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Parliamentary elections in Israel (1 November de 2022)

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Introduction

Israel has a unicameral legislature called the Knesset, and is a parliamentary democracy. After independence in 1948, the first Knesset was elected in 1949. Since there have been 24 elections. The 25th Knesset was elected on 1 November 2022. In Israel's first 70 years there were 20 elections, which means that on average a parliamentary election was held every 3½ years, out of a maximum term of office of four years. However, in the last 3½ years there have been no less than five parliamentary elections. This article begins by explaining the three main features of the Israeli electoral system, it then elaborates how the seats in Israel are distributed, what then follows is a delineation of the party blocs in the party system, and subsequently an analysis of the 2022 elections alongside a short explanation of why Israel went through five elections in 3½ years – an unparalleled series of elections in any established democracy.

Israel's Electoral System

The Israeli electoral system is based on three main characteristics: a proportional allocation formula, the use of a single nationwide district for seat allocation, and a closed party list system.² The system was initially adopted after independence in 1948 for the first elections in 1949 and was seen as a provisional mechanism that would have no bearing on the future, since the newly elected Constituent Assembly would formulate the electoral system within the framework of its constitution-making mission. However, one of the first acts of the Constituent Assembly was to transition itself into the first Knesset and postpone the constitution-making function. Almost seventy-five years after it was

first implemented, the three main features of the electoral system that was adopted in 1948 have been preserved, with only minor changes.

A Proportional Electoral Formula with a Low Legal Threshold

When Israel's electoral system was first engineered, it was rather clear that it would be based on a proportional representation formula. Proportionality was perceived to be more representative and thus “fair” by the dominant political forces. It was part of the inclusive political legacy developed in the voluntary pre-state institutions,³ it was compatible with the 1947 United Nations Resolution⁴ which specifically mentions proportional representation as the system of electing the legislature,⁵ and it fit the interests of the small and medium-sized parties which were the majority in those days.

In addition to the proportional electoral formula, the Israeli election law adopted in 1948 introduced a single-seat quota as the legal threshold (0.83 percent of the national vote; the total number of seats in the Knesset is 120).⁶ Israel's electoral system was at that time the most proportional in the democratic world, each party's percent of votes was almost equal to its percent of seats. Before the second elections, in 1951, the legal threshold was raised slightly from 0.83 to 1 percent. For several decades the threshold remained low, but due to the small size of many of the parties elected and their magnified influence, it was slowly raised over time. Prior to the 1992 elections it was slightly increased from 1 to 1.5 percent, and before the 2006 elections it was raised again to 2 percent. In 2014, it was increased to 3.25 percent, bringing Israel close to the average threshold in proportional electoral systems. The last change, which is still in effect today, means that the Israeli electoral threshold can no longer be considered a comparatively low barrier but rather a moderate-level one. In other words, it was quite easy (and

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² Reuven Y. Hazan, Reut Itzkovitch-Malka and Gideon Rahat, “Electoral Systems in Context: Israel,” in E.S. Herron, R.J. Pekkanen and M.S. Shugart (Eds). *Oxford Handbook of Electoral Systems* (Oxford: Oxford University Press, 2018).

³ Samuel Sager, *The Parliamentary System of Israel* (Syracuse: Syracuse University Press, 1985).

⁴ UN General Assembly Resolution 181, known as the United Nations Partition Plan, which recommended a partition of Mandatory Palestine at the end of the British Mandate into Arab and Jewish states.

⁵ Article 10(a) states: Establishing in each State a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation, and an executive body responsible to the legislature.

⁶ In the 1949 elections the quota for a seat was only 3,592 votes. 73 years later, in the 2022 elections, the quota was more than ten times as much: 36,227 votes.

still is, to a high degree) for parties to win seats in the Knesset, which increases the diversity of the groups, sectors, and interests represented.

