



GOVERNING WITHOUT CONSEQUENCE: ISRAEL AS A HIGH-VISIBILITY INDICATOR IN 2026

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EXECUTIVE SUMMARY

This report identifies a global shift toward impunity-based governance, in which political leaders increasingly neutralize legal, political, and reputational accountability while preserving formal democratic and legal frameworks. Impunity is treated not as an aberration, but as a governing instrument, enabled by legal restructuring, institutional capture, and external political shielding.

Israel in 2026 constitutes a particularly revealing diagnostic case, not because it is unique, but because it concentrates multiple drivers of impunity-based governance at a critical juncture: acute leadership legal jeopardy, deep domestic polarization, accelerating institutional restructuring, and reliance on external political shielding, all in the context of consequential elections in both Israel and the United States.

Current evidence points toward partial consolidation of impunity under fragmented legitimacy, rather than decisive correction or full authoritarian consolidation in 2026. Legislative acceleration, coalition dynamics, and sustained external protection suggest a narrowing window for institutional reversal absent major political or external shocks.

The most decisive signals to monitor concern the irreversibility of, rather than intent behind impunity-based governance, including enacted legal constraints on judicial and media independence, coalition durability, elite sidelining, and the continuation of external political shielding despite visible democratic erosion.

KEYWORDS:

Impunity-based governance, accountability erosion, autocratization, global governance, international justice

ZUSAMMENFASSUNG

Dieser Bericht identifiziert einen globalen Wandel hin zu einer auf Straflosigkeit basierenden Regierungsführung, in der politische Entscheidungsträger:innen zunehmend die rechtliche, politische und Ruf-bezogene Rechenschaftspflicht neutralisieren, während sie gleichzeitig formale demokratische und rechtliche Rahmenbedingungen aufrechterhalten. Straflosigkeit wird nicht als Abweichung betrachtet, sondern als Instrument der Regierungsführung, das durch rechtliche Umstrukturierungen, institutionelle Vereinnahmung und externe politische Abschirmung ermöglicht wird.

Israel im Jahr 2026 stellt einen besonders aufschlussreichen Fall dar, nicht aufgrund seiner Einzigartigkeit, sondern weil das Land mehrere Faktoren einer auf Straflosigkeit basierenden Regierungsführung an einem kritischen Punkt vereint: akute rechtliche Gefährdung der Führung, tiefe innenpolitische Polarisierung, beschleunigte institutionelle Umstrukturierung und Abhängigkeit von politischer Abschirmung durch externe Kräfte, alles vor dem Hintergrund wichtiger Wahlen sowohl in Israel als auch in den Vereinigten Staaten.

Aktuelle Anzeichen deuten eher auf eine teilweise Konsolidierung der Straflosigkeit unter fragmentierter Legitimität hin als auf eine entschiedene Korrektur oder eine vollständige autoritäre Konsolidierung im Jahr 2026. Die Beschleunigung der Gesetzgebung, die Dynamik der Koalition und der anhaltende externe Schutz Israels lassen vermuten, dass das Zeitfenster für eine institutionelle Umkehr ohne größere politische oder externe Schocks immer kleiner wird.

Die entscheidendsten zu beobachtenden Signale betreffen eher die Unumkehrbarkeit als die Absicht hinter einer auf Straflosigkeit basierenden Regierungsführung, darunter die Verabschiedung gesetzlicher Beschränkungen der Unabhängigkeit von Justiz und Medien, die Beständigkeit der Koalition, die Ausgrenzung der Elite und die Fortsetzung des externen politischen Schutzes trotz sichtbarer demokratischer Untergrabung.

KEYWORDS:

Straflosigkeit in der Regierungsführung, Erosion der Rechenschaftspflicht, Autokratisierung, globale Regierungsführung, internationale Justiz

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INDICATOR IN 2026

In the context of a global turn toward impunity-based governance, 2026 marks a period in which a growing number of states are testing whether impunity can function not as an incidental outcome of power, but as a core governing instrument. Through legal restructuring, politicized institutions, weakened checks and balances, and reliance on powerful external patrons, political leaders increasingly neutralize accountability while preserving formal democratic and legal frameworks. This shift is no longer confined to overtly authoritarian systems, but is increasingly visible within states that retain constitutional form and competitive politics (Scheppele 2018; Goddard & Newman 2024).



