



## The Institutional Paralysis in Asymmetric Conflict: Testing Neoliberal Institutionalism Through The Gaza Crisis

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### **Abstract**

*International institutions are usually regarded as the instruments that can be used to control conflict, enforce the international law, and safeguard civilians. According to Neoliberal Institutionalism, state behavior can be restrained, and humanitarian damage can be reduced through rules, norms, and interaction between institutions. These assumptions are critical in the Gaza crisis. International law adherence was extremely low and even with the existence of political, legal, and humanitarian institutions, there were still massive civilian sufferings. This research paper reviews the work of international institutions in the Gaza crisis to determine the disparity between the mandate of the institutions and empirical results. The study examines the roles of the United Nations Security Council, international legal institutions and humanitarian agencies using a qualitative analysis, which is informed by secondary data, which includes institutional reports, legal proceedings, and scholarly sources. The results indicate a tendency of institutional engagement that has not been enforced influenced by political paralysis, power asymmetry as well as geopolitical interests. Institutions were still functionally alive but substantively dead in changing the conflict dynamics or protecting civilians. The paper proves that institutional efficiency is very conditional and limited in asymmetric conflict. The Gaza case underscores the constraints of the neoliberal institutionalist expectations and more generally the issue of the ability of world governing frameworks to limit conflicts in circumstances of power domination.*

**Keywords:** Gaza Crisis, Neoliberal Institutionalism, Power Politics, UN, Security Council, Israel, Palestine

### **INTRODUCTION**

International institutional order, which developed after the Second World War, was established because of the notion that mass violence and humanitarian catastrophe could be prohibited by collective mechanisms. The United Nations and other institutions were established to control interstate wars and foster collaboration as well as enforce international law by taking multilateral

decisions and common standards. This structure was broadened over time to cover judicial organs, humanitarian organizations and legal systems to safeguard civilians in armed conflicts. Neoliberal Institutionalism asserts that cooperation is not just possible, but sustainable even in an anarchic environment due to the elimination of transaction costs, the provision of information, formation of expectations of reciprocity and internalization of states within rule-based structures by institutions. States are supposed to internalize compliance by means of repeated interaction, which is likely to occur when the strength of enforcement mechanisms is low. This reasoning has played a significant role in the establishment of humanitarian law, international courts and multilateral peace and security systems. The assumption made behind such arrangements is that even in highly volatile settings, the institutions can be able to moderate conflict behavior and safeguard civilians.

The Gaza conflict that intensified in October 2023 speaks to these assumptions on a deeper level. This paper argues that the Gaza crisis represents an 'organizational illness' where institutional visibility exists without substantive regulatory paper. According to reports of the United Nations, the breakdown of health services, acute food insecurity, and a hindrance in humanitarian access was reported during the conflict. Nevertheless, regardless of the constant international focus, institutional reaction could not stop the hostilities or provide stable protection to civilians. These events put into significant doubt the ability of international institutions to act as useful restraints on state action.

The origins of the crisis in Gaza are more rooted in the historical Israel-Palestine conflict that is characterized by decades of occupation, unsuccessful peace talks, and violence. This tension has since 1948 been unstable in the whole of the Middle East. This conflict was directly or indirectly connected to at least half a dozen major wars that took place in this region. Even though the region has international organizations like the United Nations (UN), the International Criminal Court (ICC), and the International Court of Justice (ICJ), the bodies have failed severally to prevent or even reduce the cycle of violence in the region.

The United Nations Security Council, which has been given the major role of ensuring peace and security in international system, largely remained numbed in crucial stages of the conflict. They suggested resolutions and discussed them but seldom voted on any binding enforcement actions that could have forcefully compelled a ceasefire. This stalemate was in the face of grand amounts of evidence of humanitarian disaster and legality apprehension. There were also restrictions on judicial institutions. Interim remedies of the International Court of Justice illuminated the legal requirements but could not be enforced, whereas the accountability mechanisms pursued by international criminal law were politically disputed and limited in their functioning. Humanitarian organizations and UNRWA were faced with extreme limitations to access, security challenges, and financial strains that weakened their capacity to respond to aid at the magnitude of the response.

