

Does personalization of officeholders undermine the legitimacy of the office? On perceptions of objectivity in legal decisionmaking

Ori Aronson 

Faculty of Law, Bar-Ilan University, Ramat-Gan, Israel

Julia Elad-Strenger

Department of Political Studies, Bar-Ilan University, Ramat-Gan, Israel

Thomas Kessler

Institute of Psychology, Friedrich-Schiller-University Jena, Jena, Germany

Yuval Feldman

Faculty of Law, Bar-Ilan University, Ramat-Gan, Israel

Abstract

Public legitimation of legal decisionmaking can be promoted through various strategies. We examine strategies of legitimation that are premised on personalizing the public image of legal agents. A personalized public administration emphasizes individual decisionmakers and seeks legitimacy through familiarity with the character, identity, and virtues of individual agents, whereas a non-personalized public administration projects an ethos of technocratic decisionmaking, seeking legitimacy through institutional objectivity and impartiality. We conducted an experiment to examine the efficacy of personalization strategies in the context of a politically charged legal affair: the criminal cases involving the prime minister of Israel, Benjamin Netanyahu. We focus on people's perceived objectivity of the office of the Israeli attorney general (AG), given exposure (vs. no exposure) to different types of personal information about the AG, and while manipulating the salience of contrasting decisions concerning Netanyahu (indicting him on several counts of corruption versus exculpating him in others). We find that exposure to personal information about the AG decreased the perceived objectivity of his office, compared to no exposure to personal information, regardless of the type of information, decision salience, and respondents' political leanings. Our findings, therefore, support the legitimating potential of the non-personalization of decisionmakers, and show that it pertains to people positioned as both "losers" and "winners" with regard the political impact of the decision. The study further reflects the capacity of nonabstract real-world, real-time, analyses to shed light on the drivers of public trust in legal decisionmaking in politically polarized contexts—an issue of pertinence in many contemporary democracies.

Keywords: law, legitimacy, perceived objectivity, personalization, public administration.

1. INTRODUCTION

In democracies, public trust in the criminal law system—in police departments, in prosecutorial offices, in courts, and in correctional agencies—is widely understood as a necessary element in sustaining the system's legitimacy and effectiveness (Hough et al., 2010; Ouziel, 2014; Tyler, 2011). These institutions demonstrate a unique combination of direct access to the state's coercive powers on the one hand, and broad professional discretion as to its deployment in individual cases on the other hand, which is often backed by legal guarantees of independence from political guidance or interference. The willingness of constituents to submit to the force of the criminal law system, and to accept its use against others, therefore requires ongoing maintenance through diverse mechanisms of legitimation (Fagan, 2008; Tyler & Yuen, 2002).

Correspondence: Ori Aronson, Faculty of Law, Bar-Ilan University, Ramat-Gan 5290002, Israel. Email: ori.aronson@biu.ac.il

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This study concerns one such means of legitimation: the construction of an institutional ethos meant to persuade both insiders and constituents that the institution's motives are public-oriented and impartial, and that it has the capabilities to carry out its missions. Specifically, we focus on one strategy of establishing such an ethos, in the context of prosecutorial discretion (Green & Zacharias, 2004): the choice whether to emphasize the personal characteristics of institutional leaders as exemplars of virtuous administration and sources of identification and empathy; or, alternatively, to mask such information in an attempt to depersonalize public power and produce an image of a technocratic, detached, impartial, and objective institutional persona. In comparative terms, the US public administration is considered highly personalized, with myriad positions subject to political appointment or popular election, while career-based, Weberian bureaucracies in continental Europe and the civil service tradition in the UK are examples of non-personalized public administration.

Both legitimation strategies—personalization and non-personalization—seek to elicit, in different ways, public trust in institutions by enhancing perceptions of capability and accountability in decisionmaking. Analogizing from procedural justice literature, which tracks the degree of trust people place in institutions based on the justice of the decisionmaking processes they exhibit (Green, 1999), we seek to explore in this study the effects of exposure to personal information regarding legal decisionmakers on the perceived objectivity of the institution they lead. In the context of legal institutions, the legitimation challenge is often intensified by the “zero sum game” nature of many of the decisions. Hence, legitimation efforts often focus on the perception of “losers”—those who are dissatisfied with the decision's outcome (Tyler & Rasinski, 1991), while “winning” parties, who support the outcome, are expected to be content with the result regardless of the procedure, and therefore not the primary object of legitimation strategies (Folger, 1977; van den Bos et al., 1997).

Our study was conducted in a contemporary context, which presents an optimal setting for analyzing the effects of personal information on institutional legitimacy: the decisions of Israel's Attorney General (AG)—a civil servant—in the criminal corruption cases concerning Israel's then Prime Minister (PM), Benjamin Netanyahu. This ordeal involved a series of decisions, some going against Netanyahu (decisions to indict), another going in his favor (decision to exculpate), and all taken in a highly charged political atmosphere, polarized around civilians' positions toward Netanyahu. As such, this case is at the same time unique in its optimal amenability to experimental manipulation, as it is reflective of other high-salience cases that traverse the legal-political divide in contemporary democracies (e.g., the legal investigations into former president Trump in the United States [Mihm et al., 2022], or PM Johnson in the UK [BBC, 2022]).

We develop an original experimental scheme, in which we exposed participants of the study to different types of personal biographical information about the AG—in essence, “personalizing” his bureaucratic image. In addition, we experimentally manipulated the salience of the AG's decision to either indict or exculpate Netanyahu. Using an orthogonal experimental design, we examined whether exposure to personal information about the AG affects people's perceived objectivity of the AG's office, as a function both of the type of information given (non-political or political information) and of people's positioning as “winners” or “losers” vis-à-vis the AG's decisions (based on the congruence between their reported positive/negative attitudes toward Netanyahu, and the AG's decision to indict [against-Netanyahu decision] or exculpate [pro-Netanyahu decision]: respondents who feel positively toward Netanyahu would view decisions to indict as a “loss” and the decision to exculpate as a “win,” and vice versa for respondents who feel negatively toward Netanyahu).

We find that exposure to personal information weakens the perceived objectivity of the AG's office compared to exposure to no such information, regardless of the type of information and of people's positioning as “winners” or “losers.” These findings support the thesis that a non-personalized institutional image has a legitimating advantage over the personalization strategy, at least in highly polarizing legal contexts, and that expectations of procedural justice pertain to both “losers” and “winners” in the context of a legal decision. These findings have diverse possible implications for both analytical and normative assessments of legitimation of legal decisionmaking, which we explore in detail in the discussion below.

2. INSTITUTIONS VERSUS INDIVIDUALS IN LEGAL DECISIONMAKING

2.1. Strategies of institutional legitimation: Procedural justice and degrees of personalization

Existing research has extensively documented the mechanisms through which procedural justice enhances the legitimacy of decisions and of the institutions that make them. A fair decisionmaking process, which includes at a

minimum a fair hearing before an impartial decisionmaker, renders those subject to the decision more likely to accept it and to perceive the institution that handed it more just (Folger & Konovsky, 1989; Ohbuchi et al., 2005; Thibaut et al., 1974). We draw on this literature to inform our study of the perceived legitimacy of contentious legal decisions that people have a stake in, even if they do not pertain to them personally.