A Single Nationwide Electoral District

The second important characteristic of the Israeli electoral system is the lack of electoral districts, since the entire country serves as a single nationwide district.⁷ That is, in Israel there is only one district, and district magnitude is equivalent to the size of the Knesset: 120. In this key characteristic, the Israeli electoral system is “extreme”, as 120 is one of the largest magnitudes among democracies (surpassed only by the Netherlands – 150 since 1956). The allocation of seats is based on the total number of valid votes in the entire country. The adoption of a single nationwide district was partly based on its use already during the pre-state era, and partly because the War of Independence complicated and even precluded the adoption and implementation of a system that would require a complicated division of the state into districts – during the war many recruits were far from their residence and were constantly transferred from one front to another, and even the borders of the country changed quite often. The use of a single nationwide district has meant that there is no geographical connection between the voters and their representatives, and this contributes to the centralized character of the system.

Closed Party Lists

The closed-list system, which does not allow the voters an opportunity to influence the composition of the candidate lists, is the third prominent feature of the Israeli electoral system. In the elections for the Knesset, the Israeli voter can cast a ballot only for a party, or an alliance of parties that together presented a joint list of candidates. There is one ballot for every list running, and the voter has to select their preferred ballot from a choice of several dozen party lists that take part in the election.

The official assignment of “elected” seats for each party that won representation in the Knesset is determined purely by position on a party list. If a party won 10 seats, it is the top ten candidates on its list that are elected. Alongside the absence of electoral districts, this characteristic denies candidates and voters alike the possibility of establishing a personal, direct connection with one another, leaving the political parties as the sole mediators of the voter-representative connection. Given this kind of institutional design, the cultivation of a personal

reputation and the demonstration of personal accountability to the voters – as opposed to party cohesion – cannot be expected. This leads to a collective dimension of party representation.⁸

The Israeli electoral system holds many advantages. It is a system that is clear and simple to understand, and due to its high levels of proportionality it reduces the number of wasted votes. The system also creates a highly representative legislature, reflecting the multiple social groups and sectors in Israeli society. In short, the Israeli electoral system fulfills two of the most important goals of an electoral system: it ensures a fair distribution of electoral power between the competing parties, and it enables the representation of different social groups, minorities, and interests. Nevertheless, the system also has its disadvantages. For example, it produces a highly fragmented party system, which makes maintaining a governing coalition difficult and governance crises appear all too often. Furthermore, in the Israeli system the “electoral connection”,⁹ which ties legislators’ activity in parliament and their reelection aspirations to a particular voter base, is largely absent.

How the Israeli Electoral System Works

In Israel, the Basic Law: The Knesset¹⁰ says that “the Knesset shall be elected in general, national, direct, equal, secret, and proportional elections” (Article 4). All citizens eighteen years of age or older can vote. The way that the seat distribution process works in Israel is straightforward. The total number of valid votes in the election (minus the votes going to parties that receive less than the 3.25 percent threshold) is divided by 120, the total number of seats in the Knesset, thereby establishing a “key” (or seat quota, known as the Hare quota). That key is used when dividing the total number of valid votes that a party receives (the dividend) by the key (the divisor), resulting in a number of seats (the quotient) plus a remainder of votes. Israel thus quickly and easily distributes most of the 120 seats in the Knesset. There are several “surplus” seats left to distribute, and each party has a remainder of votes that were not “used” to win seats.

The method used to award these “surplus” seats in Israel during the 1950s and 1960 was the largest remainder. Looking only at the remaining votes, regardless of the total number of seats already won by the

8 John M Carey and Matthew S. Shugart, “Incentives to Cultivate a Personal Vote: A Rank Ordering of Electoral Formulas,” *Electoral Studies*, Vol. 14, no. 4 (1995):417-439.

9 David R. Mayhew, *Congress: The Electoral Connection* (New Haven: Yale University Press, 1974).

10 The State of Israel has no written constitution. Instead, the Knesset has enacted several Basic Laws dealing with government arrangements and with human rights. The Basic Laws were intended to be draft chapters of a future constitution, which has been postponed since independence; they act as a de facto constitution until their future incorporation into a formal, written constitution. Israel is one of several countries (along with Canada, New Zealand, and the United Kingdom) that operates entirely or in part according to an uncoded constitution.

