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# Encroachment and Reaction of Civil Society in Non-liberal Democracies: The Case of Israel and the New Israel Fund

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**Abstract:** Recent decades have seen a major political shift in many nations, manifested in democratic regression, rise of populist non-liberal democracies, resurgence of extreme right, infractions against democratic watchdogs, and increasing nationalism and unilateralism. A central manifestation of this process is the active encroachment by governments on civil society, and particularly on its liberal elements. These manifestations allegedly emanate from resistance to the liberal world order and to threats from pressures imported by national NGOs, and are made possible by changing political opportunity structures. We explore the case of Israel, through an analysis of the New Israel Fund (NIF), as a particular yet demonstrative example of these dynamics. The manifestations of civil society encroachment in Israel include concerted and coordinated actions meant to weaken and delegitimize left-wing civil society actors and their supporters and donors, by Israel's right-wing governments and their NGO allies, through legislation and rhetorical assaults; attempts to curb international funding of human rights organizations; and differential treatment of civil society organizations according to political stance. Interviews with former and current leaders of the NIF show that the attacks have galvanized liberal civil society actors to counteract, and drove them from passive response to active and strategic engagement, professionalization of media work and program evaluation, adjustment of public relations and legal strategies, and even adjustment of programmatic choice, shifting focus to supporting the infrastructure of civil society and democracy. The discussion stresses pressures by international illiberal forces, alongside the backlash to liberal world society, as causes for encroachment, and highlights the less explored reactions of civil society actors to such encroachment.

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## 1 Introduction

Recent years have seen a change for the worse in state-civil society relations in many countries, leading Anheier (2017, p. 1) to speak of a “shrinking space” for civil society nationally and internationally. Some governments see civil society organizations as service providers in a variety of corporatist arrangements, and eschew their roles in the policy arena. Other governments regard them as an illegitimate interference in the policy process, attempting to influence if not dictate government’s priorities. This is expressed in increased regulation and greater bureaucratic burden, in restrictions on civil society agents, and even overt and directed adversary actions and threats against them (Anheier, Lang, and Toepler 2019).

We see this as an expression of a major political shift taking place in many nations, manifested in democratic regression and a shift towards populist non-liberal democracies, resurgence of extreme right, infringement on democratic watchdogs such as the free press and supreme courts, and increasing nationalism and unilateralism. The active encroachment by governments on civil society is a consistent element of these processes, expressed in manifold ways. We demonstrate these dynamics through the case study of Israel, which we argue offers an exceptionally strong demonstration of the processes mentioned above. As we will show, it also highlights the local-international nexus that is at the base of these processes, and how these processes are both empowering and disempowering for NGOs.

## 2 Democratic Regression

In 1999, 10 years after the fall of the Berlin wall, the Freedom House surveys caused scholars of democracy to be optimistic (Karatnycky 1999). There was evidence that freedom is spreading and that illiberal regimes on the decline. More recently, though, liberal democracy is facing a serious challenge. Democratic crises and regressions spare almost no region of the world. North Africa experienced disillusionment following the Arab Spring, the Americas saw electoral victories of populist candidates, democratization in Eastern Europe is faltering, East Asia is seeing objections to the human rights discourse, to name a few (Mizrachi and Mautner 2016). Indeed, argues Norris (2011), in many states there is widespread public dissatisfaction with the performance of democracy. One effect of such

disaffection with democracy is withdrawal of civic political participation, and increased involvement of powerful interest groups in the policy process. Indeed, even in strong and veteran democracies partisanship and interest groups disproportionately affect decision making, causing policies, and particularly around more controversial issues such as abortion, law enforcement, health care, and education, to be incongruent with majority will (Lax and Phillips 2012).

The term “democratic deficit” refers also to the erosion of civil society and civic engagement, reflected in a decline in political involvement, civic tendencies and citizenship skills, trust in government, and social capital (Nabatchi 2010). This is not a sudden crisis, but rather a long-term problem that, if not dealt with, will further exacerbate and likely undermine the capabilities and legitimacy of democratic governments and principles as a whole (Warren 2009). This “democratic deficit” negatively affects political activism, increases “allegiant” (Norris 2011, p. 220) forms of political behavior,<sup>1</sup> diminishes the rule of law, and ultimately slows and even reverses processes of democratization.

Israel is no stranger to these processes. This is manifested in the erosion of political trust and participation (Filipov 2013; Ram and Filc 2013); in an increase of the salience of interest groups in the political process, resulting in policies that are directly in opposition to public interest (Yishai 2012); and in illiberal policies and even blunt antidemocratic actions by government. Recent years witnessed bills and laws that contradict democratic principles; silencing critical voices against the government and its policies; delegitimization of political opponents, human rights organizations, minorities and the judiciary, discrediting them as anti-Zionists and as traitors; presenting minorities as enemies of the state; and attempts to curtail the freedom of the press. These trickle down and affect public opinion, resulting in blatant incitement against political rivals, minorities and immigrants, and even in religious and ideological violence.