According to a Neoliberal Institutional approach, such end results are an anomaly. The theory presupposes that the institutional density, law norms, and reputational costs must create partial compliance, even in the cases of asymmetric power. However, Gaza reveals that institutional processes showed no significant changes in the strategic decisions of major players. Such normative condemnation, legal clarification and humanitarian appeals did not translate into behavioral restraint. Rather, it seemed that the institutional requirements were trampled upon by geopolitical affiliations and strategic state interests.

This examines why and how the processes anticipated by Neoliberal Institutionalism failed to take place as assumed. Instead of discarding the institutional theory completely, the study employs Gaza as a stress test of the neoliberal premises to show under which conditions the

institutional effects are brought into failure. In so doing, the paper aims at contributing to a more realistic perception of the constraints of institutional governance in the modern conflict, especially in cases where great power interests are at stake.

### **Literature Review**

International affairs studies have very long examined the role and limitations of international organizations in periods of violent conflicts. Neoliberal institutionalism, as a vital theoretical framework within liberal thought, says that international institutions facilitate cooperation, reduce uncertainty and deter harmful state behavior through norms, rules, openness and repeated interactions between rational actors. However, empirical observations of contemporary conflicts challenge these assumptions, especially when institutions confront deeply asymmetric power relations and geopolitical interests. This literature review synthesizes scholarly work on neoliberal institutionalism, its assumptions and critiques, and evaluates empirical work on the Gaza conflict that highlights the apparent disconnect between institutional ideals and actual institutional performance.

The basic claim of neoliberal institutionalism is that international institutions can facilitate cooperation even under anarchy by reducing transaction costs, providing information and stabilizing expectations (Keohane, 1984). From this perspective, institutions acquire independent causal significance by shaping incentives rather than simply reflecting power. The theoretical expectation is that frequent negotiations and rule-based governance prevent unilateral behavior even among powerful states.

Keohane and Martin refine this claim further, saying that institutions matter most when they change information flows and increase the costs of defection. They argue that institutional constraints can be seen through patterns of compliance rather than formal authority (Keohane and Martin, 1995). This position is important because it presents institutional effectiveness as behavioral rather than coercive, a notion that has been tested in cases such as Gaza, where compliance remains weak.

Finnemore extends the institutional argument by emphasizing the social role of institutions and argues that the norms embedded in the institutions shape the state's interests themselves (Finnemore, 1996). From this perspective, institutions are expected not only to regulate behaviour, but also to redefine what actions are considered legitimate. The Gaza case challenges this expectation by revealing persistent violations of norms despite close institutional engagement.

Mearsheimer offers one of the most influential critiques of institutional optimism, arguing that institutions have marginal impact when great power interests are at stake. He argues that institutions cannot bind powerful states into high-security conflicts, because compliance depends on implicit power calculations rather than rules (Mearsheimer, 1994). This criticism directly anticipates the institutional paralysis seen in Gaza.

Krasner challenged the notion of institutional autonomy by demonstrating how sovereignty regimes are routinely violated when it is politically expedient. In this regard, institutions act selectively and are often overpowered by strategic imperatives (Krasner, 1999). This selective institutionalism is evident in Gaza, where legal and humanitarian norms coexist with systematic non-compliance. Acharya criticizes liberal institutionalism, arguing that global governance structures reflect hierarchical power relations rather than neutral rule enforcement. He argues that institutions often reinforce existing power asymmetries rather than reduce them (Acharya, 2014).

Analyzing international legal and institutional responses to Gaza, Finkelstein argues that enforcement failure, not legal ambiguity, explains persistent civilian harm. He shows how

institutional actors acknowledge violations while avoiding enforcement, creating a gap between recognition and accountability (Finkelstein, 2018). This suggests that there is institutional paralysis rather than authentic absence.

Bellamy examines the failure of the UN in civilian protection in cases such as Rwanda and Bosnia and argues that institutional mandates without political enforcement are structurally ineffective (Bellamy, 2009). Their analysis shows that patterns of failure are repeated across conflicts, suggesting systemic rather than case-specific deficiencies.

