This chapter is divided into three main sections. The first part presents the reader with the accumulated body of facts with regard to the Israeli response to extremist phenomena and political violence throughout the history of the State of Israel. The second part of the chapter assumes a comparative perspective between the Israeli response and that of other Western democracies, principally, the United States and Germany. The third part of the chapter highlights the theoretical developments accompanying the analysis and submits questions which remain unresolved and worthy of future investigation.

This chapter has three principal objectives. First, on the basis of the findings of the first four chapters, it will provide a synopsis of the Israeli response to Jewish extremism and political violence. This will extend from the early days of the State's existence until the beginning of the new millennium, with an emphasis on current developments. Such a historical perspective will enable us to assess the degree of success of the Israeli 'defending democracy' in moving from the 'militant' pole to the 'immunised' pole on the continuum of the policy of response. An attempt is made to find the 'golden path', that is, a middle way which reconciles between the state's duty of and right to self-protection in the face of its adversaries, on the one hand, and avoidance of a descent into counteractive strategies deviating from democratically legal and moral frameworks, on the other. Then, in the second part of the chapter, the Israeli response is viewed in a comparative perspective with policies of other democracies, specifically, the United States and Germany. Drawing a comparison with these countries will help clarify conclusions arising from previous chapters. It will also help answer the question: to what degree are these conclusions applicable to the response policies of other democracies? Finally, the theoretical issues deriving from this research are presented and several questions which remain unanswered and deserve further discussion are addressed.

The 'defending democracy': From the 'militant' to an 'immunised' route?
price in terms of democracy.

goaded by its citizens and their representatives to strike as forcefully as possible at those perceived to be its 'enemies', whatever might be the
doctrine of Israeli society. Until liberal democratic ideas are internalised by the majority of the different walks of life in Israeli society, the State will be

response must also be extended and the principal expression of this must be the strengthening and fortifying of the democratic infrastructure

than just a reduction in the intensity of the State's response to extremism. In order to arrive at the goal of 'immunisation', the scope of the

The bill was hastily pushed before the Knesset in direct response to many of the Jewish public's gut reaction to Arab Members of Parliament

designed to restrict the freedom of expression of Arab Members of Parliament who condone guerilla and terror forces operating in southern

reformation process and may in fact culminate in a reversal in policy. An example is the bill attempting to outlaw support for terrorist

sektion offence, the Ordinance for the Prevention of Terrorism should also be limited. This should also apply to a variety of administrative

seeks to anchor its response in a legal framework which relies on a genuine notion of the rule of law, then, in addition to the annulment of the

interpretation and demand decisive proof regarding the actuality of the offence, as stipulated by the law, before declaring guilt. However, in

the prosecution of incitement offences. The new law will create a situation in which the prosecution of criminal incitement to violence will be a

Although this draft law has provisions which may restrict the boundaries of freedom of expression in this country, it is still a noticeable

such an act – whereupon the contents of the appeal or the circumstances in which it was made public are liable, with great likelihood, to bring

was a criminal offence. In the words of the law's proposal: 'An individual who publicly appeals for an act of violence or expresses support for

accounting for its actions, will now be more clearly defined.

direction of the 'immunised' pole by the very fact that, for the first time, the objective and powers of the

third reading, and thus its final passage into law. This law, even if flawed, has the potential to edge the State, even if only a few steps, in the

substantial progress effected in the initiative to secure the

changed Israel into a state for all its citizens does not negate the existence of the State of Israel as a Jewish state.

of opinion, the authorities are now trying to contain this discourse within the acceptable limits of the law. For example, Justice Mishael Heshin,

the judge's conclusions. However, they are still in fact an indication of the judiciary's inclination to preserve the broad boundaries of public

judicial and political systems in Israel toward extremist parties reveals a minimal enforcement of restraining laws originally adopted by the

Chapter 1

's status in law. In the summer of 2001, the

Kach

or

Kahane Hai.

Furthermore, if the State of Israel indeed

as well as the means of

reviewed the State's response to extra-parliamentary and violent manifestations of political extremism. It stressed the dual nature of the State

developments undoubtedly contribute to the 'immunisation' of the Israeli democracy.

discourse in Israel and its intent to ensure representation in the legislature for as many sectors of the population as possible. These

grounds for the assertion that there is little danger of a substantive restriction of the boundaries of public discourse by the non-registration or

representatives of the judiciary's authority.

