

Israel: April 2019 Elections and Probable Indictments Against Prime Minister Netanyahu

Jim Zanotti

Specialist in Middle Eastern Affairs

March 6, 2019

The closely contested Israeli national elections scheduled for April 9, 2019, will have significant implications for the country's leadership and future policies. Prime Minister Binyamin Netanyahu called for elections to take place seven months earlier than required by law, [partly in hopes of winning a popular mandate](#) to counteract legal allegations threatening his tenure. These allegations led to [Attorney General Avichai Mandelblit expressing his intent, on February 28, 2019, to indict Netanyahu](#) for bribery, fraud, and breach of trust.

If Netanyahu maintains political support from voters and coalition partners in the Knesset (Israel's parliament), [he can probably stay in office until the legal process ends](#), which could take months or years (see **Table 1** below). Netanyahu has been prime minister for the past decade (and served an earlier three-year term in the 1990s).

Congress actively follows issues relating to Israel, given [Israel's significance for U.S. policy in the Middle East](#). The outcome of the elections and government formation process—especially in light of the cases against Netanyahu—will be relevant for Members of Congress. Who leads the government and which parties comprise the coalition could affect Israeli approaches to the Palestinian issue, particularly in light of the [Trump Administration's stated intent to unveil a peace plan](#) after Israel's elections.

Congressional Research Service

7-....

www.crs.gov

IN11068

Table 1. Suggested Indictments Against Netanyahu and Additional Steps of the Legal Process

Suggested Indictments

Case 1000: *Netanyahu received gifts from Hollywood mogul Arnon Milchan, in return for political favors*

The charge: Fraud and breach of trust

From the draft indictment: “There is enough evidence to prove that the gifts, given in large scale and in unusual ways, had been received in exchange for actions by Netanyahu.”

Netanyahu’s defense: It is acceptable to receive some gifts from friends, some decisions were against Milchan’s interests

Case 2000: *Netanyahu and Yedioth Ahronoth publisher Arnon Mozes struck a deal: Favorable coverage in return for legislation to damage Sheldon Adelson-owned newspaper Israel Hayom*

The charge: Fraud and breach of trust

From the draft indictment: “Evidence allegedly shows that Netanyahu, in his conversations with Mozes, violated the trust he owes to the public, and severely hurt the image of public service and public faith in it.”

Netanyahu’s defense: Mozes and I fooled each other; there was never any intention to follow through

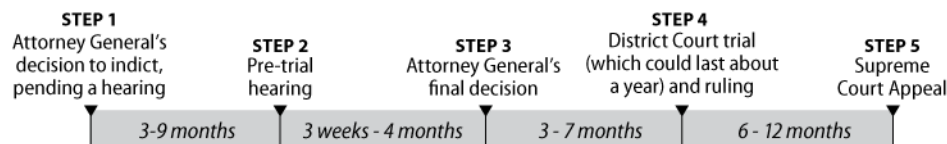
Case 4000: *As communication minister, Netanyahu took steps that benefited Shaul Elovitch who controlled Bezeq – in return for favorable coverage in Bezeq’s Walla News site*

The charge: Bribery, fraud and breach of trust

From the draft indictment: “Based on ... actions and circumstantial evidence, the attorney general has reached a clear conclusion, by which corrupt, improper motives were at the core of Netanyahu’s actions.”

