

Heaven and Earth as Witnesses: Turnout, Disqualification, and the Moral Quality of Choice in the Aseret Yemei Teshuvah

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I. The Present Hour

On 27 October 2026, Israel will elect the 26th Knesset. The date is the statutory terminus of a four-year term that the 25th Knesset completed without early dissolution—the first such completion since 1988, and the first full governmental term since 1973. The Knesset dissolved on 17 July. Party lists closed on 8–9 September. Thirty-eight slates were deposited with the Central Elections Committee. Surplus-vote agreements among the principal opposition lists and between the Joint List and Ra’am were signed in the days that followed. Embassy voting begins 20 October. Election day follows one week later.

That calendar is already a civic fact. After the five consecutive snap elections of 2018–2022, after October 7 and the wars that followed, after the coalition crises over conscription and the legislative blitz that preceded dissolution, the polity has arrived at a scheduled contest. The institutions held the clock. The question now is whether the people will hold the quality of the choice.

This essay is confined to that cyclical layer. The standing Type 1 realities—sovereignty under higher law, the Jewish state’s particularist national responsibility, the republican demand of non-domination, the Torah’s insistence that power is limited and that a people is judged by the moral condition of its common life—are presupposed, not re-argued. What is at issue here is the present campaign in the Aseret Yemei Teshuvah: the asymmetry of intended turnout, the arithmetic of blocs hovering near 61, the sudden turn toward mutual disqualification petitions, the integrity of lists and registries, the temptation of demobilization, and what this cycle discloses about civic virtue right now.

The season supplies the interpretive key. We stand on 4 Tishrei 5787, the day after the Fast of Gedaliah, in the week of Parashat Ha’azinu, four days before Shabbat Shuva, six days before Yom Kippur. Moses opens the song by summoning heaven and earth as witnesses: “Give ear, O heavens, and I will speak; and let the earth hear the words of my mouth” (Deuteronomy 32:1). Rashi, following the Sifrei, explains the summons: Moses is mortal; tomorrow he will die; if Israel later claims it never accepted the covenant, who will refute them? Therefore he calls witnesses that endure. The election of 27 October is not that covenant. It is a human contest under that covenant. The ballot is not teshuvah. It is one of the public acts by which a free people either practices or evades the accountability that teshuvah presupposes.

The Fast of Gedaliah is not an ornament on this calendar. After the destruction of the First Temple, a remnant still possessed a sliver of autonomy under Gedaliah ben Ahikam. Intra-Jewish assassination extinguished that remnant and completed the exile. Rambam, in Hilchot Ta’aniot 5:2, treats the murder as the snuffing of the last ember of hope in the Land. A people

that commemorates that event in the Ten Days of Repentance is being taught, before it votes, that the gravest political wounds are often self-inflicted, and that the destruction of remaining civic authority is not a tactic. It is a catastrophe.

II. What the Cycle Looks Like on 15 September 2026

Institutional facts

The outgoing legislature served its full term. That fact matters more than campaign rhetoric admits. Israeli politics had trained a generation to treat elections as emergency valves rather than as regular, bounded transfers of power. Completing the term does not confer moral credit on any party. It does confer evidence that the Basic Law clock can still constrain ambition. Limited power is not a slogan. It is a timetable that held.

The Central Elections Committee, chaired by a Supreme Court justice, received the lists. No eleventh-hour mega-merger rewrote the map. Religious Zionism ran technically with Zehut. The reservists-and-economy slate of Yoaz Hendel and Yaron Zelekha entered as a distinct vehicle. Ofer Winter's Amcha Yisrael entered as a national-camp list. Blue and White submitted despite polling under the threshold. The Joint List submitted under an informal extension. The process was crowded, last-minute, and recognizably Israeli. It was also, so far as the public record shows, procedurally intact at the moment of filing.

One institutional pressure point remains from late August. Citizens abroad marked under Interior Ministry "Code 51" as having ceased to be residents petitioned the High Court to restore voting eligibility. The Court dismissed on procedural grounds on 2 September without deciding the substance. The episode is not a scandal of ballot stuffing. It is a reminder that the franchise, in a state that is both a Jewish republic and a people scattered and returning, remains legally particular. Type 1 principles require that the franchise be clear, equal among those entitled, and not quietly administratively narrowed. Type 2 analysis notes that the issue arrived too late for this cycle's registry and will return.

