

Is there motivation to change the electoral system? Examining issues that influence the instability of the Israeli political system

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There are major difficulties in the Israeli electoral system, resulting in instability of the political system. The country is a parliamentary democracy with a proportional representation electoral system, which is experiencing an unprecedented political crisis with five general elections in only four years. The relevance of Israeli politics to research of electoral systems demonstrates the political influence of small and minority parties over the large and general ruling parties in a proportional system. The structure of the electoral system is since Israel is a society that was built and made up largely of immigrants from different countries and the desire of the country's founders to allow equal representation to all segments of society. The research examines the main issues that influence the instability of the political system and can serve as a case study to other societies that are facing issues that have long been familiar to the Israeli public. As demonstrated in this study, although the proportional political system is based on the principle that the legislative body should closely reflect the preferences of the voters, the desire to guarantee full proportionality has proved to be practically impossible. The research shows that proportional representation and fragmented parliament lead to governmental instability and concludes that a proportional system needs to balance the excessive influence of small parties, to allow the leading political forces to establish a stable and workable government which represents the interests of the general public rather than being politically blackmailed by the required support of small and minority parties.

Key words: *political instability; proportional electoral system; parties; Israel; election*

Introduction

Israel is experiencing an unprecedented political crisis with five general elections in only four years, between 2019 and 2022. In 2019 two successive elections (April and September) produced no clear outcome with the result that the country lacked a fully empowered government for more than a year. The instability continued in 2020. After the third round of election (March), a national unity government was agreed, but it collapsed after about seven months. After the March 2021 election a new coalition government survived for merely a year, and new election had to be scheduled for November 2022 (after losing their political majority in the Knesset – the Israeli Parliament - these governments served in the interim periods as well, which included the election campaign and the time after the election during the formation of a new government).

Israel is considered a free country, ranked with 76 points out of 100 according to Freedom House report (2022). According to the report, Israel is a parliamentary democracy with a multiparty system and independent institutions that guarantee political rights and civil liberties for most of the population. It is also considered a democratic country. The Economist's Global Democracy Index for 2019 listed Israel as a "flawed democracy". The country scores well on electoral process/pluralism and political participation but low on government functioning and political culture. However, despite being a free and democratic state, its parliamentary system is not stable. The main reason for the political instability is that the electoral system is too fragmented, allowing small parties to gain disproportional influence on government policy. Friedman Wilson (2015) explains that since the birth of the country, its electoral system has been criticized for favoring small parties over large ones and for granting a disproportionate amount of power to minority and ideological groups. The need to include small and more extreme parties gives these forces what Rahat and Hazan (2015) define as blackmail powers. The failure to

reform the electoral system, due to the need of support of small parties to form a government, turned Israeli political system into politics of conflict, which is used by different parties to gain influence among voters and endure political power. Haklai and Norwich (2016) explain that attempts to build a coalition government whose survival depends on support from ethnic minority parties have resulted in widespread public disapproval and political turmoil. Israel is unique in the role of immigrants and minorities, since it is considered as belonging to the entire 'Jewish People' and the identity between nationality and citizenship is based on the identity between nationality and religion (For example: Torgonik, 2000; Smooha, 2021). As a multi-party parliamentary democracy with a relatively low electoral threshold, Israel allows for a proportional representation and inclusion of its minority stakeholders (Wermenbol, 2016). The situation is more complex than in other countries since Israel defines itself as a Jewish state which has to offer democratic rights to its Jewish, Moslem, and Christian citizens (Kimmerling, 2001; Smooha, 2002; Smooha, 2003; Ketchell, 2019).

The research examines four main issues that influence the instability of the political system. The first is the excessive influence of small parties which is the main source of the instability of the political system. The second relates to the system of electing prime minister and the fact that any Knesset member, not only the candidate of the party that received the most votes, can become a Prime Minister. The third involves the complex process of forming a government, that limits the ability of the Prime Minister to establish a strong and workable government. And the fourth explores the excessive power of the Parliament to dissolve the government, which results in the limited power of the Prime Minister to govern given the fact that the Knesset can change the government at any given time, providing additional source of political instability to the political system.