Paris criticizes peacebuilding institutions by showing how ambitious mandates routinely outpace political support. He argues that institutional design often ignores the realities of power and resistance (Paris, 2004). This criticism is similar to Gaza, where institutional ambitions have outstripped enforcement capacity.

The literature reveals extensive debate about institutional design, normative authority and enforcement failure. However, existing scholarships rarely integrate the core assumptions of neoliberal institutionalism with a systematic, case-based assessment of Gaza as a site of institutional tension. Gaza is often treated descriptively or normatively rather than analytically as a theory-testing case. This study addresses this gap by directly evaluating institutional behavior against neoliberal institutional expectations, by grounding theoretical claims in documented political, legal and humanitarian outcomes.

### **Theoretical Framework and Methodological Approach**

This study utilizes Neoliberal Institutionalism as a diagnostic lens to evaluate the strength of international institutions in high stakes security environments. While the theory posits that institutions provide independent transactions costs and internalizing norms of compliance, the Gaza crisis serves as a critical theory-testing case study to identify the limits of these assumptions.

Methodologically, this research employs a qualitative analysis of empirical indicators across three institutional pillars: political (UNSC voting records and veto patterns), legal (ICJ provisional measures and ICC jurisdictional reach), and humanitarian (UNRWA and OCHA operational data). By synthesizing secondary data from UN impact snapshots, legal proceedings from the international court of justice and peer-reviewed scholarly critiques, the study assesses the divergence between institutional mandates and ground level outcomes. This approach prioritizes a “stress test” of neoliberal premises under conditions of extreme power asymmetry and geopolitical paralysis, moving beyond descriptive reporting to offer an analytical critique of modern global governance.

The concept of absolute gains is another major element of the theory. Neoliberal Institutionalists believe that states are ready to cooperate when the institutions help them to reach mutually beneficial results, even if the relative gains do not become equal. Institutions therefore assist states not to think of short-term strategic advantages but long-term benefits. It is based on this that international legal and humanitarian regimes are expected to shape the behavior of states in armed conflict by instilling behavior in rule structures.

In addition, by means of socialisation and norm diffusion, institutions can internalise conformity as befitting conduct, rather than pure action based on self-continuation. This norm is especially pronounced in international governance systems that deal with civilian protection, international humanitarian law, and accountability systems.

Neoliberal Institutionalism presumes that compliance does not rely entirely on coercion enactment. Rather, legitimacy, legal obligation and reputational issues are perceived to be enough to shape behaviour. Authoritative power is consequently rooted in collective agreeability to rules and procedures and not material power. The international courts and humanitarian

agencies represent an illustration of this logic because their power is mainly on legal argument and moral authority but not on the capacity of their enforcement.

According to this framework, whenever violations are committed, such institutional actions as informing the law, passing denunciatory resolutions, or humanitarian appeals ought to exert corrective pressure. Frequent subjects to institutional scrutiny should eventually moderate the behaviour of states. In this regard, Neoliberal Institutionalism can be described as a relatively optimistic perspective on institutional resilience even in conflict environments.

### **Application for the Gaza Crisis**

When used to interpret the Gaza crisis, Neoliberal Institutionalism would dictate that violence, and civilians would be limited by the thick array of international institutions regulating armed conflict. Owing to the existence of the binding international humanitarian law, judicial institutions and humanitarian agencies, in accordance with theory, will diminish uncertainty, define what the law requires and create reputational costs of violations. Global arrangements like the United Nations resolutions, judicial and humanitarian organization of coordination are likely to influence state calculations by raising the political and normative expenses of non-conformity.

But the empirical fact of Gaza shows that it is very different to these expectations. Institutional responses failed to translate into behavioural containment and successful civilian protection despite the mobilization of legal forums and the expression of humanitarian norms. The international institutions issued decisions and recommendations that had no enforcement ability and were constantly outmaneuvered by the considerations of strategy and geopolitics. The predicted impacts of reputational losses and normative constriction did not emerge in a way that would have come in line with the expectations suggested by neoliberalism.