7 See Matthew S. Shugart and Rein Taagepera, “Examples of Electoral Systems: Nationwide PR in Israel and FPTP in Trinidad and Tobago, and India,” in *Votes from Seats: Logical Models of Electoral Systems* (Cambridge: Cambridge University Press, 2017), pp. 73-78.

party, parties won a surplus seat if they had a larger number of remainder votes. This method is thus “blind” to party size.

The largest average remainder, on the other hand, is a system that puts a premium on size, on the number of seats already won by the party. The idea here is that a party supported by a large number of voters should be treated differently from a much smaller party. According to the version of this method, used in Israel since 1973, there is a second division that takes place. This time the total number of valid votes that a party received (the dividend) is divided by the total number of seats it has already won (the divisor) plus 1, resulting in an average of the remainder votes (the quotient). Not surprisingly, the two largest parties favored by this formula pushed for its adoption (referred to as the “Bader-Ofer system” named after the two Member of Knesset who introduced the reform, one from each of the two largest parties; elsewhere it is known as the Hagenbach-Bischoff system, a variant of the D’Hondt method).¹¹

For the distribution of the surplus seats, based on the average remainder method described, two parties can join in order to increase their total remainder. This is known in Israel as a “surplus agreement” or elsewhere as “apparentment”. That is, if the combined total remainders of the two parties adds up to the necessary votes for a surplus seat, then a surplus agreement would allow one of them to obtain this added seat. Only parties that pass the legal threshold can implement their surplus agreements, which means that both parties need to have passed this threshold on their own.

As mentioned earlier, voters in Israel vote for party lists. Only political parties are allowed to present a list of candidates to the Central Elections Committee (CEC).¹² This means that any political movement must first be registered as a new party by the Registrar of Political Parties, a unit under the Ministry of Justice. In order to establish a new party there are requirements, such as a number of supporting signatures by Israeli citizens (currently 100) and a small fee.¹³ Parties must submit their lists to the CEC no later than 47 days before the election.¹⁴ In the 2022 elections, no less than 40 lists were submitted, 27 of which won less than 1 percent of the vote.

Since the early 1970s, Israeli parties are forbidden from receiving corporate contributions.¹⁵ Most of the election funding comes from the

state, not private sources.¹⁶ Parties that already control seats in the Knesset are given substantial allowances for the electoral campaign based upon the number of seats they control in the Knesset at the time.¹⁷ Every party that gets at least one percent of the vote, even if it does not win any seats, is entitled to retroactively receive financing for election expenses from the state after the votes are counted (Parties Financing Law, 1973, Article 2). And, all parties running are given free time on television and radio for campaigning. During the last two weeks of the campaign each party list is allocated seven free minutes of television time, and parties already represented in the Knesset receive an additional two free minutes per seat they controlled in the outgoing Knesset.

Before each election, the Ministry of Interior informs all Israelis of the designated location at which they can vote. There is no procedure for absentee voting nor for early voting (except for members of the diplomatic corps and sailors serving on Israeli ships). Polling booths are placed almost everywhere, including prisons, hospitals, and mobile military bases. Every Israeli is assigned a specific voting booth where a list of those registered to vote is kept – your name is crossed off the list once you vote and you cannot vote at a booth where your name does not appear.¹⁸ Free public transportation is provided for those who live far from where they are registered to vote, and many parties provide transportation for their voters to reach their polling sites. Most importantly, since elections must by law be held on a Tuesday (and not on a weekend, due to the Sabbath), election day in Israel is a statutory public holiday, allowing everyone the ability to make time to vote.

