

The Need for Provisional Military Government in Northern Gaza

written by Prof. Kobi Michael | 11.03.2024

- The allegations of a humanitarian crisis are subjecting Israel to greater critical pressure yet fail to touch on the core issue.
- The question of humanitarian aid has also been linked to the issue of “the day after” and has accordingly impeded Israel’s continued waging of the war, particularly with regards the preparations for a military campaign in Rafah, which forms a crucial prerequisite for achieving the war’s objectives and ending it.
- For the humanitarian aid to reach its proper destination, Hamas’s military and government capabilities across the entire strip must be eradicated. This necessitates Israeli control of the area, which would also make it clear to the people that the era of Hamas rule in Gaza is now over.
- In the current state of affairs, the only reasonable, relevant and effective option seems to be the establishment of a provisional Israeli military government, initially in the north of the strip and later, as the circumstances may allow, also in the center camps and Khan Younis area.
- Establishing a military government would serve three key purposes: First, it would provide the civilian population with the humanitarian aid it requires and would do so other than through UNRWA or Hamas, thereby preventing that aid from falling into Hamas’s hands or being looted by the masses. Second, it would debilitate Hamas and send a clear signal to the people of Gaza that Hamas is no longer an option for governing the strip after the war. Third, it would lay the groundwork and set the stage for introducing an international-regional administration that will assume the responsibility for administering the area and the population and for initiating the process of the strip’s rehabilitation, while also mentoring and training a local civilian administration unaffiliated and unassociated with Hamas.
- This process should optimally form part of a broader, more long-term vision, where a prospective alliance is to be based on the establishment of a new regional architecture providing both the Palestinians and Israel with new horizons.

The incident during which 118 Palestinians (according to a report from the Hamas Ministry of Health in Gaza) were crushed to death and run over while looting humanitarian aid trucks has become a sore point of contention between Israel and the U.S. and has occasioned pressures and criticisms both on the part of the international community and of sympathetic Arab countries. Allegations of humanitarian crisis are subjecting Israel to greater critical pressure yet fail to touch on the core issue.

The scope of the humanitarian aid entering the Gaza Strip, as well as that of the aid still waiting to enter due to restrictions imposed by UNRWA, is sufficient to meet the needs of the people. However, the bulk of that aid is being looted by Hamas, both for consumption by the organization's own members and for the purpose of selling it to the needy at exorbitant prices. This is the main reason for the Gazans' swarming of the aid trucks and this also what caused the incident in which Palestinians were killed during such an attempt. Aid airdrops fail to provide a proper response. And providing additional aid by sea, without a security system put in place by the IDF - thereby constituting an element of military government - would fail to solve this problem and would serve more as a PR ploy than an attempt to truly address the issue.

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Decision-makers in the U.S. and international community entities are presumably aware of the facts. It is clear that for the humanitarian aid to reach its proper destination Hamas military and government capabilities must be eliminated. Achieving this objective necessitates Israeli control of the area. This also would make it clear to Gazans that the era of Hamas rule in Gaza is over, eroding the widespread popular support enjoyed by Hamas, and in turn leading Hamas to the realization that it cannot as the governing power.

Some 200,000-300,000 civilians still reside in northern Gaza. Several thousand are terrorists and members of the Hamas apparatus. The IDF is still operating there to destroy terrorist infrastructures and eliminate terrorists, above and below ground. Despite the military achievements attained in that area, and despite the operational freedom of action enjoyed by the IDF and its impressive

intelligence capabilities, Hamas persists in its efforts to take military action, in the form of terrorist and guerilla strikes, while also recovering its civilian hold over the area.

The IDF is going to great lengths to transport humanitarian aid into the north of the strip, but Hamas continues looting aid trucks and Gazan crowds continue to swarm the convoys. Any food truck or convoy becomes a source of unchecked chaos and loss of human life. Even airdrops fail to solve the problem of distributing the aid. The U.S. airdrop campaign serves to signal the American dissatisfaction with Israel's conduct, causing the U.S. to effectively override Israel's strategy and curtail its area of operation. This sends a message both to Gaza's civilian population and to Hamas that the international pressure being exerted on Israel could yet bring about a premature end to the war before its objectives have been attained - which would signify a Hamas victory.