This result points out one of the fatal flaws of Neoliberal Institutionalism in the context of situations of the degree of power asymmetry. Institutions that required state approval and political support could not act without influential participants. Instead of influencing preferences, institutions were limited by the power structures, which they were supposed to control. This experience with Gaza, therefore, shows that the effectiveness of institutions is not only dependent on their design and legitimacy but the readiness by the mighty players to abide by the institutional constraints.

The Gaza crisis has not superseded Neoliberal Institutionalism as a broad theory of cooperation, nor does it disclose its frailty in high stakes security crises where old-established geo-political agendas are at stake. The fact that institutions have their own causal strength that the theory assumes is undermined when the institutional authority works against the strategic imperatives. In this regard, institutions seem to fail in the neutralization of power asymmetries which demonstrate the conditional character of institutional power.

The present study places Neoliberal Institutionalism in an empirically challenging situation by applying the case of Gaza to theory as a case study. The results indicate that although institutions can be useful in areas of low politics, they still have little ability to limit behaviour in violent conflicts. This observation forms the basis of the explanation of institutional paralysis and failure in the Gaza region without necessarily abandoning institutional theory.

### **THE UN SECURITY COUNCIL AND ITS FAILURE IN GAZA**

The United Nations is required by the UN Charter to secure international peace and security and its responsibility to identify threats and prescribe the actions needed to stop violence and create normative and enforcement systems competes with the UN Security Council (UNSC) which is endowed with the authority to maintain peace and security internationally. Neoliberal

Institutionalism is one of the institutional theories that would predict that a body like the Security Council must promote collective cooperation as well as impose restrictions on state behaviour even in the case of anarchy, by repeated interaction, rules, and reputational costs. Nevertheless, the reaction of the Council to the crisis in Gaza demonstrates that there is still a continuing inconsistency between the officially stated mandate and the ability to implement something significant.

Human suffering of catastrophic levels has been caused by the current crisis. According to the Gaza Ministry of Health and recorded in the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), most of the casualties of the ongoing attacks are civilians, including children; and estimates show that between 57,680 to 58,573 Palestinians have been killed and 139,607 injured since October 7, 2023 (United Nations, 2025). The fact that hostilities continued, civilians were attacked and humanitarian infrastructure was attacked signifies the extent of the damage institutions were supposed to handle.

All these figures highlight the urgency of humanitarian demand which, in the context of the neoliberal institutionalist expectation, should have caused impositional collective action. Rather, there was no success in institutional machinery to convert deliberation processes into violence restraints.

#### **Veto Politics: Evidence of Constraint Failure**

An additional structural obstacle to action by the Security Council has been the veto power fused repeatedly by permanent members, especially the United States. In September 2025, the Security Council introduced a draft resolution that required an immediate, unconditional and permanent ceasefire in the Gaza strip and the uplifting of humanitarian restrictions, which was approved by 14 out of 15 members but it was vetoed by the United States. This was at least the sixth U.S. veto of Gaza related resolutions since the war started in October 2023 (Reuters, 2025). The vetoes are recurrent, indicating the subordination of institutional regulations to geopolitical range of alignment. Draft resolutions with huge majorities never worked out into binding form because of veto blockage meaning that the decision-making of institutions is limited structurally wherein strong states opt to block allied behaviour. This trend cripples the neoliberal belief that institutions breed cooperation and limit behaviour through the processes of repeated interaction, demonstrating instead that enforcement is a matter of preference to power and not institutional imperatives.

Moreover, when it comes to the Gaza crisis, historical records of vetoed Security Council resolutions indicate recurrent actual veto power on the same issues of ceasefire and humanitarian access, which serves to strengthen a trend of institutional paralysis.

#### **Procedural Engagement without Enforcement Action**

Despite all these meetings and negotiations, the Security Council did, there was no enforcement outcome of its procedural activity in Gaza. Other resolutions, like the Resolution 2720 (United Nations, 2025), recommended access to humanitarian aid and the opening of border crossings, and yet they have no enforcement mechanisms that would impose penalties against compliance and create penalties against non-compliance (Nichols, 2025).

