The Selection of Ministers in Israel: Is the Prime Minister ‘A Master of His Domain’?

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Among the most noticeable and well studied trends in current political research are the personalization of politics and the presidentialization of parliamentary democracies (Poguntke and Webb, forthcoming; Mughan, 2000; Foley, 1993). It appears that in recent years political leaders have somehow freed themselves from institutional constraints and behave in a more independent manner. Giving this trend, it can be expected that the Prime Minister – the dominant figure in parliamentary systems – will possess greater autonomy in the different functions he (or she) fulfills, and among them – selecting ministers for cabinet.

This paper attacks the issue of the selection of ministers using two basic approaches. The first approach emphasizes the importance of institutions and aims at evaluating the autonomy of Israeli Prime Ministers in their tasks of selecting ministers. The second approach presents data analysis of the personal characteristics of all cabinet ministers who served in Israeli governments since 1949 and as to the beginning of 2005. In addition, we trace the background of each minister’s political career.

The first section of the paper focuses on the role of Prime Minister as the nominator of cabinet ministers and on the extent his degree of freedom is constrained by institutional factors. We argue that the Israeli Prime Minister’s autonomy in selecting cabinet ministers is shaped by two institutional features, both derived from the PR-List electoral system. The first feature is the intense parliamentary fragmentation. The
combination of a highly split society and an extremely proportional electoral system turns the Israeli party system to one of the most fragmented among established democracies (Lijphart, 1999). Such fragmentation entails the formation of coalition cabinets, in which many cabinet seats are allocated to other parties, which select their ministers independently with no involvement by the Prime Minister. As a result, the Prime Minister has few portfolios to allocate to ministers of his own party, and thus is more limited in his choice of ministers and more affected by intra-party constraints.

The second feature is the highly centralized and rigid nature of list of candidates to parliament. Once the party’s list of candidates is composed (typically about 35-60 days before general elections), either through competitive elections or by nominations, it is perceived as the locums paper for a politician’s intra-partisan popularity and power base and a factor that the Prime Minister must take into consideration while selecting ministers from his party. The higher one is positioned on the list, the better chance he has to be picked by the Prime Minister. The democratization of the candidate list selection methods through time has weakened party leaders’ control over the process and thus further constrained the Prime Minister’s autonomy in selecting ministers.

The following two sections present data that is based on analysis of the personal characteristics of 193 cabinet ministers who served in Israeli governments since 1949 and as to the beginning of 2005. We present social variables as gender, age, religion and ethnic origin as well as the different pathways in achieving office. We identify three main political pathways to a cabinet seat: activity within the party channels, ex-generals and ‘stars’ or recruited public figures.
The last section deals with the firing of ministers. The constraints of the Prime Ministers on the cabinet composition apply not only for the cabinet formation process but for the dismissal of ministers as well. Although the law has gradually extended the Prime Ministers’ authority regarding the firing of ministers, they rarely use it, even when clearly justified.

**The Prime Minister as the Nominator of Cabinet Ministers**

Although making nominations for cabinet appointments is one of the most powerful political resources of the Prime Minister, in practice his ability to form a cabinet is constrained by several factors in different levels.\(^1\) Naturally, the degree of constraint is not constant and may vary between different countries, different constitutional arrangements and through time. The Prime Minister’s constraints in selecting ministers to his cabinet may be examined in three distinct levels: formal (legal) constraints, coalitional constraints and intra-party constraints.

*Formal (Legal) Constraints*

The formation of a new government is a periodic but critical event in the political cycle of a nation. The way ministers are chosen is, therefore, of prime importance. However, despite the significance of that choice, constitutions say little about the selection of cabinet ministers (Dogan, 1989). Israel is no different in this aspect.

The legal source which deals, inter alia, with government formation is The Basic Law: The Government. This law has been changed twice (See Table 1). The original

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\(^1\) In ‘Prime Minister’ we include also the Prime Ministers in potent, i.e. also the coalition builders before they actually turned into Prime Ministers.
law (valid until 1996) did not include any provisions regarding the appointment of ministers. The second version of this Basic Law, which was popularly known as the ‘Direct Election Law’, and was enacted between 1996 and 2003, included three novelties regarding the appointment of ministers\(^2\). First, it stated explicitly that the elected Prime Minister (which was directly elected by the electorate) appoints the cabinet ministers. Second, at least half of the ministers appointed had to be parliamentarians. Third, the size of cabinet was limited to a minimum of 8 and a maximum of 18 ministers. The maximum limit of this last novelty was abolished following the 1999 elections. The other novelties were abandoned in 2003 after the Knesset abolished the Direct Election Law, bringing Israel back to the family of parliamentary nations.

Apart from the constraints mentioned above, there are also constraints regarding the eligibility of ministers. There is no age limitation, but ministers have to be Israeli citizens and residents. In addition, it is forbidden to appoint to a ministerial position a person who was imprisoned if seven years has not elapsed since the end of his term to the day of appointment.

When inspecting the actual ramifications of the various legal constraints on appointing ministers, one comes to the conclusion that they do not play a significant role on the process of cabinet formation. The demand for at least half of the ministers to be parliamentarians was valid only for seven years and did not cast any shadow on the selection of ministers. It is hardly surprising - even without limit of this sort, non-

\(^2\) The Direct Election law actually shifted Israel regime from the Parliamentary type of government to a hybrid system which combined characteristics of parliamentarism with those of presidentialism; See Hazan (1999).
parliamentarians ministers are not common in Israeli cabinets. The constraints on the size of the cabinet (especially the upper limit of 18 ministers) were more significant and limited the Prime Minister in his portfolios allocation process. Prime Minister Ehud Barak found this limitation very disturbing: following the 1999 elections he vigorously acted to abolish the constraint.\(^3\) The eligibility constraints do not limit the autonomy of the Prime Minister in the cabinet formation process. It is against all odds that a Prime Minister would appoint a convicted person that served time in prison in the recent past.

