POLICY CHANGE INCH BY INCH: POLICY ENTREPRENEURS IN THE HOLY BASIN OF JERUSALEM

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Facing barriers to change, policy entrepreneurs often shift their activities to a more favourable venue. In the new venue they either pressure the system from the outside, leading to policy punctuation, or make incremental changes within the existing system which over time will accumulate to a significant change in the status quo. This article aims to expand our understanding of policy entrepreneurs' role in the policy process by examining the strategies they use in the incremental path. Specifically, it focuses on one gradual change strategy, conversion – redirection of existing institutions to new purposes. Based on the case of policy entrepreneurs in the Holy Basin of Jerusalem, the findings indicate that when the entrepreneurs shift the venue to the bureaucracy they can establish cooperative relations with the government that will provide them with the needed capacities to exploit the gaps in the existing rules and redirect them to serve their aim.

INTRODUCTION

Policy entrepreneurs are individuals or groups who change the direction and flow of politics (Schneider and Teske 1992). Often, changes do not come easy and involve dealing with status quo bias resulting from powerful veto players, institutional veto points, decision-makers' limited attention span and the high uncertainty element inherent in many initiatives (Shepsle 1986; Tsebelis 1995; Jones and Baumgartner 2005). One way of overcoming these barriers is 'venue shopping': shifting the policy to another venue, where they will have more opportunities and face less opposition. In the new venue, policy entrepreneurs act to generate a positive feedback process that will break the policy monopoly and lead to transformative policy change (Baumgartner and Jones 2009). Most research views positive feedback as a process involving lobbying and advocacy efforts from outside the existing system, which create accumulating pressure on the system and eventually lead to policy punctuation (Roberts and King 1996; Pralle 2003; Baumgartner and Jones 2009; Kingdon 2011; Carter and Jacobs 2014).

Yet, historical institutionalism research has found that policy entrepreneurs can also operate from within the existing system. This is done by exploiting small-scale opportunities resulting from gaps in the existing rules and making incremental changes that accumulate over time to produce a significant shift from the status quo. This type of change is termed gradual transformative (Sheingate 2003; Hacker 2004; Streeck and Thelen 2005). As the political system in many democracies becomes more polarized and less stable, making policy punctuations is harder to achieve, and gradual change becomes more popular (Hacker *et al.* 2015).

Given the growing frequency of gradual transformative changes and the fact that in many episodes of policy change one can identify the policy entrepreneurs who have been its initiators (Kingdon 2011), it is logical to assume that policy entrepreneurs' toolkit includes gradual endogenous as well as exogenous strategies. However, to date, we lack a systematic understanding of the tools and strategies policy entrepreneurs use to promote their aims incrementally. This is because existing research continues to focus on abrupt

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changes, considering incremental ones to be less useful and more difficult to achieve (Mintrom and Norman 2009). Consequently, not only does our understanding of policy entrepreneurs remain partial, but in some cases we are liable to misinterpret their role in the policy process. What may seem like a failure to pressure the system from the outside may actually turn out to be success in altering it endogenously.

This article addresses this gap by examining how policy entrepreneurs use one gradual transformative change strategy that can be especially appealing to them: conversion, defined as redirection of existing institutions to new purposes (Streeck and Thelen 2005). The article is based on an analysis of two policy entrepreneurship episodes in the Holy Basin of Jerusalem. This case has been selected because it is a least likely case (George and Bennett 2005) of policy entrepreneurs' success in changing the status quo given formidable barriers.

In the Israeli–Palestinian conflict context, the Holy Basin is considered one of the most explosive and sensitive fault lines. The multiple sacred monuments to the three monotheistic religions it houses are intertwined with the political and religious narratives of both sides (Pullan and Sternberg 2012). Over the years, even small changes in the status quo in this area have triggered violence and broad condemnation by the international community. This has made successive Israeli governments cautious, avoiding formal changes in the Holy Basin.

Nonetheless, since the early 1980s, a small group of policy entrepreneurs has succeeded in shifting the status quo by taking control over large areas and expanding the permanent Jewish presence in the Holy Basin (Pedahzur 2012). An examination of their activities reveals that their success is a result of constant exploitation of the gaps in existing rules and the redirection of these rules to serve their goals. They have achieved this by depoliticizing the policy image and establishing cooperative relations with the government, which provided them with the discretionary capacities required to alter existing structures.

Based on this case we argue that when policy entrepreneurs are organized groups and when the government does not oppose their actions, they can shift the status quo through conversion. This may be achieved by manipulating the policy image, shifting the venue to the bureaucracy and establishing cooperative relations with the government. In that, the article expands our understanding of the role of policy entrepreneurs in promoting policy change.

The rest of the article is organized as follows. The next section elaborates on policy entrepreneurs and the way they promote change both externally and internally using venue shopping. It also discusses conversion and its appeal to policy entrepreneurs. Next, the data and the method are presented, followed by a description of the Holy Basin and the policy entrepreneurs operating there. The following section presents an empirical analysis of two episodes in which policy entrepreneurs used conversion: the Absentee Property Law and the salvage excavations. Finally, the conclusions are discussed.

POLICY ENTREPRENEURS, VENUE SHOPPING AND POLICY CHANGE

Policy entrepreneurs are individuals or groups whose creative acts have a transformative effect on politics, policies or institutions (Sheingate 2003, p. 185). Although variously defined, all scholars agree that they may be identified by their efforts to promote significant policy change (Roberts and King 1991; Schneider and Teske 1992; Mintrom 1997; Sheingate 2003; Kingdon 2011). Policy entrepreneurs differ from other actors in the political sphere,

such as interest groups, in that they not only introduce or advocate for an innovative idea, but also take part in its implementation (Roberts and King 1996).

Some scholars do not distinguish between entrepreneurs from different sectors and in different positions (politicians, administrators, or third sector activists), and focus on their common traits and activities (Mintrom 1997; Kingdon 2011). Others believe that the entrepreneurs' position has implications for the resources, strategies and opportunities they face and so focus on a particular type, such as political or bureaucratic entrepreneurs (Roberts and King 1991; Schneider and Teske 1992; Teske and Schneider 1994). Since access to resources and opportunities is central to this article's argument, it follows the latter approach and Roberts and King's (1991) definition of policy entrepreneurs as individuals who do not hold an official government position. Lacking an official power position, the primary resources these actors have at their disposal are persistence, time, energy, creativity, knowledge, and rhetorical and networking capabilities (Kingdon 2011).

These capabilities are essential as more often than not, policy entrepreneurs face obstacles when promoting their objectives due to the political system's status quo bias. This bias can result from such factors as powerful veto players (Tsebelis 1995); policymakers' limited attention (Jones and Baumgartner 2005); risk aversion due to uncertain results (Shepsle 1986); and public support for existing policies (Pierson 2000). Relatedly, in many policy fields, a policy monopoly is formed where powerful actors control the policy image – the way a policy is understood and discussed – denying access to other actors and ideas (Baumgartner and Jones 2009).