A second pressure point opened this week. On 14–15 September the Democrats petitioned the Central Elections Committee to bar Otzma Yehudit from the ballot, alleging incitement and denial of the state's democratic character. Otzma Yehudit had already petitioned to bar Ra'am, alleging rejection of Israel as a Jewish state and support for armed struggle. Mutual attempts to eject rivals from the field are not new in Israeli law. They are, in this cycle, a test of whether the contest will be decided by voters or by a preliminary war over who is permitted to stand. A republican people may police lists that genuinely negate the state's existence. It may not treat disqualification as a substitute for persuasion.

Surplus architecture

On 10 September the four principal Zionist opposition lists completed a map of surplus-vote agreements: Yashar with the Democrats; Together (Bennett–Lapid) with Yisrael Beiteinu. On 12 September the Joint List and Ra'am signed their own surplus pact. These agreements do not merge lists. They pool remainder votes under the Bader–Ofer method so that a bloc wastes fewer seats. They are the opposite of the mergers the nationalist camp has urged upon small right-wing lists hovering near the 3.25 percent threshold.

The distinction matters. A merger is a confession that fragmentation is lethal. A surplus pact is an admission that seats at the margin decide governments. Both are adult responses to arithmetic. The remaining gap on the right—Otzma Yehudit and Amcha Yisrael still without a completed surplus map in some reports—is not a theological disagreement. It is a decision about whether purity is worth donated seats.

Bloc arithmetic as of mid-September

Polling is not prophecy. It is a map of intention, and intention is not turnout. With that caveat, the picture on 14–15 September is consistent enough to be usable and unstable enough to forbid fatalism.

The Economist's tracker, last updated 15 September, places Likud and Yashar neck-and-neck in the low-to-mid twenties, the outgoing nationalist-religious-Haredi architecture near 51 seats, and the broader opposition near 65 if Arab lists are counted with it. Kan 11's Kantar snapshot of 14 September put Yashar at 24, Likud at 20, Together at 12, the present coalition near 48, with Hendel-Zelekha and Amcha Yisrael each near four. Channel 12 the same week put the anti-Netanyahu Zionist camp near 54 and the Netanyahu bloc near 50, with Arab lists near 12 and Hendel-Zelekha at four. Channel 14 remains the consistent outlier toward the present coalition. Most other series are not.

The governing architecture of the 37th government is repeatedly projected short of 61. The Zionist opposition is repeatedly projected in the low-to-mid fifties, occasionally touching 61 only if a small nonaligned list joins it and if threshold wastage on the right is severe. The difference between a deadlock and a government is four seats, the threshold, and who actually appears at the polling station.

Turnout as the hidden variable

Eligible voters have grown. Analyses circulating this summer placed the electorate near 7.5 million by late October, with a historically large first-time cohort—on one estimate approaching 595,000 voters aged 18–22, some 8.7 percent of the roll. The Haredi public is the largest engine of electoral growth by share: roughly one in six eligible Haredi voters is new. The largest absolute number of new voters in any sector is among young Arab citizens, more than 118,000. Jerusalem contributes a large increment of the youth wave.

The 3.25 percent threshold, at 70 percent turnout, already demands on the order of 170,000 valid votes; at 80 percent it approaches 195,000. Small parties are not merely competing for identity. They are competing against arithmetic that punishes fragmentation more harshly as participation rises.

Intention to vote is not uniform. Surveys through the summer and into September have repeatedly shown opposition-aligned respondents more certain they will vote than coalition-aligned respondents in several series. Arab-list identifiers vary widely by poll and by whether a unified list is perceived as real. An Israel Democracy Institute study of first-time voters found high stated intention across groups—between 80 and 95 percent saying they think they will vote or are certain they will—with secular Jewish youth highest in certainty and Haredi youth highest in political interest. Stated intention is not a ballot. In a contest decided by a handful of seats and by wasted votes below the threshold, differential turnout is not a footnote. It is the election inside the election.

III. Torah and Republican Criteria for This Cycle

Free will, not fatalism

Ha'azinu is a song of witness, not of resignation. The heavens and the earth are summoned because Israel remains accountable after Moses is gone. Rambam, in the Laws of Repentance, grounds human accountability in the reality of choice: were a person compelled, command and punishment would be meaningless. A national election is not a mitzvah in the technical sense. It is a public occasion on which a people either exercises or surrenders the capacity that Torah treats as the condition of moral life.