The Party System in Israel

Each of the parties in Israel belongs to one of only a handful of party families or “blocs”. These party blocs overlap or correspond with long-established societal cleavages, and belonging to a bloc reflects a party’s ideology and a social identity.¹⁹ That is, the association of a particular party with a specific bloc gives voters the necessary signs – in terms of both political ideology and social identity – to make an informed choice when voting. It also influences voting, because while most Is-

11 For an expanded explanation of this process, see: Gideon Rahat and Reuven Y. Hazan, “Israel: The Politics of an Extreme Electoral System,” in M. Gallagher and P. Mitchell (Eds). *The Politics of Electoral Systems*, (New York: Oxford University Press, 2008):333-351.

12 Central Elections Committee website, <https://www.gov.il/en/departments/central-elections-committee/govil-landing-page>.

13 Asher Zidon, *The Knesset: The Parliament of Israel* (New York: Herzl Press, 1967), pp. 23-24, and Sager, *The Parliamentary System of Israel*, p. 46.

14 A full timetable for the CEC requirements can be found on their website, <https://www.gov.il/en/Departments/General/time-table-25> (accessed 10 January 2023).

15 Samuel Sager, *The Parliamentary System of Israel*, see his section on “Financing of Elections,” pp. 67-72.

16 For more on campaign financing see Menachem Hofnung, “The Public Purse and the Private Campaign: Political Finance in Israel,” *Journal of Law and Society* 23, no. 1 (1996):132-148.

17 See Tamir Shaefer, Gabriel Weimann and Yariv Tsfati, “Campaigns in the Holy Land: The Content and Effects of Election News Coverage in Israel,” in J. Strombock and L.L. Kaid (Eds). *Handbook of Election News Coverage around the World* (New York: Routledge, 2008):209-225.

18 Special provisions appear for those who cannot vote where they are registered, such as soldiers on active duty or a voting booth for people with disabilities.

19 Michal Shamir and Asher Arian, “Collective Identity and Electoral Competition in Israel,” *American Political Science Review* 93, no. 2 (1999): 265-277; Asher Arian and Michal Shamir, “A Decade Later, the World has Changed, the Cleavage Structure Remained: Israel 1996-2006,” *Party Politics* 14, no. 6 (2008):685-705.

raeli voters would not stray from “their” bloc, they do swing from one party to another within a bloc.²⁰ The dominant security cleavage in Israel, as opposed to socio-economic issues in most other democracies, defines the main political parties and their two blocs – hawks versus doves. There are two other blocs of parties, based on the two largest minorities in Israeli society – ultra-religious Jews and Israeli Arabs – that also have clear and opposing positions on the security dimension. These four blocs of parties have existed over time, while a fifth located in the middle and not focused on security has gained both importance and resilience in the last two decades. The parties represented in the Knesset can thus be classified into the following five political blocs: hawkish-right, dovish-left, center, ultra-religious, and Arab.

Foremost in the hawkish-right bloc is Likud, the leading force in Israeli politics since 1977. The most prominent party of the dovish-left bloc is Labor, which dominated pre-state and state politics until 1977. Recently, the center has become more successful but no less volatile, with Yesh Atid as its main party, addressing largely socioeconomic issues. The religious bloc, in the past, was positioned in the middle of the party spectrum, but at least since 1977 it moved to the right and prefers to support hawkish governments. The Arab bloc includes different streams, such as Arab-nationalist and Muslim, and is located at the far-left of the party system. No party has ever won a majority of the seats in Israel, and none of these five blocs of parties currently has a majority in the population or in politics. This means that cross-party cooperation in government formation has to include multiple parties across ideological groups in the Israeli party system.

The 2022 Elections in Israel (and the four that preceded in 2019-2021)

The 2022 elections were held on 1 November, they were the fifth election in just over 3½ years. No less than 40 parties competed in the elections, only 10 of them received enough votes to pass the legal threshold of 3.25% and win seats in the Knesset, as shown in Table 1. The hawkish camp had three parties – Likud, Religious Zionism (more hawkish and more religious than Likud) and Israel Our Home (as hawkish as Likud but secular). The dovish camp was comprised only of Labor. The center included Yesh Atid along with the State Camp. The religious camp contained Shas and United Torah Judaism (UTJ; their differences are largely ethnic). The Arab camp was made up of the merged Hadash-Ta’al (the former is communist while the latter is nationalist) and Ra’am (which is Muslim).

