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Israel's Electoral System: Characteristics, Drawbacks and Proposals for Reform

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Electoral systems - the mechanisms by which the citizen's voice is translated into representation in governing institutions - significantly affect the character of political systems and governance in democratic countries. Were we to argue that electoral systems simply reflect the distribution of political power, we would be compelled to observe that over time, these systems help sustain that same distribution of the power. To the degree to which modifications in the distribution of power do appear, the expression of those changes are influenced by the electoral system's characteristics: the number of parties, how the party system operates, coalition formation, the behaviour of governing institutions. The validity of this observation is confirmed by the short-lived institution of direct election of the prime minister in Israel. A seemingly small alteration of the electoral system, "only" with respect to election of the prime minister, led to changes in the number of parties, the distribution of power between the parties, the character of coalitions as well as the conduct of governance. Here, we focus on election to the Knesset from the perspective of international experience as a means for identifying the system's drawbacks as well as proposals for its reform.

Israel's Knesset election system is a proportional, national and closed-list system. *Proportionality* means that the voters' voices are translated into representation that preserves the relationship between the percentage of ballots won by a list of candidates and the party's strength among the electorate. Stated differently, the representation "pie" does not go in its entirety to the list gaining the majority of votes, the custom among the numerous Anglo - Saxon states that employ a majoritarian electoral system but, rather, is divided among several parties. A system that is *national* allocates the seats in parliament (Israel's Knesset) as if the elections had been held in a single constituency, in this case, the entire country.

The national character of the system, together with proportionality, is legally stipulated in *Basic Law: The Knesset*. The element of a single, national constituency was introduced in the 1950s in retaliation for Ben-Gurion's attempt to reform the electoral system. Finally, the *list* system precludes any possibility for the voter to influence the composition or order of Knesset candidates as they appear on the ballot. Its closed feature results from the need to present the list to the Central Elections Committee more than one month prior to the elections. The list's composition and internal order is therefore determined well in advance.

The proportional seat allocation formula has been adopted by the majority of established democracies, including Israel. Considering the heterogeneity of Israeli society, particularly the multiplicity of its social cleavages (secular-religious, Ashkenazi - Sephardic, immigrant-veterans to name a few), proportionality appears justified because this formula allows representation of every relevant social group. Despite the weaknesses found in the Israeli system, the majority of regime scholars - especially those specializing in electoral systems - do not dispute the fit between the character of Israeli society and proportionality.[i]

Several factors distinguish the Israeli system from other democratic electoral systems. First, there is the relatively high level of proportionality, a characteristic derived from the 120 seats assigned on the basis of its single national electoral constituency as well as the relatively low legal plateau (2%) required for a party's election to the Knesset. Second, no small districts have been carved out for the purpose of allocating parliamentary seats. In every other established democracy, local districts are employed - even in the presence of a reservoir of national - level votes - to guarantee proportional representation on the national level. Third, the Israeli system lacks any element of direct voter involvement in the selection of candidates. As indicated above, these decisions are made 35 days before the elections. Such a system eliminates the possibility available in the majority of states, where voters are given a meaningful if, at times, only symbolic opportunity to influence the identity of their individual elected parliamentary representatives.

These unique characteristics classify the Israeli system as extremist from the perspective of proportionality (to be distinguished from the use of the proportionality formula per se) as well as from the perspective of the rigidity of party lists. In other words, the majority of democratic states apply a less stringent proportionality formula as well as permit voters some opportunity to express their opinions and even influence the individual composition of the nation's parliament.[ii]

To date, numerous initiatives have been raised to modify the Knesset election system, beginning with the adoption of a single-representative majoritarian system according to the Anglo-Saxon formula, and concluding with the introduction of moderate revisions such as those proposed here. However, the mechanisms applied to correct the Israeli system's extremism have all been indirect. Thus, considered from the "bottom," the primary system was adopted by large parties with the declared intent to compensate for the absence of individual voter involvement in the general electoral system. From the "top," amendments to *Basic Law: The Government* and *Basic Law: The Government* represent attempts made to add individual and majoritarian elements to the proportional, closed-list system by introducing direct election of the prime minister. However, these remedies were quickly discovered to accelerate the situation's deterioration. The key to improving the political system is, in effect, to be found in modifying the electoral system directly; any attempts to patch up the existing structure is doomed to failure.