On the same note, Resolution 2728 that called on an immediate ceasefire during the month of Ramadan and insisted on unconditional release of hostages passed via majority vote yet still required additional political commitment that never translated into viable cessation of violence (United Nations, 2024). The continuation of high-level hostilities, and the lack of action taken by the parties, institutional utterances and resolutions of the situation, demonstrates that procedural engagement was not linked with enforcement capability.

This incoherence of procedure and substance is the focus of institutional performance judgment: the accumulation of deliberation does not in itself minimize violence or lack of civilians in situations where political and strategic interests take precedence in institutional command.

### **Humanitarian Access Restrictions as Institutional Weakness**

Another aspect of institutional failure is witnessed in humanitarian access into Gaza. The presence of aid flows despite agreements made by the UNSC and international humanitarian frameworks was grossly limited during the crisis. The pre-conflict averages of 500 aid delivery trucks also went down to just 37 trucks per day in October 2024 in reference to the dramatic restrictions to food, fuel, medicine, and other necessities delivery (World Bank, 2025).

The number of trucks delivering the required destinations even with ceasefire agreements which compensated for the obligation of up to 600 aid trucks a day was barely covered, as just 216 trucks made it to the desired destinations between October 10 to 16, 2025 (TRT World, 2025).

These numbers illustrate that the institutional norms that mandate humanitarian access are not held in cases where access is still politically and militarily restricted. The unhindered aid can be requested by institutional bodies and is also very patchy because they have no means to implement these norms and thus humanitarian assistance can never be reliable, and they may mostly not be able to sustain basic needs.

### **Civilian Harm and Institutional Inaction**

There is always a cumulative report that mass civilian harm persisted despite the continued institutional involvement. As demonstrated by the OCHA and MoH data, tens of thousands of Palestinians were killed and injured during several years of conflict. As an illustration, by the middle of 2025, more than 55,637 Palestinian civilians had been killed and more than 129,880 injured, highlighting the severity of the humanitarian crisis (ReliefWeb, 2025).

These loss of lives went hand in hand with frequent reports of attacks on civilian shelters, IDP voluntary meetings, and even humanitarian distribution centers despite them being marked by UN humanitarian updates. On-going aggression, limited access to aid delivery and limited humanitarian activities are some examples of how the institutional mandates to protect civilians failed to be operationalised.

The proposed pattern can be used to argue that the expected protective effects of institutional involvement in discussions, reporting, and resolutions have not been achieved, thus demonstrating the presence of a normativity authority-empirical impact gap.

### **Structural Consequences for Institutional Legitimacy**

There are implications for repetition of vetoes, use of limited humanitarian access and the ongoing suffering of masses of people on the credibility of the Security Council as a focal institution of international governance. Its failure to impose a ceasefire or guarantee unhindered assistance amidst severe human destruction implies that institutional power lies in the political desire of strong states instead of based on regulations, standards, or human rights.

The issue of institutional legitimacy in international relations is based on the view that institutions may influence outcomes in any meaningful way. By recurrently failing in turning deliberation into action, institutions may become viewed by critics as precincts of expression and not protection or conflict control, which builds on the skeptical depictions of institutional efficacy.

### **Judicial Interventions: The Gap Between Legal Norms and Enforcement**

The foundation of the institutional framework that Neoliberal Institutionalism would need to be is the international courts. They exist with the notion that even the state behaviour can be moulded through legal conventions and judicial processes even on strong players. The main

judicial institution of the United Nations is the International Court of Justice (ICJ), which is empowered to render a binding decision in cases between states-states and to declare what the law of International Law requires. The foundation of the International Criminal Court (ICC) was created as a result of the Rome Statute, which concentrates on those who cause genocide, the crimes against humanity, and the war crimes, to achieve a forum that holds them accountable, which overcomes the national jurisdictions.

As Institutions, these courts are meant to discourage breaches of international humanitarian law (IHL) and human rights by providing avenues of legal commitments that are hard to cheat/bypass by states and armed actors. The courts are to be used as means of uncertainty reduction, compliance reinforcement and reputational and legal costs of non-compliance by passing binding judgments or by launching criminal inquiries. The force of institutionalised judicial practices and the mere existence of formal legal norms based on neoliberal institutionalist logic ought to cause behavioural changes to conform to legitimacy by individual states or face the threat of diplomatic isolation.