Ostensibly, procedural justice applies to the perspectives of both “winners” and “losers,” who are expected to care about the justness of the procedure that resulted in a decision they either favor or disfavor. At the same time, from a self-interest perspective—reflected in studies about self-serving biases and motivated reasoning (Kunda, 1990)—people may tend to support decisionmaking institutions that arrive at outcomes favorable to them, or at least to be more judgmental of processes that led to undesirable outcomes (Folger, 1977; van den Bos et al., 1997). In such contexts, we might expect “winners” not to give much weight to the quality of the procedures or objectivity of the decisionmaker.

Of the different elements that comprise procedural justice, we draw from perceptions of the decisionmaker’s character and their consequences for the perceived justness of the decisionmaking process. Three related but distinctive components are: *impartiality*—the sense that the decisionmaker has no advance preference toward one party or another, or for one outcome or another; *objective criteria*—the requirement that the decisionmaker base her decision only on consistently relevant facts and considerations; and *professionalism*—the expectation that the decisionmaker is an expert in her field, and will decide in accordance with the norms of her profession (Blader & Tyler, 2003). We henceforth bundle the three under the concept of “objectivity,” the perceived existence of which is central to the perception of an unbiased decisionmaking process, in the sense both that the institution behaves within its legitimate capacities, and that its agents are ethically motivated (Levi & Stoker, 2000). Perceived objectivity is, therefore, central to the legitimation strategies of institutions, which are the focus of the current research.

Institutional objectivity can be projected through various narratives. We focus on one such narrative continuum, which spans between personalization on the one end, and non-personalization on the other. Personalization takes place when the individual characteristics of the decisionmaker (identity, education, experience, track record) are used to attest to her capacity to decide fairly and correctly. At the other end of the spectrum, non-personalization occurs when personal traits of decisionmakers are not asserted, implying a reliance on institutional constraints to legitimate her behavior.

The choice whether or not to personalize an officeholder’s public image in order to legitimize political power was famously alluded to already by Weber, who distinguished between charismatic and legal sources of authority. The charismatic leader gains support by virtue of the public’s appreciation of her personal qualities, while the legalist leader draws legitimation from the validity of the rules and processes that regulate her behavior (Weber, 1946 [1919]). In more recent scholarship, an extensive body of research tracks processes of personalization in politics, as the driving force of democratic governance transitions from parties and institutions to individual leaders commanding popular support (Dogan, 1992; Rahat & Kenig, 2018; Rahat & Sheaffer, 2007); a process intensified by the unmediated access social media allows to politicians’ private personae (Metz et al., 2020).

The current research extends the existing scholarly interest in personalization of politics to the relatively neglected administrative realm, which is also gradually becoming amenable to personalization as a means of legitimating—or de-legitimizing—the use of public power (Courpasson, 2000; Gustafsson & Weinryb, 2020). While Weber framed the ideal type of the state’s bureaucracy as the epitome of impersonal, rational, neutral, and technocratic governance (Fry & Nigro, 1996; Rosser, 2018), public administration, and especially administrators in organizational leadership positions, are widely understood today to be steeped in policymaking, and hence in the need of popular legitimacy. They thus face the strategic choice between personalization and non-personalization of their public personae (Meyer et al., 2013; Rasinski et al., 1985); as well as the legitimation challenges that come with the personalization of political and cultural discourse in the social and news media.

A personalized model of public administration may also draw, according to some accounts, on dynamics of representation and identification for legitimacy and support: people may award more credence to decisions taken by institutional agents with whom they have reason to identify. Hence the ongoing push for diversity in public organizations—elected and appointed bodies, judicial benches, juries, police forces—which is justified, among other reasons, by the legitimating effect of representativeness (Aronson, 2018; Boyd, 2016; Ellis & Siedman Diamond, 2003; Ifill, 1998; Scherer, 2011). At the same time, diversity strategies, which are premised on a personalized image of public administration, can also harm legitimacy, both by alienating constituents who happen not

to identify with a given decisionmaker, and by diluting the professional-bureaucratic quality of the decisions she takes (Dover et al., 2020).

2.2. The civil servant versus political official models: Comparative perspectives

From a comparative perspective, the degree to which different bureaucracies emphasize or, conversely, understate the individual characteristics of administrative leaders, vary by both general political culture and specific institutional contexts. Thus, for example, many coercive bureaucracies (e.g., police, military) and professional communities (e.g., medicine) worldwide mandate the wearing of uniform by all members of the organization—literally projecting a message of non-personalization and of membership in a common organizational mission that supersedes members' personal preferences or biases (Bell, 1982; Timmons & East, 2011). Of those, perhaps most conspicuous are the judicial robes, which serve not only to profess professional uniformity but also to cover the very humanity of their wearers, as if placing them on a transcendent plane of legal detachment (Yablon, 1995). Civic administrations, however, vary more broadly in the degree of public personalization of their agents.

2.2.1. *The bureaucratic model: Institutions trump individuals*

Perhaps the classic example of the bureaucratic model can be traced to the administrative ethics of the industrial states of continental Europe, epitomized in the German bureaucracy—which informed Weber's typology (Rosser, 2018). This model has traditionally demanded from public administrators ideological detachment, legalistic authority, and rational and impassioned decisionmaking (Meyer et al., 2013); in essence, mandating a “distinction between a public office and the person who occupies it” (Du Gay, 2008, p. 336).

In a similar vein, the British civil service famously adopted in the late 19th century the principle of anonymity, which required civil servants to remain anonymous as they provide advice to policymakers—thus reflecting their ethos of neutrality, impartiality, and detachment from the political sphere, while at the same time shielding them from public accountability through ministerial responsibility (Horton, 2006; Vandenabeele et al., 2006).

Still, to the extent that actual anonymity of the senior echelons of the civil service was ever attainable (Pyper & Burnham, 2010), it is hardly so today. A series of reforms over the past generation in both Britain and in continental Europe added significant managerial roles to bureaucratized public administrations (Meyer et al., 2013), accompanied by greater demand for political accountability (Aucoin, 2012; Bevir & Rhodes, 2003; Horton, 2006)—a process dubbed as the development of the individualized leadership model (Lawler, 2008). Yet, its core principle—of a professional bureaucracy committed to good governance rather than to any specific government—remains, and is exhibited in the ethos of civil service systems in Europe and the Anglo-American world, in different degrees of intensity (Halligan, 2003). Israeli public administration and specifically its prosecutorial arm, where our case study is located, draws historically on this model of bureaucratization.

In legal decisionmaking, partial anonymity is still the norm in several salient judicial benches, namely ones that follow the civil law tradition. The European Court of Justice, for instance, suppresses judicial individuality in its opinions: it publishes a single collegiate decision, refrains from naming opinion authors, and does not publish dissents (Bobek, 2015). In this, it follows the culture of national high courts in the continent, which often prioritize clarity and unanimity over judicial individuality (Cohen, 2014; Lasser, 1995), and have traditionally discouraged the inclusion of named or separate opinions in a court's decision (Kelemen, 2013; Wittig, 2016).

2.2.2. *The personalized model: Individuals transcend their institutional position*

At the other end of the spectrum, most prominently in the United States, many administrators operate under a regime of high personalization. Over a half million public officeholders in the state, regional, and local levels—including many judges, prosecutors, and sheriffs—are either elected or retained through competitive popular polls, which are sometimes openly partisan (Bureau of the Census, 1992). In addition, many officers, in both federal and state levels, are appointed by political principals and go through public vetting and confirmation processes; and in some positions explicitly serve at the pleasure of the political figure that appointed them. All of these selection and retention mechanisms regularly require the personal identification of the officeholders, and often include political campaigns that focus on candidates' individual identities, records, affiliations, and opinions (Dagan, 2021; Fleming, 2020).

