

EZRACHUT – HaETGAR, Chapter 7

The Israeli Electoral System

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Elections in a Democratic Regime

- * **Representative Democracy:** Modern states employ **representative** democratic systems, as it is nearly impossible to uphold a **direct** democratic system. Yet, in such a system, although decisions are now made by the elected representatives, the people are still the ultimate masters of the government.
- * Reasons: modern states have populations too great to assemble or poll every time a decision needs to be made, especially urgent decisions, and most citizens do not have the capacity to decide on complicated matters of public policy.
- * Elections give expression to the principle of majority rule, yet still allow for the minority to be represented.

Elections as Expressions of Democratic Principles

- * The majority of citizens are not active in politics; rather, they are usually passive observers, whether by reading about politics in the newspapers, discussing politics with friends and family, or watching the newscasts on television.
- * Elections turn ordinary citizens into active participants in the political process, although only a fraction of them are active in the technical aspects of the election system: either as campaign workers for the competing parties, as campaigners, or as organizers of public meetings with candidates.
- * A “democratic citizen” is interested and involved in public life, and therefore, it is hoped that he participates in elections and votes responsibly and conscientiously.
- * The greater the percentage of the electorate that participates in elections, the greater the significance of the results of the elections. The lower the percentage, the greater the chance that the government only represents a minority of the people. This shows that political apathy is dangerous to democracy.
- * True competition between political parties and political figures only exist in democracies, which grant every one the right to organize politically and run for office.
- * One’s involvement in politics tends to increase the more he is informed of differences between the various political positions and the more he believes in his ability to influence the results of elections.

- * One's involvement in politics tends to decrease if he feels he does not have a realistic opportunity to affect politics, legitimate options to choose between, or a chance to influence candidates and their positions.
- * The principle of **representation**: the people choose their representatives, and they, in turn, represent the people through their decisions and legislation.
- * The principle of **pluralism**: representation of the various opinions and viewpoints among the community.
- * The principle of **debate**: elections show that the democratic decision-making process involves public debate and persuasion.

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- * The principle of **majority rule**: expressed by the majority deciding who is elected.
- * The principle of **equality**: every individual gets a single voice.
- * The principle of **governmental turnover**: sometimes elections result in a change of government as an expression of the will of the people.

Characteristics of Democratic Elections

- * Elections do not necessarily mean that a state is democratic; they are just one of many components of a healthy democracy.
- * Democratic elections are **inclusive**, that is, every citizen has the right to vote and be elected, with some exceptions, e.g. those who are deemed too young to vote or hold office.
- * Elections are **equal**; that is, every citizen gets one vote and all have equal capability to affect political policy without exceptions.
- * **By law, elections are held at regular intervals.** In Israel, elections are held every four years, and the present government may not decide on its own to change the date of the upcoming elections.
- * **Every election features at least two candidates or at least two different political parties**, i.e., the voter has legitimate options.
- * Elections are **secret**, i.e., it is unknown who or which party was chosen by each individual voter. In Israel, this is ensured by the voter concealing himself behind a partition as he places his ballot in a sealed envelope.
- * Elections are **fair**, and conducted according to accepted rules and laws of the state.

* **Elections express the rights of the citizen**, like the freedom of speech and of voicing opinion and tolerance for differing opinion, and the freedom to organize and unite politically.

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Electoral Methods Employed in Democratic Systems.

* No system is ideal, and each country has come upon its particular system in accordance with its unique values and goals.

* Various potential goals of an electoral system: representation of many differing opinions present among the public or sectors of the public; limitations on the number of parties represented in the the elected body; strengthening the personal connection between elected representatives and the electorate; government stability and avoidance of premature government turnover; expression of the will of the majority; proper expression of the opinions of minority groups; the ability of the public to affect the choice of candidates who intend to run in the elections; involvement in local issues throughout the state.

* We find, for example, that certain countries have elections designed to bolster the stability of the political system, whereas other states give central importance to expressing the varied opinions of the people, or to strengthening the personal connection between elected representatives and the electorate.

* Distinguishing between the various electoral systems is done based on three criteria:

- a. Division of the state into districts: elections are either **national** or **regional**.
- b. Apportionment of mandates: elections are either **proportional** or by **plurality**.
- c. System of presenting candidates; elections are either done **by list**, or candidates are **independent**.

National Elections Versus Regional Elections

* In national elections, polls are conducted throughout the country simultaneously, and the entire country is considered as one inclusive region when the results are tabulated.

* In regional elections, each district holds its own elections, not necessarily simultaneously with the rest of the country and other districts, and each district “sends” its own representative(s) to the elected body, making the elected body a combination of representatives from different regions.

* In national elections, political parties offer ideas that touch on national issues, whereas in regional elections the elected representative is meant to be the liaison between his constituency and the government system during his term. Each is considered to be an advantage not present in the other system.

* The regional system involves certain problems: what determines the borders of each district? How many districts should there be? How many representatives should each region receive? Who decides all these issues? Can changes be made in such a

system? (ed.'s note: This gives rise to the american phenomenon of "gerrymandering", redrawing electoral districts for political gain.)

