

## **The People's Right To Have Their Say in Elections After an Unprecedented National Calamity**

This position paper deals with the justifications for holding elections after a national trauma and the importance of bringing them forward even as the war is still raging. On the one hand, most of the Israeli public and political leadership evidently realize that the calamity of 7 October calls for a profound governmental change, as borne out by public opinion polls showing that a large majority favor elections after the war.<sup>1</sup> On the other hand, with the war still in progress, a popular sentiment in the public discourse is that now is not the time to discuss the notion, as such a debate might damage Israel's social cohesion amid a national crisis, or worse, provoke disputes and political polarization. The purpose of this position paper is to address the question of early elections in a rational manner in order to be ready for "the day after the war" and to clarify why early elections are not only possible but also justified and essential.

Zulat's position is that the elections should be brought forward in light of the 7 October debacle, precisely because of the cataclysmic trauma that has been rocking Israeli society ever since. With a prolonged national crisis under way, it is imperative that the people should be heard out on their choice of leadership to rebuild Israeli society and the country at large. The current government does not enjoy the people's trust, and putting off elections hinders the citizens' right to influence national priorities the day after.

The paper is divided into four chapters. The first explains why the trauma suffered by Israel on 7 October and the ensuing war necessitates bringing the elections forward. The second explains why early elections are imperative given that other formal paths (changing the composition of the current government and/or a constructive vote of no-confidence) are not expected to address the need for a reorganization of the political system (and their chances of materializing are slim anyway). Consequently, even if it is agreed that bringing the elections forward is justified in principle, the question arises as to whether it is appropriate to hold elections at a time of war, which will be discussed in the third chapter. In this context, the paper will present examples showing that throughout Israel's history

---

\* English-language reference. All other references in this report are in Hebrew.

<sup>1</sup> Attila Somfalvi, [Bottom Line: Elections](#), X, 7 December 2023.

elections have been held, and in some cases even brought forward, during crises or times of war. The fourth chapter proposes what should happen in practice

### **A. The Events of 7 October Necessitate Going to Elections**

What happened on 7 October is the most serious trauma ever experienced by Israeli society since the establishment of the state, fundamentally calling into question the way the State of Israel has been run, both politically and in terms of the functioning of state institutions, the military, public services, and so on.

Rule by the people is a basic premise of democracy, whereby the people choose their leaders and empower them to govern on their behalf and for their benefit. The basic civil right to choose a leadership in democratic elections allows citizens to voice their choice on how the country should be run and express their confidence in the leadership and government institutions. The shocking events of 7 October have led all segments of Israeli society to realize unequivocally that what was is not what will be. Therefore, an unbridgeable gap has emerged between the issues that Israeli society is called upon to deal with at this time and the current political leadership, which was elected in November 2022 in the context of completely different issues. This gap justifies advancing the elections to the earliest possible date.

The elections of November 2022 (as well as the preceding four rounds in 2019-2021)<sup>2</sup> essentially revolved around support or opposition to Binyamin Netanyahu continuing to serve as prime minister despite being on trial for corruption. Foreign policy and security matters were pushed aside, and there was no significant public discussion on how to deal with the Israeli-Palestinian conflict. An Israel Democracy Institute (IDI) survey from August 2022 clearly shows as much: Only 12% of respondents said that what most affects their voting choice is a party's position on foreign and security issues, as opposed to its stance on the high cost of living and economic issues (31%), the identity of its leader (17.5%), and its position on matters of religion and state (15%).<sup>3</sup> In other words, this means that the incumbent Knesset and government elected a year ago would be making fateful decisions on foreign and security issues, even though they were elected on the strength of a campaign that dealt with other matters.

---

<sup>2</sup> Michal Shamir and Gideon Rahat, [Four Elections in Two Years: A Unique Crisis or a Sign of Things To Come?](#) in *The Elections in Israel 2019-2021*, p 19-50, *Israel Democracy Institute*, 2022.

<sup>3</sup> \*Tamar Hermann and Or Anabi, [Only Half of Israelis Intend to Repeat Their 2021 Vote](#), *Israel Democracy Institute*, 31 August 2022.