Judicial decisionmaking in the United States, following the common law tradition, is also personalized. Historically, judges and justices have been named and recognized in published decisions, often writing separate opinions and exhibiting independent legalistic and stylistic methods and discernible judicial ideologies (Bennett et al., 2018; Robbins, 2012).

2.3. The continuum of institutional legitimation strategies

The political and institutional cultures surrounding public administrations in contemporary democracies may thus be located along a continuum that stretches between personalization on the one end and non-personalization on the other hand. Importantly, both paradigms reflect a commitment to democratic legitimacy, albeit perceived from different perspectives. While the de-personalized, bureaucratic model derives legitimacy from the ostensibly professional, nonpartisan technocracy of the civil service, the openly political nature of the personalized model draws legitimacy from the public persona of individual officeholders and, ultimately, in their personal accountability.

The personalization continuum can be analogized to the discourse on expertise as a buffer against ideological bias in public administration (Triantafyllou, 2015). Yet, while the expertise-ideology axis seems to neatly map onto the bureaucracy-individual axis, this should be considered more carefully. Bureaucratic legitimacy indeed rests on notions of expertise to ground its claim to anonymity—it should not matter who is making the decisions if they all follow an impersonal, technocratic logic. Personalized legitimacy however may also be enhanced by the decisionmaker's expertise-based credentials, for example if she is learned or experienced in the field of her authority. On the other hand, many discretionary decisions made by public administrators may invoke doubt as to the relevance of expertise, namely when they involve value judgments. In such cases, non-personalization may be seen as masking a decisionmaking process driven by ideology, interest, or bias, while personalization reveals the individuals making the decisions and makes them personally accountable.

2.4. Law and the person/institution dichotomy

Among the different sectors of public administration, legal decisionmaking, perhaps more than any other function, is prone to the challenges of personalization. Steeped in discretionary value judgments on the one hand, while defined by a commitment to impartial application on the other hand, law in the realist era has been a field of constant contestation as to the role of individual versus institutional determinants in decisionmaking. Extensive bodies of both theoretical and empirical literature have sought to show the extent to which personal characteristics and ideological affiliations of individual decisionmakers drive legal praxis, primarily among judges (Segal & Spaeth, 1998). Critical accounts of legal discourse have pointed to its deeply indeterminate nature, amenable to manipulation by proficient legal practitioners (Kennedy, 1997). And behavioral analyses of legal decisionmaking have revealed the various ways in which legal decisionmakers are subject to human failures of cognition, rationality, and ethicality (Leibovitch, 2021).

At the same time, even legal realists (Llewellyn, 1960) as well as legal process scholars (Eskridge Jr. & Frickey, 1994), legal culturalists (White, 1990) and new institutionalists (Bloom, 2001) have shown how the legal praxis in fact constrains the options of judges and of other legal actors, through diverse mechanisms of organization, education, indoctrination, and socialization. These include defined methods of rational reasoning and justification, a shared moral and political ethic, a common professional-class sensibility, and a hierarchical system of error-correction—all pointing to the construction of law as a relatively determinate craft (Dagan & Kreitner, 2011), to which notions of knowledge and expertise are relevant.

The idea that legal decisionmaking can be the subject of measurable professional expertise and of ideological detachment, rather than the mere reflection of personal preferences, biases, or experiences, has thus remained a central tenet in the ethos of legal bodies, namely courts (e.g., Liptak, 2018). Similar in this respect to other bureaucracies, an ethos of technocratic expertise is used both to frame internally the organizational mission of legal agents, as well as to project to the constituencies of legal institutions an image of objective impartiality and independence. Attaining and sustaining public trust in law's institutions has been a guiding principle in their design and operation. Courts that have “no influence over either the sword or the purse” (Federalist 78) require this trust for their very existence (Baker v. Carr, 1962); while investigative authorities and prosecutorial offices,

that regularly traverse the political when exercising their authority in ideologically-charged contexts such as political corruption, rely on it for their decisions to be taken as nonpartisan (Yair, 2021).

Since application of legal discretion to issues that are politically sensitive is expected to tread issues of trust and legitimacy, it is also likely to invoke challenges to legal expertise and objectivity and calls to expose and hold accountable the personalities that drive institutional acts. Consider, for example, the campaigns leveled at individual FBI personnel in the context of the investigations of Russian involvement in the 2016 US election (Yuhus & Harding, 2018); the naming of a *Fidesz* loyalist as Hungary's chief prosecutor (and, subsequently, his deputy as Chief Justice) (Dunai, 2019); or the politics of selection and appointment of judicial officers in India under the *BJP* government (Khaitan, 2020). In Israel, these dynamics have reached an epitome with the criminal corruption cases involving PM Benjamin Netanyahu over the past several years. We turn now to describe this episode in some detail, in order to clarify the experimental design that follows. As will be demonstrated, the case we explore is uniquely poised for experimental manipulation, while at the same time providing the contours for analogous analyses of other legal decisionmaking episodes of high political salience in contemporary democracies.

3. THE NETANYAHU CASES

The decisions taken by the Israeli AG over the past few years in the criminal investigations of then PM Benjamin Netanyahu provide a perfect setting for examining the impact of personalized information regarding legal decisionmakers on the perceived objectivity of legal institutions. The "Netanyahu cases" combined the legal decisions of a top-level civil servant regarding the criminal culpability of the highest-ranking political figure in Israel, who was also the country's most ideologically divisive figure. Further, the decisions of the AG in these cases went both ways, with some leading to indictments, while another resulting in exculpation. This allows for a relatively controlled comparative analysis of people's perception of the AG in both pro-PM and anti-PM decisions, taken around the same period and all garnering significant amounts of media coverage salience and political awareness (Yair, 2021). Following is a brief description of the legal and political background of the investigations and the AG's decisions that lie at the core of the current research.

The position of AG in Israel originated in the British mandate regime in Palestine, and has evolved over the years as a powerful civil servant, in charge of all legal powers held by the executive branch: the AG is, concomitantly, head of the Country's prosecutorial arm, the chief legal advisor to the government, the ultimate expounder of the law for the executive, and its representative in the courts. He is appointed by the government for a 6-year term, longer than the tenure of any elected government (Kedar, 2018).

The extent of the power and independence of the AG was defined and solidified over the years by several dominant jurists who held the position, and by a series of committee reports and Supreme Court decisions that supported them. By the late 2000s, the AG office developed the ethos of a "gatekeeper," charged with ensuring the rule of law is maintained and that abuse of political power does not go unchecked. In an age of heightened awareness to issues of good governance and of corruption, the fact that the AG was in charge of both advising government officials and criminally indicting them, granted him significant influence over the political realm, on both the institutional and the personal levels (Meydani & Rabin, 2015; Rubinstein, 2005). The successful prosecution of such figures as Israel's former president (for rape) and former PM (for bribery), coupled with the growing role of the AG and his deputies in affecting the contours of government policies, made the selection of an AG into a politically consequential decision.