As already mentioned, constitutions say little about the selection of cabinet ministers. Rather, the process takes place under unwritten rules or conventions. Allegedly, the Prime Minister, in parliamentary as in presidential regimes, has the prerogative to select his cabinet ministers. In practice, however, that is not the case. In order to understand the forces that shape the appointment of cabinet ministers and affect the Prime Minister’s consideration while appointing ministers we have to distinguish between coalitional constraints and intra-party constraints.

\textit{Coalitional Constraints}

In single-party majority governments, the Prime Minister’s power to choose ministers is limited only by the internal politics of his party. In coalition cabinets, however, the most prominent constraint the Prime Minister faces while appointing ministers is connected to the fact that a large portion of cabinet posts are allocated to and appointed by coalition parties. The practice is that each party chooses particular

\(^3\) Barak initially presented a cabinet of 18 ministers, but less than a month later the Knesset (in accelerated procedure that met with fierce public critique) amended the Basic Law to allow the Prime Minister to appoint as many ministers as he likes. Few days after the amendment the cabinet was enlarged and seven more ministers joined it.
ministers to the subset of portfolios that have been allocated to it during the
government formation process. Prime Ministers rarely interfere with the selection of
ministers by other coalition parties. They may veto the occasional particularly
controversial nomination, but in practice the power to choose cabinet ministers for
their portfolios rests with the leaders or the institutions of each coalitional party
(Gallagher et al., 2001: 63).

Since no party has ever won a parliamentary majority in Israel, pursuing policy and
stability have always entailed coalition governments (Arian, 2005: 264). One of the
consequences of that feature is that the Prime Minister has to make concessions to
calendar parties in order to gain their parliamentary support. In fact, the task of
calendar building forces the Prime Minister to negotiate the allocation of portfolios to
the calendar parties before getting to select ministers of his party (see figure 1).5

On the face of it, since the Prime Minister has practically no say in the process of
selecting ministers from coalition parties, it is a constant constraint, and therefore not
of prime importance. However, this constraint is gaining in direct proportion to the
concessions (number of cabinet seats) the Prime Minister grants to coalition parties.

4 The only occasion in which Prime Minister vetoed the appointment to cabinet of a coalition party
minister occurred in 1973, when Golda Meir refused to nominate Yitzhak Rafael (of the National
Religious Party) to her cabinet. A similar, but more implicit veto was set in 1999 against the
appointment of Shas’ Arye Deri to Barak’s cabinet (Arian et al., 2002: 42).

5 Although the minor coalition parties use a variety of methods to appoint (or elect) their cabinet
ministers, the general result is similar. The main reason is that rarely does a coalition party allocated
with more than three portfolios. With such a small amount of portfolios, these parties have a narrow
choice and always appoint their respective political leaders. Never has a minor party selected a non-
partisan to represent it in cabinet.
The practice in coalition formation is that each party receives a number of cabinet posts that reflects its relative strength in the coalition.

From this we may conclude that a more fragmented party system and a weaker governing party will cause a larger share of cabinet seats to be allocated to coalition parties. If more seats have been allocated to coalition partners, it leaves the Prime Minister with a smaller portion of seats to allocate for ministers of his party or for ‘specialists’.

Figure 2 shows that in early Israeli cabinets (until mid-1960s) the shares of cabinet posts allocated to the party of the Prime Minister were fairly stable, between 50% and 70%. The number of ministers chosen directly by the Prime Minister was rather small (six to ten), since the cabinet size never exceeded 18. The picture began to change in the late 1960s, and since then the share of cabinet posts allocated to the party of the Prime Minister fluctuated between 30% and 76%. Although the cabinet size has relatively grown in comparison to early cabinets, some Prime Ministers had actually fewer cabinet posts to select autonomously. This occurred due to the relative weakness of the Prime Minister’s party and the need to allocate many seats to coalition partners. Golda Meir (1969) and Menachem Begin (1977) autonomously chose only six and three ministers respectively. On the other side of the scale, Prime Ministers Rabin (1992) and Sharon (2003) were able to directly control the selection of 12 and 13 ministers respectively.

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6 Although Meir headed the biggest ever electoral list in Israel’s electoral history (The Allignment won 56 seats in 1969), she was not in charge of appointing all ministers of that list. There were three other divisions at that list, each selecting the ministers independently. In 1977, Begin’s electoral list (Likud) was allocated with nine cabinet posts out of 13, but in practice he directly nominated only three excluding himself. Five others Likud ministers were nominated by the two minor parties within the Likud.
Intra-Party Constraints

We have just seen that the alleged prerogative of the Prime Minister in selecting cabinet ministers is constrained in regard to ministers from other parties. But what about selecting ministers from his own party? Generally speaking, the Prime Minister holds an absolute prerogative to nominate party colleagues as ministers. However, he is constrained even in this choice. The constraints are less obvious in comparison with selecting ministers from other parties, nevertheless, they are important to recognize.

In this section we therefore deal with ministers’ appointment of the two governing parties: Mapai (and later Labour Party) and Herut (and later Likud).