To overcome status quo bias and break the policy monopoly, policy entrepreneurs engage in 'venue shopping' by seeking the optimal policy venue for promoting their objectives (Baumgartner and Jones 2009). Policy venues are the institutional locations where decisions are made concerning a given issue. In some cases, only one set of institutions is responsible for a particular issue, and in others this responsibility is shared. Assigning an issue to a specific venue is not automatic, and corresponds to the policy image. Venues differ in their access barriers, policymaking procedures, acceptable norms and discourse, institutional ambiguity, and the flexibility and discretion available to actors operating within them. When policy entrepreneurs are blocked or lack the resources to promote their ideas through one venue, they will seek to shift the policy to a venue more favourable in terms of both the opportunities it provides and the resources, capabilities, preferences and the learning experience of the entrepreneurs regarding the particular issue (Pralle 2003; Baumgartner and Jones 2009).

Shift to a new venue requires policy entrepreneurs to manipulate the policy image to highlight new aspects of the issue in question. The new image should be compatible with the new venue's discourse and norms (Pralle 2003; Baumgartner and Jones 2009). For example, actors wishing to shift an issue from the legislature to the courts must change the policy image so that it revolves around rights. Once policy entrepreneurs have shifted an issue to an alternative venue, they try to generate a positive feedback process whereby venue change leads to further policy image change, leading in turn to further venue shift eventually breaking the policy monopoly. The result of this positive feedback loop is transformative policy change (Baumgartner and Jones 2009).

Positive feedback may be achieved by working from outside the existing system. Policy entrepreneurs may use their networking and rhetorical skills applying lobbying and advocacy strategies to build coalitions with new actors, introduce new ideas and shift more attention to their issue. As a result, pressure to change the existing status quo accumulates and policy punctuation may take place. Defined as a significant and abrupt departure from

the status quo, punctuation usually involves enactment or other formal decision (Baum-gartner and Jones 2009; Mintrom and Norman 2009; Kingdon 2011).

An example of such extraneous policy entrepreneurship is Pralle's (2003) analysis of forest policy change in British Colombia. She shows how forest policy change advocates who had faced multiple barriers at the local and the provincial levels shifted the venue to the international arena. They aligned with international organizations and initiated a campaign that included consumer protests boycotting paper companies. As a result, pressure to change the policy accumulated and the government of British Columbia reformed its forest policy.

Alternatively, policy entrepreneurs can act internally by making incremental changes within the existing system, taking advantage of the ambiguity, flexibility, and discretion embedded in the existing structures without formally revising them. When these changes are made in the same direction over time, they can accumulate to a significant change in the status quo. This process is called gradual transformative change (Sheingate 2003; Hacker 2004; Thelen 2004; Streeck and Thelen 2005; Mahoney and Thelen 2010).

The gradual transformative framework is a modification of Lindblom's (1959) incrementalism (Howlett and Migone 2011). Lindblom saw incrementalism as mostly a decision-making process, focusing on actors' cognitive constraints and their ability to overcome them in order to make policy. He did not address the direction of change or its long-term outcome. Gradual transformative change, on the other hand, emphasizes the direction of change and its accumulative result and in so doing challenges the dichotomous understanding of policy process as either incremental and adaptive or abrupt and transformative, offering a more nuanced understanding of what is often seen as periods of policy equilibrium (Streeck and Thelen 2005).

Falleti's (2010) work on policy entrepreneurs from the *Senitarista* movement in Brazil is a good example of policy entrepreneurs shifting the venue and changing the status quo from within. These entrepreneurs wished to make the Brazilian healthcare policy more universal and less centralized, but were blocked at the federal level by powerful veto players. Consequently, they shifted their efforts to the local and state levels where they faced less opposition and could align with mayors and governors. Taking advantage of cracks in the system through this new venue, they managed to build small preventive care and sanitation stations. Over time, these expanded to more states and localities, making the health system more universal and decentralized overall.

Although the notion of gradual transformative change is quite novel in institutional analysis and policy process research, the idea of acting incrementally from within the system has a long history in public management literature. Moore's (1995) work on public managers who created public value by incrementally reforming the systems they worked in is an example. Teske and Schneider (1994) have identified similar patterns in their study of bureaucratic entrepreneurs. While it is debatable whether non-elected officials should engage in such changes, this debate is beyond the scope of this research. The main point is that non-elected managers can and do, and that this activity is by no means marginal.

Despite growing evidence for the effectiveness of incremental endogenous strategies, the literature on policy entrepreneurs focuses almost entirely on exogenous advocacy and lobbying (see Sheingate 2003 for a significant exception). Therefore, our understanding of the strategies and tools policy entrepreneurs use when acting internally is limited. When researchers do pay attention to incremental processes they tend to be rather sceptical. For example, Mintrom (2000) and Mintrom and Norman (2009) agree that incrementalism is a plausible strategy for policy entrepreneurs and suggest that if the entrepreneurs wish

to act incrementally, they should sway the opinions of policymakers by establishing close connections with them and becoming intimately familiar with their work. However, these scholars believe that policy entrepreneurs will find it hard to convince the policymakers, and their achievements would be relatively minor.

Unlike these researchers, however, we believe that the dearth of attention paid to policy entrepreneurs' role in promoting gradual transformative change might miss a significant proportion of their activities. This is because in the last six decades, agents of change in Western democracies have often been forced to pursue their goals gradually due to growing political polarization and fragmented coalitions which have made abrupt changes more difficult (Hacker *et al.* 2015). The tendency to emphasize extraneous change may also lead to misunderstanding policy entrepreneurs' successes and failures because what may seem like failure to pressure the system may turn out to be success in transforming it from within.

In order to narrow this gap, we should examine the applicability of endogenous change strategies identified by historical institutionalism as being available to policy entrepreneurs. These include layering – adding new practices to the existing ones; drift – preventing policy update in the face of changing reality; and conversion – redirecting existing policies to new ends beyond their initial intent (Streeck and Thelen 2005; Mahoney and Thelen 2010). The latter will be the focus of this study.

CONVERSION

In conversion, actors exploit ambiguities and gaps in existing rules and reinterpret them so that they serve new aims (Thelen 2004). Conversion often involves shifting the venue to the courts or bureaucracy to bypass status quo bias. Actors wishing to convert a policy should have the discretionary capacities required to reinterpret existing rules. Alternatively, they should have intellectual or financial capabilities to enable them to persuade decision-makers to do the same (Rocco and Thurston 2014). This change strategy is often the choice of new actors not involved in making the existing policies.