The gap between the issues that featured in the 2022 elections and the decisions required after 7 October is particularly acute, because we are now facing what is known in social sciences as a "critical juncture":<sup>4</sup> a unique historical moment that opens up a broad range of possible actions and long-term decisions that are not easily retractable. We are now at a critical juncture during which Israel will be called upon to make vital political and security decisions, which will dramatically affect the future of the Israeli-Palestinian conflict and opportunities for regional cooperation. The decisions that will be made on our behalf (for example, on the question of who will be in control in the Gaza Strip) may have long-term consequences. It is also a critical juncture vis-a-vis domestic questions, such as whether and how the Gaza border communities and the evacuated localities along the border with Lebanon will be rehabilitated, and how to address the frailties of Israel's public services, which were very painfully exposed by the events of 7 October.

Obviously, governments are frequently required to decide on questions that were not on the agenda when they were elected. This is only logical, given that the people elect their representatives not just as "delegates" to represent their positions on known issues, but also as "trustees" vested with the authority to act for the public interest to the best of their judgment. However, this justification does not apply in Israel today, because the majority of Israelis do not trust the current government. Public opinion polls conducted by diverse bodies reveal a similar picture of deep distrust in the government. In an aChord Institute survey in November, 79% of respondents expressed low trust in the government's ministers (75% expressed low trust in the prime minister).<sup>5</sup> Similarly, polls conducted by the Kantar Institute consistently showed that over 60% of the public support early elections after the war (15% opposed the notion and the rest had no opinion).<sup>6</sup>

The crisis of confidence underlying the need to bring the elections forward obviously has to do with the people's view of the way the government has been managing the crisis since 7 October. For example, in a survey conducted by Reichman University's Institute for Liberty and Responsibility (ILR) six weeks into the war, 73% expressed dissatisfaction with the government and the prime minister.<sup>7</sup> In contrast, there is broad support for the idea of a

---

<sup>4</sup> \*Giovanni Capoccia, [Critical Junctures](#), *The Oxford Handbook of Historical Institutionalism*, p 89-106, 2 May 2016.

<sup>5</sup> [Public Opinion Poll on Iron Swords War Regarding Hostages/Prisoners Issue, Political-Security Situation, and Government Institutions 12-13 November 2023](#), Hebrew University of Jerusalem's aChord Institute.

<sup>6</sup> Attila Somfalvi, [Bottom Line: Elections](#), X, 7 December 2023.

<sup>7</sup> Walla News Desk, [The Poll Troubling Ben-Gvir and Smotrich? Ministries of Finance and National Security at Bottom of Public Satisfaction](#), *Walla*, 24 November 2023.

civil cabinet managing the crisis instead of the government: 70% of respondents supported the notion (51% to a large extent and 19% to a moderate extent) in a joint Zulat-ILR survey conducted in late November 2023. In an IDI survey from early November, 61% evaluated Prime Minister Netanyahu's performance negatively, compared to 22% who evaluated him positively.<sup>8</sup>

The new circumstances created after 7 October justify bringing the elections forward because they call for decisions and for the people's trust on issues that Israeli society did not address in the election rounds of recent years. At the same time, the meaning that different parts of society ascribe to the events of 7 October and the way in which they define the changes that should occur in their aftermath are not identical, and are naturally influenced by the ideological positions and political interests of different groups on both foreign and domestic policy issues. The current political leadership emerged as a result of election campaigns that totally ignored these vital questions, and therefore there is justification to go back to the Israeli people, introduce them to the various positions on the issues on the agenda, and allow them to properly express their choice by means of Knesset elections.

## **B. Is There Another Option?**

Even if justified, early elections necessitate many economic and social resources and carry additional costs, such as worsening political polarization, which is why it is important to check whether there is an alternative with less acute consequences. Under Israel's existing laws, there are theoretically two main paths to reshuffle the political system in light of the questions reopened on 7 October: The first is for Prime Minister Netanyahu to change the composition of his current government, while the second is to replace the prime minister and the entire government through a no-confidence vote by the Knesset. However, both options provide a partial solution, if at all, to the problem that has engendered the need for elections: the public's representatives in the current Knesset and government were not elected based on a public debate of the fundamental questions facing Israeli society after 7 October. In addition, as we will explain below, the chances of either of these two paths evolving into significant political change are quite slim.

