

# LEGISLATION AND POLITICS in Israel

**DR. Anat Maor**

Course for UCI, Winter 2013

*Dr. Anat Maor*

## **Course Objectives:**

1. Study the Essence and the Importance of Legislation
2. Learn the Politics, Strategic and tactics in Legislation
3. Follow Legislation closely by taking part in a Simulation of Legislation

## **Course requirements:**

1. Active participation in classroom discussions - 10%
2. Present a Law Proposal/ an Article - 20%
3. Final paper about one of the topics of the Course (10 pages) - 70%

## **Basic Reading:**

Maor A., (2011). **Legislation and Politics** - The Success of Private Legislation in Israel - LAP-Lambert Academic Publishing AG & CO.KG, Germany

## **Part 1: The Essence and the Importance of Legislation**

**Week 1. Why It's so Important? -The Law as a basic stone in the democrat system.**

**1.b - The Israeli Politics System – The National Government Institutions**

**Week 2: The Development of the Vision and the legal Situation in Israel: The Deceleration of Independence;**

**2.b The Lack of Constitution in Israel.**

**Week 3: Who is the Legislate Initiative-The government? The private Parliament member? - The private Parliament member as an Legislative Initiator**

**3.b How Comes the Ideas ? - The Origins of the Parliamentary Bills**

**Week 4: What is the spirit of the bills? - The Values Dimension of the laws**  
**4.b The Basic laws in Israel**

## **Part 2: Politics, Strategic and tactics in Legislation**

**Week 5: How does a bill Pass? - The procedure of the Privet Legislation**

**5.b. How to build networks? – The Networking of the Political Actors in the Legislation Act**

**Week 6: How to Succeed? -The Strategies of the MP vs. Government**

**6.b. How to Build the Power? - MPs and the Advocacy Coalitions**

**Week 7. How to win? - MPs winning Strategies with their colleges**

**7.b. How to Influence? - The Rhetoric strategy**

## **Part 3 : The Contest of Legislation**

**Week 8: legislation and Gender**

**Week 9: Religious and Secular Legislation**

### **Sum: Simulation of Legislation**

Week 10: To Prepare and to present a new bill, to put on the table of the Representative house

## **Bibliography**

**Week 1: The Law as a basic stone in the democrat system and the importance of the Parliaments.**

- Arendt Hana (1973). **Origins of Totalitarianism**, Will publish company  
Cleveland
- Barnea, Marina. F. and Schwartz, Shalom. H. (1998). Values and Voting, **Political psychology 19(1), p. 17-40.**
- Bueno de Mesquita Bruce (2003). **The logic of political survival**. Cambridge, Mass.: MIT Press.
- Checkel Jeffrey (1997). **Ideas and International Political Change, Soviet/Russian Behavior and the End of the Cold War**, Yale University Press, U.S.A.
- Howlett Michael and Ramesh Marilee (1995). **Studying Public Policy: Policy Cycles and Policy Subsystem**, Toronto: Oxford University Press.

- Kurian, George.T. (ed.)(1998). **World encyclopedia of Parliaments and Legislatures**, Washington D.C: Congressional Quarterly Inc, p. xxv.
- Olson, David.M. (1994). **Democratic Legislative Institution**, New-York: M.E. Sharpe, pp.132-144
- Putnam D. Robert. (1973). **The Beliefs of Politicians**, New Haven and London: Yale University Press.
- Radaelli Claudio.M. (1995). “The role of knowledge in the policy process”, **Journal of European Public Policy**, pp. 159-183.
- Rawls John. (1973).**The Liberal Theory of justice**, a critical examination of the principal doctrines in a Theory of justice, Oxford: Clarindon Press.
- Surel, Yves. (2000). “The Role of Cognitive and normative frames in Policy making”, **Journal of European Public Policy**, 7:4, pp. 495-512.