An example of conversion is the actions of Alfred Khan, Chair of the Civil Aeronautics Board in the US. Khan wished to deregulate the American airline industry to make it more competitive. However, he could not promote comprehensive reform through legislation in Congress due to multiple and powerful veto players. Therefore, he turned his efforts to the board, where he used his discretion as chair and the flexibility of the existing legislation to promote a series of incremental changes. For instance, he promoted changes in flight route allocation criteria and restrictions on the board's involvement in issues such as discount fares. These actions ultimately resulted in a change in the board's goal from ensuring due process to economic efficiency, making the airline industry more competitive (McCraw 2009).

Conversion can appeal to policy entrepreneurs who lack a broad social base and cannot mobilize the public to influence decision-makers. In addition, it can be attractive to those wishing to promote policy change away from the public eye to avoid criticism and opposition. This is because change through conversion is masked by policy continuity, since existing structures remain in place and because change takes place in less publicly monitored venues. Lastly, conversion may serve entrepreneurs who enjoy decision-makers' informal support: because change through conversion is less visible, decision-makers can help the entrepreneurs without bearing direct responsibility for their actions (Hacker *et al.* 2015).

When the decision-makers oppose entrepreneurs' activities, in order for the entrepreneurs to gain the discretionary capacities needed for conversion they may try to infiltrate the state to gain power positions (Falleti 2010). When the government does not oppose their activities, and when they are organized groups – as is often the case when trying to promote significant policy change (Roberts and King 1996) – entrepreneurs can establish cooperative relations with it (also termed collaborative and complementary) (Coston 1998; Najam 2000). In this type of relationship, one or more governmental agencies establish formal and informal ties with the entrepreneurial organization over an extended period. The two parties also share information, exchange resources (such as budgets or volunteer labour) and promote joint actions. The more cooperative the relations, the more the government shares its responsibility and operations with the organization. Consequently, the organization may also participate in the policymaking process (Coston 1998; Najam 2000). An example of such relations can be seen in US social policy where the government cooperates with many non-profits (Smith and Lipsky 1993). The latter path is the focus of the present study.

To conclude, when policy entrepreneurs face significant status quo bias, they can achieve their goals incrementally through policy conversion. To do so, they should (1) manipulate the policy image; (2) shift the policy venue; (3) establish cooperative relations with the government; and (4) use the discretionary capacities resulting from this cooperation to redirect existing rules and policies to meet their aims. This will be true in cases where (1) the rules underlining the policy are ambiguous; (2) conversion takes place through the bureaucracy rather than through the legal system; (3) entrepreneurs operate as groups; and (4) the government does not oppose them.

THE HOLY BASIN CASE: DATA AND METHODOLOGY

The analysis presented in this article demonstrates policy entrepreneurs' success in changing the status quo by using conversion in the case of policy entrepreneurs in the Holy Basin of Jerusalem. Specifically, it explains how policy entrepreneurs have managed to take control over large areas, thus expanding the permanent Jewish Israeli foothold in the Holy Basin between 1981 and 2013. We have chosen this case because we consider it to be a least likely case: a case where the independent variables are at values that only weakly predict the outcome (George and Bennett 2005, p. 121) for policy entrepreneurs to succeed in shifting the status quo. This is because the entrepreneurs in question have succeeded despite significant status quo bias, providing strong evidence for entrepreneurs' ability to use conversion to transform entrenched policies. The analysis focuses on two episodes in policy entrepreneurs' activities: the Absentee Property Law and salvage excavations. While we are aware of the highly controversial nature of the ideas and objectives of the policy entrepreneurs in this case, we believe that by examining them dispassionately social scientists may draw important lessons on policy change.

Our analysis is based on various documents and geodata on the urban settlement expansion of the Israeli Jewish population in the Holy Basin. These data are considered sensitive and are usually not publicly available, and are even concealed, as attested by several verdicts where the court refused reporters' appeals to reveal information regarding the location and ownership of the properties based on security reasons (Hasson 2016). Moreover, the acquisition of properties in the area is often performed secretly. This cultivates an atmosphere of mistrust, especially towards strangers who are suspected of being government agents by the local Arab population or as watchdogs by the Jewish settlers. Therefore,

the collection of the data was accompanied by hostile responses by the latter, including in some instances detention and questioning by private security guards.

To overcome this difficulty, the data were collected in a double verification procedure. First, using public documents (see below) and informants familiar with the entrepreneurs' activities, residents, and individuals who work for or with the entrepreneurs' organizations, an initial dataset was constructed. Second, each asset was physically verified as managed or held by the entrepreneurs based on various parameters such as the presence of a Jewish Israeli population, an Israeli flag, private security and others.

The database includes 112 data points that differ in the date of appropriation, property size and affiliation. The date of appropriation is based on records of either entrance of residents or contractual appropriation. Size is calculated in square metres, using geo-analysis software, and does not include levels and underground facilities. Affiliation is determined based on the property's or area's de facto operators: whether the entrepreneurs have a formal or informal mandate on a property, such as to manage and operate it.

The information on policy conversion, policy image, and the relations between the entrepreneurs and the government is based on a variety of documents. These include laws, regulations, minutes of the parliamentary Internal Affairs Committee, examination committee reports, petitions to the Supreme Court, verdicts, newspaper articles, government websites, think tank and watchdog reports, reports submitted to the Registrar of Associations, press releases of government agencies and secondary analysis of research on the entrepreneurs and the Holy Basin.

Based on Roberts and King's (1996) model of distinguishing between policy entrepreneurs and other actors, we consider actors to be policy entrepreneurs if we can observe that they develop or initiate an idea that has not been promoted before by the government; and are involved in its implementation, as indicated by their formal and informal role during the implementation process.

The entrepreneurs' success is measured with two parameters: first, the total area in square metres they hold by affiliation as a percentage of the Holy Basin area (Pullan and Sternberg 2012). Second, the increase in the permanent Jewish Israeli presence in the Holy Basin wherever it has previously been minor or non-existent, as indicated by religious, residential, touristic or educational activities conducted in the areas affiliated with the entrepreneurs, which increase the number of people in the area and support their continuous presence.

Conversion is identified based on Rocco and Thurston (2014). Specifically, when we observe that (1) initial institutional rules and regulations enable a high level of discretion and that (2) at the end of the period examined, policy tools remain the same while their aims change.

Cooperative relations are present when we can identify at least two of the following conditions specified by (Coston 1998): (1) formal and informal ties with one or more government agencies as indicated by formal and informal positions held by entrepreneurs; (2) exchange of information and/or resources with one or more government agencies; (3) joint actions with government agencies; and (4) participation in the policymaking process, for example as representatives on various committees.

Since the lack of government opposition for the entrepreneurs' activities or aims is not explicit, we use several ex-post indicators to identify it: (1) explicit support in official responses to the Supreme Court regarding the entrepreneurs' activities; (2) funding of the entrepreneurs' activities; (3) active expansion of the visibility and availability of

entrepreneurs' activities to broader audiences; and (4) not acting to stop the entrepreneurs' actions even when their actions are not supported by the cabinet.