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In this report, impunity-based governance refers to a governing mode in which political leaders systematically manage, dilute, or neutralize accountability while maintaining the outward form of legality and democracy. It encompasses both criminal and political dimensions of impunity: efforts to evade or weaken legal accountability for crimes committed domestically or internationally, as well as a broader governing logic through which leaders are insulated from meaningful political consequences for policy failure, institutional abuse, or norm violation. Impunity-based governance does not depend on the effective application of the rule of law; it advances through legal,

institutional, and political mechanisms that enable leaders to absorb reputational damage, withstand formal accountability challenges, and justify further institutional restructuring and concentration of power.

While closely related to processes of democratic erosion and autocratization, impunity-based governance is analytically distinct. Autocratization describes a process through which democratic competition, pluralism,

and institutional checks are progressively weakened or dismantled. Impunity-based governance, by contrast, focuses on how account-

ability—legal, political, and reputational—is systematically discounted or neutralized, often through formally legal means. Crucially, it can advance not only within autocratizing systems such as Hungary or Turkey, but also in contexts where competitive elections and constitutional frameworks formally remain in place. This distinction matters because impunity-based governance may consolidate and diffuse without triggering the clear institutional ruptures typically associated with authoritarian transition.

This analytical lens is particularly relevant to Israel's trajectory in 2026. Israel merits attention not because it is unique, but because it brings together several drivers of

impunity-based governance at a critical juncture: a formally democratic system with competitive elections, acute legal jeopardy at the level of national leadership, deep domestic polarization marked by sustained mass protest, and sustained reliance on external political shielding. At the same time, the pace and scope of legal and institutional restructuring suggest acceleration rather than stabilization, raising the question of whether electoral and institutional constraints will meaningfully intervene or be rendered increasingly inconsequential.

Israel thus represents a highly visible manifestation of this trend among formally democratic states. Its Prime Minister, Benjamin Netanyahu, facing ongoing criminal proceedings under Israeli law and international legal action, is pursuing legal and institutional mechanisms designed to secure political survival and impede judicial oversight. These developments unfold within a permissive international environment characterized by Security Council deadlock, sustained pressure on multilateral legal institutions, including the UN system and international courts, and selective great-power shielding, most notably by the United States, including through sanctions against the International Criminal Court. They are reinforced by actions from other major powers, including Russia's sentencing in absentia of ICC judges, illustrating how impunity increasingly involves not only disregard for international law but active efforts to delegitimize and weaken its institutions. Against this backdrop, 2026 constitutes a critical juncture, as electoral outcomes in both Israel and the United States may either reinforce or constrain the consolidation of impunity-based governance (Belhaj 2024).

ISRAEL AS AN INDICATOR FOR THE GLOBAL TREND

The trend points toward the normalization of governing through impunity, not in the sense of popular endorsement, but through institutional accommodation and political routinization,



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whereby political leaders increasingly manage or absorb legal, economic, and diplomatic costs rather than being constrained by them.

This combination makes Israel a revealing diagnostic case for assessing whether impunity-based governance can advance and partially consolidate within a polarized democracy without being meaningfully checked by elections, courts, elite resistance, economic exposure, or loss of external political backing. By contrast, similar dynamics in the United States are, for now, shaped by federalism, stronger subnational checks, and greater institutional fragmentation (Asseburg & Goren, 2022).

The outcome will indicate to other governments, particularly those with strong external patrons or strategic leverage, whether legal-institutional erosion can proceed once reputational damage, diplomatic isolation, and economic pressure are treated as manageable costs rather than deterrents. In such contexts, this governing model has been accelerated by political convergence among leaders who frame legal accountability as an illegitimate constraint rather than a democratic

safeguard.