### **1.b - The Israeli Politics System – The National Government Institutions**

- Arian, Asher (1998). **The Second Republic Politics in Israel**, Chatham, New Jersey: Chatham House Publishers.
- Garfinkle, Adam (2000). **Politics and Society in Modern Israel**, Armonk, New York: Sharpe
- Nachmias, David (2009). [National Government Institutions](#), in: Mitchell G. Bard and David Nachmias, (Eds.). **Israel Studies: An Anthology** , Jewish Virtual Library.
- Nachmias, David and Arbel-Ganz Ori (2003). “The crisis of Governance: Government Service” in: Cohen-Almagor, R., **Israeli democracy at the Crossroad** ,London: Frank-Cass.
- Shultziner, Doron (2009). [Human Rights and the Supreme Court in Israel](#), in: Mitchell G. Bard and David Nachmias (Eds.), **Israel Studies: An Anthology**, Jewish Virtual Library.

### **Week 2: The Development of the Vision and the legal System in Israel: The Declaration of Independence; The Lack of Constitution.**

- Barak, Aharon (2009). “[The Values of the State of Israel as a Jewish and Democratic State](#)”, in: Mitchell G. Bard and David Nachmias (Eds.), **Israel Studies: An Anthology**, Jewish Virtual Library.
- Fishkin, James S. (2009). **When the People Speak: Deliberative Democracy and Public Consultation**, New York: Oxford University Press.

-Goldberg Giora (2003). **Ben-Gurion against the Knesset**, Frank Cass, London

-Sternhell, Zeev (1998). **Epilogue: From the State-in-the-Making to the Nation-State, The Founding Myths of Israel**, Princeton University Press, pp. 318-345.

### **Week 3: The private Parliament member as a Legislative Initiator**

- Birley, Sue. and MacMillan Ian.C. (eds.)(1993) **International Perspective on entrepreneurship Research**, North-Holland-London.

- Brockhaus Robert.H. and Horwitz, Pamela.S.(1985). “The Psychology of the Entrepreneur”, in: Sexton

-Donald.L. and Smilor Raymond.W. (eds.),( 1986) **The Art and Science of Entrepreneurship**, Cambridge, and M.A.: Ballinger.

- Johnson Byron.R. (1990). “Toward a multidimensional of Entrepreneurship: The case of Achievement Motivation and Entrepreneur”, **Entrepreneurship: Theory and Practice**, 14(2), pp. 139-161

- Longley, Lawrence.D and Hoffman, Taylor.M. (1999). Parliamentary members and leaders as agents for reform: Parliamentary and Regime Change revisited, **Journal of legislative studies** (3), p. 131-208.

- McClelland D.C.(1987). “Characteristics of successful Entrepreneurs”, **the Journal of Creative behavior**, 21(3), pp. 219-233

- Mullins, John.W. and Cardozo, Benjamin.N. (1993). “New Ventures Strategies and Start-Up Environment: Concepts, measurement and research agenda” in: Birley, S. and MacMillan I.C. (eds.), **International Perspective on Entrepreneurship Research**, North-Holland-London.

- Richard T. Boylan. (2002) Private Bills: A theoretical and empirical study of lobbying, **Public Choice**, Leiden, Apr. Vol.111, ISS. 1-2 p.19.

- Trocsanyi László. (1996). “The Right of the Legislative Initiative”, **Seminar on the Democratic Functioning of Parliaments**, Council of Europe, pp.73-84.

- Troper Michel., (1992).The Development of the Notion of Separation of Powers, **Israel Law Review**.

### **Week 4: The Basic laws in Israel**

- Rubenstein, Amnon (2009). “Israel's Partial Constitution: The Basic Laws”, in: Mitchell G. Bard and David Nachmias (Eds.), **Israel Studies: An Anthology**, Jewish Virtual Library.

- Chazan Naomi (2005). "The Knesset", **Israel Affairs**, Vol. 11, No. 2, April, pp. 392-416.

### **Week 5: Legislation in Israel: The Procedure**

-Akirav O., Cox W. G., and McCubbins D.M. (2010). "Agenda Control in the Israeli Knesset during Ariel Sharon's Second Government", **UK Journal of Legislative Studies**, Vol.16 No.2.