### 3 Drift to the Right and Rise of Nationalism and Populism

Political scientists are almost unanimous in arguing that western democracies are witnessing a revival of nationalism. Copelovitch and Pevehouse (2019) list recent economic and political developments in the United States (the election of Donald Trump and the ascent of the Tea Party movement), the United Kingdom (Brexit),

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<sup>1</sup> See for example the January 6, 2021 assault on the Capitol Hill in the US, or Netanyahu supporters' violence against anti-Netanyahu protestors in Israel.

and in Europe, where this trend already started in the 1990s, associated with increasing support for radical-right parties. This is also evident in democratizing and transitional states, such as Turkey, Russia, Poland, Hungary, and Brazil, that have also seen a rise in anti-globalization sentiments and the rise to power of parties and politicians advocating populist, nationalist, and authoritarian ideas and policies. These sentiments include hostility to elites, antagonism to foreign trade, investment, and immigration, and willingness to vote for extremist political parties, movements, and candidates within parties (Frieden 2018). The roots of these sentiments can be found in fear from impacts of economic globalization. Colantone and Stanig (2018) found, by analyzing individual-level vote choices, that increased exposure to imports leads to a general shift to the right in the electorate and support for nationalist, isolationist and radical-right parties. Other forces behind this shift to the right have to do with fears from cultural and religious change. For example, for many Americans voting for Trump was a symbolic defense of the United States' perceived Christian identity (Whitehead, Perry, and Baker 2018).

As a result, we have seen the rise to power of parties and politicians around the world, advocating populist, nationalist, and authoritarian ideas and policies as well as economic protectionism, and opposing multiculturalism and internationalism (Eger and Valdez 2014). The rise of populism and a resurgence of nationalism are not necessarily synonymous (Copelovitch and Pevehouse 2019). However, the combination of nationalism with populism is enough to expand the negative effects of nationalism at the regional or even global level. Populist nationalists tend to engage in transgressive politics that mix transformative fervor with exclusionary goals, resulting (for example) in territorial conflicts or anti-immigration actions (Jenne 2018). Furthermore, once populists are in power, they employ the "militant democracy" rhetoric to fend off those who confront them (Taggart and Kaltwasser 2016). In fact, they use the four strategies of democracy under attack identified by Capoccia (2005): militancy, incorporation, purge, and education. Majority is used to evade the possibility of effective opposition. So called "judicial reform" is used to change supreme courts, "civic education" indoctrinates future voters, and media "reform" is really an attempt to gain control or ownership over the free press. The language used to communicate and justify these actions is usually managerialist and majoritarian.

These leaders and their governments are contesting or totally withdrawing from their obligations to international norms and the international rule of law. Consequently, the multilateral institutions that are the foundation of the liberal international order since 1945 are being seriously challenged. In countries that experience the revival of populism and authoritarianism, leaders undermine core elements of democracy, threaten the independence and legitimacy of the judiciary,

devalue the centrality of a free press, and express contempt for the legislature (Rosendorff 2017).

This attack on liberal elements grows out of real or perceived threats to political regimes from the liberal World Society (Meyer et al. 1997). This is especially true in countries with competitive elections and illiberal regimes, whose policies and human rights records have been criticized by organizations and discourses in the international community. This fear is not unjustified, as many examples exist of local and international NGOs having substantial impact on domestic publics and policies, either directly or indirectly through what is termed as a “Boomerang effect” (Keck and Sikkink 1998), including Israel (Golan 2014). Bromley, Schofer, and Longhofer (2020) show that new laws to limit or curb international funding of local NGOs are part of a growing backlash against the liberal international order, which has been backing liberal ideas such as human rights, locally and internationally in the last several decades; an order of which NGOs and their funding are an important vehicle. Since the 1990s the international NGO sector began to amass significant clout globally, resulting in rising potential to essentially affect national societies. Consequently, many countries have seen a steady rise of restrictions on foreign funding to NGOs since the early 1990s (Bromley, Schofer, and Longhofer 2020; Dupuy, Ron, and Prakash 2016).

A second explanation adds a resource-dependence element to the causes of this trend. Dupuy, Ron, and Prakash (2016) tie foreign funding restrictions to an attempt to maintain sovereignty while maintaining the inflow of international aid, especially when this aid flows through local NGOs. In recent decades donor countries have often preferred to channel aid through non-governmental mechanisms. However, channeling aid through domestic civil society organizations can threaten the political control of ruling governments in aid-recipient low-to-middle income countries. Most states want to monitor and regulate such flows, for both instrumental and expressive reasons. Although aware that laws limiting foreign support of NGOs may cause aid reductions by disgruntled donors, governments in such countries see foreign aid to NGOs as support for their political opponents and a threat to their political clout.

However, Chazan (2020a, 2020b, p. 104) contends that such explanations, that are...

“based on economic factors and the distortions of globalization, on social and historical arguments rooted in discrete national contexts, on external reasons related to international involvement (or interference), and on institutional factors related to democratic consolidation and de-consolidation...”

are only true when political actors activate these forces in an intentional and orchestrated attempt to strip the regime of its liberal characteristics. Those in

positions of power use their popular and electoral support to promote polarization and to trump civic virtue. However, liberal forces do not remain idle, and react to this democratic regression with a mix of tactics, in what she calls a democratic Push-Back. Democratic regression brings counter-efforts in civil society, and these, in turn, bring increased attempts to limit civil society (Chazan 2014).