Fatalism in this cycle takes several disguises. One is the claim that “the blocs are locked.” They are not locked. They are close, and closeness is precisely where agency concentrates. Another is the claim that “my vote is wasted if my preferred small party dies on the threshold.” That claim can be descriptively true and still be a refusal of the prior duty to weigh consequence. Another is quietism dressed as sophistication: the wars will decide, the Americans will decide, the Court will decide, the street will decide. Each of those forces exists. None of them abolishes the citizen’s act on 27 October.

The Aseret Yemei Teshuvah intensify the point. Teshuvah is possible because the future is not sealed. An election held six weeks after Yom Kippur is a civic analogue: the books of politics are not closed in mid-September. They are open until the last voter in line is counted.

Limited power under higher law

Republican non-domination is the political translation of a Torah axiom: no human office is owner of the people. Completing a full term is one expression of limited power. So is the electoral threshold, which, for all its frustrations, is a rule announced in advance rather than a prize distributed after the count. So is the Central Elections Committee’s ordinary work of receiving lists and policing symbols and names.

The threats to limited power in this cycle are specific. A last-session legislative blitz that rearranges the architecture of legal officers—most consequentially the Attorney General Law enacted on 15 July 2026, scheduled to take effect on 1 January 2027—raises the question whether caretaker and late-term power is being used as residual domination whose harvest is collected after the vote. Campaign language that treats the opposing bloc as illegitimate rather than mistaken raises the question whether rotation in office is still accepted as a republican good. Mutual disqualification petitions raise the question whether the field itself is being narrowed by lawfare. Attempts to keep marginal voters off the roll by administrative category raise the question whether the people entitled to stand *hayom* are being quietly redefined.

None of these is unique to one camp. All of them are Type 2 tests of whether the contest remains a contest or becomes a siege.

The quality of the people

The prophets do not grade governments only by borders and treasuries. They grade the people by justice, by the treatment of the vulnerable, by truth in the gates, and by whether the nation still knows itself as bound. Rambam’s political chapters in the Mishneh Torah assume that kingship—and by extension any executive—exists to establish law and to fight the wars of the Lord, not to become an end. Civic virtue, in the republican idiom, is the disposition that makes

self-government possible: a willingness to share burdens, to tell the truth about tradeoffs, to lose an election without seceding from the polity, and to win one without treating opponents as conquered subjects.

This cycle's civic-virtue questions are concrete.

Will reservists, the displaced, the bereaved, and the young first-time voters treat the ballot as a continuation of responsibility or as a luxury they can no longer afford?

Will Haredi politics speak only the language of exemption and subsidy, or also the language of shared fate after years in which the rest of the people carried the war?

Will the national camp treat threshold fragmentation as a theological right rather than as a practical threat to the very majority it claims to defend?

Will the opposition treat "anyone but" as a sufficient theory of government, or will it specify the limits of the coalition it would actually form—including whether it will govern with, beside, or against Arab lists?

Will Arab lists be addressed as citizens inside the covenant of civic law, or only as arithmetic to be used or quarantined?

Will the parties now asking the Central Elections Committee to eject one another accept an adverse ruling without pre-delegitimizing the count?

These are not personality questions. They are questions about whether the people still possesses the habits that make a Jewish republic livable.

Particularist national responsibility

A covenantal people does not vote as a random aggregate of consumers. It votes as a nation that must still raise children, bury its dead, deter its enemies, and remain a refuge. That particularism is not a license for contempt toward non-Jewish citizens, whose civic standing is a test of the republic's justice. It is a refusal of the fantasy that Israel can be governed as if it were a post-national administrative district. Campaigns that dissolve the Jewish majority's responsibility into generic progressive or generic strongman templates both fail this test. The 2026 cycle will be judged, in part, by whether the major lists can speak the language of a responsible nation rather than the language of a tribe bargaining over spoils.

Ha'azinu's charge against Israel is not that it lacked power. It is that it grew fat and forgot the Rock. A campaign that remembers only the enemy and forgets the quality of the people is already singing the wrong verse.