* Israel holds national elections for the Knesset, whereas in most other democratic countries elections are regional, e.g., in the United Kingdom, the United States, and India.

Proportional Mandates, Versus Winner-Take-All Pluralities

* In proportional elections, a political party receives seats in parliament in accordance with the support it received during the elections, e.g. if a party receives 50% of the vote, it will receive 50% of the seats in parliament.

* Proportional elections can be conducted either regionally or nationally.

* **Minimum threshold:** sometimes, a system has a rule that a party only receives representation in parliament if it receives a minimum percentage of the vote. This used to limit the number of political parties that participate in government politics.

* Despite this, proportional elections have the advantage that they allow for most of the major opinions to receive some form of representation.

* Winner-take-all plurality elections are always conducted regionally. The winning candidate alone represents his district, or the winning party in each district receives all of that district's mandates. This system is based on the principle of majority rule, and has the advantage of further minimizing the power of special interest groups.

* Sometimes the winner needs to obtain a majority, or even a super majority of the vote, to win.

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* Proportional systems exist in, e.g., Israel, Belgium, and Finland. Winner-Take-All elections are held, in among other places, The United Kingdom, the United States, Canada, France, and Australia.

Party Lists Versus Individual Candidates

- * Each voter selects from among the parties' lists of candidates, and sometimes the voter may even help determine the order of candidates on a list, but that is usually not the case.
- * In other cases, the voters choose between individual candidates, and although the candidates are often supported by political parties, it is hoped that voters will connect with a particular candidate's ideas, charisma, and capabilities.
- * List elections are held here in Israel, whereas in countries like the United Kingdom and the United States, voters choose among individual candidates.
- * Many systems have primary elections, wherein the members of a political party decide on a particular regional candidate or on a party list. This has recently been introduced in Israel.
- * Every state has decided on its own system of elections that incorporates a combination of these various factors, so for example, in Israel elections are held nationally, proportionally, and by list, whereas in the United Kingdom for example, elections are regional, decided by plurality, and feature individual candidates.
- * Being that each system has advantages and disadvantages, many states have developed systems that combine various factors. **Mixed methods** are used in Germany, Italy and New Zealand, among other states.

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The Method of Knesset Elections

- * Article Four of Basic Law: The Knesset, establishes that, "The Knesset shall be elected by general, national, direct, equal, secret and proportional elections, in accordance with the Knesset Elections Law; this section shall not be varied save by a majority of the members of the Knesset," providing for Knesset elections to enjoy three universal characteristics of true democracy: they are inclusive, they are secret, and equal. It also establishes that Knesset elections be conducted nationally, proportionally and directly.
- * Any Israeli citizen above the age of 18 is eligible to vote in the elections as long as he is registered to vote and he appears at his polling place with proper identification, and any citizen above the age of 21 is eligible to hold office, as long as he is not one of those specifically disqualified by law, as certain jobs require one to be uninvolved in politics. This rule also helps to avoid a conflict of interest between certain positions and their political affiliation.
- * "The following shall not be candidates for the Knesset: the President of the State; the two Chief Rabbis; a judge, so long as he holds office; a judge of a religious court,

so long as he holds office; the State Comptroller; the Chief of the General Staff of the Israel Defense Forces; rabbis and ministers of other religions, so long as they hold office; senior State employees and senior Army officers of such grades or ranks and in such functions as shall be determined by Law.” If any of the above wish to run for Knesset, they must Resign from their positions at least 100 days before the elections.

* A citizen who was convicted of a crime against national security or other specific crimes and who was consequently sentenced to five or more years of imprisonment may only run for Knesset at least five years after he has completed serving his sentence.

* Although the country is divided into districts for governmental and technical purposes related to conducting the elections, with regards to tabulation and representation, the entire country is considered as one region.

* Knesset elections are direct in the sense that the voters vote for party lists, and depending how many votes each list receives, it gets a proportional amount of its candidates into the Knesset, although there is a minimum threshold of votes a party needs to receive in order to enter Knesset.

* Party lists are determined by either primary elections or by the party’s various institutions. Party lists may not be changed once the elections take place. By law, political parties have to submit their official lists, 2,500 signatures of supporters of the party, and a cash deposit to the Knesset election committee prior to the elections.

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* The central elections committee can also disqualify certain listed candidates if among their goals or past deeds include denial of Israel as the state of the Jewish people or of the democratic nature of the state, or fomenting racism.

* Every voter gets one vote.

* Although elections are scheduled for every four years, the Knesset can decide to hold elections a year early or a year late, as it did in 1992, 1996, and 1999.

* Knesset elections are held throughout the country simultaneously, and afterwards, all the votes are counted in order to see what percentage of the vote each list received.

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The Debate over the Method of Knesset Elections.

* The current system has been in place since the founding of the state, and so has the public controversy. Suggestions for reform usually come during periods of government instability.