Change in policy image is indicated by the way the policy issue is discussed and defined. Venue change is indicated by the primary arena in which the issue is discussed and where policy changes are made – both compared to the beginning of the period examined.

THE STATUS QUO IN THE HOLY BASIN

The Holy Basin covers an area of about 3,350,000 m^2. It includes the Old City of Jerusalem and its immediate surroundings, with monuments sacred to the three monotheistic religions: the Temple Mount, El Aqsa Mosque, the Dome of the Rock, the Western Wall, the Church of the Holy Sepulchre, and many others. About 40,000 people live in this area, most of them (35,000) within the Old City. The majority are Arab (73 per cent Muslim and 17 per cent Christian), and 10 per cent are Jewish Israelis, who live mostly in the Jewish Quarter (Hirsh and Michael 2003).

Since 1967, the Holy Basin has become the crux of the entire Israeli–Palestinian, if not the Israeli–Arab conflict, bringing together religious and national sensitivities. Moreover, its future status remains one of the thorniest issues in peace initiatives, with both Israelis and Palestinians considering it an integral part of their future state capitals and religious and cultural heritage, turning the control of every inch into a zero-sum game (Dumper 2002; Hirsh and Michael 2003; Pullan and Sternberg 2012). The explosive mixture of political sensitivity and real or imagined transgression of sacred places has often erupted into violence. For example, in 1996, when Prime Minister Benyamin Netanyahu decided to open the Western Wall Tunnels – a tourist archaeological site located underneath the Muslim Quarter – it led to protest demonstrations, which resulted in over one hundred casualties on both sides. In 2000, right-wing opposition leader Ariel Sharon's visit to the Temple Mount triggered the Second Intifada in which thousands lost their lives (Harel and Isascharoff 2004).

Because of its sensitivity, the Holy Basin has become an important source of concern for the international community, with immense pressure on Israel to refrain from unilaterally changing the status quo. For instance, any government declaration on a planned housing policy in East Jerusalem ignites a wave of condemnations by the UN, US, EU, and Russia (Zachariah 2010; Greenberg and Warrick 2011).

Given this, the Holy Basin has been traditionally recognized by Israeli governments as too inflammable to disrupt. Since 1967, Israeli governments have initiated the expansion of Jerusalem's municipal borders. It expropriated Arabs' lands and constructed new Jewish neighbourhoods (Benvenisti 1976; Pedahzur 2012), but not in the Holy Basin. The sole exceptions were the Jewish Quarter and the Western Wall Plaza, both in the Old City and both in the immediate aftermath of the 1967 war. Together, these areas cover about 201,153 m^2 or about 6 per cent of the Holy Basin (Dumper 1997).

In addition, successive Israeli governments adopted cautious policies toward the Temple Mount itself and its environs. They refrained from becoming directly involved in the administration of the holy site and left it to the Jerusalem *Waqf* (Islamic Trust). Even the police were instructed to avoid entering the complex's main area, unless under exceptional security circumstances (Pedahzur 2012). In general, decisions that were in any way related to the Temple Mount were made with extreme caution. For instance, in 2011, when the government considered renovating the temporary and unsafe bridge used by non-Muslims to enter the Temple Mount (*Mughrabi Bridge*), it consulted UNESCO. Furthermore, the

renovation process was broadcast live to prevent accusations of Israeli damage to Muslim holy places (Ministry of Foreign Affairs 2012). Even daily administrative actions are carefully considered when they take place near the Temple Mount. Official authorization by the Prime Minister's Office is required, for example, to remove the trash from the Small Western Wall, a religious site just outside Temple Mount (Internal Affairs Committee 2014).

Significant change in the Holy Basin may be promoted only by the cabinet. During the period examined, Israel has had 11 cabinets controlled by left, centrist, and right-wing parties. Regardless of political affiliation, no cabinet has initiated any formal change such as new residential construction plans or administrative reforms on the Temple Mount. Consequently, it seems that the opportunities for policy entrepreneurs to change the status quo in the Holy Basin were limited at best.

POLICY ENTREPRENEURS IN THE HOLY BASIN

The policy entrepreneurs that are the focus of this study are a dozen activists, organized in two relatively marginal organizations: Ateret Cohanim and ELAD. These entrepreneurs lack broad public support or direct parliamentary representation. Ateret Cohanim ('Crown of Priests') was established in 1981 and was the first to promote actively Jewish settlement in the Muslim Quarter. Its official aims are to buy and manage properties in Jerusalem and the Old City in particular; secure Jewish residents in the Old City, build and renovate abandoned and destroyed synagogues; support cultural activities; and conduct tours. ELAD (an acronym for 'To the City of David') was established in 1986. This NGO's official aims are strengthening the Jewish people's historical bond to Jerusalem by conducting tours, settling Jews and disseminating information. It operates mainly in Silwan, an Arab village located south of the Temple Mount, which was included in East Jerusalem after the city's expansion in 1967 (Pedahzur 2012; Registrar of Associations 2014a, 2014b).

The organizations' funding is mostly concealed. However, we know that a significant portion of it comes from the Moskowitz Foundation, which over the years allocated tens of millions of dollars toward buying properties in the Holy Basin area. However, this strategy was met with limited success due to the reluctance of the local population to sell their properties (Pedahzur 2012). To achieve their aims, the entrepreneurs were forced to look for other venues instead.

ABSENTEE PROPERTY LAW

Ambiguity and gaps in existing rules

One of the primary tools used until 1992 by the entrepreneurs was the 1950 Absentee Property Law. This law was originally designed to enable the State of Israel to seize properties of Arabs who had fled to hostile countries or been deported during the 1948 war. The law was intended to allow the use of the seized properties for the young state's development, pending a future political settlement establishing their permanent status (Matza 1994). According to the 1970 amendment, the Absentee Property Law is not applicable to residents of East Jerusalem, since it was formally amended in 1967. Yet, it is still applicable to the residents of the rest of the West Bank (Jews and Arabs alike) who have properties in Jerusalem even if they have not left their homes.

As a result of this problematic situation, in 1968, the Israeli Attorney-General gave instructions not to enforce the law in East Jerusalem at all. In 1977, after the right-wing Likud Party came to power, it issued an arrangement aimed at bypassing this instruction. According to the new arrangement, people who live in the West Bank and have properties

in Jerusalem should apply to the Custodian of Absentee Property (the agency in charge of enforcing the law) to gain permission to keep holding their property; otherwise, it will be expropriated. However, since there is no legal obligation to inform the owners that their property is designated for expropriation, most owners were not able to apply. Moreover, even if they did know in advance, they often did not have the proper documents to support their claim due to a historically flawed system of land registration in Palestine (Rapoport 2009).