### **ICJ: Provisional Measures and Limited Enforcement**

The ICJ is empowered by the UN Charter and the Statute of the Court and its judgments on disputing matters have binding powers among the interested states. Individually, In January 2024, South Africa submitted proceedings in court at the ICJ against Israel for alleged breaches of the Convention on the Prevention and Punishment of the Crime of Genocide. In reaction, the ICJ passed tentative measures that demanded Israel to undertake measures to block actions in the gamut of the Genocide Convention, as well as guarantee humanitarian supply to the afflicted communities (ICJ, 2025).

The tentative actions highlighted the normative powers of the Court and legality of the duties of the states. But sovereign measures on the implementation of ICJ do not exist. States provide the willingness to comply, and the Security Council provides an enforcement measure in case states do not behave in a manner that is compatible with compliance. Practically, this compliance connection has been loose, especially where the permanent members of the Security Council are not willing to entertain measures against allied states. As a result, even though the provocative steps of the ICJ were legal, there was no real implementation to act to guarantee the adherence or even to change the behavior of belligerents in Gaza. The impact of the involvement by the ICJ was rather symbolic than practical.

A scholarly discussion of the power of an ICJ stresses that the authority of the Court is inherently defined by the power and consent of states. Shelton believes that ICJ is largely unable to generate compliance because of political factors and the strategy of states. Powerful states might ignore or only apply decisions in situations where there is core interests involved, which cannot be realized without any concrete penalty (Shelton, 2000).

The case of Gaza is not an exception. The judicial lucidity that was offered by the ICJ failed to correspondingly translate itself into behavioural restraint or into humanitarian access. Rather, alignment to politics and power imbalance defined how the provisional measures were going to be responded to, thus restricting their functional applicability.

### **ICC: Jurisdiction, Political Contention, and Practical Limits**

ICC is a permanent court body that can take international personalities into investigation and prosecute them on serious international crimes whereby the national systems are unable and unwilling to act. The fact that Palestine was a party to the Rome Statute enabled the ICC to exercise territorial jurisdiction over what was happening in Gaza resulting in official investigations of possible war crimes against humanity (International Criminal Court, 2024).

The commencing of ICC investigations was regarded as a legal breakthrough since it marked the institutional acknowledgement of the accountability problems that resulted due to the conflict. Nonetheless, the practical effect of the jurisdiction of ICC was minimal. The use of arrest warrants, state collaboration with the process of investigation, and the capacity of the ICC to place the indictees in custody all require state and political collaboration. The inability of the ICC to have its way is a significant problem when powerful states do not just collaborate but openly protect associates or allies.

The mechanisms used in enforcing the ICC are lacking whereby powerful states are not joining the Rome Statute or whereby political interference intercepts cooperation. Bosco points out that the ICC is susceptible to geopolitical limits in its jurisdictional reach, and diplomatic opposition due to its dependence on cooperation with states (Bosco, 2016).

The ICC steps in the situation in Gaza did not lead to arrests, and prosecution was far-fetched since no major states cooperated. Neoliberal logic required criminal accountability to produce the deterrent effect, which it did not do. This is marked by failure to translate jurisdictional authority into real-life consequences, indicating the gap between institutional design and on-the-field enforcement.

### **The Disconnect Between Legal Norms and Behaviour**

The ICJ and the ICC both demonstrate a more general institutional trend that the norms of legal practice are stated and explained, but they are instantiated by political goodwill and not judicial power. This dislocation goes against the belief that institutionalised legal structures will generate obedience merely out of collective assumptions and through recurring contact.

The normativity of international law frequently lacks “teeth” since its enforcement mechanisms are subjected to politics. Koskeniemi argues that the legal order becomes a matter of power relations, thus the stronger the states, the more they can adhere to the law as they make some alignment between legal requirements and their strategic interests (Koskeniemi, 2005).

