

Whitewashing Crime in Israel

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Whitewashing it in high places doesn't surprise. Israeli injustice is longstanding. It's systemic. Avigdor Lieberman's acquittal on serious charges is the latest example.

Imagine. Palestinian children accused of stone throwing are detained, isolated, interrogated, intimidated, terrorized, fined and at times imprisoned. It's standard practice whether or not they did anything.

Lieberman reflects the worst of Israeli politics. He's a former nightclub bouncer. He's an ultranationalist extremist.

He represents Israel's lunatic fringe. He's a latter day Kahanist. In 1988, Israel outlawed his Kach party. It was called a "threat to national security."

Lieberman founded and leads the hard right Yisrael Beiteinu party. He was a Netanyahu coalition partner. He's Knesset member. He's morally, ethically and legally challenged.

He was foreign minister and deputy prime minister. Serious charges forced his resignation. Acquittal lets him return.

He's a serial felon. He deserves prison, not high office. A decade earlier plea bargain avoided harsh punishment.

He assaulted a young boy. He copped a plea, paid a small fine, and got off virtually scot-free.

Clear evidence showed he's guilty of bribery, embezzlement, money laundering, obstruction of justice, and breach of trust.

In mid-December, Israeli Attorney General Yehuda Weinstein dropped major charges. Fraud and breach of trust remained.

They related to former Belarus ambassador, Ze'ev Ben Aryeh. Documents show Lieberman secured his appointment in return for services rendered. He promoted his ambassadorship to Latvia. Bribery was involved.

He denied guilt. He lied. He's a serial liar. Conviction would have forced his Knesset resignation.

Prison for three months or longer prohibits a former MK from seeking a Knesset seat for seven years after completing his or her sentence.

Haaretz once called Lieberman the "reigning champion of extrication from possible criminal

indictment.”

He’s got much to answer for. He was confident of acquittal. He was right. Israeli justice is virtually none at all.

In August 2009, former Israeli Prime Minister Ehud Olmert was indicted in three corruption cases. They related to Rishon Tours as well as the Talansky and Investment Center affairs.

On January 5, 2012, he and 17 others were indicted for allegedly giving or receiving bribes related to various real estate deals.

He was charged with taking amounts worth 1.5 million NISs (Israeli New Shekels).

The so-called [Holyland case](#) made headlines. It’s a Jerusalem luxury housing project. Olmert was city mayor at the time. Later he was Israel Land Administration minister.

Haaretz called Holyland “an extravagant memorial to municipal corruption, riches to entrepreneurs, fringe benefits to elected officials, and kickbacks to go-betweens.”

It reflected business as usual for crooked profiteers and complicit politicians. Bribes, kickbacks and cronyism persist. Olmert was up to his ears in it.

He was implicated in earlier financial crimes. In 1988, he was involved in forging Likud party campaign donation receipts. Others were convicted. He got off scot-free.

He lives a charmed life. In July, he was acquitted of Rishon Tours and Talansky charges. He was convicted only of breach of trust in the Investment Center case.

Observers called the case one of Israel’s most significant corruption trials. Olmert accused of double-billing \$92,000.

His Rishon Tours account held funds in that amount stolen from public organizations. He allegedly used them for private travel for himself and family members.

He built a relationship with Rishon Tours owner Emanuel Baumelshpiner. Charges alleged he ordered his agency to transfer funds from other customer accounts without their authorization or knowledge.

In the Talansky affair, he was charged with receiving \$600,000 from US businessman Morris Talansky from 1993 – 2005.

Allegedly he helped him with various business deals. He claimed the funds were for political, not personal, use.

The court held that despite evidence of conflict of interest, none proved he used his office for criminal wrongdoing.

Prosecutors failed to prove charges beyond a reasonable doubt, it said. Olmert escaped conviction.

Charges relating to failure to disclose US businessman Joe Almaliah’s donations to Israel’s state comptroller as well as misleading him about their source didn’t stick.

Olmert was convicted of one minor breach of trust charge. It hardly mattered. It was for failing to disqualify himself from oversight from various transactions.

He still faces Holyland charges. As explained above, they relate to accepting bribes as Jerusalem mayor to facilitate construction.

Talansky charges forced his resignation as prime minister. He was pronounced politically dead. It remains to be seen. If he dodges another bullet, perhaps he'll return.