-Barker, F. and Levine, S. (1999). "The Individual Parliamentary Member and International Change: The Changing Role of New Zealand Members of Parliament", **Journal of Legislative Studies** 5(3), pp. 105-130.

-Maor, Anat (2008). "The Dramatic Growth of Private Legislation in Israel 1992-2003", **Israel Study Forum**, 23, pp. 84-103.

### **Week 6: Negotiation and Strategy in Legislation**

-Doron, Gideon and Sened, Itai (2001). **Political Bargaining: Theory, Practice and Process**, Sage Publications, London.

-Fenno, R. F. 1966, *The Power of the Purse: Appropriations Politics in Congress*, Boston: Little, Brown and Company.

- Galin Amira (1996). *The Dynamics of Negotiation - From theory to practice*, Tel Aviv University: Ramot

- Galin Amira (2005). *Negotiation - The Hidden Dimension*, Tel Aviv University: Ramot

-Putnam, D.R. 1973, *The Beliefs of Politicians*, New Haven: Yale University Press

-Maor, Anat (2011). "How NGOs Help to Break Down Political Borders in Private Legislation in Parliaments", in Antonio Medina-Rivera and Lee Wilberschied (Eds), **In, Out, and Beyond: Studies on Border Confrontations, Resolutions, and Encounters**, Cambridge Scholars Publishing.

-Maor, Anat (2009). "Private Legislation as a Strategy of Political Negotiation", **Public Administration**, Vol. 87, Num. 4, pp. 750-761.

-Wildavsky, A. 1964, *The Politics of the Budgetary*, Boston: Little, Brown.

### **6.b. The Advocacy Coalitions and the interests groups**

- Anderson Charles. W. (1979). "Political Design and the representation of interests" in Schmitter P. C. & Lehmbruch G. (Eds.), **Trends toward Corporatist intermediation**, pp. 271-297, Beverly Hills: Sage.

- Barker, Fiona. and Levine, Stephen. (1999). The individual parliamentary member and international Change: The Changing role of New Zealand members of parliament, **Journal of Legislative studies** 5(3), p. 105-130.
- Hansen Randall. and King Desmond. (2001). “Eugenic ideas, political interests, and policy variance: immigration and sterilization policy in Britain and the US”, **World Politics** 53 (2), Jan. 2001, pp. 237-262.
- Key, Vladimer.O., 1964, **Politics, Parties and Pressure Groups**, New York, Crowell
- Norton, Philip. (1999) “Introduction”, in P. Norton (ed.), **Parliaments and Pressure Groups in Western Europe**, London: Frank Cass, pp.1-18.
- Sabatier, Paul. and Jenkins-Smith, Hank C. (Eds.)(1993). **Policy Change and Learning: An Advocacy Coalition Approach**, Boulder, CO: Westview Press.
- Schneider Anne and Ingram Helen (1990). “Behavioral Assumptions of Policy Tools”, **Journal of Politics**, Vol. 52, No 2, University of Texas Press.
- Schelling Thomas C. (1963). **The strategy of conflict**, New York: Oxford University Press.
- Stevans, Carl.M. (1963). **Strategy and collective bargaining**, New York: McGrow Hill.
- Tarrow S. G. (2005). **The New Transnational Activism**, Cambridge, UK ; New York : Cambridge University Press.
- Yishai, Yael. (1997). Legislators and interest groups: Some observations on the Israeli scene, **the Journal of Legislative studies** 3(2), p.89-111.

#### **Week 7. MPs winning Strategies with their colleges**

- [Boissevain, Jeremy](#) (1974). **Friends of Friends : Networks, Manipulators and Coalitions**, Oxford : B. Blackwell.
- Brams Steven. J. and Alan Taylor. (1996). **Fair Division**, New York: Cambridge University Press.
- Brams S. J. and Alan T. (1996). **Fair Division**, New York: Cambridge University Press.
- Brigg, Morgan. Mediation (2003) Power and Cultural differences, **Conflict Resolution quarterly**, 20, 287-306.