## 4 Manifestations in the Israeli Context

Pastor and Veronesi (2018) contend that financially developed countries with high inequality and current account deficits are more vulnerable to populism. Therefore, it is not surprising that Israel has been undergoing similar processes since the late 1970s. Electoral results demonstrate a rise of conservative nationalist parties, and inevitably, a consistent decline of the liberal left in Israel. This decline takes place not only in politics, but also in civil society, culture, the press, the media, and academia (Jamal 2018; Mizrachi and Mautner 2016). Consequently, Israel's Jewish population is characterized by a deepening chasm between supporters of democracy and civil rights and universalist liberal politics, and those who favor communitarian, traditionalist, and religious values. This division highly corresponds to the unresolved tension between the democratic and the Jewish character of the state (Mizrachi and Mautner 2016).

The shift to the right in Israeli politics was hastened by the collapse of the Oslo peace process, the five-year long Second Intifada (2000–2005), and the 2006 electoral victory of Hamas in the elections to the Palestinian Legislative Council (Feldman and Shikaki 2016). Political skepticism and exasperation have spread in Israel's Jewish population, even among many liberals (Navot, Rubin, and Ghanem 2017). Further contributing to the left-right chasm and conflict were the demobilization and moderation of a major part of the Israeli peace movement, in an attempt not to antagonize the Israeli public (Hermann 2009). Consequently, radical peace and human rights groups further invigorated their struggle against occupation, further radicalizing right-wing politics and organizations (Fleischmann 2016). Recent governments, led by the Likud party and headed by PM Benjamin Netanyahu, have been working to solidify conservative and nationalist ideas into the very core of the national psyche through politicization of the public schools' curriculum. The curriculum and educational policies promote separation between Palestinians and Jews, ideologically color education in the Jewish education system with ethno-religious ethos and narratives, and de-contextualizes education for the Palestinians in Israel by excluding ideology and politics from the curriculum for their schools, under the guise of good professionalism (Agbaria 2018). A fight over the narrative and over influence on the international community

has become a central dimension, and a pivotal contention point for unilateralists from the right. This is particularly true for any real or alleged connection with anti-occupation transnational social movements, such as the International Solidarity Movement and the Boycott, Divestment, and Sanctions (BDS) movement. Material support from these movements and from various European governments served to further decrease the legitimacy of the left within Israel (Fleischmann 2016).

In the efforts of the Likud party to preserve its power and advance its policies of resisting a political solution to the conflict with the Palestinians (which entails withdrawals from occupied territories and ending the building of settlements there), it is taking steps to dismantle or severely restrict societal and public institutions and bodies that act or can potentially act as opposition to these policies. Already in 2011, Chazan (2011a, 2011b), a political scientist who then was also the president of the New Israel Fund (NIF), identified a surge of neo-nationalist ideas and anti-democratic legislative initiatives targeted at the Israeli Arab minority and increasingly at “peace activists, human and civil rights organizations, academics (especially political scientists and sociologists), social justice groups, artists and performers” (p. 17). She very recently tied the current political crisis in Israel with the same anti-democratic process and the countervailing efforts to prevent Israel’s democracy from total collapse (Chazan 2020a, 2020b). The assaults were directed also at other gatekeepers of the democratic regime such as the Supreme Court, the free press and the freedom of artists to express themselves. These limitations, to be elaborated on below, challenge important pillars of Israel’s democratic regime and tradition, such as the division between government branches, and the freedoms of association, expression, and the press.

The strategies used to achieve these goals are *legal actions*, namely the enactment of formal laws, *administrative actions*, namely the use of rules and regulations, and *communicative actions* through smear campaigns in the press and the social media. We focus on the restrictions put on civil society organizations and link those, whenever possible, to the other arenas. We present new laws and regulations that went already into effect, but also bills under consideration, which might become laws at some point in the future. These bills, even if they will not become laws, create a negative atmosphere against certain civil society organizations, and single out individuals who are active or work in those organizations as “enemies of the state”. We will also focus on the smear campaign targeted at civil society organizations on the left, advocating human rights and social justice – especially the New Israel Fund – and the contexts in which they are being launched.

## 5 Case Study: The New Israel Fund (NIF)

The Israeli Third Sector, despite being predominantly service-oriented and heavily supported by the state (Almog-Bar 2016; Gidron, Bar, and Katz 2003; Katz, Gidron, and Limor 2009), includes also an increasingly large and sophisticated number of civil society organizations engaged in advocacy for various issues, including peace and the protection of civil rights of Palestinians. This group of organizations is not connected to the government and does not receive funding from it, have been relying more and more on funding from liberal Jewish donors and European governments. Paramount among those organizations is the New Israel Fund (NIF), a US-Israeli partnership, established in 1979 by a group of liberal American Jews who partnered with Israelis with similar ideas.<sup>2</sup> Its vision entails

“helping Israel live up to its founders’ vision of a society that ensures complete equality to all its inhabitants. (The) aim is to advance liberal democracy, including freedom of speech and minority rights, and to fight the inequality, injustice and extremism that diminish Israel”. (from NIF website)

Since its inception it has distributed over 300\$ million to some 900 civil society organizations. Its grantees are characterized as

“leading social change in Israel. (They) work on behalf of social and economic justice, advocate for the rights of Palestinian citizens of Israel, advance religious freedom, foster a shared society, combat racism, and promote human rights and democracy. NIF’s grantees are building a progressive movement in Israel to protect the very tenets of Israel’s democracy”. (from NIF website)

NIF is not only providing grants to civil society organizations, it also has a consulting branch – Shatil, which provides organizational counselling and support, creates coalitions and partnerships, etc.