According to Basic Law: The Government, an incumbent prime minister may change the composition of his government's coalition. This path was partially implemented when

---

<sup>8</sup> [Flash Iron Swords Poll 2023, No. 4 \(5-6 November 2023\)](#), *Israel Democracy Institute*.

Benny Gantz's National Unity faction joined the coalition and its members entered the government and the war cabinet. Of course, yet a more significant change could be carried out within this framework, such as establishing a broad unity government with Yair Lapid's Yesh Atid party and concurrently ditching Itamar Ben-Gvir's Otzma Yehudit and Bezalel Smotrich's Religious Zionism, as Lapid proposed at the outset of the war. Such a government could increase public trust in the government and its leader, but the option has to date been rejected by the Prime Minister because it would undermine his political base. This means that the chance of a fundamental change of government through this route is slim.

Basic Law: The Government also provides for the option of replacing the incumbent government through a no-confidence vote in the Knesset. Since 2014, overthrowing the government requires endorsement of a motion of "constructive no-confidence,"<sup>9</sup> which consists of simultaneously approving an alternative new government, its basic guidelines, and the assignment of ministerial portfolios, thus essentially turning it into a mere theoretical option. The possibility of forming a new government as a result of a constructive no-confidence motion has been discussed in the media,<sup>10</sup> based on the premise that an alternative government could be formed with the support of the opposition plus a handful of MKs from the moderate wing of the Likud, perhaps headed by Defense Minister Yoav Gallant. In practice, as recently explained by Prof. Reuven Hazan,<sup>11</sup> the current provision in Israeli law actually requires all partners in an alternative government to reach detailed coalition agreements among themselves even before a no-confidence motion has been submitted. As mentioned, this requirement makes the possibility of passing a vote of constructive no-confidence unrealistic.

Given that the Prime Minister is not expected to initiate any substantial change in the makeup of the government and that the possibility of replacing it through constructive no-confidence is negligible, bringing elections forward is the only way by which the dramatic changes that have taken place since 7 October can be given political expression. In practice, elections can be brought forward if the Knesset enacts a law to disperse itself with the approval of a 61-MK majority (similar to the law that led to the Knesset's dispersal

---

<sup>9</sup> Gideon Rahat, Chen Friedberg, and Assaf Shapira, [Constructive No-Confidence Vote: Questions and Answers](#), *Israel Democracy Institute*, 16 November 2023.

<sup>10</sup> For example, Udi Zomer, [How To Replace Netanyahu in the Midst of War](#), *Maariv*, 13 November 2023.

<sup>11</sup> Michael Mero, [Prof. Reuven Hazan: Constructive No-Confidence Will Succeed Only When Knesset's Dispersal Is Certain](#), *YouTube*, 16 November 2023.

and early elections in 2022, for example).<sup>12</sup> It goes without saying that the chances of this and all other options are questionable, as the move would imperil the parties' current dominance and the tenure of incumbent MKs, given that the law would set a new date for elections that would have to be held within the next five months. Although bringing the elections forward is largely imperative in light of all of the above, there is also room to consider the disadvantages and risks involved (that do not justify ruling out such a move).

(1) **Budgetary/Economic Cost:** Elections in Israel cost some 3 billion shekels.<sup>13</sup> The high price tag consists of the direct budgetary cost (which could be higher in the event of a massive mobilization of IDF reserves, as this would require far greater organizational outlays than usual) and the indirect economic cost; that is, the damage to economic activity (which may be lower than usual given the damage already caused by the war). In any case, in terms of the economic consequences of the war, this is a relatively low cost and a highly justified one given the issues at stake.

(2) **Limitations of a Transitional Government:** The dispersal of the Knesset will automatically convert the incumbent into a transitional government, which is supposed to go on functioning like a normal government, including making changes necessitated by the war in the 2024 state budget (which was approved upon the enactment of the biennial Budget Law for 2023-2024). Nevertheless, according to case law, such a government is bound by limitations on certain aspects of its operation, especially with regards to the appointment of senior officials, must abide by the "duty of restraint,"<sup>14</sup> and has limited leeway to make significant policy decisions (in 2001, during the transitional government headed by Ehud Barak, the Supreme Court ruled that a diplomatic treaty needs to be approved by the Knesset). This limitation is consistent with the premise of this paper, whereby significant foreign policy decisions in the aftermath of 7 October ought to be made after new elections are held.

