

The Eighteenth Knesset

Proposed law of Members of Knesset **Alex Miller**
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P/18/458

Proposed Law: Independence Day (Amendment – Prohibition of the Marking of Independence Day or the Establishment of Israel as a Day of Mourning), 5769-2009

Amendment of Article 1 1. In the Independence Day Law, 5709-1949,¹ following Article 1, shall come:

“Prohibition of the marking of Independence Day or the establishment of the State of Israel as a day of mourning

1A. (A) No person shall stage any action or event tantamount to marking Independence Day, or tantamount to relating to the actual establishment of the State of Israel, as a day of mourning or as a day of sorrow.

(B) Any person who violates the provision of sub-section (A) shall be liable to three years’ imprisonment.

Explanatory Comments

Immediately after the establishment of the state, the Independence Day Law, 5709-1949 was enacted, fortifying the status of Independence Day as a state holiday and a day of leave. In that period, it seemed, Independence Day was perceived as a national holiday to be celebrated in public. Accordingly, it is proposed that the law prohibit actions tantamount to the marking of Independence Day or the actual establishment of the state as a day of mourning, and that a harsh penalty be imposed on those who exploit the democratic and enlightened character of the State of Israel in order to destabilize it from within.

An identical proposed law was tabled before the Fifteenth Knesset by Member of Knesset Zvi Hendel and a group of Members of Knesset (P/2899). Identical proposed laws were tabled before the Sixteenth Knesset by Member of Knesset Aryeh Eldad and a group of Members of Knesset and by Member of Knesset Zvi Hendel (P/2595). An identical proposed law was tabled before the Seventeenth Knesset by Member of Knesset Zvi Hendel (P/17/497).

Submitted to the Chairperson and Deputies
and tabled before the Knesset
7 Nissan 5769 – 1 April 2009

¹ SB 5709, p. 10.