Venue shift and cooperative relations

After identifying this gap, the entrepreneurs turned their efforts to the bureaucracy. They began gathering information on properties that could be expropriated, and petitioned the custodian to use this information to enforce the law, which he did. With time, the relations between the two parties expanded beyond information sharing when the entrepreneurs were officially placed in charge of looking for properties that could be expropriated on the Custodian's behalf (Klugman 1992; Pedahzur 2012). The venue shift expanded when the expropriated properties were transferred to Amidar, a state housing company that was entrusted with reallocating them. The exact procedure and the criteria for the reallocation were not explicitly specified, leaving the discretion largely to Amidar. Because of their reputation and efforts at identifying the properties, Amidar appointed the entrepreneurs to be the assets' managers and included them in the committees in charge of reallocation. As a result, most assets expropriated in the Muslim Quarter and Silwan were leased to Ateret Cohanim and ELAD, respectively (Klugman 1992).

Shifting the status quo through conversion

By the end of 1992, the Absentee Property Law in East Jerusalem had been redirected from a law permitting the government to use abandoned property to develop the country to a law used to increase the permanent Jewish presence in the area of the Holy Basin. During this process about 50 properties were reallocated to the entrepreneurs (Klugman 1992), covering a total area of about 16,545 m^2. These account for about 0.5 per cent of the area of the Holy Basin, 2.5 per cent of the Muslim Quarter and about 2 per cent of Silwan (see Figure 1). The properties were used for residential purposes as well as for daycare, synagogues, and other religious institutions. From 1992, the enforcement of the law became sporadic following an examination committee that found that the reallocation of the absentee properties in East Jerusalem was flawed and sometimes even illegal and that there were many conflicts of interest among the parties involved (Klugman 1992).

Manipulating the policy image

The status quo in the Holy Basin is usually discussed in the political arena or international community in the political context of the Israeli–Palestinian conflict (Zachariah 2010; Ministry of Foreign Affairs 2012; Internal Affairs Committee 2014). However, the entrepreneurs succeeded in manipulating the policy image of their activities so that they were discussed in more technocratic and procedural terms of law enforcement and property management, as seen for instance in the examination committee report (Klugman 1992). This changed image enabled the entrepreneurs to comply with the discourse and norms of government agencies and mitigate opposition to their politically controversial activities.
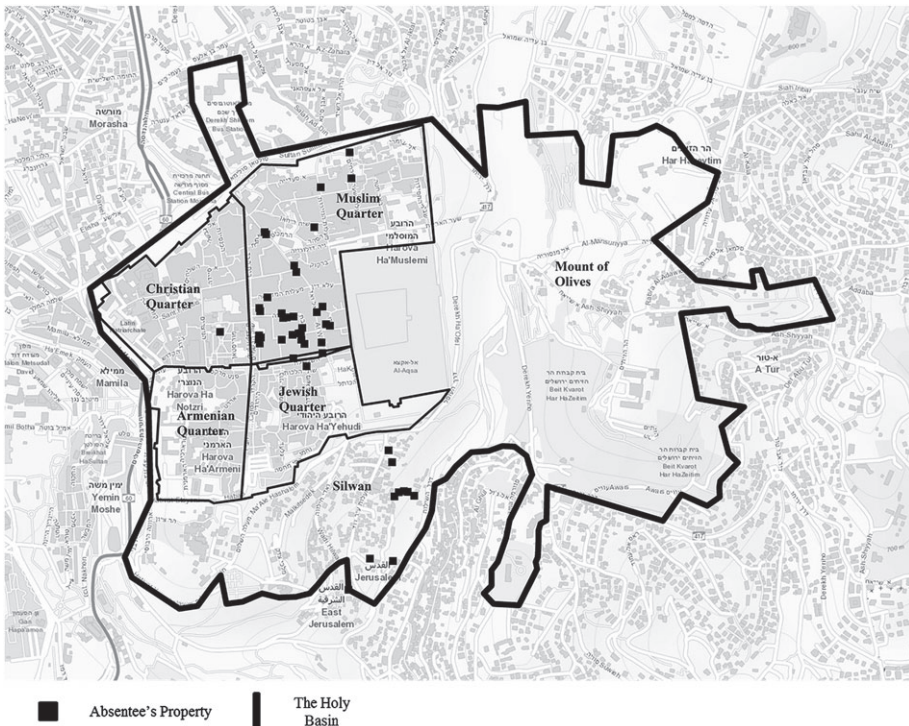
FIGURE 1 *Absentee properties leased to Ateret Cohanim and ELAD, 1981–92*

The entrepreneurs initiate, and the government does not oppose

Through the entire period until 1992 successive governments were sympathetic to the entrepreneurs' aims and actions. This is evident, for example, in the examination committee report that found that several cabinet ministers personally approved the reallocation of the properties to the entrepreneurs and that some of the renovations in the properties were funded by the government (Klugman 1992). Moreover, despite the harsh findings of the 1992 examination committee, the entrepreneurs were not punished, the report commissioned by the State Comptroller on this subject was shelved and so was the recommendation of another committee assigned to examine the existing policy.

Consequently, some would say that the entrepreneurs were just agents acting more or less directly on behalf of the government. The government was interested in increasing the Jewish Israeli foothold in the Holy Basin and used the entrepreneurs to pursue its aims and in that way bypass international objections. This claim is supported by the fact that it was the cabinet that decided, in 1977, to enable the enforcement of the Absentee Property Law in East Jerusalem.

However, the entrepreneurs were the initiators and not merely the policy implementers. This is supported by the fact that no actual enforcement took place before the entrepreneurs began gathering information. It is more reasonable to assume that had the government initiated this move it would have started enforcing the law in 1977 when the arrangement was made, as had been the case with properties outside Jerusalem subject to the Absentee Property Law. In addition, while the enforcement

was almost entirely stopped in 1992, no right-wing government has since tried to renew it fully.

SALVAGE EXCAVATIONS

Ambiguity and gaps in existing rules

Salvage excavations are unplanned and usually speedy excavations conducted on an unfamiliar site when it is found that construction works can endanger antiquities that are discovered underground. In such cases, all construction work is legally required to stop until professional archaeologists excavate the site and document the main findings, without collecting all of the findings. This measure is used as a last resort because an archaeological survey is usually conducted as part of the planning process (Baruch 2015). There are detailed rules regarding who may carry out salvage excavations and how and when findings should be published (Israeli Antiquities Authority 2004). Yet, there are no detailed regulations on which sites can and cannot undergo salvage excavations, and the discretion is left to the Israel Antiquities Authority (IAA), the regulatory and professional agency in charge of all excavations.