Although having the prerogative to select ministers from his party, it is expected of the Prime Minister not to use it arbitrarily and to consider the preferences of senior party colleagues and even party activists. Ben-Gurion commanded tight control on Mapai ministers’ selection in the eight cabinets he led. Only on rare occasions his will met with opposition, and the formal party committee that was set during the 1950s to advise him on the selection of ministers was a toothless body with no actual effect on Ben-Gurion’s preferences (Yaacobi, 1980: 163). Since Ben-Gurion onward, it seems that the autonomy of Prime Minister in selection ministers has met with more constraints. In the case of Mapai, this was partly reflected in the 1964 amendment to the party constitution that explicitly stated that it was the duty of the Prime Minister to submit the list of party ministers for approval by the party central committee. This
clause was preserved in the Labour Party constitution as well. Mapai and Labour Party’s tradition ruled out any contest or even open debate on the nomination of ministers. The regular procedure called for en bloc confirmation/ratification of the list of ministers submitted by the Prime Minister (Yanai, 1981: 71).

According to what criteria does the Prime Minister appoint a person to cabinet? There are several possible criteria: parliamentary skills (debating, legislation), seniority (years in parliament), specialization and political power. In Israel, the decisive criterion is the last one: intra-party political power, as reflected by one’s ranking on the party list of candidates to parliament. The importance of one’s ranking on the list of candidates to parliament is caused by two facts: all 120 parliamentary seats are elected in one national electoral district; and the electorate cannot influence the ranking order of the list of candidates, as composed by the parties.

In the past, lists were composed by nomination committees in which the party leader (the Prime Minister in potent) had a dominant, though indirect role. In those days, the Prime Minister, as cabinet builder, had absolute authority in selecting ministers of his party. He did not give much significance to the ranking in the list and chose the ministers he believed were the best for the job, either because they were loyal, competent or representational. An example of past authority of the Prime Minister in appointing ministers may be seen in Ben-Gurion’s selection for his cabinet in 1959. His selection of three ‘young’ politicians (Josephtal, Dayan, Eban) was regarded by most party institutions as controversial and as an attempt to reshape party leadership.
However, from 1977, the autonomy of the Prime Minister in selecting ministers has somewhat weakened. Following the democratization of the candidate selection process\textsuperscript{7}, the Prime Minister as the selector of ministers of his party has gradually had to pay more attention to politicians who succeeded in the internal election for the list of candidates and could claim an intra-party popular power base. This is to say, the more open the candidate selection process became, the stronger was its base of popular legitimacy, and thus its perception as the reflector of the intra-party division of power. This meant further constraints on the Prime Minister’s decision as he was more inclined (compared to pre-democratization era) to select the most powerful of his party-list colleagues to the cabinet.

There is one simple measurement that might be an indication for the inclination of the Prime Minister to grant politicians who succeeded in the internal elections, with a cabinet seat. The measurement – the list of candidates -cabinet compatibility index – is calculated by matching the ministers selected by the Prime Minister with the top positions in his party’s list of candidates. For instance, if the Prime Minister directly selected nine ministers (either from his party or non-partisan ministers) the top nine positions in his party’s list of candidates were checked and were then calculated as to how many of those were appointed to cabinet.\textsuperscript{8} Low shares may be inductive to a Prime Minister’s high degree of autonomy, while high shares tell of his necessity to consider the list of candidates and appoint the highest ranking figures to cabinet. As figure 3 shows, in only three of the 22 governments examined, the index fell from the 40\% level. Two of these cases (including the exceptional low one) are drawn from the

\textsuperscript{7} In this democratization process (begun in 1977), the major parties rejected the old procedure of composing the candidate list through informal and exclusive party organs in favor of a more inclusive method whereby large party organs or all rank-and-file members elect the list; see Rahat (1999).

\textsuperscript{8} Excluding the Prime Minister, who tops the list of candidates.
first decade of the Israeli parliament; a time when Prime Minister Ben-Gurion held a strong position in his party and had considerably wide autonomy. The highest levels of compatibility found were close to 80%, all in the post-democratization era.

In line with our expectations, it seems that the method for composing the list of candidates to parliament affects the compatibility index (which, in turn, indicates the Prime Minister’s autonomy to select ministers). The average of the compatibility index for cases in which the lists of candidates were nominated, is 46.7%. The average of the compatibility index for cases in which the lists of candidates were elected is 66.5%. We find this to be an indicator for the growing importance of the internal elections to the list of candidates as a factor that the Prime Minister has to take into consideration while selecting the ministers, thus reducing his autonomy in this task.

Considering their growing intra-party constraints, it is hardly surprising that Israeli Prime Ministers are less inclined (in comparison to the past) to choose a non-partisans, specialists ministers. Ben-Gurion used his privilege to appoint such ministers more freely than his followers. During the 1950s Ben-Gurion appointed three non-partisan ministers to his cabinet – industrialist Yaakov Geri as minister of trade and industry; former attorney general Haim Cohen as minister of justice; the

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9 Even when omitting the exceptional low value of 1955 the average is still low- 50.2%.
10 Other indication of the Prime Minister’s inclination to weight one’s position in the list of candidates when forming his cabinet is by examining the allocation of specific portfolios to specific ministers. We examined the compatibility between one’s ranking on the list of candidates and the portfolio he was appointed but found no consistent results or periodical differentiation. It seems that examination of such a small resolution does not reveal much in regard to the Prime Minister’s autonomy.
Sepharadi chief rabbi of Tel Aviv Yaakov Moshe Toledano as minister of religious affairs (Yanai, 1981: 68). These examples reflect Ben Gurion’s (the founding father of the State of Israel) unusual great standing within the party.