20 Odelia Oshri, Omer Yair and Leonie Huddy, “The Importance of Attachment to an Ideological Group in Multi-Party Systems: Evidence from Israel,” *Party Politics*, Vol. 28, no. 6 (2022):1164-1175.

Table 1: The 2022 Israeli Election Results

Party Name	Votes (percent)	Seats
Likud	1,115,336 (23.41)	32
Yesh Atid	847,435 (17.79)	24
Religious Zionism	516,470 (10.84)	14
State Camp	432,482 (9.08)	12
Shas	392,964 (8.25)	11
United Torah Judaism	280,194 (5.88)	7
Israel Our Home	213,687 (4.48)	6
Ra’am	194,047 (4.07)	5
Hadash-Ta’al	178,735 (3.75)	5
Labor	175,992 (3.69)	4
Eligible voters	6,788,804	
Voter turnout	4,794,593 (70.63)	
Valid votes	4,764,742 (99.38)	
Invalid votes	29,851 (0.62)	

One issue, both legal and political in nature, on top of the “regular” issues in Israeli politics, has to be addressed in order to assess the 2022 election results, as well as the four elections before in 2019-2021.²¹ In November 2019, Prime Minister Benjamin Netanyahu was officially indicted for breach of trust, accepting bribes, and fraud. His trial in the Jerusalem District Court began in May 2020. As a result of the indictments, according to Israeli law, Netanyahu is legally required to relinquish any ministry portfolios other than prime minister. The indictments were a major issue in the five elections between 2019-2022. In all five elections, the hawkish parties and the religious parties, two blocs that prefer to govern together, had a majority of the seats. But Netanyahu’s leadership split the hawkish bloc, with some hawkish parties unwilling to sit under him as prime minister, and without these parties the hawks-religious blocs lacked the necessary majority. In other words, it was hawkish parties opposed to Netanyahu, due to his legal problems, that made a hawkish-religious government coalition impossible from the first election. The April 2019 election quickly led to another in September 2019 and to a third in March 2020. The reason that a government was created after the third election in early 2020 was the Covid-19 pandemic. The main anti-Netanyahu party (Blue and White) split, with half declaring that in order to avoid a fourth election during the pandemic an “emergency corona government” was

21 Michal Shamir and Gideon Rahat (Eds.) *The Elections in Israel 2019-2021* (London: Routledge, 2022).

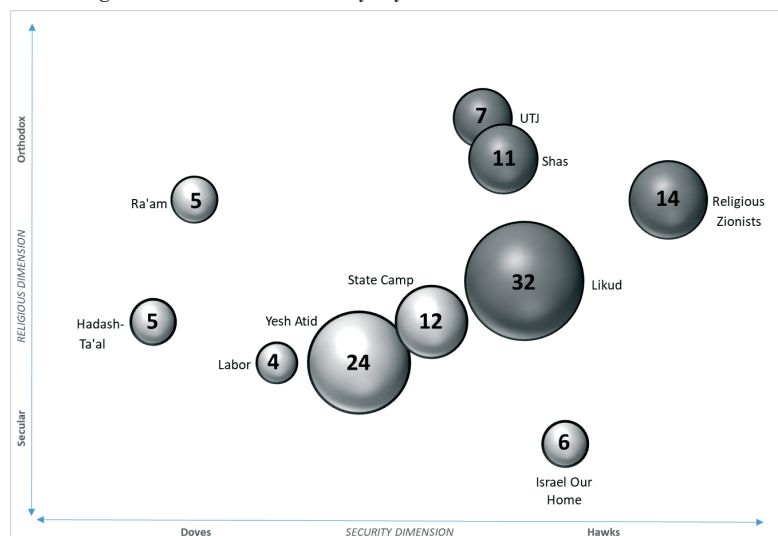
the only alternative. A coalition government was sworn in, but it lasted less than a year and a fourth election was held in March 2020.