International comparative analyses, after taking the local context (i.e., the complexity of Israeli society) into account, have led numerous scholars to recommend moderate revisions of Israel's electoral system. In this same vein, our proposals for change include a moderate reduction of proportionality by raising the entry plateau for a party's admission to the Knesset to 4%-5%. We also suggest introducing local regional constituencies: About 80 seats could be divided among 14 multi-representative districts that would be seated in the Knesset according to the number of their residents; at the same time, a high-level of proportionality would be sustained by maintaining a reservoir of 40 national seats. The third proposal raised here is the addition of an individual element - adoption of a flexible list system that would permit voters to indicate their preferences regarding the identity of the candidates running on the party lists.

The main objective of a moderate diminution of proportionality is to reduce somewhat the number of parties sitting in the Knesset, a number that is large relative to the majority of established democracies. With respect to the Israeli context, a higher entry plateau would still permit social minorities to gain representation but would, at the same time, encourage splinter parties to create blocs. This type of merger will encourage the different forces to compromise and present agreed-upon programs that would add "interests" without hindering the practice of governance with internal party squabbles. Furthermore, a bloc system ameliorates the competition between sectoral parties for gains that benefit only their sectors, a reform that will diminish the burdens placed upon Israel's political system.

The introduction of regional constituencies will add another level to Israel's political system by encouraging cooperation among sectors and social groups based on a shared regional identity. Regionalism is capable of somewhat correcting the current under - representation of the geographic periphery - which is often identified with the social periphery as well-in the Knesset. From a different perspective, such a reform is likely to promote the indispensable decentralization of authority and resources to the local level from Israel's overly centralized state government.

On the surface, introduction of an individual factor into the electoral system appears to be a step destined to augment the current trend toward personalization of politics, that is, the transformation of politics into an arena for individual activity directly targeted at the public, free of party mediation and collaboration. Numerous democratic countries employ systems containing individual factors, and did so even during the heyday of partisan politics when mass parties dominated the political arena. Yet, we anticipate that this step will – surprisingly - strengthen the parties to some extent because it will link personality politics to party politics: In order to get elected, candidates will be required to first win a place on the party list and only then convince voters to favour their party and themselves as members of that list when balloting. Continuation of the current situation, where individuals who neither support nor vote for a party take active roles in the primaries and central committees that select a party's Knesset candidates, is inconceivable. The new system will thus enable all party candidates to be selected directly by the voters. In other words, this change would neutralize the separation between the candidate and the party that is maintained by the current system, in which lists are closed in advance. We anticipate that introduction of this reform will balance the candidates' current responsiveness to their electorate by the increased potential to implement comprehensive party platforms, as circumscribed by a reasonable level of unity and party discipline.

We should not forget that personality politics, as currently institutionalized within party practices and national elections, allow the state to regulate competition without any intentional or provoked intervention into internal party affairs. Yet, in order to advance further in this direction at a moderate pace, we recommend that at least at the intermediate stages, the party be allowed to maintain control over the lists. From the perspective of a democratic order in which citizens regularly delegate power to their representatives, significant importance is attached to the very possibility of entering some changes in a party list - irrespective of whether the voter takes advantage of this option - by the appearance of the candidates' names on the ballot.

All these reforms carry a price: We can expect a difficult period of adjustment and learning by politicians as well as voters because the proposed system is more complex than the established system. However, it is difficult to imagine that Israeli citizens will be unable to contend with a system instituted by so many other states, even those that have just recently adopted democracy. We are, after all, speaking of cosmetic changes meant to revise - not revolutionize - the system. Nor should we forget that the respective reforms are derived from the experience of other nations and are, in addition, sensitive to Israel's unique social and political characteristics. If we do not adopt such reforms, we are liable to find ourselves eventually experiencing another compendium of indirect changes that are destined to fail because they will be motivated by an attempt to patch up rather than confront the basic problem - the extremist character of Israel's electoral system.

[i] Arend Lijphart, 1993, "Israeli Democracy and Democratic Reform in Comparative Perspective," in Ehud Sprinzak & Larry Diamond (Eds.), *Israeli Democracy Under Stress*, Boulder: Lynne Rienner, pp. 107-123.
[ii] Matthew S. Shugart, 2001, "'Extreme' Electoral Systems and the Appeal of the Mixed-Member Alternative" in Matthew S. Shugart & Martin P. Wattenberg (Eds.), *Mixed-Member Electoral Systems: The Best of Both Worlds?*, Oxford: Oxford University Press, pp. 25-51.