The excessive influence of small parties

The first issue examined in this research relates to the excessive influence of small parties and the instability of the political system. Same as in other parliamentary democracies political parties are essential institutions of democracy, serving as a link between the society and the state, and legislatures play an important role in by providing a key institutional mechanism that allows coalition partners with divergent preferences to govern successfully (for example: Lanny and Vanberg, 2005; Friedman & Kenig, 2021; Shomer, Put & Gedalya-Lavy, 2016). But although Israel has a parliamentary democratic regime, its electoral system is different from those of most western countries since the whole state is one electoral constituency in national elections. This is a system in which political parties, rather than individuals, participate in elections. Knesset (Israeli Parliament) seats are distributed among political parties and party-coalitions are based on the proportion of the total number of votes. Since it is unlikely that any single political party can emerge from an election with an overall majority to form a government, the largest party usually gets to form a coalition government. This unique form of parliamentary democracy has been beneficial to political factions comprised of small and medium-sized parties that have unproportioned influence on governments and in many occasions they prefer the interests of the minority groups that they represent over the interests of the entire population. The failure to reform the electoral system, due to the need of support of small parties to form a government, turned Israeli political system into politics of conflict, which is used by different parties to gain influence among voters and endure political power. Although politics of reform is necessary for successfully promoting the initiatives against veto players who are interested in preserving the status quo (Rahat, 2006), the use of power by small and minority groups helps them move into a position from which they can effectively change public policies (Rosenthal, 2018) and the payoffs they obtain in coalition negotiations are conducive to their policy goals (Evans, 2018).

The issue of equal representation to multiple parties was enacted at the time of the founding of Israel. As a new country which absorbed immigrants from all over the world, Israel needed a system that supported many parties which represented the various segments of society. Since then, the influx of immigrants from a wide range of countries led to a rapidly changing political environment. As a result, Israel's electoral system is perhaps the most proportional in the world, with a highly proportional electoral system and a diverse society made up of multiple social, political, cultural, religious, and ethnic groups. The electoral system is one of proportional representation, meaning that votes are translated into seats in parliament in proportion to the share of votes gained by political parties. In addition, the system is closed-list, and voters can choose between parties without an ability to influence the identity of each party's candidates. The diminished electoral size of the big parties, which is a direct result of the election law that requires to establish a coalition between competing political parties,

increased the power of small and medium-size parties to make an influence on the nature of the government, as well as on decision making process and legislation. As a result, forming a stable government became almost an impossible mission, and the idea of a strong dominant and leading party which would establish long-term and consistent policies became unlikely.

The complex system of electing prime minister

The second issue examined in this research relates to the system of electing prime minister. The combination of the proportional representation electoral system and a multi-party system results in a government that is based on a coalition of parties. That means that several parties agree to share in the responsibilities of governing and get to enact their policies in a process of negotiation and compromise. According to the electoral law, after the election, the leader of the party that wins the most votes is not automatically selected as the prime minister. After the election results are announced, the Israeli President decides which member of the Knesset has the largest support in the newly-elected Knesset, and gives him the mandate to form a government. While the President usually asks the leader of the party that received the most votes to form a coalition, that is not mandatory, and any member of the Knesset with the greatest chance of forming a government can become Prime Minister, as long as he can collect 61 votes or more to support him. This is what happened in the March 2021 election, when a head a small party of six Knesset Members became the Prime Minister.

The big impact of small parties is since the entire country serves as one electoral zone in terms of allocation of Knesset seats. All lists which pass the qualifying electoral threshold are represented in the Knesset by a number of members which is proportional to the lists' electoral strength. According to Shugart (2020), the electoral system is an "extreme" example of proportional representation because of its use of a single nationwide district. As a result of the proportional electoral system, the Parliament has always been comprised of a multitude of parties, many of them small parties which gained much greater political influence compared to their actual public support. Never in all election campaigns has one party had a majority of the seats in the Knesset, and this political reality requires the largest party to negotiate with small parties in order to build a coalition and form a government after every electoral campaign. The opportunity for many parties to participate in the Knesset offers wide representation to many segments of Israel's politically and religiously diverse society. Yet, because the coalition-forming party is forced to align with many smaller parties that are ideologically or religiously extreme, political power is skewed towards these minority factions who skillfully use their position to make or break coalitions and impose their agendas (Bain, 2011).

