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The Tyranny of the Minority

By Shmuel Rosner August 2, 2013 11:53 am

JERUSALEM — This week, the Knesset approved several changes to Israel’s election laws, including an increase, from 2 percent to 4 percent, in the minimum share of votes needed to get into Parliament. More debates and more voting are required before this decision becomes law, but it already shows that after many years of talking a lot and doing a little to reform the electoral system, change finally is afoot.

This may seem like a tiny step, but it could help transform Israel’s political life.

The reform’s objective is to do away with the Knesset’s slew of small parties, often fickle coalition partners that destabilize the government. Until the mid ‘70s, Israel was essentially ruled by the Labor Party (or rather, its predecessors). Even though it needed the support of one or two parties to form a governing coalition, the party alone was so strong that it could dictate the rules of the political game. But with the rise of the conservative Likud party in 1977, in the aftermath of the Yom Kippur War, a two-party rivalry emerged. Labor and Likud generally split votes, forcing them to negotiate with more small parties than used to be necessary in order to cobble coalitions together.

This naturally gave little groups more leverage — and much more perhaps than their share of the popular vote might suggest. Amnon Rubinstein, one of Israel’s leading legal experts and a former politician, argues that this dependence amounts to a rule of the minority over the majority.

Many Israelis have disliked the minority’s “blackmailing” power, as this electoral artifact is often described, but changing it requires a vote in the Knesset — and the small parties objected to change. But then in January, during the last election, Israelis forced the prime minister to form a centrist coalition

bent on electoral reform.

Twelve parties made into the 120-member Knesset then: four of them securing fewer than five seats each, and only one — the ruling Likud-Israel Beitenu coalition — winning more than 20 (it has 31).

One common objection to raising the threshold is that the current system works just fine. Another is that the reform won't help the two largest parties get more seats. But the most serious, and most troubling, argument is that the change will limit representation in the Knesset of the country's Arab minority, about 20 percent of the population. The three parties in the so-called Arab bloc, which are the most popular among Arab voters, share 11 seats.

If the 4 percent threshold were in place today, only eight

of the 12 parties currently in Parliament would satisfy it, according to a study released last week by the Central Elections Committee. The four parties that wouldn't make the cut are the centrist Kadima party (which holds 2 seats now) and the three parties of the Arab bloc: the United Arab List (4 seats), Hadash (4 seats) and Balad (3 seats).

“Your aim is to banish the Arab M.K.’s,” Zahava Gal-On, leader of the leftist Meretz party, cried out during the recent debate to members of the governing coalition who proposed the reform. “This bill is shameful.”

I asked Rubinstein, who supports the reform but is also known as a liberal, what he thought of these concerns. He was almost dismissive. The reform would merely put Israel where many other countries with similar electoral systems are: Germany has a 5 percent threshold, and Sweden a 4 percent threshold. As Rubinstein also argued, it could prevent Jewish extremists from squeezing into Parliament again, as they have occasionally done in the past. What's more, he added, “The purpose of the change is to force smaller parties to merge into larger parties.”

Merge? The Knesset's Arab members see this idea as another sign of ignorance or racism on the part of Jewish Israelis. “There's a huge gap between me — as a secular, modern, enlightened nationalist — and the communists or the Islamists,” Jamal Zahalka, a member of Balad, said during the debate, referring to the Hadash party and the United Arab List, respectively. “It's paternalistic to say: ‘Run as a single party. You're all Arabs.’”

He has a point. But he's missing another point: If Arab can't overcome their differences, they still have plenty of other options, including to unite with "Jewish" parties.

That'd be something. Raising the threshold was proposed on the theory that it could help stabilize Israel's political scene by strengthening the two leading parties. It may not: Some say it would only create more midsize parties. But at least it would fix the current system's main pitfall, which is to discourage compromise among all parties by encouraging the proliferation of small ones.

For a country as varied and complicated as Israel, the representation of minorities is crucial. But for a country as varied and complicated as Israel, learning to compromise is even more important.

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