State. It demonstrates an earnest regard for the protection of democratic rights on behalf of the legislature but even more so on behalf of

judicial and political systems in Israel toward extremist parties reveals a minimal enforcement of restraining laws originally adopted by the
Some of its main manifestations are hostility towards various groups, disdain for liberal values and the rule of law, and a tendency to regard

This evaluation is based first and foremost on ill winds which have been blowing for many years now among different sectors of Israeli society.

in the country reveals the not unlikely prospect of movement in the direction of the 'militant' pole.

While my heart is with the second alternative, that is, the 'immunisation' of the Israeli democracy, a glance at social and political reality

measures against expressions of extremism and violence.

However, that alternative will be able to hold its own only if the State and the 'pro-democratic civil society' are successful in establishing a

opposite direction. This predicament has raised doubts over the continuation of the State's restrained response to the agents of extremism

regards the social underpinnings of extremism the movement along the continuum is much slower, and at times may even seem to be in the

extremism and violence has renounced the 'militant' pole of the continuum and instead is making its way towards the 'immunised' pole, as

From the above, it may be deduced that the State of Israel today is at a crossroads. While its policy of response to symptoms of political

at least for the near future, Israeli pupils and students are destined to undergo an exhaustive and persistent socialisation in ethno-nationalistic

still limited, the resources at their disposal are in short supply and their access to the education system is restricted. Therefore, it seems that,

The odds that this education policy – which once again weakens the prospects of instilling democratic values in Israeli society – will be

one thing nor the other. First, it rejected the implementation of the Kremnizer Report and frustrated the reformation of citizenship education.

The fly in the ointment, however, concerns the non-liberal constraints on Israeli democracy involved in the processes of policy-making, which

public will be significantly strengthened.

It can therefore be inferred that if the Kremnizer Report's recommendations are fully implemented, thus leading to the substantial

the course. This outcome implies that even the limited efforts invested by the State in the inculcation of democracy have yielded their first

the introduction of pupils to significant personages in the history of Zionism.

Second, the Shinhar Report, which was intended to build up the inculcation of Israeli heritage in schools yet proposed to do this in the context

and launch a revolution of values in the state-run schools with the purpose of bolstering Jewish national identity among pupils. And, indeed, in

the other aspect of the Israeli union of Judaism and democracy, that is, the delivery of instruction in democratic values? The minister's decision

of a humanistic and pluralistic approach, was interpreted by the Ministry's directors in such a way as to stress its ethno-nationalist

on this issue was unequivocal. Livnat declared that the recommendations of the Kremnizer Report were not to be implemented at that stage

the other aspect of the Israeli union of Judaism and democracy, that is, the delivery of instruction in democratic values? The minister's decision

all over the world strive to inculcate their national traditions among their pupils. Still and all, according to Minister Livnat, the main goal of

Politician, was appointed minister of education. One of Livnat's first formal statements on taking up her appointment was to the effect that she

the introduction of pupils to significant personages in the history of Zionism.

However, this is neither the only nor the outstanding problem stemming from the non-liberal socio-cultural infrastructure. This type of

inter alia, Prima facie, the teaching of texts from the

But what about

and the

Supreme

and the

Torah

and
than other constitutions allow.

The German constitution refers to domestic emergency situations and grants authorities permission to deal with them in a more decisive manner. This importance of a stable democratic system of governance and thus provides authorities with more 'space' in their attempts to defend the state.

Organisations.

In the many changes and improvisations in the Israeli policy of response toward both political parties and extra-parliamentary extremist organisations, the country has all experienced the varied phenomena of extremism and political violence in past decades and all were compelled to contend with these challenges.

The choice of the United States and Germany as democracies with which to compare the Israeli case study is not random. Although these are countries with profound historical, cultural and political distinctiveness, a comparison among them will serve the purpose because these democracies have all experienced the varied phenomena of extremism and political violence in past decades and all were compelled to contend with these challenges.

Comparing with the American and German democracies, the product of this effort may afford insight as to the model's inherent potential. Therefore, in the following paragraphs, the same model of analysis of the 'defending democracy' will be used to compare the Israeli case to other democracies subject to internal threats, specifically, the American and German democracies.

While such solutions are not perfect, it is my view that if and when the State elects to adopt them, its prospects of moving slowly but surely toward the 'immunisation' of the country will be enhanced. At the same time, the autonomy they enjoy enables them to fill an important role as a critic of the 'defending democracy'. Without putting them to the test of additional cases. Therefore, in the following paragraphs, the same model of analysis of the 'defending democracy' will be used to compare the Israeli case to other democracies subject to internal threats, specifically, the American and German democracies.