This practice of the president selecting the prime minister is a response to setting up a system that creates many political parties, none of which are likely to gain enough votes to govern on their own. Therefore, Israeli governments rely on coalitions between different ideological parties and the president's involvement serves to ensure that the new prime minister is capable of forming such a coalition. The Knesset member chosen to create a coalition is granted 28 days by law to form a coalition, with the possibility of extending for up to 14 additional days. If he or she cannot form a coalition by that time, as were the cases in the first two election cycles of 2019 and in the fourth election held in 2021, the president can select another Knesset member to form a government. If the second attempt fails too, the decision is transferred to the Knesset, which has 21 days to agree on a candidate that would have the confidence vote of the majority of its members (61 out of 120). Failure to establish a coalition government in this limited timetable results in an automatic end of the Knesset term and a new election that takes place after 90 days.

The complex process of forming a government

The third issue examined in this research relates to the difficulties in forming a government, since the coalition forming party must obtain the support of at least 61 Knesset members in order to present the coalition. The research argues that despite the policy and political compromises of all social groups that represent different parties, this situation seems to be immanent for a parliamentary system. Every political system requires checks and balances between rival forces or which have different agendas, goals or public duties – and giving one party unbalanced control of the legislative process could undouble jeopardize democracy and the democratic values of the country. However, the situation in Israel is different from other parliamentary democracies, since the bargaining options in Israel's multi-

party parliamentary systems limit the ability of the prime minister to establish a strong and workable government.

As a result, Israeli politicians have become dissatisfied with the existing electoral system which is based on proportional representation of diverse minority groups. Israel has been governed by coalitions since its independence, and the act of coalition building serves the ideological and societal interests of the different parties, reflecting a compromised consensus on the identity of the state. The formation of governments maintains particular coalition interests, to what is considered by Belder (2021) as the 'legitimate circle of coalition building'. This definition can be explained in attempts to build a coalition government whose survival depends on support from ethnic minority parties and often results in widespread public disapproval and political turmoil (Haklai and Norwich, 2016). Israeli government has always been based upon political coalitions, which included several political parties, and these coalitions have influenced government policies. As explained by Bain (2011), Israeli politics is notable for its wide array of parties and unstable coalition governments and the main institutional cause of this chronic instability is the system of nationwide proportional representation, which gives disproportionate influence to minor parties.

The after-election negotiation is based on two types: the first of a political nature, and includes the nomination of government ministries and other political positions, and the second is of policy nature, and involves agreements and compromises for the government policy and legislative. Each party enters the coalition formation process with a proportion of votes that it obtained in the election and a preferred policy position and presents its policy demands and office-related preferences initiatives (for example: Sened, 1996; Hazan and Rahat, 2000; Averbukh, 2021). In many cases, because of the multi-party nature of the political system, the negotiation process involves a mix of these two types, since policy goals are achieved through governmental positions and political influence. More often than not, the ruling party needs to compromise because the large number of small parties requires making concessions in both governmental positions and policy issues. The system does not allow the government to pursue a policy that would satisfy all the partners in the ruling coalition, and the experience from Israeli politics shows that voting for a small party can be more beneficial for their supporters in achieving political gains, compared to voting for the ruling party. Furthermore: under the Israeli system, there are no votes for individuals, only for complete party lists that are decided by internal party primaries. The Israeli system is a parliamentary system and the vote is for a party who gets representatives in the Knesset. These representatives would then vote for one of them to become a prime minister, and they can change their mind in mid-term and replace the prime minister and the entire government. Thus, the prime minister needs to rely on a coalition of parties to maintain the government, with the result that coalitions can be replaced easily and in fact at any time during the Knesset term.

