In about two weeks Israel is going to yet another election campaign, and again the almost uncontested contender is the acting Prime Minister Benjamin Netanyahu. Though the Likud party, which he leads, may not come first this time, the rightist and religious block is almost certain to gain the upper hand and lend Netanyahu the prime ministerial position again.

Netanyahu—the most recent member in the category of the fathers (or parents) of the nation—is probably going to win the elections in what seems to be another case of "there is nothing new under the sun". And though some things indeed remain unchanged in Israel, like the rule of Netanyahu and the right, the increasing fragmentation of Israeli society and the domination over the Palestinians, some things do change, and not necessarily for the better. One dramatic change has been the recent decision by the Attorney General, Avichai Mandelblit, to prosecute Netanyahu for three charges of corruption, one of which is bribery. Actually, the date of the elections was probably set by Netanyahu to come ahead of the decision of Mandelblit. However, Mandelblit who for a long time dragged his feet with the decision over Netanyahu’s cases, demonstrated some firmness and surprised Netanyahu by insisting on making the decision before the elections. Though at the same time Mandelblit has also decided not to publicize the incriminating evidences against Netanyahu, not to embarrass him too much. The evidence collected by the police against Netanyahu is allegedly very embarrassing. Leaving aside the alleged criminality, it reveals Netanyahu as an impossible combination of a hedonist and a miser, as a person who kept outsourcing the expenses of his expensive taste on a couple of millionaires, most having business interests that could be served by a grateful Prime Minister (who also, incidentally, holds other influential governmental posts, like Minister of Communication and Media). Hence, the charges against Netanyahu include one of bribery and two of breaches of trust and conflicts of interest. The charges involve expensive gifts in the accumulated sums of hundreds of thousands of dollars, as well as attempts by Netanyahu to control the media for which he was willing to pay handsomely for the media tycoons by very lucrative laws and regulations. On top of these three allegations, a previous allegation of a possible mega corruption has now resurfaced. This suspicion, yet to be investigated, concerns the buying of new submarines from Germany, in which Netanyahu’s relatives and close circle made fortunes. It is possible that also Netanyahu took his share of the gains. If anything has the power to tip the balance against Netanyahu in these elections is this resurfacing story that involves corruption in the security sector, still a sacred cow in Israel.

The charges against Netanyahu paint the current elections in a new light. It is not merely a political competition between contending political agendas, parties, and leaders. For Netanyahu winning the elections became now part of his legal defense strategy. Winning, so
the argument goes, will make it harder, if not impossible, for the legal system to continue with trialing Netanyahu, or convicting him in case the trial will take place. Netanyahu is counting on public pressure to put a stop to the charges, to delegitimize the whole legal processes against him by a resounding confidence vote by the public. If the public knows about the charges and still voted for him, who is the AG or any judge to press charges against the Prime Minister, or to convict him. Or if bad comes to worse and the legal system keeps insisting on doing what is expected of it, judging by evidence, not by political pressure, Netanyahu can mobilize the whole political system and enact what came to be called in Israel the French Law, guaranteeing him total immunity as long as he serves as Prime Minister. As many Israeli citizens lost interest in petty matters of legality and morality, he may go on to be elected for many years to come. Or alternatively, as some rumors have it, Netanyahu tries to extend the French Law to offer immunity also to the President of Israel, with the intention of being elected President by a supportive parliament. Stepping down from presidency, almost eighty years old, so his Putinesque reasoning goes, will be in practice, immunity for life.

Thus, what we witness, and that is so novel even under the almost eternal term of Netanyahu, is the mobilization of the whole political system and process to save Netanyahu’s personal skin from the legal system and process. He is desperate to avoid indictment and imprisonment, and for that he drags Israel ever more down the road of illiberalism and further away from the rule of law and democracy (however problematic and shaky Israel democracy was). Netanyahu uses all the tricks in the book, and writes some new ones, to avoid trial and imprisonment. For one, the elections were scheduled to avoid the Attorney General making a decision. Second, are the political maneuvering over the French Law, casting its shadows over the legal process and the pre-election coalition negotiations. Can it be that Netanyahu and the ruling party as a whole, condition membership in their coalition with a support of the French Law, with its whiff of personal legislation? Can it be that some parties condition their support for the French Law with advancement of their own political agenda? What is left of the rule of law if it is no more than a hostage for political arm wrestling? And thirdly, throughout the criminal investigation Netanyahu was willing to hunt down the agents of law and law enforcement, ridicule them, and delegitimize them, their actions, judgment, and decisions. He sometimes did it personally and at other times used proxies, faithful cronies, including back benchers desperate to advance politically. His targets included the former Chief of Police, Roni Alsheikh, the AG and his team, and the judicial system as a whole, blaming them for joining the political left (by now a pejorative term in Israeli discourse) in the witch hunt conducted against Netanyahu. AG Mandelblit was saved from such a charge, only to be blamed for surrendering to the pressure of the left to prosecute Netanyahu. The law and his agents are portrayed by Netanyahu as a political weapon of a delegitimized opposition. What is quite customary with ordinary suspects becomes less so when the suspect is the prime minister, who in his actions eschews the legitimacy of the legal system and the rule of law.

These domestic processes of politicizing the legal system, or better still, warring the legal system with the political system for the personal convenience of the Prime Minister, have disastrous consequences for the legal foundations of the State of Israel. When they are seen together with the illegality of the domination over the Palestinians, the legal patches
weaved together to somehow pretend a legal façade of the occupation, we get a further deterioration of the shaky liberal foundation of Israel. This deterioration is projected also to the foreign relations of Israel, which becomes more of an outcaste by liberal states throughout the world. To compensate, Israel, worryingly, strengthens its relations with illiberal states such as Trump’s USA, Hungary and the other Visegrád states, Bolsonaro’s Brazil, Chad, Saudi Arabia, and their likes.

In an era marked by political populism, domestic and international processes join hands to shake the foundations of liberalism. Regretfully, Israel is a forerunner in this race to the bottom, and no less embarrassing is the fact that it does so also for the personal conveniences of its Prime Minister and with the passive, sometimes active, support of a citizenry that lost its persuasion and confidence in the rule of law, liberalism, morality, and democracy.