Netanyahu’s defense: Favorable coverage isn’t bribery

Steps in the Legal Process, and the Estimated Time Between Them

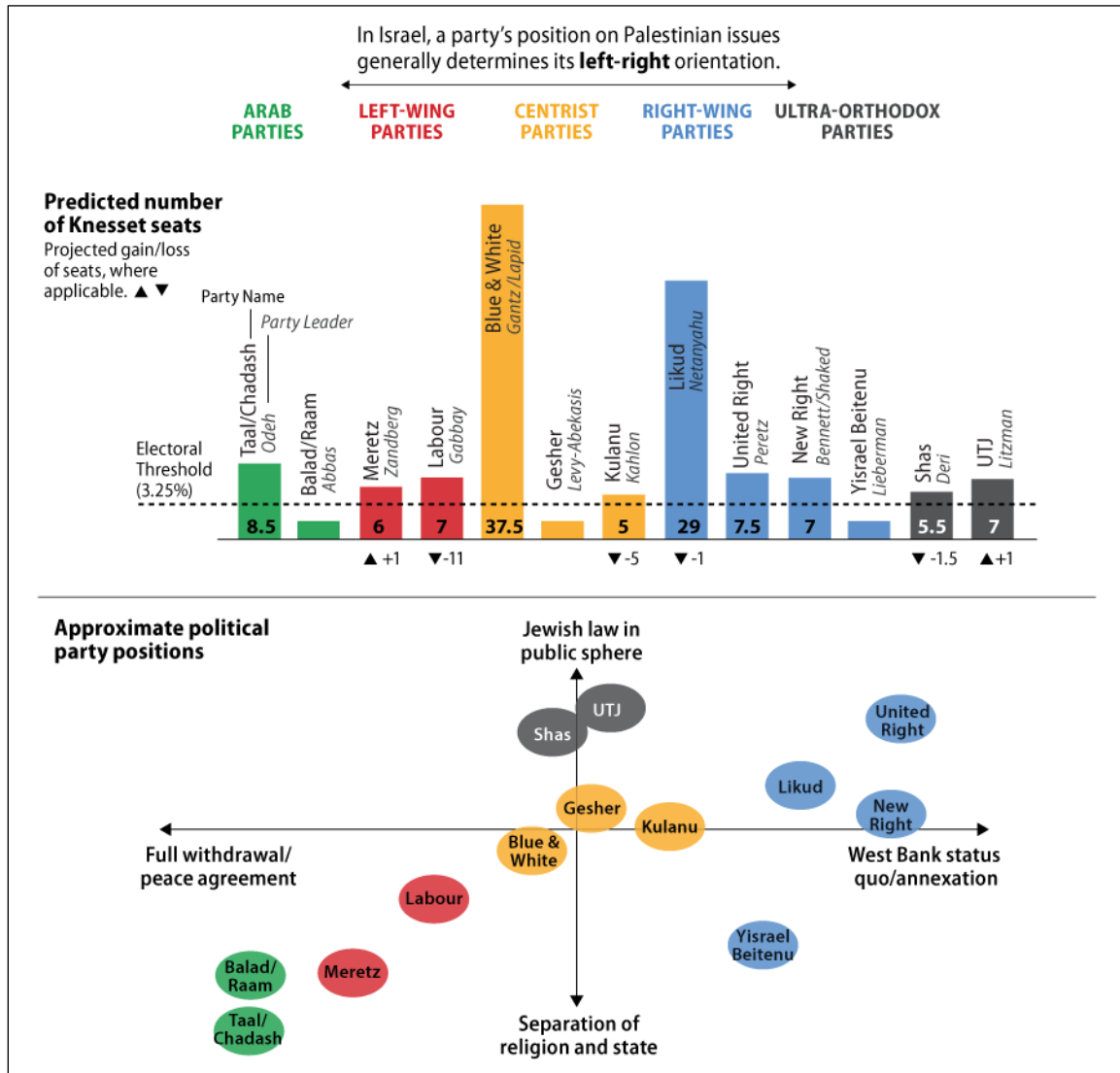


Sources: CRS, based on [Ha'aretz](#) (verbatim text on suggested indictments) and [British Israel Communications and Research Centre \(BICOM\)](#) (on estimated timeline).

Even before Israel’s attorney general revealed his intent to indict Netanyahu, most observers’ assumptions that Netanyahu was the clear electoral favorite changed with the entrance of [former top general Benny Gantz](#) into politics and [the merger of his new centrist party](#) with that of popular opposition figure (and former Finance Minister) [Yair Lapid](#). Polls indicate that their Blue and White party could win the most seats in the Knesset (see **Figure 1** below). If Gantz and Lapid succeed at forming the next government, [their agreement](#) calls for Gantz to serve as prime minister for the first two-and-a-half years of the next government’s tenure, and Lapid to serve the remainder (up to two years).

As of early March, [Gantz and Netanyahu are running almost even](#) in most polls that ask for voters’ preferences for prime minister. Since 1986, all Israeli prime ministers have been at one point either a Likud party member or a top general.

Figure 1. Israeli Elections: Poll Estimates and Approximate Positions on Issues
(for Israel's main political parties)



Source: CRS, relying on original graphics and underlying data from [BICOM](#). Poll figures based on aggregated poll results from various Israeli sources, March 3-5, 2019.