The State, and that may be of some benefit in moving the 'defending democracy' in the direction of 'immunisation'.

At this point, we once again encounter the non-liberal character of the 'pro-democratic civil society' in Israel must be autonomous and free to act. At this point, we once again encounter the non-liberal character of the 'pro-democratic civil society' in Israel must be autonomous and free to act. The 'civil society', it seems that the State should continue the process of its liberation from the 'statehood' mentality and expand even further. Of course, we are speaking of a very condensed attempt to conduct a comparison employing this analytic framework; however, the range of social organisation activities. Although, at first, the chances are that a number of organisations closely affiliated to the State will not be able to find other sources of finance. At the same time, the autonomy they enjoy enables them to fill an important role as a critic of the State. Therefore, in the following paragraphs, the same model of analysis of the 'defending democracy' will be used to compare the Israeli case to other democracies subject to internal threats, specifically, the American and German democracies.

State of Israel has gradually eased its iron grip on many economic sectors and allowed other forces to take its place. Therefore, with regard to the 'pro-democratic civil society', it seems that the State should continue the process of its liberation from the 'statehood' mentality and expand even further. However, a change in the nature of the Israeli pupil's familiarity with political and social reality in the country is not the only aspect which may undergo difficulties, especially of a financial kind, as the survey reported here shows, those not dependent on state economic support would be able to find other sources of finance. At the same time, the autonomy they enjoy enables them to fill an important role as a critic of the State. Therefore, in the following paragraphs, the same model of analysis of the 'defending democracy' will be used to compare the Israeli case to other democracies subject to internal threats, specifically, the American and German democracies.

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Some of its main manifestations are hostility towards various groups, disdain for liberal values and the rule of law, and a tendency to regard the 'discriminating tools' as an essential part of the response to the 'pro-democratic civil society' in Israel must be autonomous and free to act. Therefore, in the following paragraphs, the same model of analysis of the 'defending democracy' will be used to compare the Israeli case to other democracies subject to internal threats, specifically, the American and German democracies.

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detailed guidelines for the disqualification process, thus constituting a safeguard which helps ensure structural commitment to liberal values.

The political arena and ordered it to be dismantled and stripped of all of its assets.

The liberal United States' approach toward the NSPA might be explained by two variables. The first, socio-historical explanation is the American tradition of sanctifying the freedom of the individual. The other variable is more practical – the fact that, due to structural barriers, the NSPA enjoys no such protection.

Despite these exceptional disqualification procedures carried out by Germany and Israel, the two countries have demonstrated a rather high commitment to liberal values. In the years following these disqualifications, extreme right-wing parties surfaced in both countries. In Germany, there was the NPD (Nationaldemokratisch Partei Deutschland), a party that was closely associated with the Federal Republic of Germany. However, in Israel, the party's leaders, Kahane, were banned on grounds of being anti-democratic and racist.

In Israel, similarly, only two extreme right-wing parties have been disqualified, Kahane's party and its splinter party, Kahane Hai. Both parties were banned under Israel's section 7A of Basic Law: The Knesset (1958), discussed elsewhere in length, sets similar barriers for extremist parties.

In the United States in two major senses. First, both countries have variants of the multi-party system, and, second, both have adopted legislation aimed at preventing the representation of extreme parties in their parliaments. The United States, with its strong two-party system, and Germany, with its 5 per cent representation threshold, enjoy considerable structural barriers to establish democratic foundations in society and the status of the 'pro-democratic civil society'.

As noted in chapter 1, clause 21 of the German Basic Law, from 8 May 1949, sets very strict standards as to the kinds of political parties that are entitled to take part in elections to the legislature. For example, the law demands that the internal organisation of parties conforms to democratic principles. Moreover, political parties which, by reason of their aims or the behaviour of their adherents, seek to malign or abolish free democratic basic order or endanger the existence of the Federal Republic of Germany, shall be declared unconstitutional by the Federal Constitutional Court.

Therefore, when considering electoral and party system variables, it should be noted that a system that permits more than one party to contest an election, and thus engage the electorate in a contest for power, also permits extreme parties to contest an election and thus engage the electorate in a contest for power.

