



DEMOCRACY IN ISRAEL

Israel is a multiparty parliamentary democracy consisting of the legislature, the executive and the judiciary, with the prime minister as the head of government and the president serving in a ceremonial capacity.

As in other similar systems, the parliamentary system is characterized by an executive branch that depends on a vote of confidence from the legislative branch.

STRUCTURE OF DEMOCRATIC INSTITUTIONS

EXECUTIVE POWER



Benjamin Netanyahu

**GOVERNMENT
(MEMSHALA)**

LEGISLATIVE POWER



Amir Ohana

**PARLIAMENT
(KNESSET)**

JUDICIARY



Esher Hayut

**SUPREME COURT
OF JUSTICE**

STATE PRESIDENT



Isaac Hertzog



PRESIDENT

In Israel, the President holds a purely ceremonial position, i.e. he is the head of the State of Israel (but not of the government) and is above partisan politics. He is elected by a simple majority of the Knesset from among candidates nominated on the basis of their personal ability and contribution to the State and serves a single seven-year term.

While he does not represent any of the branches:

- It may grant partial or total amnesties.
- Sign laws and receive accreditations from international envoys.
- It grants the right to form a government to the deputy who, according to its criteria, is most likely to form a coalition.



DEMOCRACY IN ISRAEL



LEGISLATIVE POWER

THE PARLIAMENT (THE KNESSET)

The Knesset is Israel's parliament, composed of 120 deputies elected in general elections.



- It operates through plenary sessions and standing committees.

- It is elected for a term of four years, but may be dissolved by its own vote or dissolved by the Prime Minister before the end of its term.



- He is the direct representative of the political and social opinion of the Israeli citizenry.
- It dictates the laws.

TO BE PASSED, A BILL MUST PASS THREE READINGS IN THE KNESSET:

1

In the first, the project is presented to the plenary and after a short debate on its content, it is referred to the relevant committee for detailed study and reformulation, if necessary.



2

Once the committee completes its work, the bill is returned to the plenary for its second reading, at which time members of the committee who have reservations may present them.

After a general debate, each article of the bill is submitted to a vote and, unless it is necessary to return it to committee, the third reading takes place immediately and the bill is voted on as a whole.



3

If the bill is approved, it is signed by the chairman of the session and subsequently published in the Official Gazette, with the signatures of the president, the prime minister, the chairman of the Knesset and the minister responsible for its implementation. Finally, the Minister of Justice affixes the state seal and the bill becomes law.