Avichai Mandelblit, the AG between 2016–2022, was appointed to the position by Benjamin Netanyahu's government after serving as Netanyahu's cabinet secretary. A religious Jew with a PhD in law from Bar-Ilan University (which has been traditionally affiliated with the Jewish national-religious movement), Mandelblit previously retired from a long legal career in the IDF, culminating in the position of Military Advocate General, in the rank of major general. With several such conservative credentials (religiosity, extended military service, intimate working relationship with a right-wing PM, as well as family ties to older-generation right-wing activists), Mandelblit's appointment as AG was expected by some to serve the political interests of the right and of Netanyahu personally (TOI, 2016). At the same time, having risen through the ranks of the professional legal establishment, Mandelblit maintained a persistent commitment to his identity as a civil servant, throughout his career in public administration.

Benjamin Netanyahu, leader of the largest mainstream right-wing party “the Likud,” has served as Israel’s PM between the years 1996 and 1999, and again from 2009 to 2021. During part of that period, he also held the position of Communications Minister, with direct regulatory powers over various media outlets in Israel. During the years 2016 and 2017, Israel’s police and its state attorney’s office conducted several corruption-related criminal investigations that ended up implicating Netanyahu (Navot & Kubbe, 2019):

- “Case 1000”—allegations that during his tenure as PM, Netanyahu received goods and presents valued at over USD 200,000 from two wealthy benefactors, with whom he maintained a friendly relationship. At the same time, Netanyahu allegedly used his position in order to assist one of those benefactors in several personal issues.
- “Case 2000”—recorded conversations Netanyahu conducted with the publisher of one of Israel’s largest newspapers, in which they discussed curbing the distribution and influence of the competing newspaper, possibly by adverse legislation; the plans never reached fruition.
- “Case 3000”—a convoluted ordeal concerning a multi-billion-dollar deal between Israel and a German shipyard for the provision and maintenance of submarines to the Israeli Navy. Several of Netanyahu’s closest advisors were implicated in the case, which allegedly involved high-level corruption and discord among the highest echelons of Israel’s security apparatus, led by the PM.
- “Case 4000”—allegations that Netanyahu, in his capacity as Minister of Communications, made several decisions that financially benefited another Israeli media magnate, Shaul Elovitch, and that in return Elovitch had the editors of his news website regularly accommodate demands for positive coverage of Netanyahu and his family.

Normally, criminal cases are prosecuted by the state attorney’s office or its regional branches. However, Israeli law stipulates that a criminal investigation against a sitting PM can only be initiated with the agreement of the AG, and that a criminal indictment against a PM can only be submitted by the AG personally. This meant that as soon as the investigations pointed at the possibility of the PM being a suspect, the AG became the point-person making the crucial decisions, culminating in the determination whether to indict Netanyahu in any of the cases or rid him of criminal suspicion.

After a long process of deliberations, Mandelblit decided in November, 2019, to indict Netanyahu in three of the four cases: in Cases 1000 and 2000 for breach of public trust, and in Case 4000 for bribery. In contrast, Mandelblit made it publicly known that Netanyahu was not considered a suspect in case 3000, and indeed the indictments brought in the case did not involve the PM.

The AG’s decisions to prosecute Netanyahu in cases 1000, 2000, and 4000 were met with harsh public criticism by the political right and the PM himself. On the day the AG announced his decision to indict Netanyahu, the PM convened a press conference in which he called the act an “attempted coup” (Haaretz, 2019). In a televised address from the Jerusalem district court, on the first day of pre-trial proceedings in May, 2020, Netanyahu claimed that “elements in the police and State Attorney’s Office banded together with left-wing journalists... to fabricate baseless cases against me,” with the goal being “to oust a strong right-wing PM and to banish the right-wing camp from leadership of the country for many years” (TOI, 2020; Ynet, 2019). Referring specifically to Mandelblit, Netanyahu invoked the possibility that the AG approved the indictment because he had been extorted to do so, reciting claims about hushed recordings of the AG that may compromise him.

These claims, widely repeated in right-leaning media outlets, have made Mandelblit, as well as other senior officials leading the prosecution, the targets of ongoing verbal attacks on both social and traditional media, as well as recurrent demonstrations, heckling, and harassment. Notably, the claims that the investigation and prosecution of Netanyahu were politically motivated came despite the acknowledged professional credentials and mainstream personal backgrounds of the decisionmakers. Criticism against the individual decisionmakers was regularly conflated with an abstract perception of the AG’s and State Attorney’s offices—dubbed jointly “*HaPraklitut*” (“the attorney’s office”)—as bastions of “the Left” (alongside other elitist communities such as the judiciary, academia, the press, and the arts).

At the same time, Mandelblit’s decision not to pursue an investigation against Netanyahu in Case 3000 has garnered persistent attacks from the left, arguing that the AG let Netanyahu off in the most severe case of the four—one that arguably implicated Israel’s national security interests and involved a sprawling network of

corruption and bribery. Large-scale weekly demonstrations took place for months near Mandelblit's home, and notable political figures, including Netanyahu's ousted Defense Minister, accused the AG of missing the depth and severity of the PM's involvement in the case. In this discourse, too, the decision was often presented as a political capitulation by the AG, his professional qualifications notwithstanding.

The political salience and divisive impact of the AG's decisions, the two-way outcomes of his decisions, and the fact that the political campaigns about Netanyahu's cases posed the objectivity of the AG's office as a focal issue—make this an ideal setting to study the effects of legal decisionmakers' personal background on the perceived objectivity of their institutions.

4. THE CURRENT STUDY

4.1. Objectives of the study

Pursuant to the literature on personalization and perceived objectivity, and considering the characteristics of the Israeli case outlined above, the current study seeks to shed empirical light on the question whether exposure to a legal decisionmaker's personal biography affects people's perception of the objectivity of the legal office, when considered in a politically polarized context. We also take into account people's positioning as either "winners" or "losers" with respect to the legal office's decisions, as a potential moderator of these effects.

Findings pertaining to these questions can help us to better evaluate the potential for legal institutions to enhance their perceived legitimacy either by projecting a bureaucratic public image which supersedes individual agents' personal backgrounds, ideological preferences, and motivational biases, or rather by humanizing the institution through emphasis of the individual characteristics of its agents (Kruikemeier et al., 2013). They can also add to our understanding of the extent to which procedural justice concerns apply to both "winners" and "losers"—in the sense of people perceiving the decisions as going politically "their" way or against it.

In the current study, we experimentally manipulated exposure to details about the AG's personal biography (nonpolitical information, or political information that could imply the AG's leaning toward the political right or the left), and the salience of the decision to indict or not to indict the PM, and measured participants' personal positions toward the PM (negative vs. positive). "Losers" were defined as those who hold a positive view of the PM and are exposed to the "indictment" (against-Netanyahu) decision, and those who hold a negative view of the PM and are exposed to the "exculpation" (pro-Netanyahu) decision. Vice versa, "winners" were defined as those who hold a positive view of the PM and are exposed to the "exculpation" (pro-Netanyahu) decision, and those who hold a negative view of the PM and are exposed to the "indictment" (against-Netanyahu) decision.

Based on the aforementioned literature, this research focuses on the following questions. First, we examine *whether exposure to personal background information about a legal decisionmaker affects people's perceived objectivity of the decisionmaker's office, and in which direction*. This question refers to the comparison between the effect of personalization (exposure to personal information) versus non-personalization (no exposure to personal information) on perceived objectivity of the AG's office. We put forth two competing hypotheses, each representing the two different strategies of legitimation: personalization versus non-personalization.