Venue shift and establishing cooperative relations

In 1997, ELAD received an official mandate from the Israel Nature and Parks Authority to manage the local archaeological site of the City of David, a mandate which included funding excavations as well as a veto power over all decisions regarding the site (Ir Amim 2010; Benor 2012). This site is located on the outskirts of Silwan, less than 200 m from the Temple Mount. It is known for its findings from the Chalcolithic period and the Early Bronze Age. According to historians of the Jewish people, between the eighth and sixth centuries BC, this was the governing centre of King David and the later Kingdom of Judah (Pedahzur 2012). Until the late 1990s, almost all the excavations in the City of David were part of larger archaeological projects conducted by research universities (Reich 1984; Reich and Shukrun 1998). Since ELAD received its mandate, all excavations have been defined as 'salvage excavations' and have been conducted by the IAA (Mizrahi 2013; Greenberg 2014). This was despite the fact that in the case of the City of David, there were no construction works and no urgency and the IAA was familiar with the area and its current and potential findings (Greenberg 2014).

Using the tool of salvage excavation gave ELAD significant leverage in achieving its goals. Due to the urgent nature of the procedure, excavations can be permitted in an area where the IAA usually does not authorize excavations because of its location within a densely populated area. In addition, ELAD's management of such excavations makes room for uncovering findings related mostly to Jewish history, with less attention being paid to other periods (Leshem and Portugaly 2012; Greenberg 2014). This corresponds to ELAD's official aim of strengthening the Jewish people's attachment to Jerusalem. Finally, one of the main reasons for the lack of new residential construction in the area of the City of David is its archaeological significance. The excavations removed this barrier, preparing the area for future housing and commercial projects for Jewish settlers. Following the excavations, ELAD promoted several such projects, just outside Temple Mount's southern gate (Rapoport 2009; Mizrahi 2013; Greenberg 2014). With time, ELAD's activity in the City of David expanded, as the Ministry of Education and the Ministry of Defence decided to contract with it and add the City of David as one of the sites recommended for educational visits by students and soldiers, significantly increasing the number of visitors in the area (Pedahzur 2012).
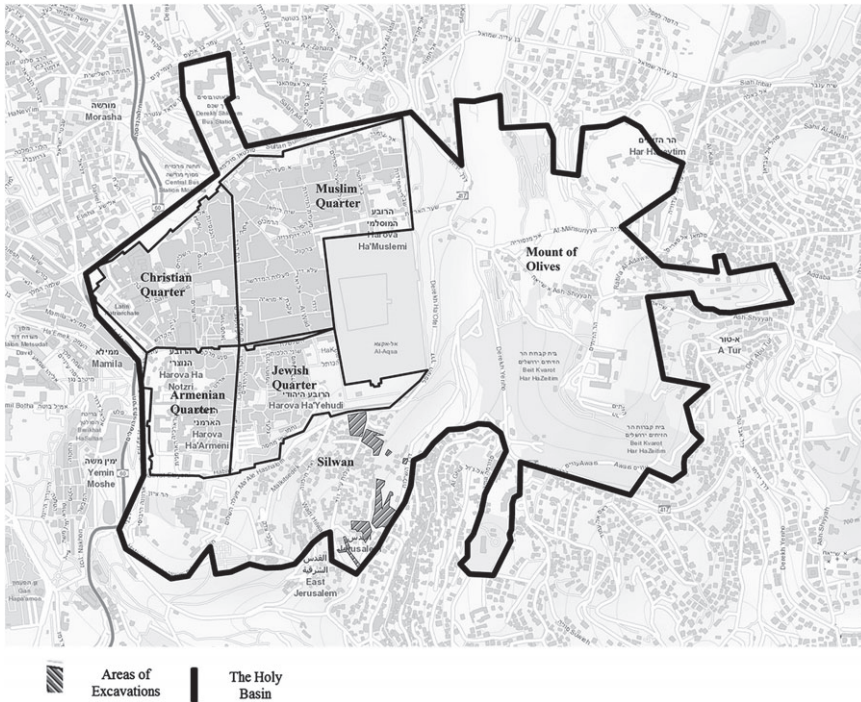
FIGURE 2 *ELAD's salvage excavation areas*

Shifting the status quo through conversion

The official mandate provided ELAD with administrative powers. Those, along with its own financial resources, enabled it to redirect the tool of salvage excavations from saving archaeological findings to conducting large-scale excavations in densely populated areas (Rappaport 2009; Leshem and Portugaly 2012). Figure 2 illustrates the areas where salvage excavations, managed by ELAD were conducted. The excavations cover an area of about 23,968 m^2, about 0.7 per cent of the Holy Basin and about 6.7 per cent of the Silwan village. Most of the marked territory is either active digging sites or archaeological tourist parks.

Manipulating the policy image

During the period examined, ELAD altered the policy image so that their activities in the City of David were discussed in a historical-educational rather than political context. This is evident in the arguments provided by the government to the Supreme Court emphasizing ELAD's contribution to tourism and archaeological research and ignoring the area's political-religious sensitivity (Benor 2012; Leshem and Portugaly 2012). This policy image enabled ELAD to expand the venue shift and contract with other government agencies. This further bolstered the policy image of their activities, making it more consensual and subject to less criticism.

The entrepreneurs initiate and the government does not oppose

The salvage excavations were initiated by ELAD and not by the government. Before ELAD received its mandate, no salvage excavations were conducted in the area because

no construction or renewal works were planned there. Also, in most cases the IAA does not initiate salvage excavations, but only implements them (Avni 2011). Moreover, although a significant part of the IAA budget has come from conducting salvage excavations since 1997, the IAA explicitly expressed its dissatisfaction with conducting such excavations in the City of David. With time, this objection was mitigated (Greenberg 2014), most likely because of ELAD's veto power on any decisions made in the area and its ability to fund the excavations itself.

Although the government did not initiate the excavations, it did not oppose them. This is shown in its explicit support for ELAD's activities as presented to the Supreme Court (Benor 2012). In addition, from 2010, the Ministries of Science and Tourism and the Prime Minister's Office began funding excavations managed by ELAD, in effect condoning ELAD's methods after the fact (Greenberg 2014).

SUMMARY REMARKS ON THE HOLY BASIN CASE

Over a period of four decades, a small group of policy entrepreneurs has been able to promote its aims in one of the most explosive locations in the world. Examining their activities more closely reveals that they have managed to do so by exploiting small gaps and ambiguities embedded in existing rules and redirected them to serve their ends. They did so by manipulating the policy image so that settling Jews in the Holy Basin was no longer considered a purely religious-political issue. Instead, they reshaped it as a technical-procedural one, focusing on law enforcement or historical education. This enabled the entrepreneurs to shift the venue to the bureaucracy where they established cooperative relations with the government, providing them with the resources required for the conversion.