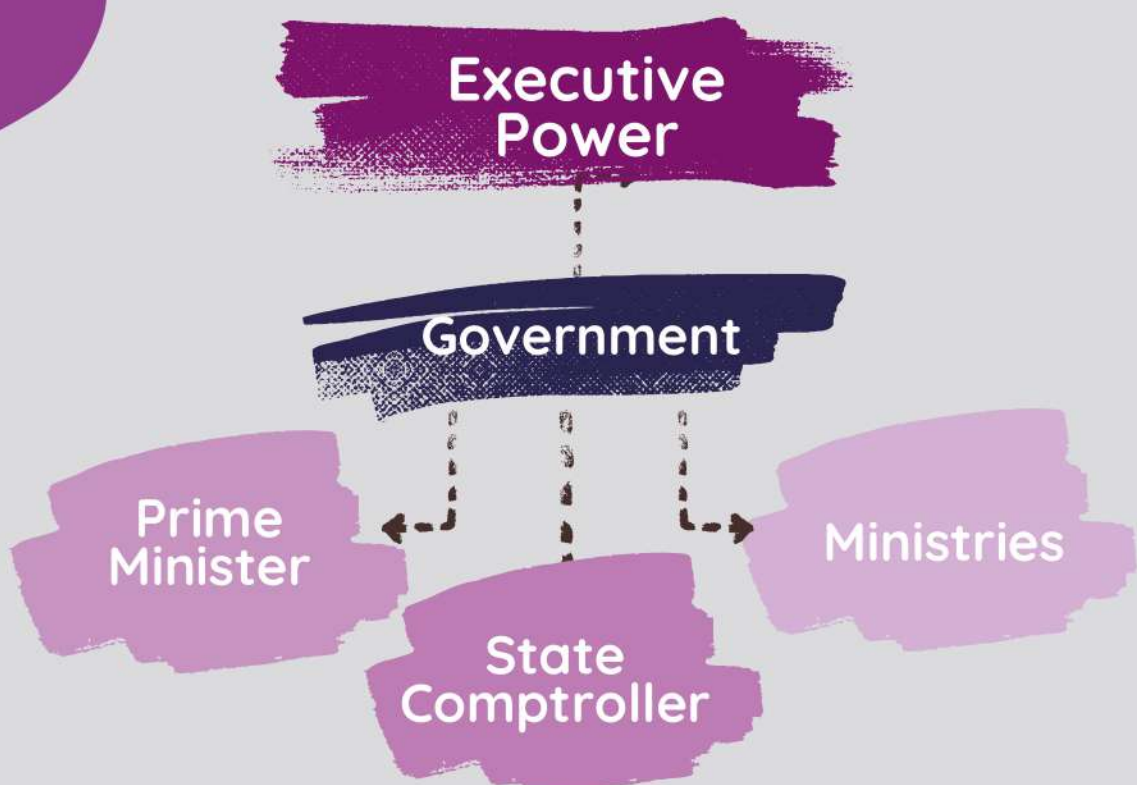


* It is worth clarifying that three readings are required if the bill is submitted by the government. In case the bill is a private bill (from chaverei kneset), it has to pass 4 readings.

DEMOCRACY IN IN ISRAEL



THE EXECUTIVE POWER



The government (consisting of the Prime Minister and the cabinet of ministers) is responsible for **administering the internal and external affairs of the country**, including security matters. Its political powers are very broad and it is authorized to act in any matter not delegated by law to another authority.

Ministers may be members of the Knesset.



Most ministers hold a portfolio and head a ministry. There may be ministers without portfolio, charged with responsibility for specific projects. The Prime Minister may also serve as the head of a specific portfolio.



To date, all governments have been based on multi-party coalitions, as no party has won enough seats in the Knesset to be able to form a government on its own.

Like the Knesset, the government generally serves for **four years**, but its term may be shortened if the Prime Minister is prevented from continuing in office due to death, resignation or impeachment, in which case the government appoints one of its members (who must also be a member of the Knesset) as acting Prime Minister.

DEMOCRACY IN ISRAEL



THE JUDICIARY

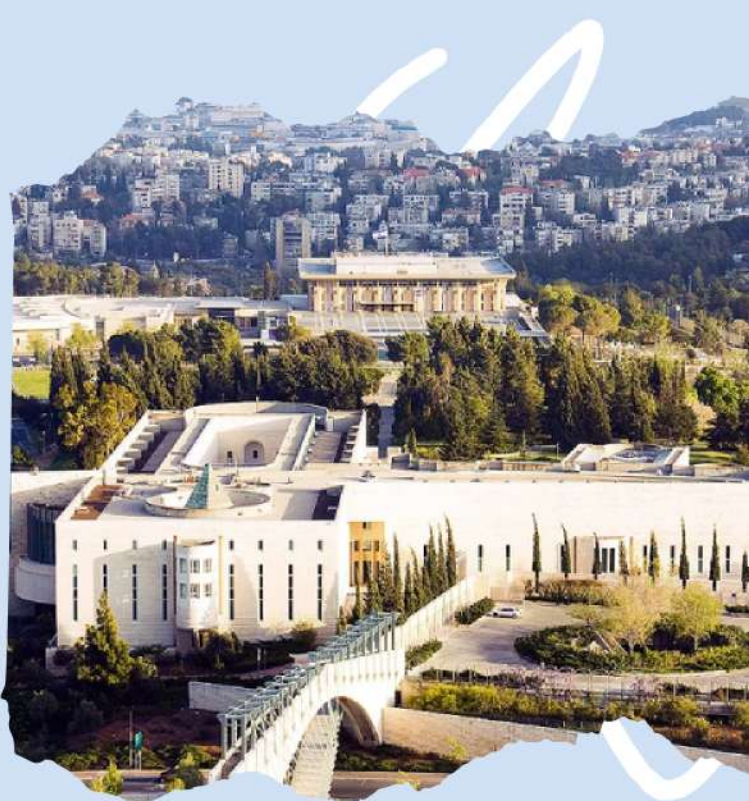
Judiciary Power

Court system

Legal Counsel

The absolute independence of the judiciary is guaranteed by law.