H1a personalization. : *The AG's office will be perceived as more objective under exposure to background information about the AG, compared to no exposure to such information.*

H1b non-personalization. : *The AG's office will be perceived as less objective under exposure to background information about the AG, compared to no exposure to such information.*

These hypotheses assume a main effect for information (information vs. no-information) which is not qualified by either the AG's decision (pro/against the PM) or people's positions toward the PM (i.e., positive or negative).

Second, we examine *whether exposure to personal background information about a legal decisionmaker has different effects on "winners" and "losers" perceptions of the objectivity of the decisionmaker's office*. This question refers to the effects of personalization versus non-personalization as a function of people's positioning as "winners" and "losers" vis-à-vis the AG's decisions. "Winners" and "losers" are manipulated by orthogonally crossing

whether the decisions of the AG (for/against the PM) correspond to people's political interests (positive/negative positions toward the PM). We again put forth the following competing hypotheses:

H2a personalization. : *“Losers,” but not “winners,” will perceive the AG’s office as more objective under exposure to background information about the AG, compared to no exposure to such information.*

H2b non-personalization. : *“Losers,” but not “winners,” will perceive the AG’s office as less objective under exposure to background information about the AG, compared to no exposure to such information.*

These hypotheses presuppose a three-way interaction between exposure to information (information vs. no-information), the decision (for/against the PM) and people's leanings (for/against the PM).

Finally, we examine *whether exposure to personal information about the legal decisionmaker’s political leaning affects “winners” and “losers” perceptions of the decisionmaker’s office’s objectivity.* This question refers to the extent to which exposure to information portraying the AG as left-leaning versus right-leaning, as specific types of personal information, has differential effects on “winners” and “losers” perceptions of the AG’s office objectivity. We put forth the following hypothesis:

H3. : *“Winners” and “losers” will both rate the AG’s office as more objective when the AG’s decision regarding Netanyahu is inconsistent, compared to when it is consistent, with his alleged political leaning, with this effect being stronger among “losers”.*

This hypothesis presupposes a three-way interaction between the type of political information (AG is left leaning versus right leaning), the decision (for/against the PM) and people's leanings toward Netanyahu (positive/negative), and delineates the following two hypotheses:

H3a. : *Under the pro-Netanyahu decision condition (exculpation), the AG’s office will be perceived as more objective when the AG is portrayed as left-leaning versus right-leaning, particularly among those holding negative (versus positive) feelings towards Netanyahu.*

H3b. : *Under the against-Netanyahu decision condition (indictment), the AG’s office will be perceived as more objective when the AG is portrayed as right-leaning versus left-leaning, particularly among those holding positive (versus negative) feelings towards Netanyahu.*

4.2. Sample

We conducted an a priori power analysis using G*Power (Faul et al., 2009) for the sample size needed to detect a small effect size in a multiple regression ($f^2 = 0.02$) based on a standard alpha (0.05) and 90% power. Our test yielded an estimated sample size of 528 participants. To account for potential dropouts, we recruited 1000 Israelis to participate in this online study. Participants were recruited via a professional Israeli survey company, which was instructed to ensure a balanced sample in terms of political orientation (based on recent background information participants have provided). The final sample included 1000 participants (57% female and 43% male; ages ranging from 18 to 83, $M_{age} = 41.95$, $SD_{age} = 14.32$). The sample was relatively balanced in terms of political orientation, which was measured on a scale ranging from 1 (=extreme right) to 6 (=extreme left), $M = 3.33$, $SD = 1.19$.

4.3. Procedure and measures

Participants first completed demographic measures (i.e., age, gender, income, education, political orientation [1 = extreme right, 6 = extreme left]), which were used as covariates in our analysis. They then rated their personal feelings toward PM Netanyahu using a feeling thermometer ranging from 0 (=very negative) to 100 (=very positive). Then, just before being assigned to the manipulation conditions, they rated the extent to which they think they are familiar with the AG's biography on a scale of 1 (=not at all) to 7 (=to a great extent). This variable was also used as a covariate in our analysis.

Next, participants were randomly assigned to one of five “information type” conditions. In the “control” condition, no information was presented. In the other four conditions, participants were presented with a short paragraph containing factual background information about the AG (see Fig. A1 in Appendix S1 for full wording of manipulation texts): In the “nonpolitical control” condition, the paragraph included personal background information about Mandelblit (i.e., place of birth, education, general career path). In the remaining three conditions, this nonpolitical information was followed by information about several of Mandelblit’s public statements and decisions, which supposedly categorize him as either left-wing (“left-leaning information” condition; e.g., disqualifying a right-wing politician from running for parliament), right-wing (“right-leaning information” condition; e.g., legalizing settlements in the West Bank) or both (“mixed political information” condition, which included a combination of left-leaning and right-leaning information). The left- and right-leaning information was pre-tested in a pilot study (see Appendix S1).

Next, within each of the information conditions, participants were randomly assigned to one of two conditions, priming participants with either a “Pro” or “Against” legal decision of the AG with regard to PM Netanyahu. In the “pro-Netanyahu” condition, they read that the AG decided not to indict the PM in “Case 3000.” In the “against-Netanyahu” condition, they read that the AG decided to indict the PM on charges of bribery, fraud, and breach of trust in Cases 1000, 2000, and 4000. Then, participants rated Mandelblit’s political orientation, which was used as a manipulation check for the information type manipulation (1 = extreme leftist, 7 = extreme rightist). Finally, participants completed four items measuring their perceptions of objectivity of the AG’s office (“The Israeli AG office conducts itself objectively¹,” “The Israeli AG office conducts itself with a high level of professionalism,” “The Israeli AG office’s only goal is to pursue the truth,” “The Israeli AG office is motivated by political considerations” [reverse coded]; $\alpha = 0.91$).

All data and syntax for analyses have been made publicly available at the OSF repository and can be accessed at https://osf.io/ksjd8/?view_only=4ffb4a1bc6f94a20bdf3e4afe3a89737. Materials for this study are presented in the Appendix S1.

5. RESULTS

5.1. Manipulation check

We conducted a one-way ANOVA to examine the effect of the information type manipulation (personal, left-leaning, right-leaning, mixed political, control) on participants’ ratings of Mandelblit’s political orientation. The analysis revealed a main effect for the manipulation ($F[4,995] = 32.03$, $p < 0.001$). Consistent with the construction of our manipulation conditions, participants rated Mandelblit as most leftist in the left-leaning information condition ($M = 3.30$, $SD = 0.09$), compared to the personal information condition ($M = 4.09$, $SD = 0.09$), the right-leaning information condition ($M = 4.77$, $SD = 0.09$), the mixed political information condition ($M = 4.16$, $SD = 0.09$), and the control condition ($M = 4.24$, $SD = 0.09$), and as most rightist in the right-leaning condition compared to all other conditions ($ps < 0.001$).²

5.2. Main analysis

We tested the effects of information type (nonpolitical, left-leaning, right-leaning, mixed political, and control), legal decision (pro/against PM), and feelings toward the PM, and their interaction terms, on perceptions of the objectivity of the AG’s office, with a multiple regression analysis. Following recommendations by Aiken and West (1991), the continuous independent variable (feelings toward the PM) was mean-centered and the five-level variable “information type” was contrast coded into four orthogonal contrasts:

Contrast A allows for the examination of *H1* and *H2*:

A Comparing any information to no information (−4 no information, +1 nonpolitical information, +1 left-leaning political information, +1 right-leaning political information, +1 mixed political information). This contrast allows for the examination of *H1* and *H2*.