Funding issues of high contention – from civil rights of Israeli Arabs or LGBT populations, to religious freedom (in a country where religion is not separated from the state), it highlights the reality of certain populations and juxtaposes those with the ideals presented in Israel’s Declaration of Independence. As an advocacy entity, NIF did not receive support for its work from former Israeli governments. The present Netanyahu government places NIF as a major “enemy of the state”, and engages very often in depicting it as such.

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<sup>2</sup> The NIF, and another organization mentioned herewith - Breaking the Silence, were also analyzed in a recent study comparing the shrinking space of the third sector in Israel and Turkey (Tepe and Rubin 2019).



PM Netanyahu himself is leading this practice. In a social media post he placed on April 2nd, 2018 he writes:

“NIF is a foreign organization that receives its funding from foreign governments and from sources that are hostile to Israel, such as the George Soros Foundation. The overall objective of NIF is to erase the Jewish character of Israel.... For dozens of years NIF funds anti-Zionist and pro-Palestinian organizations, among them those that are slandering Israeli soldiers (...) Therefore I asked the coalition’s chair to form a Parliamentary Inquiry Committee to look into the activities of NIF, which endangers the security and the future of the Israel as a Jewish State”.

This attack is based on the fact that NIF is funding organizations such as B’Tselem and Breaking the Silence. B’Tselem (in His image) – The Israeli Information Center for Human Rights in the Occupied Territories - strives to end Israel’s occupation, and is devoted primarily to documenting Israeli violations of Palestinians’ human rights in the West Bank (including East Jerusalem) and the Gaza Strip. B’Tselem publishes statistics, testimonies and eyewitness accounts, video footage and reports (from B’Tselem website – [https://www.btselem.org/about\\_btselem](https://www.btselem.org/about_btselem)). Breaking the Silence is a nonprofit organization made up of veteran combatants who have served in the Israeli military since the start of the second intifada, and have taken it upon themselves to expose the public to the reality of everyday life in the occupied territories. The soldiers’ testimonies published by the organization portray a grim picture, in which the deterioration of moral standards in the army due to the prolonged occupation finds expression in the character of the military orders and rules of engagement that the state considers justified in the name of Israel’s security (<https://www.breakingthesilence.org.il/about/organization>).

The rhetoric and discourse used against such organizations and those who support them is one of delegitimization. Using rightist populist language, it portrays the supporters of human rights as “traitors” (Chazan 2011a, 2011b, 2014, 2020a, 2020b; Fleischmann 2019; Sprinzak 2000). This goes beyond attacking the organizations themselves and their funders, and includes the Supreme Court, which protects activities of civil society organizations on the basis of them being legal entities that do not break any law. This reasoning leads to proposals for revisions in the way Supreme Court judges are nominated and for laws bypassing rulings by the Supreme Court. The delegitimization of the NIF is so pervasive, it is used to delegitimize other organizations and publics that protest the government by accusing them of being funded by the NIF. For example, during the 2011 social protests (dubbed ‘Occupy Israel’ by Alimi 2012), the protests were delegitimized by linking them to left-wing civil society organizations, and particularly the NIF (Gordon 2012; Maidhof 2016). This use of disinformation, fake news and even lies is frequent in all levels of the campaign against the supporters of human rights. In

one case PM Netanyahu accused the NIF of blocking an agreement between Israel and Rwanda regarding sending African refugees from Israel to Rwanda. In response, the Rwandan president said he never heard of the NIF. It also includes the use of right-wing NGOs, which are set to further government-supported policies. These include NGOs that engage in furthering the settlement activity, as well as organizations expressly focused on spreading right-wing ideologies, such as “Im Tirzu” (“If you will it”) and the Forum for Zionist Strategy. These NGOs engage in aggressive political and media campaigns against human rights organizations to silence these organizations, and to deflect donations meant for them (Jamal 2018).

On the formal legal front, several laws and bills were put forward to limit organizations that are deemed “dangerous”. Among them:<sup>3</sup>

- An amendment to the NPO Law of 2011, which requires all NPOs to report foreign funds; those who receive foreign funding are required to report not once a year but every quarter.
- The Budget Foundations Law of 2011 expressly denies funding to NGOs on the basis of their political opinions. That legislation blocked funding to anyone denying the Jewish character of Israel. Furthermore, funding can be revoked from institutions who reject Israel’s character as a Jewish state or mark the country’s Independence Day as a day of mourning.
- The Law of Labeling NPOs (2016) requires NPOs whose funding comes from *foreign countries* to report that fact to the Registrar of NPOs and to indicate that fact clearly in their formal documents and when they are negotiating with government ministries. That law went into effect in 2018. This law intends to single out mostly human rights organizations that are supported primarily by European governments as well as by the European Community. An attempt by the opposition to include in the same law donations from *foreign private sources*, which are the main supporters of the settlement activity, was not successful.
- The regulation to increase the minimal sum of anonymous private donations which requires full disclosure from 20,000 NIS to 100,000 NIS, which favors NPOs supporting settlements that receive funding from private sources that often would want to stay in the shadow.
- An amendment to the Law of National Service, to exclude organizations that are funded from foreign sources, and whose target populations are non-Israelis (except refugees), from the list of NPOs eligible for such volunteer workers.