The range of options available for improving the current humanitarian situation remain limited. This impairs the international legitimacy of the IDF's continued campaign for attaining the war's objectives. It seems that only full Israeli control over aid distribution can solve the problem. Establishment of a provisional Israeli military government, initially in the north of Gaza, and later as circumstances may allow also in the center and Khan Yunis, is the only reasonable, relevant and effective option.

Israel has the operational and organizational capability to institute a provisional military government that will assume the responsibility for administering the area and the population.

Establishing such a military government would serve three key purposes:

First, it would provide the civilian population with the humanitarian aid it requires and would do so other than through UNRWA or Hamas, thereby preventing that aid from falling into Hamas's hands or being looted by the masses. This would be in keeping with the norms of international law and would also serve the purpose of increasing the IDF's operational freedom of action to attain the war's objectives.

Second, it would debilitate Hamas, do away with its remaining government and military capabilities in the area and send a clear signal to the people of Gaza that Hamas is no longer an option for governing the strip after the war. Such a signal

could certainly chip away at the organization's considerable remaining support among the strip's civilian population, increasing the domestic pressure exerted on it.

Third, it would lay the groundwork and set the stage for introducing an international-regional administration that will assume the responsibility for administering the area and the population and for initiating the process of the strip's rehabilitation, while also mentoring and training a local civilian administration unaffiliated and unassociated with Hamas.

Northern Gaza could be the first area to undergo these changes. The population's relatively small size, as well as Hamas's military weakness in that area, form a relatively advantageous foundation for establishing military rule. The Coordinator of Government Activities in the Territories is ready for instituting military rule and would know how to get the job done. A military government, as opposed to a civilian administration, is run by a military commander and backed by armed forces. That military commander, with the aid of professional entities from COGAT, would be able to find the ways to access relevant entities among the civilian population, to have them operate the civil aid mechanisms (or operate it in collaboration with them). The armed forces stationed in the area will secure the humanitarian activity and enable its optimization. Concurrently, the IDF will act to dismantle Hamas's remaining government and military infrastructures in the area, helping create a safer environment.

Israel must make it patently clear that the military government in question is temporary, and the process must be accompanied by advocacy and awareness-raising activity with the relevant target audiences (the international community, the Palestinian population in the Gaza Strip, the public in Israel, and Arab countries). Concurrently, Israel must act in close coordination with the U.S. and with major Arab countries in the region to channel the aid efforts and coordinate them through the military government and to lay the groundwork required for establishing an international-regional administration.

When the war ends, that administration will assume the responsibility for administering the Gaza Strip and its residents and for spearheading the process of the strip's rehabilitation, while also training a local administration which will then be delegated powers in gradual and responsible fashion, until it reaches functional independence. Israel must persuade its partners that this is a

necessary and temporary stage, clarifying the connection between the proposed process and a “day after” plan for Gaza.

This process should optimally form part of a broader, more long-term vision, where a prospective alliance is to be based on the establishment of a new regional architecture resting on the foundation of the normalization processes between Israel and Arab countries in the region, with an emphasis on Saudi Arabia. Israel must build a convincing case indicating that a new regional architecture would provide both the Palestinians and Israel with new horizons of the kind that is currently lacking, and which cannot be formed on the bilateral Israeli-Palestinian level which has long ago run its course.

That regional architecture must provide the framework for the profound change required on the Palestinian side, including the dismantling of the PA’s armed forces in Judea and Samaria, leaving them only the ability to carry out policing work and uphold public order; stopping the payments being made to jailed terrorists and their families; putting an end to the incitement pervasive in the curriculum and replacing their corrupt leadership with a different civil government. This is to be done concurrently with establishing a civil apparatus in the Gaza Strip, as two parallel processes taking place under absolute security control by the IDF both in Judea and Samaria and in the Gaza Strip.

Israel’s current avoidance of discussing the option of military government – let alone promoting such a course of action – is detrimental to the attainment of the war’s objectives, accelerates the continued impairment of Israel’s international legitimacy to continue the war, and reduces the likelihood of changing the regional architecture. Stagnation will merely serve to increase the current friction with the U.S. government and lead to the recurrence of deplorable incidents during the looting of aid trucks, putting lives at risk.

Ultimately, whether as a result of U.S. pressure to secure the humanitarian aid set to arrive by sea or following yet another escalation of the humanitarian situation, we would end up at the same outcome, against Israel’s volition and after suffering a heavy toll. Thus, in the absence of other relevant options, it is both proper and imperative that Israel act to shape the reality and take the course of action most necessary at this time.