Impunity-based governance relies less on overt repression than on institutional engineering carried out through formally legal means, distinguishing it from more overtly authoritarian models of rule.

Core mechanisms typically include:

- deliberate restructuring or weakening of judicial independence;
- control over judicial, prosecutorial, and regulatory appointments;
- politicization or intimidation of oversight bodies;
- selective enforcement of law and discretionary non-enforcement;
- use of pardons, immunities, or procedural delays to neutralize accountability;
- invocation of security or emergency frameworks to justify exceptional authority.
- Together, these instruments preserve the appearance of legality while hollowing out the substance of accountability.

FROM DOMESTIC EROSION TO TRANSNATIONAL NORMALISATION

The normalization of this governance model has been accelerated by political convergence among leaders who frame legal accountability as an illegitimate constraint rather than a democratic safeguard. The political logic associated with the Make America Great Again (MAGA) movement in the United States, including attacks on judicial institutions, personalization of executive power, and the strategic use of pardons or immunity claims have reinforced similar tendencies elsewhere. In this sense, political leaders such as Israel's Prime Minister and Donald Trump exemplify a shared illiberal-democratic logic rather than a purely bilateral political alignment.

This logic has also extended beyond democratic contexts, most visibly through the rhetorical rehabilitation of leaders such as Saudi Crown Prince Mohammad bin Salman, whose international standing was explicitly restored despite credible allegations of state responsibility for the murder of Jamal Khashoggi. Together, these dynamics contribute to the global diffusion of governance models that privilege loyalty and power over rule of law constraint (Goddard & Newman 2024).

Key signals shaping the trajectory of impunity-based governance in Israel during 2026 include: Israeli election outcomes and coalition configurations, particularly the durability of governing coalitions dependent on far-right nationalist and religious parties; the pace and scope of legal reform legislation affecting judicial, media, and oversight independence; public dissent or resignation by senior legal, judicial, security, or economic elites; US congressional dynamics that sustain or weaken external political shielding; credit rating actions and capital flows reflecting market confidence in institutional stability; and major security escalations or de-escalations, including cross-border military actions or regional conflict expansion that may be used to justify exceptional authority.

STABILITY SNAPSHOT (2026):

- Structurally stable drivers: polarization, coalition incentives, weakened multilateral enforcement
- Fragile countervailing forces: elections, elite dissent, economic shocks, leadership health

POTENTIAL DISRUPTORS AND INFLECTION POINTS (2026)

Several developments could significantly alter the trajectory of impunity-based governance in Israel in 2026. These include legal incapacitation of Prime Minister Benjamin Netanyahu or a governing coalition collapse; a sharp deterioration in US political shielding, particularly through congressional action; major economic shocks, including credit downgrades or capital flight; and sustained mass protest that disrupts governance capacity. Less likely but transformative disruptions would include sudden leadership exit through death or incapacity, enforced international legal action against senior officials, or a major regional war reshaping alliance structures and strategic priorities. Several of these potential disruptors, particularly shifts in US political shielding, intersect directly with broader trends in declining US public and congressional support for Israel, addressed in a companion Trend Report on declining US support for Israel.

OUTLOOK: SCENARIOS FOR 2026–2027

Scenario A: Consolidated Impunity

Israel forms a stable governing coalition, likely reliant on far-right nationalist and ultra-Orthodox religious parties, that advances legal shielding for the Prime Minister, deepens institutional capture, and relies on continued great-power protection. Impunity becomes a governing principle, weakening already fragile international enforcement norms and emboldening similar strategies elsewhere. Regionally, this scenario would likely reinforce a security-first approach toward Gaza and the occupied West Bank, with limited incentive to alter military conduct or political strategy

toward Palestinians.

If this configuration consolidates following the elections, the absence of effective accountability constraints would make prolonged conflict management, territorial entrenchment, and selective escalation more likely than de-escalation or political resolution, further marginalizing Palestinian political agency and deepening regional polarization. Over time, such a trajectory would also heighten economic risk through reduced investor confidence, increased security expenditure, pressure on trade and financial relations, and the growing likelihood of market and credit responses to institutional erosion.