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<sup>3</sup> For a fuller list of laws and bills see <https://law.acri.org.il/en/wp-content/uploads/2018/10/Overview-of-Anti-Democratic-Legislation-October-2018.pdf>.

- Amendments to the Law of Compulsory Education to prevent access to schools from certain human rights organizations. Schools that still insist on giving voice to this side of Israel's political landscape, experience shaming campaigns by government and nongovernmental right-wing actors (Jamal 2018).

Among the bills that are currently being proposed and considered by the Knesset we find the following:

- Denial of tax rebates from organizations that act “against Israel”.
- Denial of representation in the Supreme Court from organizations that act on behalf of Palestinians who are trying to protect their rights vis-à-vis the Israeli military bureaucracy in the West Bank.
- NPOs supported by a foreign country, should be charged double the regular fee for a request for information under the Freedom of Information Act.
- Denial of discounts in municipal tax to NPOs receiving foreign funds.
- Obligation to appear in Knesset committees enforced on representatives of civil society organizations, with the idea of exposing those organizations and shaming them.
- Withdrawing or preventing funding from theater and film productions that are considered anti-Israeli by the government and particularly the Minister of Culture.

To summarize, under the pretext of “protecting the national security” and the “Jewish character of Israel” a major campaign is launched against civil society organizations and their supporters, particularly against those organizations protecting universal human rights and the rights of minorities and “enemy” populations. These are not new, and were already described by various scholars (Chazan 2011a, 2011b, 2014, 2020a, 2020b; Golan 2014; Fleischmann 2019). The campaign against civil society organizations that are supported from “undesired” foreign sources is using a host of strategies, which are targeted towards institutions and frameworks that are at the base of a viable democracy. Fleischmann (2019) ties the changing status of left-wing civil society organizations in the Israeli context with changes in the Israeli political opportunity structure (Meyer and Minkoff 2004; Tarrow 1996) as a result of several dramatic events – the Second Intifada (Palestinian violent uprising in the years 2000–2005), Sharon's disengagement from the Palestinians in the Gaza strip in 2005 (the unilateral dismantling of the Israeli settlements in the Gaza Strip), the military subsequent interventions in the Gaza strip and the adverse international response that followed (particularly, The United Nations Fact Finding Mission on the Gaza Conflict, also known as the Goldstone Report, which accused both the Israel Defense Forces and the Palestinian militants of war crimes and possible crimes against humanity). These events

were tied to political changes in Israel, such as decline in support of human rights agendas, the election of increasingly right-winged governments, and failed peace initiatives and summits. All of these caused the liberal Zionist component to become politically irrelevant, left-wing NGOs had lost their allies within government, and their manifestations in the Israeli public sphere have become (or appeared to be) more radical and anti-Zionist. The failure of their actions within Israel drove them to direct their influence outwards, internationally, which further alienated the Israeli public from them. Following these dynamics, components of Israeli left-wing civil society experienced different cycles of contention (Tarrow 2011). While the liberal Zionists demobilized, the human rights component went international, and radicals experienced a surge in organization and contention. The success of Likud governments and their NGO allies to repress and de-legitimize left-wing NGOs, argues Fleischmann (2019), shows how domestic political opportunity structures determine the space available for contention in civil society.

However, inevitably, any movement is met by a countermovement. Left-wing and human rights NGOs haven't remained passive, and the ongoing assault by government and its allies affected their strategies in various ways. Israeli NGOs found ways to bypass constraints through changing tactics, including by reframing their work and connecting with international actors (Fleischmann 2019; Golan 2014). Chazan (2014) defines these actions as a push-back against the erosion of Israel's democracy.