As their cooperative relations with different government agencies expanded, the venue shift extended as well. This, in turn, reinforced the new policy image and enabled them to further promote their goal of a permanent Jewish presence in the Holy Basin. During the entire period under examination, there was only one cabinet meeting on this subject and not a single parliamentary hearing, demonstrating that the policy monopoly held by the political system had been broken.

Based on the Holy Basin case, we argue that policy entrepreneurs were able to achieve their aims using conversion in an area so sensitive that the prime minister's formal approval is required to remove the trash. Thus, we may expect our findings to be all the more applicable in other, less sensitive areas and fields. This is subject, nevertheless, to the provisos that the rules underlining the policy are flexible, the entrepreneurs are organized groups, the government does not oppose their actions, and conversion takes place within the bureaucracy.

CONCLUSION

This article has expanded our understanding of the ways policy entrepreneurs change the status quo, shifting our attention from their attempts to pressure the system exogenously to their efforts to alter the policy endogenously. Specifically, the article demonstrated that when entrepreneurs can manipulate the policy image so as to shift the venue to the bureaucracy, and that when the government does not oppose their actions, they are able to establish cooperative relations with it. This provides them the capacities required to exploit ambiguities and gaps embedded in existing rules and redirect them to serve their ends. In addition, conversion expanded the policy entrepreneurs' toolkit beyond lobbying and advocacy, suggesting that they can play a significant role in policy implementation

long after the formal policy has been enacted. This study can be seen as the first step towards a more systematic understanding of the way policy entrepreneurs apply incremental strategies. In the future scholars should examine the applicability of other gradual change strategies such as layering and drift.

Existing research on the policy process suggests that when given a change in the policy image and a venue shift, positive feedback can begin that will lead to abrupt policy punctuation. This study demonstrated that these components could lead to gradual transformative change as well. It thus supports the argument that gradual changes can accumulate to a transformative result. Moreover, it also suggests that we should modify our understanding of the policy process as a punctuated equilibrium, because what seems to be equilibrium may turn out to be a gradual punctuation.

In order to fully incorporate the idea of gradual transformative change into our understanding of the policy process we should better understand its long-term dynamics. In other words, is the gradual shift in the status quo directed towards a more formal change (enactment), as with the Brazilian healthcare policy and US airline industry? In those cases, gradual steps were aimed at mitigating objections and reducing the risk associated with abrupt change. Alternatively, as demonstrated in the case of the Holy Basin, gradual transformative change can significantly alter the status quo even when no formal reform seems possible in the near future. Is the Holy Basin case the exception or the rule? Under what conditions is gradual transformative change likely to lead to abrupt punctuation? These are only some of the questions that should be examined if we wish to advance our understanding of the policy process, paying attention to the outcome of change and not only its process.

Given the political sensitivity of the case examined, this research raises normative questions regarding the legitimacy of policy entrepreneurs' actions when they contradict formal government policy, or the proper role the government should play in such cases. These questions are extremely important, yet we believe that they can be fully discussed only after understanding the relations between the policy entrepreneurs and the government and the way the former are able to promote their aims despite existing status quo bias.

REFERENCES

Avni, G. 2011. 'Why Do You Need to Excavate Next to the Temple Mount at this Time?'. Israel Antiquities Authority. Available at: http://antiquities.org.il/Article_heb.aspx?sec_id=17&subj_id=467&id=1184.

Baruch, Y. 2015. 'Salvage Excavations'. Israel Antiquities Authority. Available at: http://www.antiquities.org.il/Article_heb.aspx?sec_id=41&subj_id=227&id=198.

Baumgartner, F.R. and B.D. Jones. 2009. *Agendas and Instability in American Politics*, 2nd edn. Chicago, IL: University of Chicago Press.

Benor, N. 2012. (The District Court of Jerusalem) *Ir Amim* v. *The Nature and Parks Authority and ELAD*.

Benvenisti, M. 1976. *Jerusalem, the Torn City*. Minneapolis, MN: University of Minnesota Press.

Carter, N. and M. Jacobs. 2014. 'Explaining Radical Policy Change: The Case of Climate Change and Energy Policy under the British Labour Government 2006–10', *Public Administration*, 92, 1, 125–41.

Coston, J.M. 1998. 'A Model and Typology of Government–NGO Relationships', *Nonprofit and Voluntary Sector Quarterly*, 27, 3, 358–82.

Dumper, M. 1997. *The Politics of Jerusalem Since 1967*. New York: Columbia University Press.

Dumper, M. 2002. *The Politics of Sacred Space: The Old City of Jerusalem in The Middle East Conflict*. Westview, CO: Lynne Rienner Publishers.

Falleti, T.G. 2010. 'Infiltrating the State: The Evolution of Health Care Reforms in Brazil, 1964–1988', in J. Mahoney and K.A. Thelen (eds), *Explaining Institutional Change: Ambiguity, Agency, and Power*. New York: Cambridge University Press, pp. 38–62.

George, A.L. and A. Bennett. 2005. *Case Studies and Theory Development in the Social Sciences*. Cambridge, MA: MIT Press.

Greenberg, J. and J. Warrick. 2011. 'Israel Draws Rebuke from US after East Jerusalem Building Plan Advances', *The Washington Post*. Available at: https://www.washingtonpost.com/world/middle-east/israel-advances-east-jerusalem-building-plan/2011/09/27/gIQA0qq51K_story.html.

Greenberg, R. 2014. *Privatized Heritage: How The Antiquary Authority is Giving Up on Jerusalem's Past*. Jerusalem: Emek Shaveh. Available at: http://alt-arch.org/he/wp-content/uploads/2014/10/IAA-Heb-Web.pdf.

Hacker, J.S. 2004. 'Privatizing Risk without Privatizing the Welfare State: The Hidden Politics of Social Policy Retrenchment in the United States', *American Political Science Review*, 98, 2, 243–60.

Hacker, J.S., P. Pierson and K.A. Thelen. 2015. 'Drift and Conversion: The Hidden Faces of Institutional Change', in J. Mahoney and K.A. Thelen (eds), *Advances in Comparative-Historical Analysis*. New York: Cambridge University Press, pp. 180–208.

Harel, A. and A. Isascharoff. 2004. *The Seventh War: How We Won and Why We Lost the War with the Palestinians*. Tel Aviv: Yedioth Aharonot (Hebrew). Translated by E. Ben-Ari, M. Maymon, N. Gazit and R. Shatzberg in 'Gitelson Peace Paper', The Hebrew University of Jerusalem, The Harry S. Truman Institute for the Advancement of Peace.

Hasson, N. 2016. 'How Israel Helps Settler Group Move Jews into East Jerusalem's Silwan', *Haaretz*. Available at: http://www.haaretz.com/israel-news/.premium-1.695731.

Hirsh, M. and K. Michael. 2003. *International Involvement in the 'Holy Basin' Area in Jerusalem: Analysis of Possible Options*. Jerusalem: The Jerusalem Institute for Israel Studies. Available at: http://www.jiis.org.il/.upload/meuravbinl.pdf.

