

“Heading to the Polls in Massive Numbers”

Election Laws to Exclude Arab Citizens of Israel from Political Participation

Situation Overview

Prime Minister Benjamin Netanyahu and members of the governing coalition are laying the groundwork to hollow out the next elections of their substance and fundamentally change their character. In other words, their intention is to change the democratic rules of the game in Israel in a way that would prevent any real possibility of replacing the current government.

The Zulat team has mapped 17 legislative proposals, including proposals to expand the grounds for disqualifying Arab parties and candidates, whose purpose is to exclude Arab citizens of Israel from political participation. These bills are part of a total of 55 election-related proposals that have been placed on the Knesset table since the formation of the 37th government. Each proposal may appear non-threatening on its own, but the combination of proposals targeting the Arab public together with general election laws aimed at maximizing government control would lead to electoral manipulation. This would be achieved through manipulations and seemingly minor changes that are capable of harming equality, ballot secrecy, the right to vote, and the right to be elected - features that are the cornerstones of democratic elections.

Legislative Proposals Directed Against the Arab Public

Below are the legislative proposals whose purpose is to harm the political participation of Arab citizens of Israel, classified according to four main axes of harm: equality and representation; the right to vote; the right to be elected; and procedural fairness.

1. Equality and Representation

The principle of equality in elections requires that every citizen has equal influence in elections, and that every list and candidate be guaranteed a fair and equal opportunity to compete. One way to harm the equality of opportunity of the competing lists is through an

unequal distribution of resources that will harm the equality of opportunity of the competing lists.

- **Bill for Parties Financing Law (Amendment - Denial of Funding from Party Calling for Boycott of State of Israel), 2023¹**. The proposal seeks to add a clause to the Parties Financing Law that would deny public funding to a party, or whose faction members, call for a boycott of the State of Israel (including the occupied West Bank). This proposal is promoted by several Knesset members from Likud, Religious Zionism, and Otzma Yehudit. The proposal harms not only the ability of Arab parties to run effective campaigns, but also seeks to strip them of political legitimacy, thereby hollowing out the principle of equality and deliberately reducing democratic competition

2. The Right to Vote

The right to vote is a fundamental right that is not conditional on lifestyle, military service, or political positions. Creating gaps in the ability to exercise the right to vote between different population groups strikes at the heart of democracy.

- **Bill for Basic Law: The Knesset (Amendment - Conditioning Right to Vote on Military or National Service)²**. This proposal seeks to condition the right to vote in elections on military or national service (unless a person is unable to serve for medical reasons as determined by the IDF). In effect, Arab citizens of Israel who do not serve in the military would be stripped of the most basic right in a democratic system—the right to participate in election.

3. The Right to get Elected

The right to get elected expresses people's sovereignty to choose representatives freely. The legislative proposals in this category seek to shrink the democratic space and remove certain groups from the electoral arena. Several proposals seek to disqualify lists and candidates or in the removal of serving Knesset members. Past experience shows that these tools almost exclusively target Arab candidates, serving as mechanisms of incitement and delegitimization against them and against the Arab public as a whole.

¹ [Bill for Parties Financing Law \(Amendment - Denial of Funding from Party Calling for Boycott of State of Israel\), 2023](#).

² [Bill for Basic Law: The Knesset \(Amendment - Conditioning Right to Vote on Military or National Service\)](#).

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- **Bill for Basic Law: The Knesset (Amendment - Reducing Majority Required to Terminate an MK).**³ This amendment seeks to make it easier to terminate the tenure of a serving Knesset member by reducing the required majority from 90 MKs to 80 MKs.
 - **Bill for Local Authorities Law (Elections) (Amendment No. 58), 2025.**⁴ Applies Section 7A of Basic Law: The Knesset to local elections as well. Section 7A allows disqualification of a list or candidate if their goals or actions explicitly or implicitly negate the existence of Israel as a Jewish and democratic state, incite racism, or support armed struggle by an enemy state or terrorist organization.
 - **Bill for Basic Law: The Knesset (Amendment - Expansion of Grounds for Preventing Participation in Elections).**⁵ Expands the grounds for disqualifying a candidate or list, including expressions of sympathy for or support of armed struggle even if not continuous, and allows disqualification of parties or candidates included in joint lists.
 - **Bill for Basic Law: The Knesset (Amendment - Declaration of Allegiance in the Plenum and Sanctions Against Noncompliers).**⁶ Provides that an MK who does not declare allegiance or sign the declaration will have their membership terminated, lose voting rights in the Knesset and its committees, and be denied salary and benefits until termination.
 - **Bill for Basic Law: The Knesset (Amendment - Preventing Participation in Elections of Boycott Supporters).**⁷ Adds support for boycotts of Israel (including occupied the West Bank) to the grounds for disqualification under Section 7A of Basic Law: The Knesset.
 - **Bill for Basic Law: The Knesset (Amendment - The Right to Be Elected).**⁸ Expands Section 6 of Basic Law: The Knesset so that anyone convicted of a serious security offense may not run for the Knesset at all (currently allowed after 14 years).