## 6 NIF's Reactions to Encroachments

### 6.1 Method

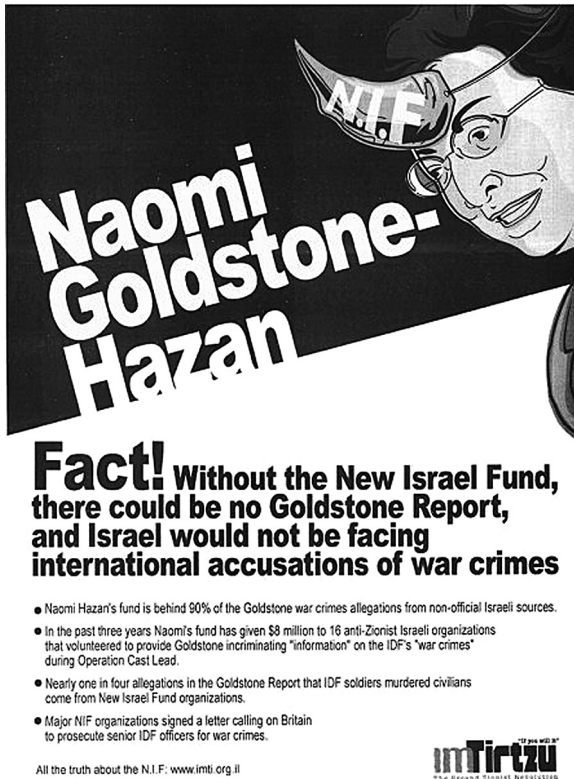
The following section depicts the reactions to encroachment as expressed in interviews with former and current NIF leadership in the last 20 years – Prof. Naomi Chazan (former president), including written descriptions of the events of 2009–2010 (Chazan 2011a, 2011b); Rachel Liel (former director); and Mickey Gitzin (current director). The interviews were guided by a semi-structured questionnaire, and were conducted via videoconference in March and December 2020. The leading questions were: “Can you tell us about the steps the state, the media and other organizations have taken against the foundation in recent years? What has the fund done in response to these measures and/or to prevent future measures?”, after which we let the interviewees narrate freely. Where needed, specific questions were used to prod for more information, including about NIF board discussions, collaborations with other organizations, and specific actions by the NIF.

The interviews were recorded and transcribed, and then analyzed using the process of thematic analysis as described by Braun and Clarke (2006), which allows for a structured thematic analysis, while maintaining the flexibility inherent to this method. The analysis was performed at an explicit (or semantic) level (Boyatzis 1998), also called “naive realist” (Madill, Jordan, and Shirley 2000). The interviews were analyzed using “repeated reading” (Braun and Clarke 2006), in order to identify key and repeated arguments within and between the interviews and group them into themes. The interviews were conducted in Hebrew, and were analyzed in Hebrew. The quotes below are our own translations of the original statements. The analysis of the interviews unveiled several themes. First is the delayed realization of the real sources and causes of the attacks. A second theme was the response of the NIF, which contained two sub-themes: media work (and its professionalization), and strategy. Finally, the interviews repeatedly raised the mixed effects of the whole process.

## 6.2 Sources and Causes of Attacks

The first attacks after the Goldstone Report were voiced by activists in right-wing organizations such as *Im Tirzu* and *NGO Monitor*. Thus, at first, many at the NIF took this at face value and as an anecdotal and transient issue: “...they didn’t understand the depth of the problem ... even accused me of spreading a conspiracy theory [laughing]” (N. Chazan). Despite that much of the attacks were directed personally at her, Chazan felt right away that these attacks are actually against progressive civil society and human rights, and targeted at the heart of Israel’s democratic regime in (Figure 1).

Later, right-wing politicians joined the attacks, in what our interviewees view as a strategic campaign. When the Prime Minister called for a formation of a Knesset Inquiry Committee into the operations of NIF they realized that: “it was an orchestrated campaign against progressive civil society with the intention of discrediting, de-funding and de-legitimizing them, which has been accompanied by the cultivation of competing civil society groups supportive of the government and its policies” (N. Chazan). What stood behind the attacks, according to Chazan, was a “majoritarian project designed to reconfigure societal norms and, by extension, redefine the terms of membership in Israel’s fragile and highly fractured society” (Chazan 2011a, 2011b, p. 18). It became clear that NGOs slandering NIF are “in fact working on behalf of the Prime Minister and his right-wing politicians who are interested in delegitimizing us” (R. Liel).



**Figure 1:** Im Tirzu's personal attacks on Naomi Chazan (Misspelled as Hazan). The Hebrew word for foundation (keren) also means an animal's horn.

### 6.3 Delayed Response

As noted by Chazan, it took the NIF a while to figure out what is happening and respond. Her immediate recognition of the true nature of the attacks faced some opposition in the NIF leadership. As time passed it became apparent that these efforts were part of a much broader campaign. Indeed, our interviewees noted that: “we were not prepared” (R. Liel), “we didn’t expect that” (M. Gitzin), and “it was meditated long before we noticed” (N. Chazan). Chazan added that during the campaign in the Knesset to form a Parliamentary Inquiry Committee against NIF, “our board was meeting in New York and was unable to react ... It took a few months to create a different infrastructure that could deal with these attacks” (N. Chazan). It took NIF some time to digest that it is facing a battle that uses

different tools from those known thus far, and that it too “needs to use different strategies in this new reality” (M. Gitzin).

## 6.4 Reactions

Reactions to the new situation took place at different levels. Early tactical changes affected the composition of the NIF’s staff and the style of its media response, and eventually led to a broader strategic reorientation. Changes in NIF’s response were gradual, and “had to do both with the change in the personas involved in the NIF, and the experience accumulated from years of dealing with these attacks” (N. Chazan).

### 6.4.1 Change in PR and Media Strategies and Tactics

At first, the NIF treated the crisis as a public relations issue, and altered its tactics. It attempted to reach right-wing audiences by negating the attacks with factual evidence, but “it was realized that this strategy is a waste of time” (M. Gitzin). Similarly, with their campaign’s target audience: “It seemed that the attacks of the right-wing campaign, which uses lies and fake news and doesn’t apologize for it, were targeted towards its own supporters, ignoring and disregarding the other side, not caring what they think of it” (R. Liel). So, NIF soon stopped trying to influence right-wing supporters, and targeted NIF (and democracy) supporters, in “order to strengthen that democratic camp and to unify it” (M. Gitzin). Another realization was the relative weakness of the NIF in the mainstream media, that is “owned by large business and strongly influenced by government” (M. Gitzin), after which the NIF focused on working with the digital media.