* The regional-plurality-individual-candidate method: in the 1950's, Ben Gurion suggested that the country be divided into 120 districts, and in each district a representative would be chosen by a majority of votes. His hope was that this system would minimize the number of small parties and strengthen the larger parties.

* An alternative regional method would still preserve proportional representation and party lists. Although the country would be divided into districts, each district would receive a number of representatives. Those representatives would be determined by the percentage of votes parties receive for their local lists, so that, for example, if there are to be five representatives from a given district, then the party with 60% of the local

vote would get the first three of its listed candidates into the Knesset, and the party with 40% of the vote would send its top two candidates to the Knesset.

* This method did not receive as much consideration as the current method or the one proposed by Ben Gurion.

Arguments for the Current System

* Each party receives representation in proportion to the support it receives from the public.

* The burning issues in Israel are not local; rather, they are national issues, like security and the economy, and the country is relatively small anyways.

* The existing political parties also present their positions as national ones, and do not often take sides in local issues.

* Political dialogue is often less between individuals and more often between political world-views.

Arguments for the Regional-Plurality System

* Allegedly helps to develop a personal connection between the elected representative and his constituency. This is disputed by researchers.

* Minimization of factionalism, as exists in, for example, the United States and other countries, where there are usually no more than three major political parties.

* The socio-economic reality of the state is that there is a tremendous cultural divide between the peripheral regions and the central regions, and therefore a system needs to be in place that gives the peripheral minority at least a proportionate voice.

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Arguments Against the Current System

- * The assorted small political parties make forming a stable government difficult, resulting in coalition governments that are subject to the whims of the small parties, which end up having disproportionately greater strength and the ability to blackmail the government, and has many times in the past been the cause of government inefficiency.
- * The system does not allow particular areas to be represented, and as such local problems are not dealt with sufficiently.
- * The system does not allow for sufficient communication between the MK and his constituency, as he often feels his allegiance lies with his party, and not with the scattered individuals who voted for him.

Arguments Against the Regional-Plurality System.

- * Many voices are wasted, so to speak, as the winner of every election takes all, and by minimizing the influence of the minority, can encourage unrepresented parties

to become active outside of the system through non-democratic means, although such a fear might be alarmist.

- * The government stability this creates comes at the expense of the minority, which goes unrepresented. Sometimes this results in the party that received the majority of votes becoming a minority in the Knesset, which warps the will of the people.
- * Only through national elections can a small party receive enough votes to win some sort of Knesset representation.
- * Regional elections could create social and regional divisions throughout the country, at a time when developing national cohesiveness is a priority.

Additional Suggestions

- * The General Zionists offered their own proposal for conducting national elections, but were rejected as early as the 1950's.
- * The system was to have regionalized but proportional elections, which would feature a very high minimum local vote threshold, 20%, which would seem to be harder for a political party to obtain than even 1% of the total national vote, and further
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minimize the influence of small parties, but this relies heavily on the assumption that a party's constituency is concentrated in certain districts.

* In the 1970's and 1980's, there were many suggestions that featured compromises between the current system and one with regional elections, but they were all rejected by the Knesset.

* The issue came to a head in 1990's when it was felt that the current system did not allow any one party to achieve a majority, and there were too many smaller parties.

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* The only result was a change in the method of selecting the Prime Minister in an election separate from Knesset elections, but that system only lasted until 2001.

* The enduring problem is the inability to resolve ensuring proper representation for all segments of society while maintaining government stability.

* The **mixed method** has apparently had the greatest success in this regard.

Elections: the Citizen as King For-a-Day

* The advent of Knesset elections brings a swarm of activity throughout the country, and omnipresent campaign advertisements.

* The media are used extensively by parties and candidates.

* Israel has always enjoyed a very high percentage of eligible voters participating, usually around 80%, which is much greater compared to the turnout in other major democracies.

* The electoral system has economic consequences, e.g. campaign expenses, and government spending on polling places and election workers.

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* By law, political parties are limited to how much they may spend on campaigns, although there are exemptions granted by the State Comptroller.

* Sometimes the ruling party offers incentives to voters for their continuing support, referred to as "election economics."

* Pre-election polls help parties predict how the people will vote.

* It is considered traditional for major candidates to appear on national television prior to the elections in order for the public to have a chance to become acquainted with them and their positions.

* The central elections committee is headed by a justice of the Supreme Court. Its responsibilities include making sure that the elections are run fairly and according to

law, and it is responsible for making the public knowledgeable about electoral procedure.

* Soldiers vote in specially designated army polling stations. Diplomats and emissaries of the Jewish Agency abroad also vote, but only at Israeli consulates and embassies. Soldiers serving in the navy have polling stations on their sea vessels, and some hospitals have stations for their patients. Other citizens outside of the country do not vote.

* Many citizens also work at temporary jobs necessitated by the elections.

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* Election Day is characterized by a mandatory government holiday and its festive atmosphere. The central elections committee decides which government services will be running on Election Day.

* Many find enjoyment in the day's competition, similar to the enjoyment people receive from major sporting events.