Contrast B allows for the examination of *H3*:

B Comparing left-leaning political information to right-leaning political information (0 no information, 0 nonpolitical information, -1 left-leaning political information, +1 right-leaning political information, 0 mixed political information).

Contrasts C and D are necessary controls as part of the orthogonal design:

C Comparing nonpolitical information to political information (0 no information, -3 nonpolitical information, +1 left-leaning political information, +1 right-leaning political information, +1 mixed political information).

D Comparing left-leaning and right-leaning political information to mixed political information (0 no information, 0 nonpolitical information, +1 left-leaning political information, +1 right-leaning political information, -2 mixed political information).

According to Aiken and West (1991), orthogonal contrasts allow for an independent interpretation of the single regression coefficients that are part of an interaction effect. For each contrast, separate interaction terms with the two other independent variables were calculated.

The analysis, which was first conducted without controlling for covariates (see Table 1), revealed a main effect for contrast A (comparing any information to no information), such that the AG's office was perceived as more objective when no information is given, compared to when any information is given, consistent with the nonpersonalization hypothesis, *H1b* (see Fig. 1). This effect was not qualified by the decision type or participants' feelings toward the PM, inconsistent with *H2a and H2b*. All effects involving other contrasts were nonsignificant, inconsistent with *H3a-b*.

Regardless of our information manipulation, the analysis also revealed a significant main effect for feelings toward Netanyahu, which was qualified by the AG's decision (pro/against Netanyahu), such that people who hold positive feelings toward Netanyahu perceived the AG's office as less objective than those who hold negative feelings toward Netanyahu, with this difference being slightly stronger under the against-Netanyahu decision

TABLE 1 Interactive effects of information type contrasts, decision (pro/against PM), and feelings toward the PM on perceived objectivity of AG (without covariates)

| Effect | <i>B</i> | <i>SE</i> | 95% CI | | β | <i>t</i> | <i>p</i> |
|---|--------------|-------------|--------------|--------------|--------------|---------------|------------------|
| | | | <i>LL</i> | <i>UL</i> | | | |
| Contrast A (information vs. control) | -0.09 | 0.03 | -0.15 | -0.02 | -0.10 | -2.65 | 0.008 |
| Contrast B (nonpolitical vs. political information) | 0.04 | 0.04 | -0.04 | 0.12 | 0.04 | 1.06 | 0.288 |
| Contrast C (left-leaning vs. right-leaning information) | 0.11 | 0.10 | -0.09 | 0.31 | 0.04 | 1.10 | 0.273 |
| Contrast D (mixed political information vs. left-leaning and right-leaning information) | 0.03 | 0.06 | -0.08 | 0.15 | 0.02 | 0.55 | 0.580 |
| Decision (pro vs. against Netanyahu) | 0.13 | 0.09 | -0.05 | 0.30 | 0.04 | 1.39 | 0.164 |
| Feelings toward Netanyahu (centered) | -0.03 | 0.00 | -0.04 | -0.03 | -0.63 | -17.19 | <0.001 |
| Feelings toward Netanyahu × Decision | 0.01 | 0.00 | 0.00 | 0.01 | 0.08 | 2.16 | 0.031 |
| Feelings toward Netanyahu × Contrast A | 0.00 | 0.00 | -0.00 | 0.00 | 0.05 | 1.39 | 0.166 |
| Feelings toward Netanyahu × Contrast B | 0.00 | 0.00 | -0.00 | 0.00 | -0.00 | -0.09 | 0.928 |
| Feelings toward Netanyahu × Contrast C | 0.00 | 0.00 | -0.01 | 0.01 | 0.01 | 0.17 | 0.866 |
| Feelings toward Netanyahu × Contrast D | 0.00 | 0.00 | -0.00 | 0.00 | 0.03 | 0.71 | 0.478 |
| Decision × Contrast A | 0.06 | 0.05 | -0.03 | 0.15 | 0.05 | 1.25 | 0.213 |
| Decision × Contrast B | -0.05 | 0.06 | -0.16 | 0.07 | -0.03 | -0.77 | 0.442 |
| Decision × Contrast C | -0.10 | 0.14 | -0.38 | 0.18 | -0.03 | -0.69 | 0.491 |
| Decision × Contrast D | -0.02 | 0.08 | -0.18 | 0.14 | -0.01 | -0.25 | 0.799 |
| Decision × Contrast A × Feelings toward Netanyahu | -0.00 | 0.00 | -0.01 | 0.00 | -0.06 | -1.49 | 0.136 |
| Decision × Contrast B × Feelings toward Netanyahu | 0.00 | 0.00 | -0.00 | 0.01 | 0.06 | 1.53 | 0.126 |
| Decision × Contrast C × Feelings toward Netanyahu | 0.00 | 0.00 | -0.01 | 0.01 | 0.00 | 0.07 | 0.945 |
| Decision × Contrast D × Feelings toward Netanyahu | 0.00 | 0.00 | -0.00 | 0.01 | 0.00 | 0.06 | 0.956 |

Note: $R^2 = 0.35$. Bold indicates statistically significant values. Abbreviations: AG, attorney general; CI, confidence interval; LL, lower limit; PM, Prime Minister; UL, upper limit.

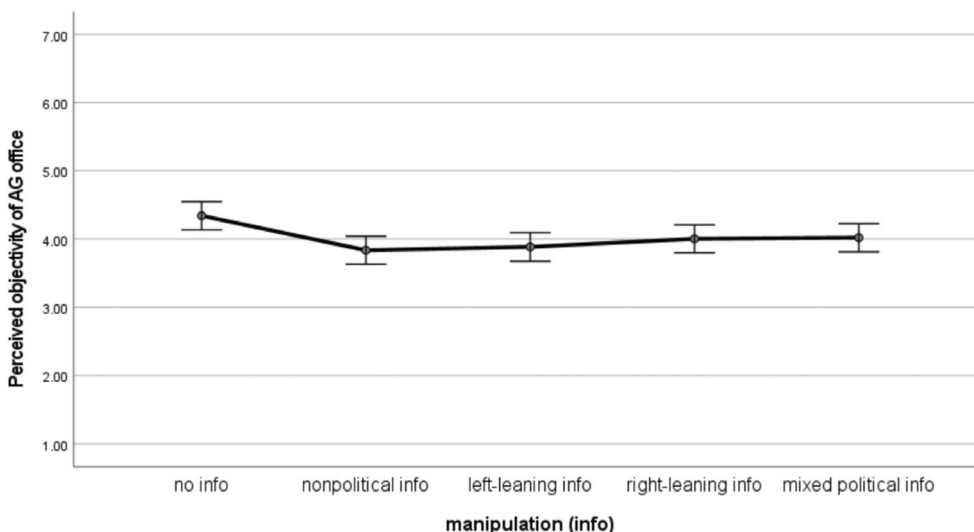


FIGURE 1 Effect of information manipulation (contrast A) on perceived objectivity of the attorney general’s office, controlling for decision type (pro/against Netanyahu), feelings toward Netanyahu, and their interactions.