³ [Bill for Basic Law: The Knesset \(Amendment - Reducing Majority Required to Terminate an MK\).](#)

⁴ [Bill for Local Authorities Law \(Elections\) \(Amendment No. 58\), 2025.](#)

⁵ [Bill for Basic Law: The Knesset \(Amendment - Expansion of Grounds for Preventing Participation in Elections\).](#)

⁶ [Bill for Basic Law: The Knesset \(Amendment - Declaration of Allegiance in the Plenum and Sanctions Against Noncompliers\).](#)

⁷ [Bill for Basic Law: The Knesset \(Amendment - Preventing Participation in Elections of Boycott Supporters\).](#)

⁸ [Bill for Basic Law: The Knesset \(Amendment - The Right to Be Elected\).](#)

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- **Bill for Basic Law: The Knesset (Amendment - Prevent Persons Supporting or Encouraging Terror from Running for Election).**⁹ Expanding the grounds for disqualification of candidates and parties for the Knesset, so that even support for a single terrorist will be considered support under Section 7A(a)(3) of the Basic Law: The Knesset (which states that support for an armed struggle, of an enemy state or a terrorist organization, against the State of Israel is a ground for disqualification).
 - **Bill for Impeachment of Elected Officials Supporting Armed Struggle Against State of Israel (Legislative Amendments), 2024.**¹⁰ "Impeachment Law" for Elected Officials in Local Authorities. Similar to Amendment No. 44 to the Basic Law: The Knesset, known as the "Impeachment Law" and allowing for impeachment proceedings against Knesset members who act against the State of Israel as a Jewish and democratic state, the bill allows the Minister of the Interior to impeach a local council member who acts in this way.
 - **Bill for Basic Law: The Knesset (Amendment - The Right to Be Elected).**¹¹ Seeks to tighten the ban on running in elections for a person convicted of a serious terrorist offense or a serious security offense (Article 6 of the Basic Law: The Knesset). The bill seeks to abolish the suspension of the ban on the sentence imposed, so that any person convicted of a serious terrorist or security offense will not be able to run regardless of the sentence. A similar bill (P/5358/25) conditions the ban on running for office for someone convicted of serious security or terrorist offenses on having served at least one year in prison. Both bills were submitted by MK Nissim Vaturi (Likud).
 - **Bill for Basic Law: The Knesset (Amendment - Declaration of Allegiance).**¹² The bill seeks to establish that members of the Knesset will be required to declare allegiance to the State of Israel "as a Jewish and democratic state".
 - **Bill for Basic Law: The Knesset (Amendment - Expansion of Grounds for Preventing Participation in Elections).**¹³ Seeks to further expand the grounds for

⁹ [Bill for Basic Law: The Knesset \(Amendment - Prevent Persons Supporting or Encouraging Terror from Running for Election\).](#)

¹⁰ [Bill for Impeachment of Elected Officials Supporting Armed Struggle Against State of Israel \(Legislative Amendments\), 2024.](#)

¹¹ [Bill for Basic Law: The Knesset \(Amendment - The Right to Be Elected\).](#)

¹² [Bill for Basic Law: The Knesset \(Amendment - Declaration of Allegiance\).](#)

¹³ [Bill for Basic Law: The Knesset \(Amendment - Expansion of Grounds for Preventing Participation in Elections\).](#)

disqualifying candidates and lists, and to include in Section 7A of the Basic Law: The Knesset the ground of accusing the State of Israel of murdering innocent people during wartime.

- **Bill for Basic Law: The Knesset (Amendment - Disqualification of Candidate/List Due to Support/Glorification of Murderers of Jews).**¹⁴ Expands the term "support for armed struggle", currently included in the grounds for disqualification of candidates or lists for the Knesset, to also include "glorifying an act of terrorism or harming a person because of their Jewishness or Israeli citizenship, or glorifying the perpetrator of the said act himself, whether the act was committed by an enemy state, a terrorist organization or by individual perpetrators".