- Coleman William D. and Perl Anthony (1999). "Internationalized Policy environments and Policy Network Analysis", **Political Studies**, XLVII, pp.691-709.
- Henk A.M. Wilke (ed). (1985). **Coalition Formation**, Amsterdam : Netherlands.
- Hofstede Geert (1991). **Cultures and organizations - Software of the Mind**, Harper Collins Publishers.
- Kubler Daniel (2001). "Understanding policy change with the advocacy coalition framework: an application to Swiss drug policy", **Journal of European Public Policy**, 8:4 Aug. 2001: 623-641.
- [Lutz, D. S.](#) and James R. W.(1976). **Coalitions in Legislatures : a review of the evidence**, Beverly Hills : Sage.

### **Week 8: Women in Israel**

- Amuel, Yitzhak & Harpaz, Yitzhak (2004). "Work & Organizations in Israel", Schnizer (ed.), **Studies In Israeli Society**, Vol. 11, Transaction Publishers, New Brunswick, N.J. and London (UK), ch. 7, Women and Work, pp. 315-374
- Dworkin, Andrea (2000). **Scapegoat: The Jews, Israel, and Women's Liberation**, The Free Press - USA; Virago - Great Britain.
- Domb, Risa (ed.) (2008). **Contemporary Israeli Women's Writing**, London and Portland: Vallentine Mitchell.
- Forum Series, **Women in the Israel Defense Forces** (2003). The Israel Democracy Institute, Jerusalem
- Halperin-Kaddari Ruth and Atara Kenigsberg (eds.) (2002)(2011). **Women's Legislation in Israel: A Legislative Compilation**, Ramat Gan: Bar Ilan University. (Hebrew)
- Izraeli, Dafna N. (1994). "Israel - Outsiders in the Promised Land: Women Managers in Israel" in Adler and Izraeli (eds.), **Comparative Frontiers - Women Managers in a Global Economy**, Cambridge, MA and Oxford: Basil Blackwell, pp. 301-324.
- Maor, Anat (2009). "Women in Israel", in: Mitchell G. Bard and David Nachmias (Eds.), **Israel Studies: An Anthology**, Jewish Virtual Library.

### **Week 9: Relations between Religious and Secular in Israel**

- Artzieli, Yoav (2004). **The Gavison-Medan Covenant: Main Points and Principles**, The Israel Democracy Institute, Jerusalem.

-Don-Yehiya, Eliezer (1984). "Religious Leaders in the Political Arena: The Case of Israel", **Middle Eastern Studies**, Vol. 20, No. 2, pp. 154-171.

-Ravitzky, Aviezer (2001). **Religion and State in Jewish Philosophy: Models of Unity, Division, Collision and Subordination**, The Israel Democracy Institute, Jerusalem.

Shakdiel Leah (2002). "Women of the Wall: Radical Feminism as an Opportunity for a New Discourse in Israel", **The Journal of Israeli History, Studies in Zionism and Statehood** 21 (Special Issue: Women's Time: New Studies from Israel, ed. Hannah Naveh), p. 126.

### **Methodology Recourses**

- Erickson [Frederick](#). (1986). **Qualitative methods**, Vol. 2 N.Y: Macmillan

- Fenno, R. F. (1973). **Congressmen in Committees**, Boston: Little; Brown and Company.

- Fenno, R. F. (1978). **Home Style**, Boston: Little; Brown and Company.

- Fiorina A.M. and Rohde W.D.(1989). **Home style and Washington work**, Ann Arbor: university of Michigan Press.

- Fishbein, Martin. and Ajzen, Icek.(1975). **Beliefs Attitudes, Intention and Behavior, An introduction to Theory and Research**, Massachusetts, MA: Addison Wesley Publishing Company.

- Kenny W. Robert & Grothlushen Arden.D. (1984). Making the case for case study, **Journal of Anthropology**, 2, 53-74

- Stake, Robert.E. (1978). The Case Study methods in Social Inquiry, **Educational Research** 7 (2) 8.

- Stone, Deborah.A. (1989). "Causal stories and the formation of policy agendas", **Political Science Quarterly**, 104(2): 281-301.