

THE ISRAELI ELECTORAL SYSTEM

2009 elections

Israeli elections for the 18th Knesset (parliament) were held on February 10, 2009. Voter turnout was 65.2%. Kadima, won 28 seats in the Knesset; Likud won 27 seats; Yisrael Beytenu won 15 seats; Labor won 13 seats and Shas won 11 seats. While Kadima won the most seats, their leadership was not able to form a ruling coalition. The Kadima party demanded that Benjamin Netanyahu, the leader of the Likud party (and soon to be Prime Minister) endorse negotiations with the Palestinians that began in Annapolis in November 2007 or openly declare support for a Palestinian state. Netanyahu refused and put together a coalition government that included the Labor Party as well as ultra-Orthodox and secular nationalist parties. The veteran center-left Labor party that has been the pillar of governments since the founding of Israel, saw its worst-ever performance. Large parts of the Labor party remained skeptical about the coalition agreement but they approved the coalition deal with 680 to 507 votes in favor.

The election process: background

National elections to the Knesset, Israel's parliament, are held once every four years, unless circumstances call for early elections (as is the case in 2009). The framework of the Israeli electoral system is defined in Article 4 of the Basic Law: The Knesset, which states:

"The Knesset shall be elected by general, national, direct, equal, secret and proportional elections, in accordance with the Knesset Elections Law."

- **General:** On Election Day, voters cast one ballot for a political party to represent them in the Knesset. Every Israeli citizen aged 18 or older has the right to vote. Israelis of all ethnic groups and religious beliefs, including Arab Israelis, actively participate in the process and for many years, voting percentages have reached close to 80 percent.
- **National:** The entire country constitutes a single electoral constituency.
- **Direct:** The Knesset, the Israeli parliament, is elected directly by the voters, not through a body of electors.
- **Equal:** All votes cast are equal in weight.
- **Secret:** Elections are by secret ballot.
- **Proportional:** The 120 Knesset seats are assigned in proportion to each party's percentage of the total national vote. However, the minimum required for a party to win a Knesset seat is 2% of the total votes cast.

Knesset elections are based on a vote for a party rather than for individuals, and the many political parties which compete for election to the Knesset reflect a wide range of outlooks and beliefs.

The direct election of the prime minister, instituted in Israel in 1996, was abolished under the revised Basic Law: The Government (2001) and the task of forming a government and heading it as prime minister was assigned by the president to the Knesset member considered to have the best chance of forming a viable coalition government in light of the Knesset election results.

Candidate eligibility

Every citizen aged 21 or older is eligible for election to the Knesset, provided they have no criminal record, do not hold an official position (the president, state comptroller, judges and senior public officials, as well as the chief-of-staff and high-ranking military officers, may not stand for election to the Knesset unless they have resigned their position at least 100 days before the elections), and the court has not specifically restricted this right (for example, in the rare case of a person convicted of treason).

Only parties that have been legally registered with the Party Register, or an alignment of two or more registered parties, can present a list of candidates and participate in the elections. Prior to the elections, each party presents its platform, and the list of candidates for the Knesset, in order of precedence. The parties select their candidates for the Knesset in primaries or by other procedures.

Knesset seats are assigned in proportion to each party's percentage of the total national vote. A party's surplus votes, which are insufficient for an additional seat, are redistributed among the various parties according to their proportional size resulting from the elections, or as agreed between parties prior to the election.

The number and order of members entering the new Knesset for each party corresponds to its list of candidates as presented for election. There are no by-elections in Israel. Should an MK resign or pass away in the course of the Knesset term, the next person on that party's list automatically replaces him/her.

Election finances

According to the Party Financing Law, a treasury allocation for election campaigns is granted to each faction at the rate of one pre-defined "financing unit" per seat won in the previous Knesset elections plus one unit per mandate won in the current Knesset elections, divided by two, plus one additional financing unit. New factions receive a similar allocation, retroactively, based on the number of seats won in the elections.

No faction may receive a contribution, directly or indirectly, from any person or his dependents in excess of the sum established by law and linked to the Consumer Price Index. A faction or list of candidates may not receive a financial contribution from someone who is not eligible to vote in the elections.

Supervision of elections

The Central Elections Committee, headed by a justice of the Supreme Court and including representatives of the parties holding seats in the Knesset, is responsible for conducting and supervising the elections. Regional election committees oversee the functioning of local polling committees, which include representatives of at least three parties in the outgoing Knesset. Anyone aged 16 or older is eligible to serve on a polling committee.

According to the Basic Law: The Knesset, the Central Elections Committee may prevent a candidates' list from participating in elections if its objectives or actions, expressly or by implication, include one of the following:

1. Negation of the existence of the State of Israel as the state of the Jewish people;
2. Negation of the democratic character of the State;
3. Incitement to racism.

Election day

All citizens aged 18 or older on election day are eligible to vote. Election day is a holiday in order to enable all to participate. Soldiers on active duty vote in special polling stations in their units. Special arrangements have also been made for prison inmates to vote, as well as for those confined to hospital. Israeli law does not provide for absentee ballots, and voting takes place only on Israeli soil. The sole exceptions are Israeli citizens serving on Israeli ships and in Israeli embassies and consulates abroad.