Scenario B: Corrective Pressure and Partial Re-Legitimization

Domestic resistance within Israel, elite pushback from legal, security, and economic institutions, economic pressure, shifts in US political leadership, or coalition fragmentation slow or partially reverse the most aggressive aspects of legal restructuring. Accountability pressures re-emerge but remain uneven, signaling that impunity-based governance is vulnerable to coordinated constraint but not decisively reversed. In this scenario, external pressure and internal recalibration could modestly reshape Israel's regional posture, creating limited space for conflict de-escalation or diplomatic re-engagement, without producing a fundamental shift in the underlying power asymmetry with Palestinians.

Scenario C: Fragmented or Patchwork Legitimacy

Israel evolves into a condition of partial international isolation characterized by selective alliance maintenance and incomplete domestic reform. Impunity neither fully consolidates nor collapses, producing legal ambiguity, political volatility, and uneven institutional authority. This scenario is not



At the time of writing, the balance of evidence indicates that impunity-based governance in Israel is not merely a latent risk but an accelerating trajectory

primarily dependent on the political fate of Prime Minister Netanyahu; rather, it reflects a broader structural condition in which leadership continuity, coalition instability, and contested legitimacy prevent either decisive consolidation of impunity or meaningful corrective reversal. Internationally, Israel would face fluctuating levels of engagement and pressure, while regionally it would manage persistent conflict with limited strategic coherence. At the time of writing, elements of this mixed condition are already visible, suggesting that Israel may remain in a prolonged state of fragmented legitimacy rather than moving decisively toward either consolidation or correction during 2026.

CONCLUSION

At the time of writing, the balance of evidence indicates that impunity-based governance in Israel is not merely a latent risk but an accelerating trajectory. Legislative and procedural initiatives are advancing at speed to limit judicial autonomy, weaken independent media, and constrain oversight institutions, signaling that key elements of institutional capture are already underway. Rather than opening space for meaningful corrective action in 2026, these developments suggest that Israel's governing system is actively moving away from the conditions under which legal, political, or

those indicating irreversibility rather than intent: the passage (not merely proposal) of legislation curtailing judicial or media independence; the durability of coalition configurations dependent on illiberal partners; the sustained sidelining or resignation of senior legal, judicial, security, or regulatory figures; and the continuation of external political shielding despite visible democratic erosion. Economic indicators, particularly credit assessments, capital movements, and private-sector risk behavior, will provide early warning of whether governance erosion translates into material constraint.

International legal mechanisms continue to operate, as demonstrated by recent convictions such as that of Ali Kushayb, a former Janjaweed militia leader convicted by the International Criminal Court for war crimes and crimes against humanity in Darfur, and the conviction of Roger Lumbala, a Congolese politician sentenced by a French court for crimes against humanity committed in the Democratic Republic of Congo. However, these cases also underscore the increasingly selective application of accountability, which remains far more feasible against politically isolated individuals and actors lacking strong international patronage (Belhaj 2024).



The most decisive signals to monitor are those indicating irreversibility rather than intent

electoral constraints could reassert themselves.

While all three scenarios remain plausible, current evidence points toward partial consolidation under fragmented legitimacy as the most likely trajectory for 2026, absent a major political or external shock. The most decisive signals to monitor are

Recent developments involving the United States and Venezuela further illuminate this selectivity. Calls to “end impunity” for figures such as Nicolás Maduro coexist with the selective invocation, suspension, or redirection of accountability constraints in other contexts. This does not reflect a renewed commitment to rule-based order, but rather the power-dependent activation of accountability, shaped by political alliances and political utility to powerful actors.

The broader implication is not that international

law has ceased to function, but that its deterrent power is being reshaped by alliance structures and geopolitical protection. Impunity-based governance thrives not on the absence of legal norms, but on the ability of powerful actors to discount or absorb their enforcement. In this sense, Israel's trajectory highlights a global shift toward an international order in which accountability is unevenly applied, strategically managed, and increasingly subordinated to power, alignment, and transactional interest.

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