4. Procedural Fairness

Procedural fairness is a fundamental condition for the legitimacy of the democratic regime. When the rules of the game are clear and perceived as fair, and when they are supervised impartially and without political-ideological bias, even the losing side in the elections is willing to accept their results and respect the majority's decision. The proposals detailed below deal mainly with the powers of the Supreme Court to conduct judicial review of disqualification decisions. Although they appear to be general proposals on the surface, past experience shows that in almost all cases the lists or candidates disqualified by the Elections Committee are Arabs, and the disqualification decisions are ultimately overturned in court. Therefore, these proposals are in fact clearly directed against Arab lists and candidates.

- **Bill for Basic Law: The Knesset (Amendment - Revocation of Supreme Court's Authority to Intervene in CEC's Decisions on Approval or Disqualification of Candidate/List Running for Election).**¹⁵ Determines that a decision by the Central Elections Committee to disqualify candidates will be "final, conclusive, and unappealable." That is, the MKs on the Elections Committee (in which the coalition has a majority) will be able to disqualify candidates as they see fit, and the Supreme Court will not be able to apply judicial review to the decision.

¹⁴ [Bill for Basic Law: The Knesset \(Amendment - Disqualification of Candidate/List Due to Support/Glorification of Murderers of Jews\).](#)

¹⁵ [Bill for Basic Law: The Knesset \(Amendment - Revocation of Supreme Court's Authority to Intervene in CEC's Decisions on Approval or Disqualification of Candidate/List Running for Election\).](#)

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- **Bill for Basic Law: The Knesset (Amendment - Majority Required to Prevent Participation in Elections).**¹⁶ Weakens the court's ability to review the disqualification of candidates by the Central Elections Committee, which is a political body. Supreme Court approval will not be required for the disqualification of a candidate (as is currently required by law), and the disqualification of a candidate or list will be appealable to the court, which will hear the appeal in a panel of at least nine judges, but only a two-thirds majority of the panel of judges can accept the appeal.
 - **Bill for Knesset Elections Law (Amendment – CEC's Chairperson), 2022.**¹⁷ seeks to undermine the independence of the Central Elections Committee, and thus the procedural fairness of the elections as a whole. According to the proposal, the Chairman of the Central Elections Committee will be appointed on the recommendation of the Speaker of the Knesset by the Central Elections Committee plenum, and in any case will not be a serving or retired Supreme Court justice. In other words, not only will the members of the Central Elections Committee be politicians (according to a faction size key and therefore with a structural numerical advantage for the government), but also the Chairman of the Committee – who holds extensive powers – will be elected by the members of the Committee from a list of three candidates submitted by the Speaker of the Knesset (i.e. by the coalition), and who will not be serving or retired judges.

This bill allows the coalition to control what happens in the Central Elections Committee and many procedural decisions that directly affect the elections – control that could harm opposition parties and voters in general, but especially the Arab public. For example, in the 2019 elections, the Likud installed approximately 1,200 cameras in polling stations, especially in polling stations in Arab communities, in flagrant violation of the principle of electoral secrecy, and the action was disallowed by the then-Chairman of the Central Elections Committee, who determined that this was an illegal action. Another example is Section 131 of the Elections Law, which allows a curfew to be imposed under the Emergency Defense Regulations with the approval of the Central Elections Committee: political control of the committee will allow it to be used against the Arab public under security pretexts. It should be noted that as of the time of writing this document, the MK who submitted the proposal withdrew it

¹⁶ [Bill for Basic Law: The Knesset \(Amendment - Majority Required to Prevent Participation in Elections\).](#)

¹⁷ [Bill for Knesset Elections Law \(Amendment – CEC's Chairperson\), 2022.](#)

before the preliminary reading and it is not on the Knesset table, but it could nevertheless be returned to in the future without difficulty.

Summary

A material threat looms over the existence of democratic elections in Israel, and an examination of the bills against the Arab public as a whole reveals a consistent pattern of violations of equality, secrecy, and fairness of the process. The task facing the opposition, civil society, human rights organizations, and academia is to set clear red lines, warn against any political attempt to distort the rules of the game, systematically monitor both legislative initiatives and administrative moves, and work to preserve public trust in the democratic process. This is a race against time in which indifference may have a heavy price. A broad public response is necessary both to curb anti-democratic moves in general and the moves against the Arab public in particular.

* This document is based on "Elections in Name Only: What Good Is the Ballot Box If We Don't Control It?", a forthcoming report by Dr. Yael Shomer of the School of Political Science, Government, and International Relations at Tel Aviv University, and a member of the Political Scientists for Israeli Democracy Forum, to be published by the Zulat Institute.