The tendency of the powerful states to be reluctant to provide backing to enforcement or permit arrest and prosecution of parties involved in violations influenced the course of the legal institutional interaction in Gaza. Instead of reinforcing norms, legal institutions turned into arenas of political contestation having very little sway over behaviour.

### **Implications for Civilian Protection**

The difference between the legal pronouncement and practical implementation had direct speculations on the protection of civilians. Under certain situations, legal accountability mechanisms can be preventive when they affect the costs of violation calculations of the actors. This was not the case in the Gaza crisis, where no enforcing mechanisms were in place to make the legal proceedings of the strategically cost-benefit analysis of the party’s change. Legal agencies offered records and normative guidelines, yet they did not penalize and constrain them to modify combat operations or safeguard civilians. The outcome was a legal process that had no association with the reality of conflict dynamics.

### **Theoretical Implications: Legal Institutionalism Under Stress**

The experiences that the ICJ and ICC had in the Gaza conflict highlight the challenges and limitations of legal institutionalism as imagined by neoliberal institutionalism. The NLI suggests that legal normativity, combined with institutional processes, can shape state behavior even under grave circumstances. However, legal institutions’ reliance on state cooperation and political support suggests that legal authority alone is insufficient to enforce compliance. When geopolitical interests outweigh legal imperatives, legal institutions lack the necessary coercive mechanisms to ensure compliance with their decisions or to translate jurisdiction into accountability.

The failure of legal institutions to achieve meaningful change in Gaza underscores the contingent nature of institutional influence. Legal norms retain moral and historical significance, but their power to shape behavior is heavily mediated by political and strategic considerations. This suggests that neoliberal institutionalism may overestimate the ability of legal institutions to limit behavior in contexts where power inequality is prominent.

### **Humanitarian Institutions and Operational Breakdown in Gaza**

The humanitarian agencies are required to deliver lifesaving aid to the people, contain and enforce the international humanitarian law (IHL) and offer protection to civilians in areas of conflict through the application of the United Nations Relief and Works Agency for Palestine Refugee (UNRWA), the United Nations Office for the coordination of humanitarian affairs (OCHA), the Red Cross (ICRC), the World Health Organization (WHO) and the World Food Programme (WFP). These organizations have principles of their work which are based on the principles of neutrality, impartiality, and even humanitarian need to protect people who are affected during the war.

Neoliberal institutionalist views presuppose that these norms, developed in legal frameworks and the working mandates, need to support cooperation and effective humanitarian protection even in the case of aggressive circumstances. In Gaza, however, institutional norms have suffered serious operational limitations, which have rendered the fulfilment of their protective mandates impossible.

### **Restricted Humanitarian Access and Barriers**

However, whereas there have been many calls to have free humanitarian access, the actual aid deliveries have always been fewer than the agreed levels. There was a designation of access constraints to thwart lifesaving aid by the UN and humanitarian partners through the long-standing conflict. As an illustration, a survey of 35 aid agencies a year later into the crisis revealed that 89% of aid agencies were experiencing increased restrictions in the delivery of aid despite an order by an International Court of Justice to allow further access, suggesting that there was a severe lack of connection between legal requirements and practical application. Agencies allegedly denied, delayed and blocked required cargo despite normative and legal frameworks to open humanitarian corridors (Oxfam International, 2025).

These limitations are verified by operational data: following partial ceasefires, the daily average humanitarian aid truck entries are still important under the agreed standards. The Associated Press story indicated that despite the ceasefire agreement of 600 aid trucks per day, real entries registered around 459 trucks per day between mid-October and the beginning of December 2025 without the extra restrictions as indicated by UN agencies which registered even less trucks per day missions (Frankel, 2025). Such a failure proves that the official coordination failed to guarantee adherence to ceasefire conditions or humanitarian requirements.

These restrictions to access had a direct detrimental effect on the working of humanitarian organizations to expand their assistance in proportion to need, which demonstrates an operational manifestation failure that cannot be ascribed exclusively to the complication of logistics but to political and security management of entry points.