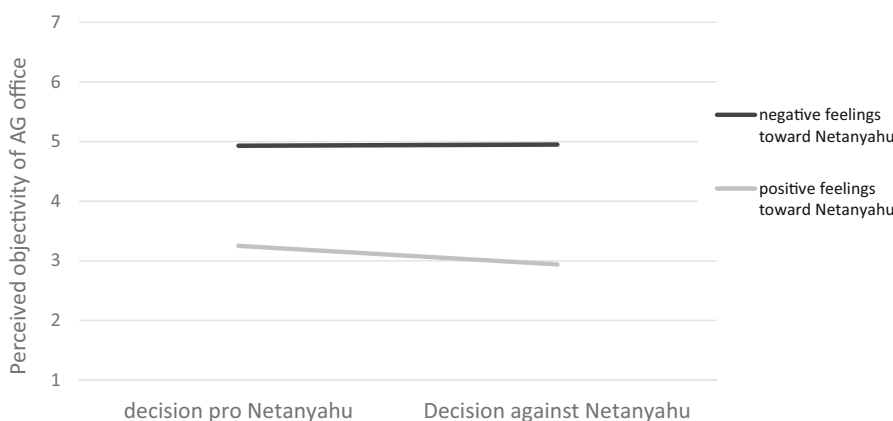


FIGURE 2 Interactive effects of decision type (pro/against Netanyahu), and feelings toward Netanyahu (positive/negative) on perceived objectivity of the attorney general’s office.

condition ($b = -0.03$, $SE < 0.001$, $t = -17.19$, $p < 0.001$, $CI [-0.035$ to $-0.028]$), compared to the pro-Netanyahu decision condition ($b = -0.03$, $SE < 0.001$, $t = -14.24$, $p < 0.001$, $CI [-0.029$ to $-0.022]$). The interaction is presented graphically in Figure 2.

All results held when controlling for demographics (i.e., age, gender, political orientation, income, and education) and perceived knowledge of the AG’s biography (see Table 2).

6. DISCUSSION

6.1. Summary of findings

To summarize, exposure to personal information about the AG decreased the perceived objectivity of his office, compared to no exposure to personal information, supporting the non-personalization model. Importantly, this finding was not contingent upon the type of personal information presented (information implying political leaning vs. nonpolitical biographical information). Also, this finding was not qualified by the kind of decision taken by the AG (pro-Netanyahu [exculpation] vs. anti-Netanyahu [indictment]), or its congruence with participants’

TABLE 2 Interactive effects of information type contrasts, decision (pro/against PM), and feelings toward the PM on perceived objectivity of AG, with covariates

| Effect | <i>B</i> | <i>SE</i> | 95% CI | | β | <i>t</i> | <i>p</i> |
|---|--------------|-------------|--------------|--------------|--------------|--------------|------------------|
| | | | <i>LL</i> | <i>UL</i> | | | |
| Contrast A (information vs. control) | -0.07 | 0.03 | -0.13 | -0.00 | -0.07 | -2.05 | 0.041 |
| Contrast B (nonpolitical vs. political information) | 0.04 | 0.04 | -0.04 | 0.12 | 0.04 | 0.99 | 0.321 |
| Contrast C (left-leaning vs. right-leaning information) | 0.05 | 0.10 | -0.14 | 0.24 | 0.02 | 0.55 | 0.585 |
| Contrast D (mixed political information vs. left-leaning and right-leaning information) | 0.05 | 0.06 | -0.06 | 0.16 | 0.03 | 0.84 | 0.399 |
| Decision (pro vs. against Netanyahu) | 0.12 | 0.09 | -0.05 | 0.29 | 0.03 | 1.36 | 0.176 |
| Feelings toward Netanyahu (centered) | -0.02 | 0.00 | -0.03 | -0.02 | -0.42 | -9.34 | <0.001 |
| Feelings toward Netanyahu \times Decision | 0.01 | 0.00 | 0.00 | 0.01 | 0.08 | 2.27 | 0.024 |
| Feelings toward Netanyahu \times Contrast A | 0.00 | 0.00 | -0.00 | 0.00 | 0.05 | 1.28 | 0.201 |
| Feelings toward Netanyahu \times Contrast B | 0.00 | 0.00 | -0.00 | 0.00 | 0.01 | 0.15 | 0.881 |
| Feelings toward Netanyahu \times Contrast C | 0.00 | 0.00 | -0.00 | 0.01 | 0.02 | 0.59 | 0.555 |
| Feelings toward Netanyahu \times Contrast D | 0.00 | 0.00 | -0.00 | 0.00 | 0.03 | 0.74 | 0.458 |
| Decision \times Contrast A | 0.02 | 0.04 | -0.07 | 0.10 | 0.01 | 0.38 | 0.701 |
| Decision \times Contrast B | -0.04 | 0.06 | -0.15 | 0.07 | -0.02 | -0.65 | 0.516 |
| Decision \times Contrast C | -0.07 | 0.14 | -0.34 | 0.20 | -0.02 | -0.53 | 0.599 |
| Decision \times Contrast D | -0.07 | 0.08 | -0.22 | 0.09 | -0.03 | -0.86 | 0.392 |
| Decision \times Contrast A \times Feelings toward Netanyahu | -0.00 | 0.00 | -0.01 | 0.00 | -0.06 | -1.54 | 0.123 |
| Decision \times Contrast B \times Feelings toward Netanyahu | 0.00 | 0.00 | -0.00 | 0.01 | 0.04 | 1.27 | 0.205 |
| Decision \times Contrast C \times Feelings toward Netanyahu | -0.00 | 0.00 | -0.01 | 0.01 | -0.01 | -0.17 | 0.868 |
| Decision \times Contrast D \times Feelings toward Netanyahu | 0.00 | 0.00 | -0.00 | 0.01 | 0.01 | 0.22 | 0.825 |
| Gender | -0.01 | 0.09 | -0.19 | 0.17 | -0.00 | -0.11 | 0.913 |
| Age | 0.02 | 0.00 | 0.01 | 0.02 | 0.13 | 5.10 | <0.001 |
| Income | 0.03 | 0.05 | -0.07 | 0.12 | 0.02 | 0.56 | 0.574 |
| Education | -0.03 | 0.06 | -0.15 | 0.09 | -0.01 | -0.52 | 0.604 |
| Political orientation | 0.39 | 0.06 | 0.29 | 0.50 | 0.27 | 7.18 | <0.001 |
| Perceived knowledge of AG's biography | 0.07 | 0.03 | 0.00 | 0.13 | 0.06 | 2.09 | 0.037 |

Note: $R^2 = 0.41$. Bold indicates statistically significant values. Abbreviations: AG, attorney general; CI, confidence interval; LL, lower limit; PM, Prime Minister; UL, upper limit.

own positions toward Netanyahu (positive or negative). Thus, support for the non-personalization model was consistent regardless of the positioning of people as “winners” or “losers” with respect to the AG’s legal decision.

Regardless of exposure to information about the AG, respondents who held positive attitudes toward Netanyahu reported less trust in the AG’s office compared to those who hold negative attitudes toward Netanyahu (this difference was particularly pronounced when respondents were primed with the decision to indict Netanyahu). This finding is consistent with some existing research showing that supporters of right-wing ideologies tend to harbor antagonism toward intellectual elites and the court system more than supporters of left-wing ideologies (Barney & Laycock, 1999; Edis, 2020; McClosky & Chong, 1985). More specific to the present context, it is likely the result of the directed discrediting campaign waged by Netanyahu and members of his party with respect to the AG and his office, in the wake of the investigations and indictments (Caspit, 2020). This finding strongly attests to the polarizing nature of the Netanyahu trial, in a context which was already highly polarized between the political left and right (Ben-Shitrit et al., 2022; Elad-Strenger et al., 2013, 2019, 2020).