Initially the leadership thought that if only the Israeli public would be exposed to the facts about the wide variety of issues that the NIF supports, which included also less contentious issues in the Israeli context, like public housing and religious pluralism, it would ease the criticism. NIF increased openness and transparency, presenting its lists of grantees and grants, stressing the balance between the different issues supported. With time, the NIF moved from a passive to an active media strategy, including hiring a lobbyist to work in the Knesset. Also, initially NIF thought it needs to react each time it was under attack; eventually it was understood that “this is exactly what their opponents aim to achieve, and what

they use for further slander ... and attempts to convince the opposition are futile” (R. Liel). This policy was changed into one of evaluating each attack and reactions became much more strategic, calculated and sophisticated: “from the offensive to the trenches” (M. Gitzin). As the NIF became itself the target of the attacks, it became obvious that the NIF must advocate for itself, not just for its grantees. When the attacks and their rhetoric intensified, the NIF also radicalized its own rhetoric by describing the situation in the occupied territories in terms of “Apartheid” (R. Liel). However, tension emerged between those who suggested to “calm things down, focus on the ‘positive’ [uncontroversial] endeavors of NIF” (N. Chazan), and de-emphasize contentious grantees. Eventually, the understanding of the real project behind the attacks brought NIF to adopt a strategy of exposing the government’s intentions by raising the broader issues of the right of free speech and freedom of association. As an expression of that, its slogan was that “an attack on the NIF is an attack on democracy” (N. Chazan).

Part and parcel of this change was the professionalization of NIF’s PR work, as well as its strategic management and impact evaluation. The transformation in its media and PR strategy required NIF to be much more sophisticated in the new public opinion arena. When the limitations on NGO funding by foreign governments went into effect, NIF hired a lobbyist. Before that, Chazan, as a former MK, discretely used her informal contacts with other politicians, including Likud members, “to topple ideas regarding the formation of a Knesset Inquiry Committee against NIF” (N. Chazan). All three interviewees commented that the selection of the current chief executive was due to his proven track record in crisis management and public campaigns.

#### 6.4.2 Overall Strategic Change

Our interviewees pointed to some more fundamental changes that have unfolded in the long run. The NIF transformed “from a ‘do-good’ community oriented mindset to a political and media-focused mindset”, which required the NIF “to step out of its comfort zone. It was a process, since the staff had no training in crisis management” (M. Gitzin). Within that, the NIF had to rearticulate its agenda and its mission, and “change its orientation from the idea to create and support civil society organizations in order to strengthen democracy, to the idea that there is a need to support democracy and democratic institutions in order to enable a vivid and progressive civil society” (R. Liel). This added new grantees involved in infrastructural activity, such as think tanks, political education, Jewish-Arab collaborations, and democratic leadership. “In this battle, civil society organizations are in the front lines. They are the ones who file petitions to the Supreme Court when breaches of basic norms are taking place” (M. Gitzin).



The adaptation to the new circumstances included also new collaborations with a large variety of institutions on the left of the center of the political map, including some supported by government. NIF also encouraged formation of coalitions and forums of human rights organizations to develop strategies to defend Israeli democracy.

The support of radical organizations, which was at the heart of the attacks, became a controversial issue in the NIF. Reducing the visibility of these grants did not result in stopping the slander and did not increase donations, so a counter policy was adopted: “NIF has to be relevant in Israel and stand behind its ideological stance and identity – this is who we are!” (R. Liel). However, “support to such organizations is not automatic. It depends on their contribution to the overall campaign to safeguard democracy” (M. Gitzin). Still, they do not stop supporting controversial organizations, in order “not to hurt solidarity, or our legitimacy within the [democratic] ‘camp’” (M. Gitzin).

## 6.5 Effects

From the NIF’s standpoint, the effects of the attacks were both positive and negative. All interviewees mentioned an overall “chilling effect”, which affected other organizations, the court system and the media. Those two pillars of democracy “became hesitant and are careful when working with NIF” (R. Liel). Organizations and activists were hesitant from being linked to the NIF: “self-censorship by organizations hindered collaborations” (R. Liel). Some existing collaborators backed off, and some have “moved behind the scenes, especially donors and the government [Ministry of Justice]” (M. Gitzin). Quite a few donors withdrew or decided not to continue their support because of the attacks. Some pressured the NIF to divest from the controversial grantees.

However, while the attacks affected NIF’s traditional donors from abroad, new donors took their place. Furthermore, donations from within Israel increased significantly. NIF’s direct campaign against Netanyahu “...galvanized support in Israel, even from the more moderate left, such as [former Knesseth member] Shelly Yachimovich [Labor party], and significantly increased domestic contributions” (M. Gitzin). Also, a public opinion poll showed that NIF’s public visibility has increased, as was the public’s receptiveness to their messages. This was evidence of a shift in public opinion, and better public understanding of the interests and agents behind these baseless attacks. This shift in public opinion also facilitated collaborations between organizations, not just with the NIF. The attacks also radicalized many left-wing organizations, and “encouraged them to shift their advocacy to foreign audiences in an attempt to mobilize international pressure on

government” (R. Liel). Obviously, this made their opposers more radical in “a vicious cycle of antagonism” (N. Chazan).