The series of elections, the inability to form governments, and the instability of even an emergency government, eventually forced all the anti-Netanyahu parties (except for one) to agree to sit together after this election in a coalition government comprised of eight parties. With little but distaste for Netanyahu to hold them together, and with a very thin parliamentary majority, this government also did not last and a fifth election was held in November 2022.

In 2022, for the first time in five successive elections, the hawkish bloc of parties and the religious bloc of parties had a majority of the seats even without a hawkish party opposed to Netanyahu. Soon-after the elections, Israel's President (a largely symbolic position, appointed by the parliament for a single seven-year term) designated Netanyahu to form a government, which he succeeded in doing during the maximum period allowed of 42 days. On 29 December 2022, the sixth Netanyahu government was sworn in, based on a coalition of four parties: Likud, Religious Zionism, Shas and UTJ together comprising 64 of the 120 Knesset seats. It is the 37th government in Israel's 74-year history, which means that on average government coalitions have lasted about two years.

An illustration of the Israeli party system after the 2022 elections based on the two most important cleavages – security on the horizontal (X) axis and religion on the vertical (Y) axis – and the relative size of each party, is presented in Figure 1 (the size of the circles is based on the number of seats each party won).

Figure 1: The Israeli Party System after the 2022 Election



Note: Darker circles indicate the four parties that formed the coalition government.

Conclusion

After five elections in only 3½ years, unseen elsewhere in the democratic world, the 2022 elections in Israel produced a government and finally brought to an end the series of recurring elections. The resulting government is based on four parties, three of which represent the extreme poles of the Israeli party system: Religious Zionism is the most hawkish party while Shas and UTJ are the most religious parties. This means that the main governing party, Likud, will be pulled towards these two extreme and “illiberal” poles.²² Moreover, each of these three parties has the ability to bring the government down. In other words, while the 2022 elections have ended the string of recurring elections in Israel, the resulting government might not survive its full term in office. What might help it stay in office is that Israel, in 2015, adopted the constructive vote of no-confidence, which means that a “negative” majority cannot bring down the government.²³

The new, extreme government in Israel has potential political consequences for both the regional and the domestic arenas, but the latter is more significant. Regionally, the inclusion of the most hawkish party in the coalition could exacerbate the already strained relations with the Palestinian Authority, alongside other players. Domestically, all four parties in the coalition want to rein in the power of the judicial branch, perceived as a bastion of liberal values. In a country that lacks a constitution, the Israeli Supreme Court has been willing to step into controversial waters in weighing the “constitutionality” of legislation passed by the Knesset.²⁴ The acquisition of this power by the court has been controversial, leading to tension with the other branches, and the new Knesset will debate proposals to restrain or reduce the power of the court.

22 Liberal democracy constrains the political power of the majority and protects minorities and individual liberties, illiberal parties combine allegiance to electoral democracy with a disregard for the limitations placed on power by liberal democracy. See: Marlene Laruelle, “Illiberalism: A Conceptual Introduction,” *East European Politics*, Vol. 38, no. 2 (2022):303-327.

23 Rather a “positive” majority for an alternative government is required in a constructive vote of no-confidence. This mechanism is found in Belgium, Germany, Hungary, Poland, Slovenia and Spain; see: Tal Lento and Reuven Y. Hazan, “The Vote of No Confidence: Towards a Framework for Analysis”, *West European Politics*, Vol. 45, no. 3 (2022):502-527.

24 Two landmark rulings, the second in 1995 (*Mizrahi Bank v. Migdal Cooperative Village*), have been compared with the *Marbury v. Madison* (1803) decision by the Supreme Court of the United States that established the principle of judicial review. See Menachem Hofnung and Mohammed S. Wattad, “The Judicial Branch in Israel,” in Reuven Y. Hazan, Alan Dowty, Menachem Hofnung and Gideon Rahat (Eds), *The Oxford Handbook of Israeli Politics and Society* (New York: Oxford University Press, 2021).