Howlett, M. and A. Migone. 2011. 'Charles Lindblom is Alive and Well and Living in Punctuated Equilibrium Land', *Policy and Society*, 30, 1, 53–62.

Internal Affairs Committee. 2014. *The Small Western Wall: Follow-up Hearing*. Jerusalem: Knesset. Available at: http://www.knesset.gov.il/protocols/heb/protocol_search.aspx.

Ir Amim. 2010. 'Petition for Show Cause Order against the Nature and Parks Authority and the Minister of Environment'. Available at: http://www.ir-amim.org.il/he/public_advocacy.

Israeli Antiquities Authority. 2004. 'Regulation No. 3.10: License for Excavation Conduction'. Available at: http://www.antiquities.org.il/images/proc/nohal3.10.pdf.

Jones, B.D. and F.R. Baumgartner. 2005. *The Politics of Attention: How Government Prioritizes Problems*. Chicago, IL: University of Chicago Press.

Kingdon, J.W. 2011. *Agendas, Alternatives, and Public Policies*, 3rd edn. Boston, MA: Longman.

Klugman, C. 1992. 'The Report of the Committee for Examination of Properties in East Jerusalem'. Jerusalem: Ministry of Justice.

Leshem, E. and A. Portugaly. 2012. *The Privatization of National Parks in Israel: The Case of the City of David*. Jerusalem: The Van Leer Jerusalem Institute. http://www.vanleer.org.il/he/publication.

Lindblom, C.E. 1959. 'The Science of "Muddling Through"', *Public Administration Review*, 19, 2, 79–88.

McCraw, T.K. 2009. *Prophets of Regulation*. Cambridge, MA: Harvard University Press.

Mahoney, J. and K.A. Thelen (eds). 2010. *Explaining Institutional Change: Ambiguity, Agency and Power*. New York: Cambridge University Press.

Matza, E. 1994. (Supreme Court) *Golan* v. *The Special Committee for the Absentee Property Law*.

Ministry of Foreign Affairs. 2012. 'The Mughrabi Gate Access Restoration Project'. Available at: http://www.mfa.gov.il/mfa/aboutisrael/state/jerusalem.

Mintrom, M. 1997. 'Policy Entrepreneurs and the Diffusion of Innovation', *American Journal of Political Science*, 41, 3, 738–70.

Mintrom, M. 2000. *Policy Entrepreneurs and School Choice*. Washington, DC: Georgetown University Press.

Mintrom, M. and P. Norman. 2009. 'Policy Entrepreneurship and Policy Change', *Policy Studies Journal*, 37, 4, 649–67.

Mizrahi, Y. 2013. *A City is Changing Following its Past: Archeological Projects with Political Influence in the Old City of Jerusalem and Silwan*. Jerusalem: Emek Shaveh. Available at: http://alt-arch.org/he.

Moore, M.H. 1995. *Creating Public Value: Strategic Management in Government*. Cambridge, MA: Harvard University Press.

Najam, A. 2000. 'The Four C's of Government Third Sector-Government Relations', *Nonprofit Management and Leadership*, 10, 4, 375–96.

Pedahzur, A. 2012. *The Triumph of Israel's Radical Right*. New York: Oxford University Press.

Pierson, P. 2000. 'Increasing Returns, Path Dependence, and the Study of Politics', *American Political Science Review*, 94, 2, 251–67.

Pralle, S.B. 2003. 'Venue Shopping, Political Strategy, and Policy Change: The Internationalization of Canadian Forest Advocacy', *Journal of Public Policy*, 23, 3, 233–60.

Pullan, W. and M. Sternberg. 2012. 'The Making of Jerusalem's "Holy Basin"', *Planning Perspectives*, 27, 2, 225–48.

Rapoport, M. 2009. *A Shady Deal in Silwan*. Jerusalem: Ir Amim. Available at: http://www.ir-amim.org.il/he/report.

Registrar of Associations. 2014a. 'Ateret Cohanim'. Available at: http://www.guidestar.org.il/he/organization/580008126.

Registrar of Associations. 2014b. 'ELAD'. Available at: http://www.guidestar.org.il/organization/580108660.

Reich, R. 1984. 'A *Miqweh* at 'Isawiya near Jerusalem', *Israel Exploration Journal*, 34, 4, 220–23.

Reich, R. and E. Shukrun. 1998. 'A Wall from the End of the First Temple Period in the Eastern Part of the City of David', *New Studies on Jerusalem: Proceedings of the Fourth Conference*, 14–16.

Roberts, N.C. and P.J. King. 1991. 'Policy Entrepreneurs: Their Activity Structure and Function in the Policy Process', *Journal of Public Administration Research and Theory*, 1, 2, 147–75.

Roberts, N.C. and P.J. King. 1996. *Transforming Public Policy: Dynamics of Policy Entrepreneurship and Innovation*. San Francisco, CA: Jossey-Bass.

Rocco, P. and C. Thurston. 2014. 'From Metaphors to Measures: Observable Indicators of Gradual Institutional Change', *Journal of Public Policy*, 34, 1, 35–62.

Schneider, M. and P. Teske. 1992. 'Toward a Theory of the Political Entrepreneur: Evidence from Local Government', *American Political Science Review*, 86, 3, 737–47.

Sheingate, A.D. 2003. 'Political Entrepreneurship, Institutional Change, and American Political Development', *Studies in American Political Development*, 17, 2, 185–203.

Shepsle, K.A. 1986. 'Institutional Equilibrium and Equilibrium Institutions', in H.F. Weisberg (ed.), *Political Science: The Science of Politics*. New York: Agathon Press, pp. 51–82.

Smith, S.R. and M. Lipsky. 1993. *Nonprofits for Hire: The Welfare State in the Age of Contracting*. London: Harvard University Press.

Streeck, W. and K.A. Thelen (eds). 2005. *Beyond Continuity: Institutional Change in Advanced Political Economies*. New York: Oxford University Press.

Teske, P. and M. Schneider. 1994. 'The Bureaucratic Entrepreneur: The Case of City Managers', *Public Administration Review*, 54, 4, 331–40.

Thelen, K.A. 2004. *How Institutions Evolve: The Political Economy of Skills in Germany, Britain, the United States, and Japan*. New York: Cambridge University Press.

Tsebelis, G. 1995. 'Decision Making in Political Systems: Veto Players in Presidentialism, Parliamentarism, Multicameralism and Multipartyism', *British Journal of Political Science*, 25, 3, 289–325.

Zachariah, J. 2010. 'US Condemns Israel's Plans to Build Housing in East Jerusalem', *The Washington Post*. Available at: http://www.washingtonpost.com/wp-dyn/content/article/2010/03/09/AR2010030900497.html.