Israeli parliament) legislated annually over sixty-seven years. It provides a comprehensive glance at the legislative production of the Knesset, which has risen significantly since the 1990s. The dataset includes both new legislation and amending acts that were published in the “Sefer Hahukim” (“Book of Laws”). It also contains laws that are in force together with laws that were canceled or expired. Moreover, all types of primary laws—whether initiated by the government (government bills), members of Knesset (private members’ bills), or by a Knesset committee—are included.

A complimentary dataset of the Israeli legislative agenda covers all arrangement laws (“Hesderim Laws”) that were enacted between 1985 and 2013. The arrangement law is an omnibus legislation package that was first enacted in 1985 as part of the Economic Stabilization Plan. Since then, the arrangement law has been reenacted annually along with the annual budget. It includes many amendments to existing legislation in various policy fields. It is a tool that the cabinet uses in order to promote rapid policy changes. Our dataset includes 1,375 articles of all the arrangement laws.

The secondary legislation (“Takanot Mishene”) dataset includes regulations, by-laws, orders, instructions, proclamations, notices, and rules that were published annually in the “Kovetz Hatakanot” (Collection of Regulations) since 1948. It provides a thorough perspective on the regulatory output of the Israeli bureaucracy, as it includes almost 50,000 regulations. Unlike the previous dataset, it was not coded entirely. Two blind coders coded a random sample of 8,231 regulations between 1948 and 2014 out of 49,396 regulations systematically ($k = 6$), ensuring coverage of the whole period.

12.3.2 *Cabinet Decisions*

Cabinet decisions are made in all parliamentary democracies. They contain proposals approved by the cabinet as a whole during the weekly cabinet meetings. Once the proposal is approved, it becomes binding. In Israel, each year the cabinet makes about five hundred decisions. In these decisions, the cabinet uses a broad policy tool kit. It can set up a new program, for example, a program encouraging the return of Israelis who emigrated from Israel. It may change regulations, for example, a decision to reduce the regulatory burden on businesses. It may allocate funding, for example, a decision to allocate funding to the municipality of Tel Aviv to support day care for immigrant children.

It may also appoint committees, such as a committee for the investigation of the fire on Mount Carmel in 2010. The decisions are made during the entire cabinet term—even when the Knesset is dismissed due to elections—and they involve all policy fields.

The cabinet decision dataset includes decisions made from 2003 through 2016. Besides information on the policy topic, the data includes information on the policy tools suggested in the decision (i.e., new program, budget appropriation, omnibus legislation, change in authority, and others). It also includes information about the relationship of each decision to previous decisions (for example, amending or expanding previous decisions), as well as to legislation and Supreme Court ruling. Lastly, in each decision, one or more responsible ministries are specified. This way we can examine not only the change in the policy agendas but also the change in the policy tools and the responsible institutions.

12.4 An Example: The Arrangement Law (The Hesderim Law)

The arrangement law has become one of the Israeli government's most powerful policy tools in recent decades, allowing the promotion of extensive reforms and decisions every year. Originally, it was presented as an emergency measure to supplement the Economic Stabilization Program in 1985. Since then it has become a permanent component of the budget law, comprising various bills and amendments that are needed in order to achieve the government's economic policy. As an omnibus law, each law consists of varying amounts of new legislation and amendments that are presented to the Knesset within the framework of single law. By relying on its majority and discipline among coalition members, the law has become a governmental device that enables the expediting of the legislative process while being subject to limited parliamentary and public supervision due to its size and complexity.

Since Israel's multiparty coalition's instability and fragility have been on the rise in recent decades, the use of the law has become a vital tool to promote the government's goals and agendas. Bills and amendments regarding various issues that were clearly non-economic have been included in the laws, and a fierce criticism within the Knesset and among the public has been raised. Academic researchers have not systemically investigated this trend. Many researchers applied a conventional method to assess the expansion of the laws by observing the number of articles per laws. However, we argued that a better understanding can be attained by taking an agenda-setting perspective. In other words, rather than focusing on the scope of



Figure 12.1. Arrangement laws by the number of topics and subtopics, 1985–2013
Source: Comparative Agendas Project—Israel

each law, we suggested investigating the expansion of the laws by observing the amount of topics each law contains.

Figure 12.1 shows the number of policy issues included within each arrangement law that were enacted based on the codification of each article by main topic and subtopic. The figure suggests that over the years a significant fluctuation has occurred in the laws’ agenda—from four and five main topics and corresponding subtopics in 1985 to a peak of sixteen main topics and forty subtopics in 2003. It also reveals 1997 to be the turning point in the expansion of the laws. Before 1997, most of the articles in the laws dealt with macroeconomic issues. Since 1997, the laws have included less macroeconomic issues and have expanded to other issues. This can be seen by observing the expansion of main topics and subtopics in Figure 12.1.

12.5 Unique Features of the Israeli Coding Procedure

The coding of the Israeli agendas creates several challenges that are unique to the Israeli politics: state and religion, diaspora Jews, the Holocaust, and the occupied territories.

First, in Israel there is no formal and full separation between state and religion. Consequently, religion plays a significant role in Israeli politics, policy, and society. From an institutional perspective, this results in a special

ministry for religious affairs, local religious councils and rabbis appointed by the state, and religious courts that have exclusive authority over marriage and divorce. In addition, the government intervenes in individuals' religious affairs—for example, by regulating kosher food, subsidizing religious institutions, and regulating the conversion-to-Judaism process. Despite this uniqueness, we decided that all of these issues can be coded using the CAP scheme once the policy content is examined, regardless of its religious context. For example, religious marriages will be coded under family issues, and the administration of religious councils will be coded under government affairs. Yet one should remember that applying CAP coding to issues of state and religion only allows us to trace changes in issue attention, not changes in the power of religious institutions in Israeli politics. This shortcoming is by no means unique to Israel, since the CAP coding scheme addresses the policy content and not the policy tools or target population.

Second, Israel is defined as the national home of Jewish people, and as such it sees itself as a home to all Jews around the world. As a result, the Israeli government makes policy regarding diaspora Jews. For example, the Israeli government makes programs for increasing the connection of Jewish youth to Israel and increasing efforts to encourage Jews to immigrate to Israel. Since “Diaspora Jews” are the target population, we coded these issues based on the content. For example, immigration encouragement programs are coded under immigration and programs for Diaspora Jews are coded under tourism. In addition, we also added a separate subtopic of Jewish immigration under the immigration topic to reflect the uniqueness of this issue in Israeli politics.

Third, the Holocaust is a defining issue in Israeli society. During the first few decades following the establishment of the state of Israel, the Holocaust played an important role in Israeli politics. For example, in the 1950s, the reparations agreement between Israel and West Germany sparked one of the most controversial disputes that Israeli politics has ever known. Today, while the Holocaust receives less attention from Israeli politicians, we decided to follow the topic by adding a dummy variable.

Fourth, the West Bank has a special legal status and is not officially appended to the state of Israel. As such, there are special policies that are made regarding this area and its population. Due to this fact we decided that policies dealing specifically with the West Bank will be coded under topic 2105.

Reference

“Basic Laws: ‘The Knesset’” Knesset official website: www.knesset.gov.il/description/eng/eng-mimshal_yesod1.htm (English).