The political constraints were salient even under the ‘Direct Election Law’ regime (1996-2003) which explicitly entitled the Prime Minister with the exclusive right to appoint ministers and permitted to choose up to half non-partisan, specialist ministers. When Prime Minister Benjamin Netanyahu – the first among three Prime Ministers popularly elected to the office of Prime Minister – began to form his cabinet, his initial intention was to build ‘a government of specialists, not of politicians’ (Kaspit and Kfir, 1997: 314). However, the effort was futile and eventually he succeeded in appointing only one specialist – top attorney Yaakov Neeman as minister of justice. Netanyahu was also forced to nominate to cabinet party colleagues whom he regarded as rivals – Meridor, Begin and Sharon – following threats and pressures that without their nominations his cabinet will face intra-party opposition.

Who Gets There? The Personal Profile of Cabinet Ministers

The political constraints of Israeli Prime Ministers in selecting cabinet ministers may well explain the exceptionally high share of party politicians in Israeli cabinets, and the scarcity of ‘specialists’ or non-partisan ministers. The following analysis presents the personal characteristics of the 193 ministers who served in Israel’s governments between its founding in 1949 and January 2005.

We use the year 1974 as a useful and enlightening cut-off point for distinguishing between two different periods regarding cabinet ministers’ profiles. 1974 reflects the
shift from the old style cabinet composition, dominated by ministers from the ‘Old Guard’\textsuperscript{11} – typically males from European origin with little academic education – to a different, more pluralistic cabinet composition. One may look at 1974 as a genuine generational transition: The last of the ‘founding fathers’ (Golda Meir and Pinchas Sapir) retired, and for the first time, a young Israeli-born Prime Minister – Yitzchak Rabin – was nominated as Prime Minister. These facts, combined with the anti-establishment social protest that followed the 1973 War and the winds of change that led to the historical change of government in 1977, all had their part in changing the social composition of cabinets. Table 2 shows the different personal characteristics of cabinet ministers in three distinct time periods.

### TABLE 2

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Average Age at First Appointment</th>
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<tr>
<td>1949-1973</td>
<td>54.8</td>
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<tr>
<td>1974-2005</td>
<td>52.5</td>
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<tr>
<td>1949-1983</td>
<td>54.7</td>
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<td>1984-2005</td>
<td>51.6</td>
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\textbf{Age} – Israeli cabinet ministers are on average 53.2 years old at the time of their first ministerial appointment. It is evident that the age average has been dropping during the years. For instance, between 1949 and 1973 the average age at the time of first appointment was 54.8, compared to 52.5 for the period between 1974 and 2005. When we locate the cutting point on the year 1983 the trend is even clearer: between 1949 and 1983 the average age at the time of first appointment was 54.7, compared to 51.6 since then. The youngest politician to be appointed to cabinet was Arye Deri at the age of 29.

\textbf{Gender} – Israeli females are well under-represented in various political institutions, and the Israeli parliament is no exception (Herzog, 1996). The share of female

\textsuperscript{11} Public figures and politicians that emerged in the Israel’s pre-state period, mainly through party activity.
parliamentarians never exceeded 15% although a minor improvement is evident in the composition of the last two parliaments. Thus, it is no surprise that the female share in cabinet positions is even smaller compared to their parliamentary representation. Only 10 women (5.2%) have served as ministers in Israeli cabinets. However, this figure has considerably improved in the last decade or so: Between 1949 and 1973 only one woman secured a cabinet seat. Ironically, this sole woman, Golda Meir, became Israel’s fourth Prime Minister. Between 1974 and 2005 another nine women were nominated for the cabinet. In two cabinets, including the current one, three women served simultaneously as ministers. This improvement is eclipsed, though, by the fact that none of these nine female ministers was appointed to one of the three top portfolios (Defence, Treasury and Foreign Affairs).

**Education** – 63.2% of all ministers have attended university or other institution of higher education. This figure is lower in comparison with the high-educational figures of Western-European ministers (Thiébault, 1991: 21). However, once more we may draw a distinct line between the ‘early’ cabinets and the ‘later’ ones. Many ministers of the ‘early’ cabinets were the founding fathers of the state of Israel. Many of them immigrated to Palestine – at the time a backward place with no institutes of higher education – and devoted their juvenile years to developing the Jewish community through the establishment of agriculture settlements, through hard labour and in security. Let us consider that of Israel’s first four Prime Ministers (Ben-Gurion, Sharret, Eshkeol and Meir) only Sharret has completed some amount of higher-education. Twenty-eight ministers (14.5%) hold a PhD or Professor degrees.
Ethnic Origin – As an immigrant society, ethnic origin is one of the most important variables in Israeli society and politics, both in terms of demographics and as an explaining factor of electoral behaviour (Arian and Shamir, 1982). Basically, the distinction is between Ashkenazim (Jews of European or Anglo-Saxon origin) and Sephardim (Jews of North-African or Asian origin). 76.9% of cabinet ministers are of European origin. A division between two periods is necessary here as well. In the early period, until 1974, the bulk of cabinet ministers (92%) were of European origin. There were very few ministers of Asian or North African origin. From 1974 to the present, the proportion of ministers from Asian-African origin has increased dramatically to 30% of all ministers. The above figures concern the 192 ministers that belong to the Jewish majority. One stunning fact is that although the Arab minority comprises 19% of Israel’s population, only one Arab minister has so far been appointed – Labour Member of the Knesset (MK) Saleh Tarif was nominated to the cabinet in 2001.