In order to make the most of the comparison between the three cases, I will examine them from the perspective of the same two levels of analysis on which this book is based. The first level is institutional, political parties or, more explicitly, the State's attempt to control the political parties. The second level concerns the social sphere or, more explicitly, the State's attempt to control the social sphere.
priority to security issues even at the price of undermining civil rights.

interrogations. This regulation excluded many Germans from employment in the public sector and many others had to face unpleasant
terrorist organisations. Moreover, the German Government adopted the 'Radicals' Decree' policy, which sanctioned restrictions on radical
be found in amendments 129 and 129a to the Penal Code, the purpose of which was to impose stricter limitations on attempts to form
imprisonment. This law was subject to severe criticism and was thus made void in 1981. Further expansion of the 'criminal justice model' may

the states of the German Republic. These regulations also gave extra powers to the Federal Criminal Police Office as well as the BfVS. Left-wing
this policy was 'probably among the most repressive anti-terrorist legislation in existence in a liberal democracy'.

response to violent political acts. These political and cultural contexts led American authorities to adhere to a narrow interpretation of 'the criminal
response to terrorism, did not seem to effect a radical change in agency activities. According to Deputy Director Robert M.
dignity of all protected by the FBI, compassion, fairness, and total integrity.'

justice model', especially following the appraisal of its constitutionality by the Supreme Court.

democracy made it almost impossible to restrict their actions.

d e Tocqueville praised the high levels of decentralised communal organisation and freedom of association.

Constitution. As mentioned in

The activity of such movements is a pivotal element of United States' political culture and is widely protected by the First Amendment to the
social movements which enjoy a lax organisational structure do not have to be officially registered; at the same time they are free to act within
struggle against

As in Israel, in comparison to their efforts to deal with political parties, the United States and Germany found it more difficult to keep their
small parties. Yet, even in cases where such parties were active, the authorities' attitude towards them tended to be very liberal and thus

authorities limited the freedoms of the party and its members, although they were not
was defined by the BfVS (Federal Bureau for the Protection of the Constitution) as a radical party hostile to the constitution. In consequence,

extremist parties, especially those of a far-right nature, although not disqualified, are not allowed to act freely. The

organisation, liberal considerations become almost irrelevant.

years, the disqualification measure has been employed only rarely. Therefore, Israeli as well as German policies on extremist parties may be
conformed to the 'immunised route'. In Germany and Israel, the need to defend the polity from subversive elements was considered urgent

time claimed to be a genuine intention to effectively eliminate terrorism, US policy-makers and security officials are generally reluctant to sacrifice basic democratic
attacks on the World Trade Centre and the Pentagon may indeed lead to a change in United States' counter-terrorist policy. However, on the

wider authority in its response to terrorism, did not seem to effect a radical change in agency activities. According to Deputy Director Robert M.
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and the United States' experience, examples may be found of dynamic civil activity in reaction to challenges of an extremist nature. Following society. These activities make it far harder for extremist political leaders and activists to mobilise wide support from the population. Moreover, organisations are engaged in promoting tolerance and consequently have assumed a role in the 'immunisation' process of the Israeli

Regarding the 'pro-democratic civil society's' role in assisting the State move towards the 'immunised' model, as already noted, many civil representatives, the majority of schools in Brandenburg receive with open arms organisations of the 'pro-democratic civil society' and education and in fact have expanded their range of activities to providing assistance to refugees and immigrants. According to RAA
tolerance and democracy.

One of the most active institutions of the civil society in providing education in tolerance, particularly in East Germany, is the RAA (regional
patronage of the Federal Government, the RAA opened ten offices in the state of Brandenburg and provided assistance for similar initiatives in centres for inter-cultural understanding, education and schools). This was established in 1992 primarily in the wake of an increase in xenophobic incidents and early indications of a wave of violence against foreigners in the ex-Communist parts of the country. Under the

The rapid development of the field of civics education in the former East Germany corresponds with Frazer's assertion that in order to complete the democratisation of countries from the former Eastern

In the former East Germany, the liberal variant of civics education has become a central factor in processes of democratisation. The United

Yet, in order to better understand the growing emphasis on 'civics education' in established liberal democracies, it should be stressed that governmental involvement on this issue, while the demand for extra-curricular programmes in this vein are on the increase.

xenophobia and violence aimed at foreigners. The main part of its operations focuses on designing study programmes on the subjects of

Other states formerly part of East Germany.

As explained in chapter 3

As for the German

The German policy on violent right-wing bodies has become more resolute, yet, according to police officials as well as the BfVS, it is strictly bound by legal as well as liberal boundaries.

Indeed, contrary to Israeli security forces and especially the Shabak, the new governments of these states have adopted study

To conclude: in the past, both Germany and Israel tended to put security considerations at the forefront of their counter-violent activities, and indeed were subject to criticism for violations of liberal rights. While in recent years both countries have attempted to limit their response to education, i.e. to try, by means of persuasion, to prevent radical youths from committing violent crimes.