IV. Competing Theories of the Cycle—and Their Failures

Pure power realism

This view treats October 27 as a raw struggle for the Prime Minister's Residence, the justice portfolio, and the next set of appointments. Coalitions are bargains; voters are turnout machines; ideas are costumes. The view is not wholly false. Israeli government is coalition arithmetic. But realism that empties the contest of civic meaning cannot explain why completing a full term matters, why threshold wastage produces rage rather than a shrug, or why first-time voters are treated as a strategic prize. Power realism also cannot criticize

demobilization except as a tactical error. The covenantal-republican standard can: a people that stays home is not merely miscalculating. It is thinning the only earthly check on domination that a free constitution possesses.

Procedural liberalism

This view treats a clean count, equal broadcast time, and an independent committee as sufficient. If the rules are followed, the outcome is legitimate, full stop. The view is necessary and not sufficient. Procedure is the floor. It does not answer whether the campaign has degraded the habits required to live with the result. A procedurally perfect election that is preceded by systematic contempt for half the country, or by a preliminary campaign to eject lists from the ballot, can still wound civic health. The High Court's procedural dismissal of the Code 51 petition was, on its own terms, a judicial act. It does not close the republican question of who belongs on the roll. A Central Elections Committee ruling that keeps Otzma Yehudit or Ra'am on the ballot, or removes either, will be legitimate only if both camps treat the ruling as law rather than as theft.

Identity mobilization

Both camps practice it. The right mobilizes around betrayal, judicial overreach, and the unfinished war. The center-left mobilizes around October 7 accountability, conscription fairness, and the fear of theocratic capture. Identity is not illegitimate. Nations are identities with histories. The failure begins when identity becomes a substitute for governing programs and a permission structure for treating the other camp as a foreign body. A cycle dominated by identity mobilization will produce high emotion and brittle coalitions. It will not produce the patience required to pass a budget, reform the draft, or end a war.

Quietism and exhaustion

After years of reserve duty, displaced communities, hostages, funerals, and inflation, a portion of the public simply wants the noise to stop. Quietism presents itself as maturity. In the Aseret Yemei Teshuvah it looks more like the refusal to stand. Nitzavim assembled *kulchem*. Ha'azinu calls witnesses who cannot leave the courtroom. Exhaustion is real. It is not a political theory. A republic that allows exhaustion to become a voting bloc of the absent has already begun to transfer power to whoever still shows up.

Maximalist and minimalist turnout theories

Maximalists argue that every increment of participation is an unmixed good. Minimalists argue that only "quality" voters should be courted and that high turnout among the uninformed is a risk. Both miss the covenantal point. The Torah's assembly is comprehensive—from woodchopper to water-drawer—not because every participant is wise, but because the covenant is not the property of an elite. Republican theory, properly understood, wants high turnout and formed judgment. The practical task of this cycle is therefore dual: get people to the polling station, and refuse to treat them as empty vessels for last-week fear.

Lawfare as first-round politics

A sixth theory has become more visible this week: that the election should be narrowed before it is held, by petitions to bar lists. Sometimes the law requires that inquiry. A state is entitled to refuse a list that is an instrument of its destruction. The covenantal-republican objection is to

the habit of reaching for the ban as a campaign tactic when the real work is persuasion and turnout. If every rival is “illegitimate,” the voter is no longer a citizen. He is an audience at a purge.

V. The Stakes That Belong to This Contest Alone

Threshold politics as a moral problem

Israel’s 3.25 percent bar will, in this enlarged electorate, erase or elevate entire worldviews on a margin of a few tenths of a point. Warnings against small lists that may fall short can be read as machine politics. They can also be read as a crude statement of a real republican problem: a camp that fragments below the threshold does not express purity. It donates seats to its opponents. The symmetric problem exists on the other side whenever vanity lists siphon votes from a bloc that claims to be one election from 61.

The covenantal standard does not require every shade of opinion to dissolve into two parties. It does require adults to distinguish witness from self-sabotage. Tishrei is the season of that distinction.

Coalition architecture as temporary power

No bloc currently owns 61. Therefore the day after the election will be a construction site. Possible architectures include a Zionist opposition government without Arab parties; an opposition government that depends on Ra’am or a Joint List understanding; a Netanyahu government rebuilt with Haredi parties and whoever survives on his right; a government that requires Hendel-Zelekha or another nonaligned list as the hinge; a unity or rotation government born of deadlock; or a long interregnum in which the outgoing government continues as caretaker.

Each architecture is a statement about non-domination. A narrow government that treats half the country as occupied territory will fail the test even if it is arithmetically legal. A government that can be formed only by promising opposite things to opposite partners will fail the test of truth in the gates. A caretaker that uses the interregnum to lock in structural change—including the January 2027 commencement of the Attorney General Law—will fail the test of limited power. Citizens cannot control the bargaining. They can control whether they enter that bargaining with a mandate that is broad, thin, or forfeited by absence.