6.2. Strengths, limitations, and future research

One of the strengths of the research—its real-life context—also begets some of its possible limitations: namely, the high salience of the ordeal in Israel likely means that at least some of the respondents had some prior knowledge of the AG, including certain elements in his biography, the content of the allegations, and the bifurcated nature of the decisions he took in the Netanyahu cases, as well as the politically charged way they were portrayed in the public discourse. Importantly, however, our findings were robust to controlling for prior knowledge about

the AG's biography, suggesting that the observed effects override at least some potential effects of previous information.

In addition, the specific context of this study raises potential questions about its replicability in other contexts. This study was conducted in Israel, to exploit the dual character of the AG's decisions in the Netanyahu cases, as well as Mandelblit's politically diverse biography. However, another characteristic of Israel is that the British civil service model is the progenitor of Israel's AG institutional ethos. This may have affected our respondents' tendency to support the non-personalized model over the personalized model. Future research is encouraged to replicate these findings and systematically compare other socio-political contexts which are more or less accustomed to a personalized model of legal decisionmaking—for example, popularly elected or politically appointed prosecutors in the United States—as well as in other jurisdictions where legitimacy challenges to legal decisionmaking take different forms and levels of intensity.

From a methodological perspective, we were also limited in our ability to manipulate all independent factors in our study. More specifically, we could not independently manipulate the content of the legal cases and the AG's decision on these cases, as these were real cases known to the public. Although the choice of these cases increased the external validity of our findings, future research is encouraged to experimentally manipulate both the specific content of the cases and the legal decisionmaker's decision with regard to these cases.

6.3. Discussion and normative implications

Our findings provide support to the idea that the personalization of the legal decisionmaker may reduce perceived institutional objectivity, regardless of the content of the personalized information, people's political preferences, or the content of the decisions made. To the extent that this effect is reflective of people's perceptions of such high-salience, politically charged legal decisions, there is a reassuring element in the finding, both as it pertains to the lingering legitimating force of institutions, as well as to the parity with which it operates on a politically polarized constituency.

In terms of institutional legitimacy, the Netanyahu ordeal is a useful case study as it was characterized by a highly personalized political atmosphere, which extended beyond the personalization of politics to encompass senior bureaucrats as well. Netanyahu himself has enjoyed an individual prominence unparalleled in Israeli politics—the longest serving PM in the history of the state, with an exceptionally tight control of his party and coalition and a uniquely dedicated following within his political base. At the same time, the political debate about the criminal suspicions that concerned Netanyahu had a decidedly personalized character, with daily reports and opinions in the news and social media focusing on the individual personalities of the prosecutors, as well as the witnesses, defense attorneys, and judges involved in the cases. The discourse revolving the Netanyahu criminal affairs was thus emblematic of the general populist trend, evident in Israel as in other countries, toward a personalization of politics and law (Martinelli, 2016), coupled with a suspicion in the capacity of institutions and expertise to serve as barriers to bias and injustice (Shinar *et al.*, 2020).

Given this background, the fact that personalization still had an adverse effect on the perceived objectivity of the AG's office implies that trust in institutions is not a relic of the past. Of course, from a personalization perspective, this can mean that bureaucracies have been too successful in entrenching a legitimating notion of the impassioned technocrat. Still, and especially considering the centrality of trust in expertise and in structured processes of policy making to coping with global threats such as the COVID-19 pandemic or climate change, we take the finding as a promising sign.

With respect to people's ideological preferences—approximated in the current research through respondents' feelings toward Netanyahu—the finding that exposure to personalized information affected the perceived objectivity ascribed to the AG's office by “losers” *as well as* “winners” is enlightening both analytically and normatively. Analytically, the finding supports the hypothesis that “winners” are not indifferent with regard to the justness of the decisionmaking process, at least as it pertains to the personalization continuum. This could be explained in different ways, such as: the result of a certain degree of insecurity in the veracity of the decision; evidence of a degree of altruism toward, or solidarity with, the “losing” side; or a realization of the legitimacy challenges the AG's decisions in the Netanyahu cases are likely to face. The current study sheds light on these possibilities, and further research is needed in order to flesh them out.

Normatively, to the extent that legitimacy is sought to be maximized, the findings imply that “winners” cannot be presumed to ascribe objectivity to an institution regardless of the quality of the decisionmaking process. The manner an institution is portrayed and the way its decisions are reasoned ought therefore to take into account the possible reactions of all constituencies.

More specifically, at least in the context explored in the current research—high-level prosecution in a politically charged atmosphere—the findings imply that personalization campaigns may be detrimental to institutional legitimacy. Seeking to reveal hidden biases through personalization is thus a potentially effective delegitimizing tactic; while attempts at “humanizing” an otherwise bureaucratic position might be counter-effective. This may also have an implication on efforts made in various contexts to diversify the background of legal decisionmakers, such as judicial benches or juries. While such approaches may serve to correct systemic underrepresentation of disadvantaged groups, and have been shown to possibly improve the perceived objectivity of decisions in certain settings (Ellis & Siedman Diamond, 2003), they might also carry the potential to emphasize decisionmakers’ personalities and hence to decrease their perceived objectivity, especially when there is an arguable connection between the personal background and the content of the decision.

Finally, our finding holds for an office whose institutional ethos is strongly premised on the civil service model. It is not surprising, therefore, that when attacked on a personal basis, the AG’s office in Israel leaned in response on its unbiased and professional ethic. Interestingly, in an age of unchecked, heightened personalization, a more effective counter-move might be a shift in the baseline ethos itself, so that personalized information would have less of an effect when employed in legitimacy fights.

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DATA AVAILABILITY STATEMENT

The data that support the findings of this study are openly available in Personalization, Bureaucratization, and Legitimacy at https://osf.io/ksjd8/?view_only=4ffb4a1bc6f94a20bdf3e4afe3a89737.

Endnotes

- ¹ The study was conducted in Hebrew, which is the first language of our participants. Note that in colloquial Hebrew, the adverb “objectively” (“*be-Ofen Obyektivī*”), which appeared in one of the four statements, connotes impartiality, evenhandedness, and neutrality (Glosbe, 2018)—the drivers of perceived objectivity we seek to unearth in this study. Nonetheless, to ensure that the use of the term “objective” in the questionnaire did not prime participants toward a non-personalized position, we confirm that the following results hold similarly when excluding the statement that includes it from the analysis (see Appendix S1).
- ² We also conducted a two-way ANOVA to examine the interactive effects of the information type manipulation and the decision manipulation (pro/against Netanyahu) on participants’ ratings of Mandelblit’s political orientation. Alongside the main effect for the information type manipulation ($F[4990] = 31.59, p < 0.001$), the analysis revealed a main effect for the decision manipulation ($F[1990] = 5.07, p = 0.025$). As expected, participants rated Mandelblit as more leftist in the against-Netanyahu condition ($M = 4.02, SD = 0.06$) compared to the pro-Netanyahu condition ($M = 4.20, SD = 0.06$). These two conditions did not interact in predicting participants’ ratings of Mandelblit’s political orientation.

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Appendix S1 Supporting Information.