## 7 Discussion

Political and social changes in recent decades exacerbated the challenges and threats faced by civil society in an era of declining liberalism in formerly liberal democracies and new transitional democracies (Anheier 2017). This decline is rooted in a series of dramatic global destabilizing events (9/11 attacks, 2008 economic crisis, refugee crisis, the COVID-19 pandemic), and is facilitated by changes in the nature and technology of communications and mass media (web2.0, social networks, fake news, media manipulation). These developments instigated a major geopolitical shift, manifested in democratic regression – evident in the resurgence of populism, non-liberal democracies, fear politics, extreme right-wing parties and ideologies, as well as infringement on democratic watchdogs such as the free press and supreme courts. Part and parcel of this process is a backlash against globalization, increasing nationalism, and the ensuing restructuration of international relations, giving rise to unilateralism, protectionism, anti-terrorist and anti-money-laundering measures. Being active citizens in the global and national arenas, local and international civil society organizations are both agents and subjects in the midst of this ferment.

These forces and processes did not skip Israel. Examining this argument through the lens of state-civil society relations, we find that Israel demonstrates all of these developments. Israeli government has taken overt and covert, direct and indirect actions to thwart civil opposition from the left, restricting the space available for civil society organizations, particularly those that profess liberal principles of universal human rights, and oppose the occupation and the stalemate in the peace process. These disconcerting processes have been hastened recently, as Israeli leadership resonated with the Trump administration and its rhetoric.

In Israel these measures took various faces, including legislation, inequitable regulation, and media and public attacks on organizations and individuals, first foremost on the NIF and particularly NIFs former president, Prof. Naomi Chazan. These attacks attest that Israeli right-wing governments and their NGO allies perceive left-wing NGOs as having significant power and influence on public opinion and policy, despite the fact that the “peace camp” has weakened substantially, electorally and otherwise (Golan 2014). Despite the current situation, this notion is not unfounded. Golan (2014) brings many examples to the effects that left-wing NGOs have had on the change in public opinion and policy in Israel, which resulted in the acceptance of ideas such as a two-state solution, the

existence of a Palestinian people and criticism against the Israeli army, which became undeniable even among many right-wing actors and voters.

One attempt to explain such attacks in other contexts (Dupuy, Ron, and Prakash 2016) contends that ruling elites in low-middle income Aid recipient countries struggle to mitigate the political threats inherent in aid being channeled through NGOs, but are wary of the risk of losing aid altogether due to restrictive policies. Indeed, it appears that right wing governments see the actions of human rights NGOs and their supporters as a threat (Golan 2014), and especially their international activity and connections. Israel, however, is a high-income economy, although it enjoys massive US military assistance and also receives several Billions of US\$ in donations to NGOs, mostly from Jewish US donors. Presumably, the close alliance between Donald Trump's and Netanyahu's governments further emboldened the actions taken by the latter. It may be assumed that without this automatic support, the counter pressure from the less supportive EU, alongside the pressures from liberal world society actors, as suggested by Bromley, Schofer, and Longhofer (2020), would have tempered the restrictive policies. Thus, the Israeli case demonstrates that motions to suppress civil society can come not only from resistance to pressures towards liberalism, but also from willing (or pressured) agreement with illiberal forces.

And still, as Chazan (2020a, 2020b) contends, these international political dynamics require concerted action on the national level to materialize on a national context. The story told by the NIF leadership supports the assessment that the attack on the fund and on other liberal actors in Israeli society and polity was a well-planned, preconceived and coordinated effort by state and non-state actors to alter the nature of Israel's polity and reduce its regime from a substantive democracy to a procedural one. And indeed, as suggested by Fleischmann (2019), changes in the internal political constellations in Israel have shifted the political opportunity structure, thus limiting the space available for liberal civil society to act, while providing right-wing governments and their NGO allies the legitimization and opportunity to further encroach on the liberal forces in Israel's polity.

However, action inevitably generates reaction, and every movement has its countermovement (Meyer and Staggenborg 1996). The assault on civil society did not remain unanswered. The deterioration of democracy and the curtailing of civil society has also mobilized organizations such as the NIF to respond. A democratic Push-Back is manifested through counter-efforts in civil society (Chazan 2014). Fleischmann (2019) tells of a radicalization process in the anti-occupation movement in Israel, and changing tactics and internationalization as a repositioning towards a fiercer battle for Israel's democracy. Our case study of the NIF also shows these effects on left-wing NGOs, including a process of clarifying their own audiences, professionalizing their internal operations, and altering strategies, as a

response to the attacks. Strategies are adjusted outwardly, in their media and public relations campaigns, but also inwardly, in their choice of actions and targets. And so, despite the disconcerting evidence of civil society encroachment, perpetrated by increasingly illiberal governments on the ground, countervailing efforts are also at play, as domestic civil societies learn and adjust to their new circumstances.

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