

the newly formed boundaries within the kibbutz between market norms and non-market values.

The test case of the kibbutz provides us with important lessons on two levels: one concerns the interaction between state laws and communities in general; the other is an intriguing demonstration of the distinction between (taxed) market interactions and (untaxed) non-market interactions.

**Justifying the Nation-State:
On the Lack of Nation-State Considerations in Judicial Rulings on the
Citizenship and Entry into Israel (Temporary Order) Law (5763-2003)**

Aviad Bakshi and Gideon Sapir

The main argument advanced in this article is that the right of the Jewish citizens of Israel to a nation-state should be deemed a constitutional right and, hence, taken into consideration along with the human rights of the Arab citizens of Israel, whenever the courts are required to evaluate the relative constitutional weight of each of these conflicting values.

The article reviews two Supreme Court rulings, handed down in 2006 and 2012 respectively, which dealt with the constitutionality of a (temporary order) law that prohibited the entry into Israel of Palestinians (as well as citizens of some other Arab countries) who were married to Israeli citizens. In keeping with the aforementioned argument, the article criticizes the fact that in both cases the court omitted any significant reference to the Jewish right to a nation-state when assessing the relative weights of the conflicting values.

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Tel Aviv University Law Review

Law Faculty, Tel Aviv University, POB 39040, Tel Aviv 69978

Tel: +972-3-6407430, Fax: +972-3-6405073

Email: lfreview@post.tau.ac.il, Site: www.law.tau.ac.il/eng/lawreview

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