Judges are appointed by the President upon the recommendation of a special commission formed by judges of the Supreme Court of Justice, members of the Bar Association and public figures. Appointments are for life, with mandatory retirement at 70 years of age.



"The Judiciary must be home for diversity of opinion in Israeli society."

Isaac Hertzog

Official Statement February 2023

JUDICIAL SELECTION COMMITTEE (VAADAT LEBCHIRAT HASHOFTIM)

There are currently 9 members on the Judicial Selection Committee:

3

Supreme Court Justices
(Including the Chief Justice of the Supreme Court)

2

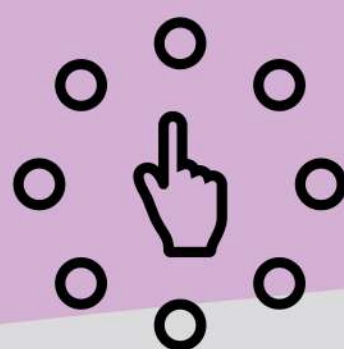
Cabinet Ministers
(One is the Minister of Justice)

2

Members of the Knesset
(One representative of the coalition and one representative of the opposition)

2

Members of the Israel Bar Association



DEMOCRACY IN ISRAEL



THE JUDICIARY

THE SUPREME COURT (BEIT HAMISHPAT HA'ELION)



The Supreme Court, based in Jerusalem, has national jurisdiction. It is the highest court of appeal. In its role as the High Court of Justice, it hears petitions against any governmental body or agency and is the court of first and final instance.

Although legislation is entirely within the competence of the Knesset, the Supreme Court may call attention to desirable legislative changes; sitting as the High Court of Justice, it has the authority to determine whether a law conforms to the Basic Laws of the State.

BASIC LAWS

As of today, there is no Constitution as such in Israel.

Since the formation of the State, the Knesset has gradually drafted the Basic Laws, which today fulfill the constitutional function.



Most of the Basic Laws deal with the logistics and functions of the various institutions that make up the democratic political system.

Some examples of Basic Laws are:

The President of the State, The Knesset, The Government, The Judiciary, Lands of Israel, The State Comptroller, The State Economy, The Israel Defense Forces, Jerusalem, Capital of Israel, Human Dignity and Liberty, Freedom of Employment and the latest and most controversial Nation-State Law, which officially defines Israel as the "Nation-State of the Jewish People".

The difference between the Basic Law and a Common Law is that the latter cannot contradict the ideas, values and/or principles of the former.