Key Considerations in Forming the Next Israeli Government

To lead a coalition, a party needs the support of other parties whose combined votes make a majority in the 120-seat Knesset. After the elections on April 9, [Israeli President Reuven Rivlin will determine](#) which Knesset member is in the best position to form a government, and give that task to him or her for a period that could last up to four weeks, with the possibility for a two-week extension.

For Netanyahu

A number of polls suggest that Netanyahu's Likud party could maintain an advantage in forming a government because Likud would still be close to a majority coalition if it can hold on to its partnerships with the right-leaning and ultra-Orthodox parties in its current coalition. One party that could swing the outcome is Kulanu—a center-right party currently in Netanyahu's coalition. Kulanu may be willing to serve in another Netanyahu-led coalition—at least until an indictment hearing takes place this year or next—but also may be open to joining a Gantz-led coalition.

In an effort to increase the share of Knesset votes for his natural coalition partners, Netanyahu encouraged a Jewish nationalist party [characterized as extreme by many mainstream Israeli observers](#) (known as Jewish Power or *Otzma Yehudit*) [to merge with another faction](#) (known as the Jewish Home or *Ha'Bayit Ha'Yehudi*). To help make the deal, Netanyahu promised two cabinet ministries to Jewish Home. By merging into a new party known as United Right, Jewish Home and Jewish Power became more likely to reach Israel's 3.25% electoral threshold for Knesset representation.

Netanyahu's efforts to bolster Jewish Power have stirred controversy [in Israel](#). Additionally, some [Members of Congress](#) and [American Jewish organizations](#) have expressed concerns about Jewish Power's possible inclusion in the Knesset and the government, while [others](#) and [Secretary of State Mike Pompeo](#) have characterized the matter as one for Israelis to resolve internally. Jewish Power is ideologically related to Kach, a far-right party that was led in the 1980s by the [late Meir Kahane](#)—an American-born rabbi and activist who helped found the Jewish Defense League and was assassinated in 1990. In the 1990s, [Israel outlawed Kach and its offshoot Kahane Chai \(or Kahane Lives\)](#), and the [U.S. government placed both parties on its list of Foreign Terrorist Organizations](#)—a designation that still stands.

Netanyahu has defended his role in bolstering Jewish Power [by claiming](#) that the Gantz-Lapid alliance would form a coalition with Israeli Arab parties as part of a supposed left-wing effort to overtake the right. Historically, [no Israeli Arab parties have joined a government coalition](#), though the Labor-led government of Yitzhak Rabin [counted on Arab support in the Knesset](#) to advance the Oslo peace process in the early 1990s.

For Gantz and Lapid

In order to claim the advantage from Netanyahu, Gantz and Lapid would probably need some combination of [“soft right” voters](#) they might pull from Kulanu and Likud and deals with some of Netanyahu's coalition partners. Gantz has sought to draw contrasts with Netanyahu less through policy specifics than by [presenting himself as a more unifying figure](#). Also, by citing his military experience, Gantz apparently hopes to [neutralize Netanyahu's traditional advantage with voters on national security issues](#). Blue and White's electoral list includes two other former top generals—Gabi Ashkenazi and Moshe Ya'alon (who was Netanyahu's defense minister from 2013 to 2016) and [features both left- and right-leaning figures](#).

Questions surrounding Blue and White include whether [its appeal as an alternative to Netanyahu](#) can endure with voters and potential coalition partners, and translate into cohesive and effective governance. [According to one analysis](#), almost every Israeli election in the past two decades has featured a new centrist party, with most supplanted by newer centrist parties within the next one or two electoral cycles.

EveryCRSReport.com

The Congressional Research Service (CRS) is a federal legislative branch agency, housed inside the Library of Congress, charged with providing the United States Congress non-partisan advice on issues that may come before Congress.

EveryCRSReport.com republishes CRS reports that are available to all Congressional staff. The reports are not classified, and Members of Congress routinely make individual reports available to the public.

Prior to our republication, we redacted phone numbers and email addresses of analysts who produced the reports. We also added this page to the report. We have not intentionally made any other changes to any report published on EveryCRSReport.com.

CRS reports, as a work of the United States government, are not subject to copyright protection in the United States. Any CRS report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS report may include copyrighted images or material from a third party, you may need to obtain permission of the copyright holder if you wish to copy or otherwise use copyrighted material.

Information in a CRS report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to members of Congress in connection with CRS' institutional role.

EveryCRSReport.com is not a government website and is not affiliated with CRS. We do not claim copyright on any CRS report we have republished.