Getting There – Political Pathways to Cabinet

In this section we explore the different models of career profiles and political pathways to the cabinet. Cabinet ministers are recruited from a variety of walks of life, but are most likely to be recruited from and through parliament. This is quite logical since parliament forms the natural arena in which potential contenders become identifiable to the Prime Minister and other entities that are in charge with selecting the cabinet ministers (Blondel, 1991). However, the observation that most ministers spend some time in parliament before their appointment does not reveal much in terms of their career background. It is crucial therefore, to identify in higher
resolution the different paths in the careers of ministers, prior to their achieving a seat in parliament.

The following analysis is based on the career paths of 131 ministers whose first appointment to cabinet occurred between 1974 and 2005. As explained above, 1974 may be treated as a watershed in terms of the average minister profile. Until that year most ministers belonged to a generation whose members had started their political career in the pre-state period and assumed rather homogenous features.

We identify four main patterns of career pathways to the cabinet. The following division into different categories is based on the origin of a minister’s career, that is to say, what the starting point was of his or her career. Figure 5 shows the starting point of a minister’s career. Admittedly, the starting point is not in all cases the most important post in dictating a person’s prospects to gain a cabinet seat. The problem is that there is no clear way to identify the vital post in a non intuitive way; therefore we cannot provide systematic analysis based on this distinction.

FIGURE 4 ABOUT HERE

**Party Channel**: e.g. emergence through party activity. This is typically the pathway of professional politicians, that is, individuals who emerge through the party machine. Some of them might have another occupation, but still retain high levels of involvement and activism in the party political life.
This is the channel that most cabinet ministers in Israel have walked through. Almost 70% of all ministers started their careers through engaging in party politics. Ministers of this kind characteristically spend some years as party activists, then are elected to parliament and only then were selected to cabinet. Ministers that walked this road typically have some parliamentary experience. For finer resolution this category may be further divided into four sub-categories regarding the field of party activity: local government, student clubs, party machine (local branches, bureaucracy secretarial work) and trade unions.

The by-pass (‘stars’): these are prominent figures with public recognition and appeal but with no significant political or partisan background. This kind of ministers had other (usually successful) careers prior to their nomination to cabinet. They were recruited by a party or decided to join it from a wide range of fields. For instance, former Minister of Justice Joseph Lapid was a well-known media figure before deciding to enter politics and was recruited by Shinui party to lead it prior to the 1999 general elections. Figures were also recruited from academia – among them former ministers Yael Tamir and Shlomo Ben-Ami. Other distinct fields are business and the Foreign Service.

Ex-generals: this channel to cabinet may be claimed to be part of the above category, but as ministers with military backgrounds (ex-generals) are so prominent in Israeli cabinets’ landscape, it deserves a category of its own. Similar to ‘the by-pass’, ministers that took this path are typically appointed to cabinet at an older age in comparison to the party channel and have little parliamentary experience prior to their first appointment as minister. Seven out of the ten ministers of defence between 1974
and 2005 were ex-generals. Three of these seven were Prime Minister as well
(Yitzchak Rabin, Ehud Barak and Ariel Sharon). The dominance of this channel is
also demonstrated by the fact that seven out of the last ten IDF chiefs of staff have
become ministers soon after their release from military service.

‘Non-partisan [Specialists]’: minister from this category has no prior parliamentsary
or partisan experience. He is perceived as a technocrat and tend not to survive for a
long period in office since he is more vulnerable. In the 30 year period inspected, only
one minister may be identified as pure ‘specialist’ – a figure that was nominated to
head a specific ministry by virtue of his specialty of that field. This is Yaakov
Neeman, a well known attorney that was appointed in 1996 by Prime Minister
Netanyahu as minister of justice but survived in office less than two months.12

In addition to the categories we identified above, there are two exceptional factors that
contribute a great deal for the prospects of some persons achieving a cabinet seat. We
call these factors ‘princes’ and ‘protégés’. In ‘princes’ (or ‘princesses’) we mean
persons who are the second generation of politicians. Of course, this fact alone does
not indicate a phenomenon of nepotism in Israeli politics, but being a son or daughter
of a politician (or other public figure) may ease the way up through the political
system. In sum, 11 (8.4%) such ‘princes’ have been nominated to cabinet since 1974.
In ‘protégés’ we mean persons who served during their careers as personal assistants,
spokesmen or chief secretaries of senior politicians. This kind of service presents an

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12 One may regard the appointment of MK Victor Brailovsky, computer scientist by profession, to the
Ministry of Science and Technology as other example of specialist. However, Brailovski was a
politician and acting MK of Shinui for five years prior to his cabinet nomination, so the ‘specialist’
factor was not dominant in this particular appointment.
excellent opportunity for political socialization and in many cases provides a meaningful spring board for a political career. No less than 22 (16.8\%) ministers from 1974 onward have worked during their careers under such ‘patrons’.

