



A CALL FOR DIALOGUE

To

The Government of the State of Israel

from

The Association of Jewish Lawyers and Jurists

January 30, 2023

The International Association of Jewish Lawyers and Jurists (IJL) was founded over fifty years ago in order to promote Human Rights and to oppose antisemitism in all of its manifestations, most recently the latest variant of antisemitism, namely the de-legitimation of the State of Israel as a Jewish State and as the homeland of the Jewish People. The IJL is deeply concerned about attacks against Israel from the outside, but the members of the IJL have, in recent years, grown increasingly concerned by the deep divisions within Israeli society, and the internal threats to the stability of the State of Israel. We see each side in the ongoing political debate denying the very legitimacy of the other side. We see protest and denunciation. We see a total breakdown of communication.

It is against this background, that we, the lawyers and jurists of the IJL, issue this Call for Dialogue to the newly-elected Government of the State of Israel.

Israel prides itself on its democracy. The fundamental hallmarks of a democracy are the rule of law and the protection of basic freedoms. As for the former, it was a turning point in human history when Abraham, our Patriarch, said to the Almighty, "Will the Judge of all of the earth not Himself act justly". Even the Creator of the Universe cannot override the law. As for the latter, a democracy, by definition, protects basic freedoms - freedom of thought, freedom of speech, freedom of religion, freedom of sexual preference. The State of Israel stands by these values. It is these values that raise the State of Israel above the level of its adversaries. And it is these values which must be protected.



Democracy, governance by the people, includes protection of the rights of individuals and minorities. There can be no democracy without a solid system of checks and balances between the three branches of Government – the Legislature, the Executive (in Israel, the current coalition of political parties) and the Judiciary. When the Executive branch dominates the Judiciary, there can be no real judicial review to protect human rights and individuals' freedoms.

The new Government has only recently been established, yet it is moving quickly to enact a dramatic set of legal reforms. Mass protests are being held against these reforms. We call for an end to divisiveness. We call for a calm and open dialogue, a full consideration of the ramifications of the proposed changes and how those changes may endanger Israeli democracy and the fabric of Israeli society, as many are now claiming.

We call upon the Government of the State of Israel to approach any reform of the legal system cautiously and thoughtfully, in a considered manner. The Government must not simply ignore those who are opposing the legal reform. The Government ought to listen to the outstanding lawyers and jurists in the Jewish world who are voicing their reservations over the potentially unwelcome aspects of the legal reform. Only after full review, should the Government enact those changes that need to be made, based on consensus, and not imposition by force.

Any review of the judicial system in Israel and any conversations that are held on this subject must balance on the one hand the need to improve any aspect of the judicial system that requires reform and updating, and on the other hand the fundamental importance of an independent judiciary, the importance of independent legal advice on the part of Government legal advisors, and the essential nature of basic rights of the individual. These are the fundamental pillars of the democracy of which the State of Israel and its supporters are so proud.

We, the lawyers and jurists of the IJL, are unwavering in our support for the State of Israel and in our admiration of its democracy and all that it has achieved. We call upon the Government of the State of Israel to protect the values of which the State of Israel can justifiably be proud.