



By: TA | AP Insight

Guilty or not – Netanyahu's request to be pardoned is a test for Israel's democracy



Israeli Prime Minister Benjamin Netanyahu on Sunday asked the country's president to grant him a pardon from corruption charges, seeking to end a long-running trial that has bitterly divided the nation.

Netanyahu, who has been at war against Israel's legal system over the charges, said the request would help unify the country at a time of momentous change in the region.

But it immediately triggered denunciations from opponents, who said a pardon would weaken democratic institutions and send a dangerous message that he's above the rule of law.

Netanyahu had submitted a request for a pardon to the legal department of the Office of the President, the prime minister's office said in a statement.

The president's office called it an "extraordinary request," carrying with it "significant implications."

Netanyahu is the only sitting prime minister in Israeli history to stand trial, after being **charged with fraud**, breach of trust and accepting bribes in three separate cases accusing him of exchanging favors with wealthy political supporters. He hasn't been convicted of anything.

Netanyahu rejects the allegations and has described the case as a witch hunt orchestrated by the media, police and judiciary.

Trump's request

His request comes weeks after U.S. President **Donald Trump** publicly urged Israel to pardon Netanyahu, turning to President Isaac Herzog during his speech to Israel's parliament last month.

Earlier this month, Trump also sent a letter to **Herzog** calling the corruption case "political, unjustified prosecution."

Herzog is a former political rival of Netanyahu, but the men have a good working relationship. Later Sunday, Israeli media reported a small protest outside Herzog's home, including a pile of bananas with a sign saying a pardon equals a banana republic.

Netanyahu said the trial has divided the country

In a videotaped statement, Netanyahu said the trial has divided the country. He also said the requirement that he appear in court three times a week is a distraction that makes it difficult for him to lead.

"The continuation of the trial tears us apart from within, stirs up this division, and deepens rifts. I am sure, like many others in the nation, that an immediate conclusion of the trial would greatly help to lower the flames and promote the broad reconciliation that our country so desperately needs," he said.

Case delays

Netanyahu has taken the stand multiple times over the past year. But the case has been repeatedly delayed as he has dealt with wars and unrest stemming from the Hamas-led militant attacks on southern Israel on Oct. 7, 2023.

Netanyahu's pardon request consisted of two documents: a detailed letter signed by his lawyer and a letter signed by Netanyahu.

They'll be sent to the Justice Ministry for opinions and will then be transferred to the legal adviser at the president's office, which will formulate additional opinions for the president.

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"It's impossible," said Emi Palmor, former director-general of the Justice Ministry.

"You cannot claim that you're innocent while the trial is going on and come to the president and ask him to intervene," she said.

The only way to stop the trial is to ask the attorney general to withhold the proceedings, she said.

In rare cases, the system could pardon Netanyahu. Experts say the president has broad discretion to grant one, and oversight is limited.

However, "as a rule, the president reviews a pardon request only after all legal proceedings have ended. The possibility of a preconviction pardon ... is extremely rare," the Israel Democracy Institute wrote earlier this month. "A pardon before conviction, while legal proceedings are ongoing, threatens the rule of law and seriously undermines the principle of equality before the law."

Netanyahu portrays himself as victim

In 2008, as opposition leader, Netanyahu called on then Prime Minister Ehud Olmert to step down as he faced a growing corruption scandal.

At the time, Netanyahu said that a prime minister "up to his neck" in scandal did not have a mandate to lead the country, and there was a risk that Olmert would make decisions that served his personal interests and not those of the nation.

Olmert resigned even before he was indicted that year and would later serve 16 months in prison.



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Netanyahu has struck a different, defiant tone since his own legal problems began. He has portrayed himself as the victim of a "deep state" conspiracy trying to oust him from office.

Shortly after forming his current government in late 2022, Netanyahu launched a plan to overhaul **Israel's justice system**.

Netanyahu presented the plan as a much-needed reform. But his opponents accused him of trying to weaken the justice system, damaging the country's system of checks and balances and having a conflict of interest at a time when he was on trial.

The plan triggered large street protests against the government, and critics have said the deep divisions sent a message of weakness to Israel's enemies that encouraged Hamas to launch its 2023 attacks.

Netanyahu's request also sparked backlash on Sunday, with an immediate response from the opposition and advocacy groups urging the president not to give in to his request.

"You cannot grant him a pardon without an admission of guilt, an expression of remorse and an immediate retirement from political life," opposition leader Yair Lapid said.

The Movement for Quality Government in Israel said that granting a pardon to a prime minister accused of serious offenses of fraud and breach of trust would send a clear

message that there are citizens who are above the law.

But some Israelis expressed support for Netanyahu's request.

"Bibi Netanyahu did totally the right thing requesting the pardon," said Lior Gal, a Jerusalem resident, referring to the prime minister by his nickname. "He deserves to be pardoned. This chapter should be over and to remain united people and carry on."