TABLE 3 ABOUT HERE

Most cabinet ministers, then, achieve their posts due to their political role as politicians whose parties have been part of the ruling coalition. They haven’t been appointed by virtue of their expertise in the fields controlled by their respective ministries (Arian, 2005: 266). 119 of the 131 ministers (90\%) whose first appointment was after 1974 have been MKs prior to their nomination to cabinet. Seven of this total became MKs only after serving in cabinet, while only five have not been parliamentarians at all. The cabinet with the highest figure of non-parliamentarian ministers was Rabin’s first government. When the cabinet was formed in June 1974, seven of the 19 ministers were not MKs. This is not to say, however, that those ministers were specialists or outsiders to the political arena. They were all politicians and party figures: of the seven, two retired from the Knesset when appointed to cabinet, three were ex-MKs and two MKs to-be.\textsuperscript{13}

Of those who have been MKs before their appointment to cabinet, ex-generals served the shortest time in parliament, while ministers who emerged through the party channel had the longest experience.

\textsuperscript{13} The practice of retiring from parliament upon selected to cabinet (in order to let the next-in-line in the party’s candidate list to enter the parliament) is not common in Israel.
Firing Ministers – An Extending Prime Ministerial Right

When observing the authority of Prime Ministers to dismiss ministers from cabinet through the years, one may point upon an evolutionally development. In the early years of the state of Israel, this authority was absent or implicit, and gradually it widened. The first step to be taken when looking at the firing authority is to set a differentiation between two basics causes of firing. One cause of firing a minister or ministers is on the grounds of violating the very basic notion of cabinet government – the collective responsibility principle. Another set of causes concerns the dismissing of an individual minister, on the basis of scandals, policy disagreement, personal and mutual distrust or any other sort of personal clash with the Prime Minister (Dowding and Kang, 1998).

Violation of the Collective Responsibility Principle

In a proper political culture, a minister who opposes a cabinet stance and cannot share responsibility with its resolution should resign. However, political experience tells us that this was not always the case. Israel’s political history is rich with instances of ministers who abstained or voted against a cabinet resolution (or abstained or backed a non-confidence motion) in parliament while sitting in cabinet, and chose not to resign.

Until the early 1960s, Prime Ministers could not resolve such a situation with the obvious step of firing ministers, since they lacked a legal authority to do so. The alternative, and not so elegant solution, for a Prime Minister was to hand in his resignation.

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14 Collective responsibility is originally a principle of British Cabinet Government in which the members of the cabinet must support all government decisions made in cabinet, even if they do not privately agree with them, see Madgwick, 1959.
resignation to the President, thus forcing the dissolution of cabinet, and, usually very briefly, to form a new cabinet, identical to the previous one but without the disobeying ministers. Such was the case in 1955 when the *General Zionists*, a coalition party, abstained in a non-confidence motion. Prime Minister Sharett was determined to hold the party’s four ministers responsible and dismiss them from the cabinet. However, they refused to do so and Sharett’s only option was to resign and form (within 24 hours) a new cabinet, identical to the previous one apart from the absence of the four ministers. In 1957, another coalition party, *Ahdut Ha’avoda*, abstained in a vote of no-confidence and as a result Prime Minister Ben-Gurion resigned, only to form the same cabinet. In 1959 the rebellious ministers were from the *Mapam* party and once again Ben-Gurion resigned in order to dismiss the disobeying ministers.

The resignation of the whole cabinet was a crooked tool used to force resignations of ministers. Realising that, the Knesset introduced legislation to authorize the Prime Minister to dismiss a minister who abstained or voted against the cabinet resolution.\(^\text{15}\) This new legal arrangement enabled Prime Minister Rabin to fire the three NRP ministers who abstained in 1976 in a vote of no-confidence. The Israeli experience shows that Prime Ministers usually fire ministers from other coalition parties on this ground. Such was the case in 1990 (when Shamir fired Peres), in 2001 (Sharon sacked five *Shas* ministers) and in 2004 (Sharon sacked five *Shinui* ministers). But the Prime Minister may fire a minister of his party as well. In October 2004, Prime Minister Sharon fired his party colleague and cabinet minister Uzi Landau, for voting against a cabinet resolution in parliament (Gilbert, 2004).

\(^\text{15}\) The legislation also deals with a situation in which the minister or ministers vote in line with the cabinet resolution but his faction colleagues vote against cabinet. In such a case the government can also fire the ministers, albeit with a more complex limitations.
Other Causes

The sacking of a minister on the ground of violating the collective responsibility principle was thus established as a legitimate tool of authority of the Prime Minister. As for firing ministers on other grounds, up to 1981 the Prime Ministers had no such specific authority. In 1981, the Basic Law: The Government was amended to state that ‘The Prime Minister may, after notifying the Government of his intention to do so, remove a Minister from office’. The provision does not specify cause for the resignation, thus granting the Prime Minister great latitude in his authority. Prime Ministers, however, like in other democracies were reluctant to use this privilege (Alderman and Cross, 1985).

In 1983, Prime Minister Menachem Begin was reluctant to fire Minister of Defence Ariel Sharon despite a firm recommendation of such a step in the report in the Kahan inquiry commission. Instead, Begin chose to remove Sharon from the Ministry of Defence but to leave him in the cabinet. In 1986, a major clash occurred between Prime Minister Peres and the Minister of Finance Yitzchak Modai on the grounds of claiming credit for the success of the economic recovery plan. Although Peres sought Modai’s dismissal, he eventually refrained from firing him because such a step would endanger the stability of the cabinet. In 1993, the reluctance of Prime Minister Rabin

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16 That is not to say that until 1981 Prime Ministers were not involved in dismissing ministers from their cabinet. Prime Minister could assert heavy pressure and set the stage for a resignation of a minister that fell from his grace. However, it was no a formal authority. Such were the cases with the resignations of Moshe Sharett (1956) and Joseph Almogi (1965).