(3) **Exacerbation of Political Polarization:** One of the main arguments against bringing the elections forward is that the election campaign after the Knesset's dispersal will stifle any chances of cooperation between the parties, particularly between Gantz's National Unity faction and the Likud, and will further exacerbate the polarized public discourse.

---

<sup>12</sup> Ofer Koenig and Chen Friedberg, [Knesset Dispersing Itself to Death?](#) *Politica*, p 27-50, winter 2013; Assaf Shapira, [Behind the Knesset's Dispersal](#), *Israel Democracy Institute*, 20 June 2022.

<sup>13</sup> Gad Lior and Sivan Hilaie, [NIS 15,000,000,000: Price Tag of Five Election Rounds in Three-and-a-Half Years](#), *Ynet*, 24 October 2022.

<sup>14</sup> Amir Fuchs and Ofer Koenig, [Powers of Transitional Government](#), *Israel Democracy Institute*, 7 July 2022.

Unlike the two previous disadvantages whose consequences are limited and/or solvable, there is no simple solution to political polarization. However, it should be emphasized that the danger of exacerbating polarization largely depends on the behavior of the political parties and actors, on their willingness to abstain from delegitimizing or even to cooperate with their rivals despite the political competition.<sup>15</sup> Likewise, it should be noted that underlying the political polarization are disagreements, severe at times, about fundamental questions on the agenda and that Knesset elections are the main mechanism for addressing such disagreements in Israeli democracy.

(4) **Politicization of Government Policy:** Elections may create political biases in foreign and defense policy and in domestic policy in times of war. In other words, the decisions of the government and its top leaders may be influenced not only by the national interests of the Israeli state and society but also by their own political interests. This is a major risk, the extent to which it materializes depends on the behavior of the political leadership. The politicization of government policy has already been evident in the Prime Minister's vilification of protests, his criticism of the security establishment's top brass, and the controversial allocation of coalition funds for political purposes in the face of a public uproar. On the one hand, these examples illustrate the dangers of aggravating the politicization of government policy at this time, but on the other hand show that the government's policy is already influenced by political interests, even when there is no official election campaign yet. Therefore, it is not clear that bringing the elections forward will fundamentally change the situation in this respect but may help in the sense that upon becoming a transitional government, the latter will be subject to the aforementioned "duty of restraint."

### **C. Elections During a National Crisis**

The calamity of 7 October is unprecedented in Israel's history, and the country is still suffering its aftershocks. Nevertheless, there have been quite a few cases in the past when Israel held elections during a war or state of emergency and more than once brought elections forward in such times.

A noteworthy case is the elections of 1973, held immediately after the Yom Kippur War, whose reverberations parallel those caused by the events of 7 October 2023. Originally

---

<sup>15</sup> Lotem Bassan-Nygate and Chagai Weiss, [It's Us or Them: Elections, Unity Government, and Inter-Party Hostility](#), *Reichman University's Institute for Liberty and Responsibility*.

scheduled for late October 1973, these elections were postponed because of the war and eventually held in late December. Although the Yom Kippur War lasted slightly less than three weeks, the state of emergency and security tensions lingered for several months, until separation agreements were signed with Egypt (January 1974) and Syria (May 1974). Consequently, the mobilization of the reserves was prolonged (82% were called up, according to data provided by the IDF), and continued through the election campaign as well.<sup>16</sup> Beyond the similarity in the extent of the mobilization, the 1973 elections clearly took place under the unprecedented trauma of the war.

Another case is the 1984 elections held during the First Lebanon War, after Prime Minister Menachem Begin's resignation and his replacement by Yitzhak Shamir. Against the backdrop of Israel's entanglement in "the Lebanon swamp" and the ruinous economic situation (the bank stock crisis of late 1983 and subsequent spiraling inflation), the Knesset dispersed itself (despite the government's opposition)<sup>17</sup> and the elections were brought forward and held successfully amidst the war and crisis. These elections resulted in the establishment of the first unity government, which spearheaded an IDF withdrawal to a security zone in south Lebanon and implemented an economic stabilization plan in 1985. In other words, the 1984 elections created the political conditions that enabled significant policy changes in Israel's foreign and domestic policies.