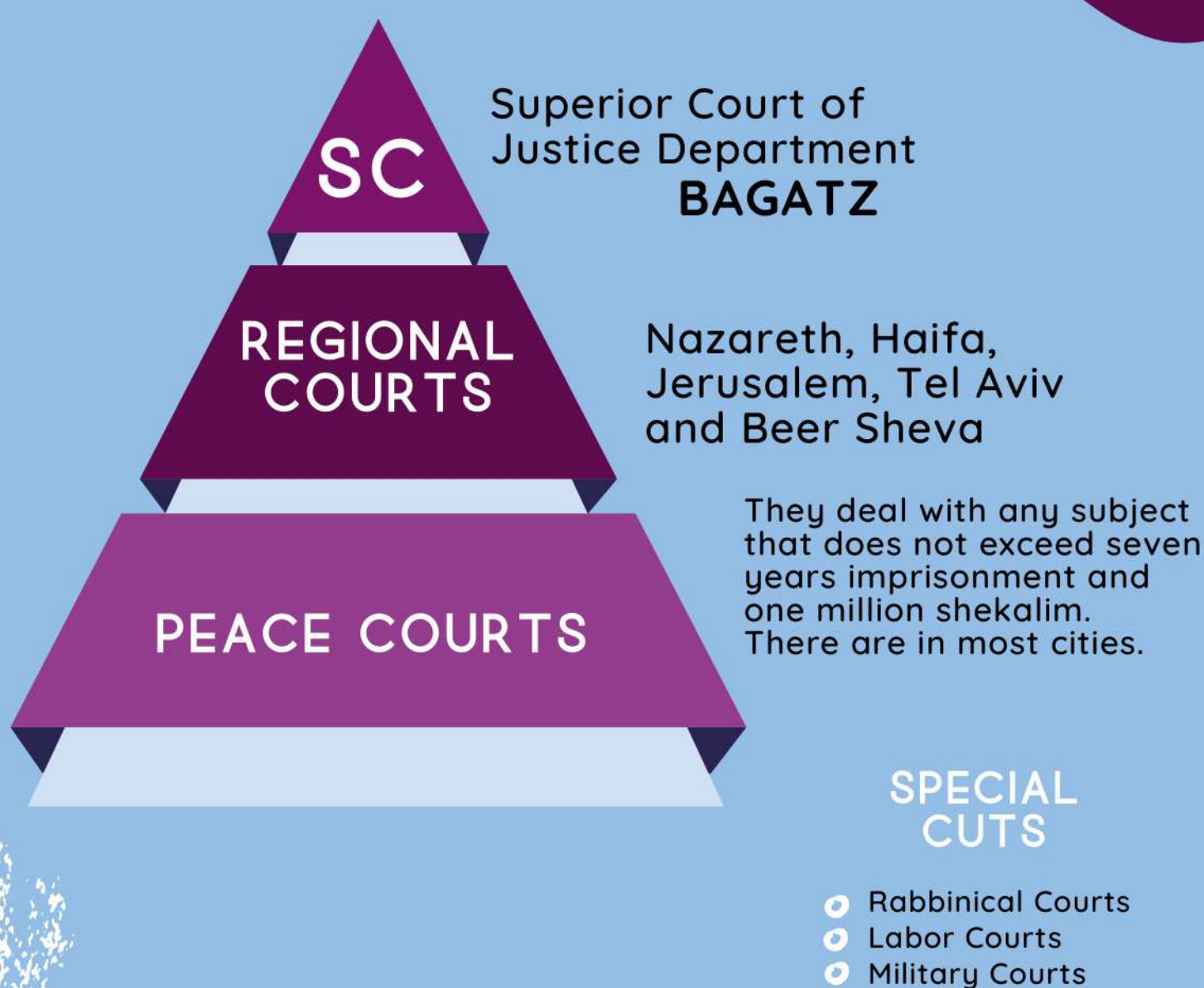
Today, the judicial system is the one that has the authority to legally criticize and even cancel laws or sections of the same that profoundly contradict a Basic Law.

Organizing the processes leading to the enactment of Basic Laws is one of the central functions of the Constitutional Commission (Vaadat Chukah).

DEMOCRACY IN ISRAEL

THE COURTS

THE JUDICIARY



THE COURTS

SPECIALS 1 judge

Courts with specific jurisdiction: transit, labor, juvenile and municipal courts; administrative tribunals.

Jurisdiction in matters of personal law (marriage, divorce, alimony, guardianship, adoption), granted to the institutions of the respective religious communities: Jewish rabbinical courts; Muslim sharia courts, Druze religious courts; ecclesiastical courts of the ten Christian communities recognized in Israel.

RELIGIOUS 1 to 3 judges

JUSTICE OF THE PEACE First Instance (1 judge)

Civil and criminal jurisdiction in lawsuits and misdemeanors.

Appeals of judgments issued by the justice of the peace courts; first instance for civil and criminal cases of higher amounts.

DISTRICT

Second instance (1 or 3 judges)

SUPREME

Third instance
(1, 3 or 5 judges)

Last instance of national appeal; sitting as Supreme Court of Equity, it hears appeals for protection, is empowered to release persons illegally detained or imprisoned; it hears as first and last instance cases in which it is necessary to intervene in equity.