17 The Report of the Commission of Inquiry into the Events at the Refugee Camps in Beirut found Israeli government indirectly responsible for the massacre at Sabra and Shatilla and stated that "it is fitting that the Minister of Defence draw the appropriate personal conclusions arising out of the defects revealed with regard to the manner in which he discharged the duties of his office - and if necessary, that the Prime Minister consider whether he should exercise his authority under Section 21-A(a) of the Basic Law: the Government, according to which "the Prime Minister may, after informing the Cabinet of his intention to do so, remove a minister from office."
to fire Arye Deri (Shas), who faced serious criminal accusations, was so grating that only after the high court ordered Rabin to use his authority and fire the minister, Deri chose to resign. These instances testify to the great hesitations of Prime Ministers to fire ministers, even when the law grants them the authority to do so. They also testify to the limited control the Prime Minister has on the composition of his cabinet.

However, Prime Minister Sharon has recently set a different example of control during his tenure and did not hesitate to fire ministers either because they violated the collective responsibility principle or for other reason. In July, following the publicity of a political scandal involving the Minister of Infrastructure Joseph Paritzki (Shinui) Sharon fired him from cabinet. The most controversial firing occurred in June 2004 when Sharon used his authority to fire two ministers of the far-right National Unity. Their sacking occurred just three days before a crucial vote in cabinet regarding the disengagement plan. Sharon was aware that with these two ministers he had no majority for his proposal within the cabinet. By firing these two, the power balance changed and enabled him to pass the resolution and pursue his plan. This dismissal met with fierce public critique, attesting to the fact that Sharon had no legitimate reason to fire these two ministers and that by doing so he created an artificial majority in his cabinet. Petitions to the high court regarding the legality of the firing act were denied by the court, thus enhancing the broad authority of the Prime Minister to fire ministers, even on the basis of pure political considerations (Izenberg, 2004).
Conclusion

The empirical findings presented in the first part support the basic assumptions that institutions have an effect on the Prime Minister’s autonomy in selecting ministers for the cabinet. Since the legal constraints are of no significance, the Prime Minister is limited then by two sets of constraints, coalitional and intra-partisan. The interplay between these two constraints dictates his degree of freedom in cabinet seat allocation.

The coalitional constraints are very intense in the Israeli fragmented party system. All Israeli cabinets have been of the coalition type, containing between two and up to eight political parties. This cabinet form entitles the allocation of large share of cabinet seats to coalition parties that select their ministers independently. Thus, the more fragmented the party system, the more seats given to coalition parties; the more seats given to coalition parties, the narrower the Prime Minister’s autonomy over the ministers’ selection. We found that in the early Israeli cabinets (until 1977) the share of seats allocated to coalition parties was lower in comparison to the later cabinets. Since 1977 in only two cabinets the share allocated to coalition parties was lower than 40%. In all other cabinets the Prime Minister was forced to allocate at least half of the cabinet seats to coalition partners.

The intra-party constraints are derive from the special attention the Prime Minister (as a party leader) has to pay for the political power, as reflected in the success of his party colleagues in the internal elections to compose the list of candidates to the parliament. The possibility to evaluate the popularity and internal power of these colleagues was limited prior to the intra-party democratization of the candidate
selection process. It is evident that from the point this institutional change (1977 for Herut/Likud and 1988 for Labour) was introduced, the Prime Minister is more inclined to select to cabinet the popular and powerful party figures. The compatibility index introduced in the paper reflects this inclination.

As a general trend we may point upon a decrease in the degree of autonomy the Prime Minister has in selecting ministers. This trend is the result of the on-going accelerated party system fragmentation and intra-party democratization process.

The decreasing autonomy of the Prime Minister has a partial explanation to the scarcity of specialists and non-partisans figures in Israeli cabinets. On the other hand, his inclination to take into consideration the intra-party power of his colleagues has contributed to a more representative cabinet composition: more women ministers, more ministers of North-African and Asian origin and younger (and less parliamentary experienced) ministers.

The examination of the institutional framework and its effect on the ministerial nomination process highlights the importance and relevancy of institutions and especially parties to this highly-important process. The Prime Minister’s formal status as the sole nominator of ministers is partly eclipsed by inter-party constraints and by intra-party democracy. One may ponder the fact that the personalization and presidentialization of politics did not harm political parties’ role and power and that they remain a leading player in both parliamentary and executive arenas. we may conclude, then, that Israeli Prime Ministers are by no means the sole masters of their domain.
Bibliography


### Tables and Figures

**Table 1: Legal Constraints of Ministers’ Selection**

<table>
<thead>
<tr>
<th></th>
<th>Until 1996</th>
<th>1996-2003</th>
<th>2003-</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum share of ministers who required to be parliamentarians</td>
<td>no limit</td>
<td>50%</td>
<td>no limit</td>
</tr>
<tr>
<td>Lower size limit</td>
<td>no limit</td>
<td>8 ministers</td>
<td>no limit</td>
</tr>
<tr>
<td>Upper size limit</td>
<td>no limit</td>
<td>18 ministers (until 1999)</td>
<td>no limit</td>
</tr>
<tr>
<td>Israeli citizenship</td>
<td>required</td>
<td>required, holding additional citizenship is prohibited</td>
<td>required, as well as residency</td>
</tr>
<tr>
<td>Minimal age</td>
<td>no limit</td>
<td>no limit</td>
<td>no limit</td>
</tr>
<tr>
<td>Criminal offence (it is not allowed to nominate a person for a period of…)</td>
<td>no limit</td>
<td>10 years following the end of punishment term for a serious crime</td>
<td>7 years following the end of imprisonment term</td>
</tr>
</tbody>
</table>
Figure 1: The Process of Appointing Ministers (Main Sequence*)

Following consolations with party leaders, the President of the State of Israel appoints a MK (usually the leader of the largest party) to form a government.