In the last two decades, too, there have been many instances of elections held during a security/other crisis. For example, elections were held in 2019-2021 during the corona pandemic, an unprecedented health emergency that necessitated the adoption of unprecedented measures such as lockdowns and national vaccination campaigns to prevent the spread of the disease. A decade earlier, the 2009 elections were held at the height of the global economic crisis (we now know that Israel's economy was relatively slightly affected, but this was not known at the time the elections were held).

Elections were brought forward during a political-security crisis and because of it in two other cases. The 2006 elections were held following the implementation of the Gaza Disengagement Plan, which led to the collapse of the coalition headed by then-Prime Minister Ariel Sharon and the Knesset's dispersal.<sup>18</sup> These actually came as a consequence of the substantial policy shift embodied in the Disengagement Plan, which

---

<sup>16</sup> [Your Request for Information on Reserves Mobilization in Yom Kippur War](#), IDF Spokesperson, 31 May 2021.

<sup>17</sup> Koenig and Friedberg, Knesset Dispersing Itself to Death? p 42.

<sup>18</sup> Koenig and Friedberg, Knesset Dispersing Itself to Death? p 42.

changed the political balance of power. The second case is the 2001 elections set in motion by the resignation of then-Prime Minister Ehud Barak after less than a year and a half in office, which were brought forward after the failure of the Camp David Summit and the outbreak of the second intifada. The 2001 elections were only for the premiership (this was the third and last time such elections took place, and the only time they were held separately from the Knesset elections), and in this respect they definitely differ from elections resulting from the dispersal of the Knesset. Nevertheless, they led to a substantial change in the composition of the government. The 2001 elections largely resemble the situation faced by Israel in the aftermath of 7 October: in late 2000, upon the failure of the diplomatic process and the outbreak of the intifada, the Israeli-Palestinian arena altered radically and the government's previous assumptions were thoroughly undermined.

Obviously, none of these examples resembles the current case in all parameters, nor is such a similarity likely. However, the question here is whether Israel can hold elections in times of war or crisis, and the answer is yes - and this is perfectly borne out by distant and recent history. The past shows that Israel has the proper administrative tools to hold elections in times of emergency and amid an extensive mobilization of the reserves (for example, by using the existing practice whereby soldiers submit their votes in "double envelopes"), and that even transitional governments function effectively in the face of security, economic, and other challenges during elections as well.

#### **D. So What Should Actually Happen?**

The tectonic rift created by the events of 7 October vis-à-vis the questions facing Israeli society justifies bringing the elections forward, and past experience shows that Israel knows how to hold elections during a state of emergency and to function effectively at the same time. The decision to bring forward the elections should be made right now, regardless of whether the war ends within a few weeks/months or lasts longer. If the war ends quickly, there is no reason why elections should not be held immediately afterwards, as was the case after the Yom Kippur War in 1973, so that the public may participate in deciding the future of the State of Israel after the war. If the war drags on, the protracted security crisis will resemble the situation Israel faced during the First Lebanon War. Holding elections is just as essential in such a scenario, in order for the people to have a say on how and when the fighting should end. Needless to say, in any case it will take

several months from the moment the decision is made until elections are held and a coalition and government are established.

In conclusion, Zulat's position is that the Knesset ought to announce its dispersal already now, with as broad a consensus as possible. Elected officials would thus be assuming responsibility for the debacle of 7 October, and above all, recognizing that they and the policies they seek to promote need to undergo renewed scrutiny by the people. Accordingly, the election campaign must be short and focus on "the day after": the political-security and economic-social vision and policies proposed by the parties for a recovery from the consequences of the catastrophe and the war on all fronts. The premise of democracy is that the people will not only choose the party whose vision and position they support, but will also bear in mind which parties assumed responsibility for the debacle by supporting the dispersal of the Knesset, which ones refrained from exacerbating the political polarization, and which ones adhered to an ideological and matter-of-fact campaign. Early elections are not only a must in the new reality, but also an opportunity to restart the political and social system following the most serious calamity in the history of the State of Israel.

**Author:** Dr. Ronen Mandelkern

**English Translation:** Shoshana Michkin