From the far right and the expansion of its movements. Furthermore, special police forces – established for the purpose of contending with the

The aim of publishing such intelligence information is to raise public awareness about the risks originating

BfVS as well as the special police forces is more in conformance with liberal values. These forces are subject to strict parliamentary, judicial and

decriminalisation of certain types of violence. In 1999, Germany showed a complete departure from its 'extended criminal justice model'. Events of the 1980s and 1990s demonstrated that although Germany still had at

Over time, the extended model of response in Germany has undergone several liberal reforms

priority to security issues even at the price of undermining civil rights.
founder unless there is significant change in the empowerment of the democratic underpinnings of Israeli society. The various chapters of this
too heavy a hand to the representatives of one of the groups constituting the polarised Israeli society. However, this novel approach will
Middle East, the intensity of its response to the challenge of extremist Jewish elements has gradually decreased. The credit for this turn of
Jewish or the democratic nature of the State. After undergoing processes of institutionalisation, and having become an established fact in the
first decades of its existence, Israel acted swiftly and decisively when faced with any factor perceived by its leadership as a threat to either the
political culture, which includes the State's difficulty or perhaps reluctance to partake in the shaping of this political culture, on the other. In the

to extremist political parties (and also, to a certain degree, to violent movements), on the one hand, and the weakness of its democratic
response. In fact, the German constitution, which sanctifies the preservation of the polity's stability – even at the expense of the liberties of
the security forces, which closely follow these events, still refrain, in most cases, from crossing conventional democratic boundaries in their
western parts, a significant threat consisting of right-wing extremism and skinhead street violence is making its presence felt,

extremism, there is now a marked inclination toward liberalisation in comparison to earlier decades. Despite the fact that today, especially in
education system. From a young age, children in Germany learn the advantages of democracy, as well as the potentially disastrous
exceptional history of the German Republic, the Holocaust and related issues such as tolerance and pluralism have become central topics in its
fashion anew a democratic political culture by means of the processes of political socialisation. Furthermore, in the aftermath of the
values. Therefore, both federal and local governments, together with the notable participation of 'civil society' organisations, are striving to
democracy has been able to take root in the decades following the Second World War, and its neighbouring countries, which were subject to
law' and liberal democratic values. Even after the events of September 2001, the odds are presumably low that American democracy will fall
whether in the form of political parties or other types of organisation, shows evidence of great restraint and commitment to the 'rule of the
liberal and democratic values. Furthermore, the 'pro-democratic civil society', which has proved to be a cornerstone of United States' political
entirely free of extremist phenomena and political violence, the political culture of the USA gives an impression of considerable commitment to

To conclude this comparative analysis: placing the three countries on the continuum leading from the 'militant' to the 'immunised route' will

As described at length in

cooperated with the state of New Jersey in proposing prizes for those who exposed racist graffiti perpetrators. In 1999, the same organisation,
Anti-Defamation League, the American Jewish Committee, the Simon Wiesenthal Centre, and many others representing minorities. In such
Yet, in accordance with a longstanding tradition, the most active members in American civil society are the more institutionalised
local communities all over the country became engaged in projects aimed at promoting religious and ethnic tolerance.

To deal with these defacements, local communities decided to take on the task and wiped clean all the wall writings themselves.

Similar
The upshot of this discussion was that these are terms of considerable ambiguity and ambivalence which ultimately rely on one

Furthermore, including the social perspective in this analysis introduces the potential for a more penetrating scrutiny of the 'defending
democracy' as having the greatest potential to be affected by the phenomenon of political extremism or by its response to it.

In conclusion, the two principal goals achieved in this book are the expansion and elucidation of the characteristics of the 'defending

CONCLUSIONS

What, therefore, are the theoretical conclusions to be drawn from this study? And which questions are still left unanswered?


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'Defending Democracy': Princeton Conference to Address Civil, Military Responses in an Age of Disinformation. Robert Mueller’s recent indictment of 13 Russians and their “troll farm” has given us a clearer view of what an adversary can do with disinformation. Yet, just last week, Adm. Mike Rogers, head of the National Security Agency and U.S. Cyber Command, testified before lawmakers that while the U.S. WWS Reacts: Putin’s Attacks on Democracy. Last week, a U.S. government report outlined attacks made by Russian President Vladimir Putin on democratic institutions over nearly two decades.