

PRIMARY DOCUMENT August 20, 2026

What Does Israel's Nation-State Law Actually Say?

The 2018 Basic Law has eleven clauses and no equality clause. What each says, and what the Supreme Court held in HCI 5555/18 on 8 July 2021.

LAW AND COURTS Nation-State Law Basic Laws Knesset Supreme Court



Israel's Basic Law: Israel as the Nation-State of the Jewish People was adopted by the Knesset in 2018 and upheld by the

Supreme Court sitting as the High Court of Justice on 8 July 2021, in HCJ 5555/18 Hasson v. Knesset. The law has eleven clauses. It states that the realization of the right to national self-determination in Israel “is exclusive to the Jewish People”, makes Hebrew the language of the State and gives Arabic “a special status”, and it contains no equality clause and no individual-rights clause.

Figure	What it counts	Who published it	Period
2018	Year the Basic Law was adopted by the Knesset	Knesset	Enacted 5778-2018
1 May 2022	Date through which the Knesset's published English text includes amendments	Knesset	Text as published
15	Petitions against the Basic Law heard by the Supreme Court	Israeli Supreme Court	HCJ 5555/18, heard 22 December 2020
11	Justices on the panel that heard them	Israeli Supreme Court	HCJ 5555/18
8 July 2021	Date the petitions were dismissed and the Basic Law upheld	Israeli Supreme Court	Judgment in HCJ 5555/18
0	Clauses in the Basic Law addressing equality or individual rights	Knesset	Text as published, through 1 May 2022

Clause 1(c) makes self-determination exclusive to the Jewish People

Clause 1 has three limbs, and the third is the one every argument about this law turns on. The Knesset published the text in 2018 and states that its English translation is unofficial. Clause 1(b) reads:

“The State of Israel is the nation state of the Jewish People in which it realizes its natural, cultural, religious and historical right to self-determination.” Clause 1(c) reads: “The realization of the right to national self-determination in the State of Israel is exclusive to the Jewish People.”

Clause 4 makes Hebrew the State language and Arabic special in status

Clause 4 has three limbs and they qualify one another, on the text the Knesset published.

- 4(a): “Hebrew is the language of the State.”
- 4(b): “Arabic has a special status in the State.”
- 4(c): “Nothing in this article shall compromise the status given to the Arabic language in practice, before this basic-law came into force.”

3 further clauses cover Jerusalem, immigration and settlement

Clause	What it states	Quoted from
3	“The complete and united Jerusalem is the capital of Israel.”	Knesset published English text
5	The State “shall be open to Jewish immigration, and the ingathering of the exiles.”	Knesset published English text

Clause	What it states	Quoted from
7	"The State views the development of Jewish settlement as a national value, and shall act to encourage and promote its establishment and consolidation."	Knesset published English text

The law contains no equality clause and no individual-rights clause

Nor any provision on freedom of expression, assembly or worship. That is a statement about what the eleven clauses contain, and any provision on freedom of expression, assembly or worship. That is a statement about what the eleven clauses the Knesset published contain, checkable by reading them, and it is not a statement about how anyone is treated.

Where Israeli law does carry a general equality rule, it is judge-made rather than enacted. Basic Law: Human Dignity and Liberty, the other Basic Law most often reached for here, also contains no equality clause. The Israeli Supreme Court derived the equality principle in HCJ 6698/95 Ka'adan v. Israel Land Administration in 2000, reasoning from the values of the State and the Declaration of Independence rather than from an enumerated right, and it held there that the State was not permitted to allocate state land on the basis of discrimination between Jews and non-Jews.

The Court dismissed all 15 petitions and set a limit in the same judgment

It upheld the Basic Law, and in the same judgment it set a limit the Knesset had not previously been told it was under. The Israeli Supreme Court held that the Knesset acting as constituent authority is “not all powerful” and has no authority, even by Basic Law, to deny or facially contradict the core character of Israel as a Jewish and democratic state.