Following negotiations with several parties, the Prime Minister to-be allocates the ministries for each coalition party. Only then he gets to the task of selecting ministers from his party.

- Each of the coalition parties selects its ministers through various methods.
- PM may select non-partisan minister/s.
- PM selects ministers from his party.

PM party approves the list of ministers appointed by the PM (some parties).

The Prime Minister presents the government and ministers to the Knesset. The Knesset approves the appointing of ministers indirectly by giving the new government a confidence vote.

*The scheme concerns appointing ministers following the formation of a new government (after elections or breakdown of previous government). Appointing minister/s during the tenure of serving government bears slightly different sequence.
**Figure 2:**
How Many Ministers does the Prime Minister Directly Select?

- **Number of Ministers Selected by the Prime Minister**
  - 0
  - 2
  - 4
  - 6
  - 8
  - 10
  - 12
  - 14
  - 16
  - 18
  - 20

- **Share of Cabinet Seats Allocated to the Prime Minister's Party**
  - 0%
  - 10%
  - 20%
  - 30%
  - 40%
  - 50%
  - 60%
  - 70%
  - 80%

**Figure 3:**
List of Candidates-Cabinet Compatibility Index

- **List of Candidates-Cabinet Compatibility Index**
  - 0.0%
  - 10.0%
  - 20.0%
  - 30.0%
  - 40.0%
  - 50.0%
  - 60.0%
  - 70.0%
  - 80.0%
  - 90.0%
Table 2: The Personal Profile of Ministers

<table>
<thead>
<tr>
<th></th>
<th></th>
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<tbody>
<tr>
<td>Age</td>
<td>53.2</td>
<td>54.8</td>
<td>52.5</td>
</tr>
<tr>
<td>Gender</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Males</td>
<td>183 (94.8%)</td>
<td>61 (98.4%)</td>
<td>122 (93.1%)</td>
</tr>
<tr>
<td>Females</td>
<td>10 (5.2%)</td>
<td>1 (1.6%)</td>
<td>9 (6.9%)</td>
</tr>
<tr>
<td>Education</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>University-educated</td>
<td>122 (63.2%)</td>
<td>30 (48.4%)</td>
<td>92 (73.0%)</td>
</tr>
<tr>
<td>Ethnic Origin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>European</td>
<td>149 (77.2%)</td>
<td>57 (91.9%)</td>
<td>92 (70.2%)</td>
</tr>
<tr>
<td>Asian-African</td>
<td>43 (22.3%)</td>
<td>5 (8.1%)</td>
<td>38 (19.7%)</td>
</tr>
<tr>
<td>Arab</td>
<td>1 (0.5%)</td>
<td>-</td>
<td>1 (0.8%)</td>
</tr>
<tr>
<td>Parliamentarians</td>
<td>170 (88.1%)</td>
<td>51 (82.3%)</td>
<td>119 (90.8%)</td>
</tr>
<tr>
<td>Elected to Parliament after serving in cabinet</td>
<td>14 (7.3%)</td>
<td>7 (11.3%)</td>
<td>7 (5.3%)</td>
</tr>
<tr>
<td>Non-parliamentarians</td>
<td>9 (4.7%)</td>
<td>4 (6.5%)</td>
<td>5 (3.8%)</td>
</tr>
<tr>
<td>N</td>
<td>193</td>
<td>62</td>
<td>131</td>
</tr>
</tbody>
</table>

*the figures refer to the first appointment of ministers to cabinet.
Figure 4: The Starting Point of Ministers' Political Careers, 1974-2005

![Graph showing the starting points of ministers' political careers.]

Table 3: The Parliamentary Experience of Ministers, 1974-2005

<table>
<thead>
<tr>
<th>Party Channel</th>
<th>Ex-generals</th>
<th>‘Stars’</th>
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</thead>
<tbody>
<tr>
<td>Average age</td>
<td>51.7</td>
<td>55.1</td>
</tr>
<tr>
<td>Average years in parliament</td>
<td>8.8</td>
<td>2.5</td>
</tr>
<tr>
<td>N</td>
<td>89</td>
<td>18</td>
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Table 4: Ministers Dismissals in Ariel Sharon’s Two Cabinets

<table>
<thead>
<tr>
<th>date</th>
<th>name of ministers</th>
<th>cause of dismissal</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 2002</td>
<td>Eliyahu Yoshai, Nissim Dahan, Eliyahu Suissa, Shlomo Benizri, Asher Ohana</td>
<td>violation of the collective responsibility</td>
</tr>
<tr>
<td>June 2004</td>
<td>Avigdor Liberman, Beni Elon</td>
<td>policy disagreement</td>
</tr>
<tr>
<td>July 2004</td>
<td>Joseph Paritzki</td>
<td>political scandal</td>
</tr>
<tr>
<td>October 2004</td>
<td>Uzi Landau</td>
<td>violation of the collective responsibility</td>
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<tr>
<td>December 2004</td>
<td>Yoseph Lapid, Avraham Poraz, Eliezer Sandberg, Ilan Shalgi, Victor Brailovski</td>
<td>violation of the collective responsibility</td>
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