

Israeli Supreme Court Refuses to Allow Discussion of Full Equal Rights & 'State of All Its Citizens' Bill in Knesset

By [Adalah](#)

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The Israeli Supreme Court early this afternoon, Sunday, 30 December 2018, [dismissed the petition](#) filed by Adalah – The Legal Center for Arab Minority Rights in Israel on behalf of Knesset Members Jamal Zahalka, Hanin Zoabi, and Joumah Azbarga (Joint List) against the Knesset Presidium’s decision to reject their proposed bill [Basic Law: State of all its Citizens](#). In doing so, the Supreme Court refused to even allow a discussion of equal rights and a state for all of its citizens in the Knesset.

The Knesset Presidium refused to allow the submission of the bill – which declares Israel a “state of all its citizens” – based on the claim that Israel is a Jewish state. This bill was initiated by Zahalka, Zoabi, and Azbarga in response to the new Basic Law – The Nation State of the Jewish People, passed by the Knesset in mid-July 2018.

The judgment follows a hearing on the petition last week, Monday, 24 December 2018, during which the justices received an announcement of early elections, and the decision to dissolve the 20th Knesset.



Adalah General Director Hassan Jabareen (center with hat) speaks to journalists together with Arab members of Knesset on Monday, 24 December 2018, prior to the hearing on their petition at the Israeli Supreme Court in Jerusalem. (Photo by Mati Milstein)

Chief Justice Hayut, who headed the three-justice panel hearing the case, hinted then that the court would consider the MKs’ petition, filed six months ago and not heard to date, as theoretical. Today, the petition was indeed dismissed for these reasons.

As the petition also attacks the constitutionality of the very bylaws used to disqualify the bill, there is no justification for the court’s decision to consider the petition as purely theoretical in nature, in Adalah’s view.

The court today chose to uphold the Knesset Presidium’s decision to prevent its own Palestinian Arab minority members from initiating a bill and a debate to promote democratic values on the basis of equality for all.

Adalah responded immediately to the court’s decision:

“This decision violates the basic right to full equality for Palestinian Arab citizens of the state. This judgment is the second in six years that the Israeli Supreme Court has decided to uphold the Knesset Presidium’s authority to prevent Arab MKs from submitting bills and initiating debate that challenges Israel’s character as a state of the Jewish people only. In both of these cases, the court exploited the announcement of early elections as a justification to dismiss these cases.

“This petition confronts a matter of principle – the right to equality and a state for all its citizens – that will certainly remain in the public discourse and as a key political platform of Arab MKs, and it is not expected to change.”

Adalah’s General Director Hassan Jabareen and Adalah Attorney Fady Khoury represented the Arab MKs in this case.

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