The test the Court set is narrow: whether an amendment denies the core democratic identity of the state, or inflicts mortal harm on the minimal core characteristics of its identity as a Jewish and democratic state. The Court derived that limit from what it called the elements of the constitution developed since the founding, and it named the Declaration of Independence, the Basic Laws, Knesset legislation and Supreme Court case law.

Both halves of that are the holding. The law stands, and the Court asserted a constitutional limit the law could have violated.

Where these figures come from

The clause text on this page is quoted from the Knesset’s own published English translation of the Basic Law, which the Knesset itself labels unofficial and which states that it includes all amendments adopted through 1 May 2022. The Hebrew is the enacted text.

The judgment figures come from the Israeli Supreme Court’s record in HCJ 5555/18, which reports a panel of eleven justices and an outcome of dismissal. The split among them is not stated on this page, because it is not recorded in the source used here. That

an argument is made about this law is not a reason to characterise the law: this page quotes the clauses and reports what the Court decided, and does neither for the reader.

Questions

When was the Nation-State Law passed?

In 2018, as Basic Law 5778-2018, adopted by the Knesset.

Is it a Basic Law or an ordinary statute?

A Basic Law. Israel has no single written constitution, and the Israeli Supreme Court in HCJ 5555/18 described the Basic Laws as among the elements of the constitution developed since the founding.

How many clauses does it have?

Eleven.

Does the law make Arabic an official language?

The law states that “Hebrew is the language of the State” and that “Arabic has a special status in the State”. Clause 4(c) adds that nothing in the article compromises the status Arabic held in practice before the law came into force.

Does the law mention equality?

No. The words equality, discrimination, religion, race and nationality do not appear in the text as the Knesset publishes it.

Where does Israeli law get an equality rule then?

From the courts. The Israeli Supreme Court derived it in HCJ 6698/95 Ka'adan in 2000, reasoning from the values of the State and the Declaration of Independence rather than from an enumerated right.

Did the Supreme Court strike any part of it down?

No. It dismissed all fifteen petitions on 8 July 2021 and upheld the Basic Law in full.

So the Court found no limits at all?

It found limits and held that this law did not cross them. The Israeli Supreme Court ruled that the Knesset as constituent authority has no power, even by Basic Law, to deny or facially contradict Israel's core character as a Jewish and democratic state.

How many justices heard the case?

Eleven, on 22 December 2020, with judgment delivered on 8 July 2021.

What does clause 7 say about settlement?

That "The State views the development of Jewish settlement as a national value, and shall act to encourage and promote its

establishment and consolidation.” The clause does not name a territory.

Is the English text official?

No. The Knesset published the translation and labels it unofficial. Where a wording is load-bearing, the Hebrew governs.

Does the law say anything about Jerusalem?

Clause 3 states that “The complete and united Jerusalem is the capital of Israel.”

Does it say anything about immigration?

Clause 5 states that the State “shall be open to Jewish immigration, and the ingathering of the exiles.”

Where can the text be read?

On the Knesset’s own site, main.knesset.gov.il, which publishes the Basic Laws in Hebrew and in unofficial English translation.

Sources

- Israeli Supreme Court sitting as High Court of Justice, 2021. HCJ 5555/18 Akram Hasson v. Knesset. Judgment of 8 July 2021. Official record (court judgment).
- Israeli Supreme Court sitting as High Court of Justice, 2000. HCJ 6698/95 Adel Ka’adan v. Israel Land Administration. Judgment of 8 March 2000. Official record (court judgment).

- Knesset, 2018. Basic Law: Israel as the Nation-State of the Jewish People. Official English translation, including amendments through 1 May 2022. main.knesset.gov.il. Official record (enacted legislation).
- Knesset, 1992, amendments through 2022. Basic Law: Human Dignity and Liberty, 5752-1992. Official English translation. main.knesset.gov.il. Official record (enacted legislation).

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