The war generation and the first-time voter

This is the first Knesset election since October 7. The people who will vote include parents of the fallen, released hostages and their families, reservists on their third and fourth rotations, evacuees who have not gone home, and a youth cohort that came of age under sirens. Their participation is the clearest civic-virtue indicator the cycle will produce. If they vote in force, the republic is still capable of metabolizing catastrophe into responsibility. If they stay home in disgust, the field is left to those for whom politics never stopped being a profession.

The Haredi share of new voters and the Arab share of new voters are not curiosities. They are the two demographic facts most likely to decide whether the next coalition can speak for the actual country rather than for the television map of 2022. A campaign that courts one and insults the other, or that courts both only as turnout machines, has already told the truth about its theory of the people.

Institutional integrity under campaign heat

Watch, between now and 27 October, five pressure points:

- 1. The certification of lists, letters, and party names by the Central Elections Committee, including the pending petitions to bar Otzma Yehudit and Ra'am.**
- 2. Broadcast and digital regulation after the late-term communications legislation, and the Committee's handling of misleading campaign video.**
- 3. The handling of soldiers', prisoners', hospital, and diplomatic-mission ballots.**
- 4. Rhetoric that pre-delegitimizes the count.**

1. The temptation to treat the 1 January 2027 commencement of the Attorney General Law as a prize of the election rather than as a question for the next Knesset under ordinary legislative responsibility.

A campaign can be bitter and still be decent if those five remain intact. If any one of them is treated as just another front, the Type 2 damage will outlast whichever bloc wins.

Gedaliah's warning in an election season

The Fast of Gedaliah is the commemoration of a political assassination that ended remnant self-rule. It is not a parable about one party. It is a warning about the moment when intra-national enmity becomes more decisive than the external enemy. A campaign that speaks of rivals as traitors, that seeks to eject them from the ballot, that prepares its public to reject an adverse result, is playing with the same fire that Mizpah knew. The Torah does not ask Israel to pretend that all lists are equally fit. It does ask Israel not to complete the work of its enemies by destroying its own remaining civic capacity.

VI. What Should Be Done Before 27 October

The covenantal-republican standard yields a short list of duties that belong to this cycle and not to eternity.

Citizens should treat turnout as a public act of responsibility, not as a mood. The young, the exhausted, the bereaved, and the cynical are not exempt. They are the test.

Party leaders should complete surplus maps where they have not, tell the truth about threshold risk, and stop promising coalitions they have no intention of forming.

The Central Elections Committee should decide disqualification petitions on the narrow statutory grounds, promptly, and in language that does not invite a crisis of recognition.

Campaigns should retire the last-week fabrication of images and the preemptive claim that an adverse count is theft.

Commentators should stop telling the public that "the blocs are locked." They are not. Four seats and a rainstorm on election day are enough to rewrite the architecture of power.

Above all, the people should remember what Ha'azinu places on the record: the witnesses do not leave. Heaven and earth will still be there on 28 October. The question is whether Israel will be able to look at the result and say that it chose, rather than that it drifted, was herded, or stayed home.

VII. Conclusion

Type 1 principles do not change between Elul and Tishrei. The Jewish state remains a particularist republic under higher law. Power remains limited. Civic virtue remains the condition of non-domination. National responsibility remains undelegable.

What changes in a Type 2 cycle is the hour in which those principles are tested. This hour is unusually clear. The Knesset finished its term. The lists are locked. The surplus pacts of the opposition are signed. The petitions to narrow the field are filed. The polls refuse to give either camp a clean 61. The first-time cohort is the largest in the state's history. The Ten Days of Repentance stand between the people and the booth.

Ha'azinu does not flatter. It says that a nation can forget the Rock that begot it and still recite slogans about strength. The Fast of Gedaliah does not flatter. It says that a remnant can destroy itself after the enemy has already done his worst. The republican tradition does not flatter. It says that self-government dies first in the habits of the people, and only afterward in the statutes.

Twenty-seven October will not redeem Israel. It will disclose, with the bluntness of a count, whether this generation still regards collective choice as a duty. That is the only question this cycle is competent to answer. The rest belongs to the government that the people, present or absent, will have authorized.

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