He deserves prison, not exoneration. Some observers and members of his own party believe he's guilty beyond a reasonable doubt.

It doesn't matter. He's free. Who said crime doesn't pay? In high places, it sure does.

On November 6, [Haaretz](#) headlined "Lieberman acquittal paves way for return to Foreign Ministry."

Guilt didn't matter. He was acquitted of fraud and breach of trust.

"The judges wrote that in purely legal terms, they believed Lieberman acted improperly by failing to inform the Foreign Ministry's appointments committee of his past dealing with Ben Aryeh," said Haaretz.

"However, they added the accused was not aware of the seriousness of the circumstances and his appointment of Ben Aryeh was not a promotion."

In other words, Israel's State Prosecutor's Office failed to prove criminal wrongdoing. The court accepted Lieberman's defense. It did so despite damning evidence of guilt.

It said it's "true the defendant behaved inappropriately. But as (former High Court President) Justice (Aharon) Barak wrote in the case against (former Prime Minister's Office director Shimon) Shelves:

"Not every failure is a crime. Not every error in judgment can be seen as a felony. Not every instance of ethically improper behavior deserves a prison sentence."

Netanyahu and Shimon Peres congratulated Lieberman. He's likely to be reappointed foreign minister. It's hard imagining a more disreputable/less qualified one.

Netanyahu assumed his duties in his absence. He kept the post open. His cabinet and Knesset must approve Lieberman's reappointment. It could happen in days.

As explained above, a three-judge panel said Lieberman behaved inappropriately. Doing so wasn't criminal, they ruled.

According to Lieberman's attorney, Jacob Weinroth:

"To my regret, most of the time there was a great difference between the facts as recounted and the facts as proved in this case."

"The result is an inevitable one and the verdict is correct."

Reality suggests otherwise. Economy Minister Naftali Bennett said he's "happy about

Lieberman's return to the Foreign Ministry."

His ultranationalist Habayit Hayehudi party issued a statement saying his acquittal will "strengthen those who do not give up on Israel's interests around the world."

Justice Minister Tzipi Livni said she "respect(s) the court's verdict and has full trust in the legal and law enforcement system."

Finance Minister Yair Lapid "warmly congratule(d)" Lieberman.

Ultra-orthodox Shas party head Aryeh Deri said he "can now come back and contribute to the state of Israel with renewed energy. It is too bad that he was waited this long for justice."

Housing Minister Uri Ariel called Lieberman "my friend." He hopes he'll resume Foreign Ministry duties with "renewed vigor."

Meretz party leader Zahava Gal-On said "the court's ruling should be respected, while the conduct of Attorney General Yehuda Weinstein should be examined." More on that below.

Labor party leader Shelly Yacimovich urged Netanyahu not to reappoint him. She called him "a foreign minister who has damaged Israel. Public corruption is no less serious than criminal corruption."

Lieberman gives new meaning to the word rogue. He's a political embarrassment. He's militantly hard right. He promotes Arab hatred. He opposes granting Palestinians any concessions.

On November 6, [Israel National News](#) headlined "Call for A-G to Resign after Lieberman Verdict," saying:

"It is not surprising that many of the political reactions to the verdict include criticism of the State Attorney's Office, or Prosecution, which is headed by Attorney General, Yehuda Weinstein, who is also the legal Advisor to the Government."

The Legal Forum for the Land of Israel called the verdict a harsh blow to public trust. Director Nachi Eyal wants Weinstein to resign.

The Ometz anti-corruption NGO blamed him for dropping serious charges. They involved illegally receiving millions of shekels. It wants Weinstein replaced, saying:

"The Attorney General expressed complete confidence in Lieberman's conviction in the only case he has filed thus far against a public figure – and failed."

"In view of this, we have doubts regarding the A-G's proper discretion in deciding to close the main case against Lieberman, a decision that was met with sharp legal criticism from senior jurists who were well acquainted with the case."

Attorney Ido Baum said Weinstein blew it. He failed to "reinvigorate" his office's "struggle against state corruption."

"The fiasco is all the more awful given that Lieberman's acquittal was based on rulings on (so-called) facts. What seemed like a solid factual basis for misconduct collapsed."

Weinstein has much to answer for. So do judges playing fast and loose with the law. Winning on appeal is extremely unlikely.

Lieberman's acquittal is a huge victory for Israel's hard right. It's a major blow to justice.

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