The excessive power of the Knesset to dissolve the government

The fourth issue examined in this research relates to the excessive power of the Knesset to dissolve the government. The Israeli parliamentary system is unique in that a simple majority of its members can decide to resolve the Knesset at any time. This mechanism exists only in Austria and the UK (although in the UK support of two thirds of Parliament members is required). This Israeli electorate system increases the instability of the government, given the fact that it can be dissolved at any time. Elections should take place once every four years, but because of the multi-party governments it is unlikely for any government to complete this period of governance. Usually the government falls due to lack of support of the coalition partners. The impact of the Prime Minister over ministers of other parties is limited because almost any small party can dissolve the government in a vote of no confidence. Another option is through opposition initiative, if there is a majority of Knesset members to legislate the Knesset Dissolution Law and call new elections. The Prime Minister can also declare new elections. Early elections are also required by the law if the Budget Law is not approved.

The ability to change the government at any given time is the source of political instability. Strøm, Müller and Markham Smith (2010) explain that parliamentary democracy means that the political executive is accountable to the parliamentary majority, but when both the parliamentary majority and the cabinet consist of two or more distinct political parties, it is often difficult for the parliamentary majority to monitor and control the executive. The fact that a prime minister can dissolve the parliament and call for new elections or that a Knesset can vote for early elections has led to a lot of political upheaval in recent years. This phenomenon is imminent according to the current electoral system, which gives power to smaller parties to block reforms that would limit their own political

influence. This also applies to the option of the Knesset to force a vote of no confidence. Cohen (2022) explains that the unique form of parliamentary democracy in Israel has become a breeding ground for political factions that leads to much political disorder because of the large number of political parties vying for election. The Head of the Israeli Democracy Institute, Yohanan Plesner (2021), explains that this instability has left the political system broken, making every prime minister vulnerable to political blackmail by his coalition partners, forcing capitulation to the smallest parties representing only a small slice of the Israeli public. The result is that demands by small coalition partners may lead to the downfall of the governing coalition – a reality that leads minority and identity parties to raise their demands for policy-related payoffs from coalitions forming parties. Shamir and Arian (2014) found that issues involving identity dilemmas have become increasingly important in structuring the vote and emphasizing the meanings of internal and external collective identity concerns in Israeli politics, their considerable overlap, and their translation into political choices.

Conclusion

Israel is an advanced Western country, although the instability of the political system creates major difficulties for the development of the country. The consequent political deadlock resulted in multiple consecutive election campaigns, with five elections in four years (April 2019, September 2019, March 2020, March 2021 and November 2021). The research examines four main issues that provide the source for the political instability: the first issue involves the excessive influence of small parties; the second issue results from the complex system of electing prime minister; the third issue is due to the complex process of forming a government; and the fourth issue includes the excessive power of the Parliament to dissolve the government.

As concluded by the research, the disproportional influence of small parties is because Israel chose a parliamentary system based on the principles of proportional representation. The political deadlock is an indicator of improper allocation of parliamentary seats and inconclusive negotiation talks between competing parties on the formation of a stable government. Political negotiation is required since Israel has been ruled since its establishment by coalition governments, and no political party has ever had a parliamentary majority. The parliamentary system requires a multi-party coalition since it is not possible to gain a majority by one political party that would be able to form a government. This political reality gives exaggerated political power to small partners in governmental coalitions. The proportional multi-party system creates a very fragmented parliament, which causes difficulties in building and maintaining large coalition governments.

The initiative to reform the electoral law emanated from widespread dissatisfaction over government performance. The intent was to reduce the number of parties in the Knesset and thus improve political stability and governance, but attempts to fix the electoral system have failed for the same basic reason: the current electoral system increases the participation of a large number of small parties and makes it practically impossible for any one party to govern without a majority of the vote in the Knesset. The need to form coalitions that are comprised of several parties gives disproportionate power to smaller parties and increases the instability of the government and the political system. But the fact is that the failure of these electoral changes was or had to be known prior to the legislative efforts, and this brings up two important questions that are examined in this research. The first raises the dilemma why Israel as a modern democracy cannot implement effective electoral changes that would allow to cure the political deadlock. The second looks at the end result of the initiatives to improve the electoral system and raises an innocent wonder why electoral changes were forced even though it was clear or had to be clear ahead of time that they deem to fail?

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