### **Humanitarian Conditions and Institutional Responses**

Humanitarian measures in Gaza indicate severe hardships despite the long-lasting institutional interaction. The Ministry of Health (MoH) in Gaza, published in UN reports on the humanitarian situation, stated that more than 67,680 civilians had been killed and about 169,841 civilians had been injured between October 7, 2023, and October 2025, marking the extent of civilian adversity. These numbers account for 773 deaths of civilians seeking to receive aid and more

than 5,101 injuries in such situations, which has underlined the risk that humanitarian access operations are not safe (OCHA, 2025).

OCHA noted that there were intense limitations on water, sanitation and hygiene (WASH) and most families had less than the minimum daily water demands. Poor WASH services also led to the incidence of waterborne diseases underscoring the additive impact of institutional ineffectiveness to uphold basic services.

Limitations on access were also detrimental to nutrition programming. In late 2024, partners of UNRWA and WFP announced that supplementary feeding programmes were disrupted among women, specifically among pregnant women and children under five years in northern Gaza because access to critical locations was lost, hindering the provision of specialized nutrition ration (OCHA, 2024). Such distortions are coupled with cases of acute malnutrition in children despite continued institutional interactions.

The average statistics indicate that institutional presence was not a reflection of operational impact in line with humanitarian requirements. The continual unpeaceful accessibility, refusal of the mission support, and logistical barrier illustrates a methodical theme of limited operational performance.

### **Institutional Breakdown and Staff Hardship**

The institutional protection mechanisms operational collapse is further demonstrated by the reported effects of the conflict on humanitarian personnel. As reported by the monitoring of OCHA, 565 aid workers, including 370 staff members of UNRWA, 1 staff member of WHO, and few other staff members of ICRC and other organizations were killed between October 7, 2023, and October 2025 (OCHA, 2025). Such staff casualties indicate the level of insecurity at which humanitarian actors have to work, along with inability to establish safe humanitarian spaces by institutional structures.

Also, reporting by Reuters in mid of 2025, the UNRWA employees such as doctors and humanitarian workers had died of hunger and exhaustion as circumstances became hostile (Reuters, 2025). This is an indication of not just an operational overload but a breakdown of institutional mechanisms to secure the very same actors required to implement aid, as reflected in such documented breakdown in the humanitarian workforce.

These examples indicate that humanitarian organizations were unable to keep their staffing needs afloat, which compromised the fundamental tenets regarding the institution's ability to withstand stress.

### **Legal Obligations versus Political Realities**

International humanitarian law requires the parties to ensure quick and unhindered movement of humanitarian assistance to the needy civilians. But in Gaza real life operations failed this duty many times. In-country reports of the United Nations Office at Geneva in the middle of 2024 pointed that the restriction of access persisted to hamper humanitarian movements throughout Gaza, and missions have been repeatedly refused, postponed, or diverted despite the official notification channels. UNICEF warned that untreated children with acute malnutrition would otherwise go untreated in the event of inability to supply them because of such limitations (The United Nations Office at Geneva, 2024).

The lack of fit between normative responsibility and operational fact discloses that legal structures and humanitarian provisions failed to lead to effective protection or aid of vulnerable people in mass. Political and security conditions overturned the institutional processes meant to ensure humanitarian access, showing the weakness of institutional power in asymmetric wars.

### **Structural Implications for Humanitarian Performance**

All the evidence presented jointly of limited access, disastrous humanitarian practices, personnel casualties, and a failure of the institutions to assume the legal duty demonstrate the fact that humanitarian bodies in Gaza failed to be effective bottlenecks of misery. Although agencies were still recording needs, organizing reactions and promoting access, their work was still tied to political and military ownership of territory and logistics.

Structurally, these functional limitations play out the situation whereby institutions in the absence of either enforcement or power are made reactive, as opposed to protective. The inability of institutional structures even to guarantee safety of passage, logistic security, staff protection, or even provision of basic requirements, indicates that humanitarian imperatives are not linked to capacity to execute them where the political environment is hostile.

This goes to affirm the main thesis that humanitarian protection in Gaza was not achieved despite institutional involvement since the institutional power was limited in its capacity to enforce its mandate but by power relations.

### **ANALYSIS AND DISCUSSION**

The crisis in Gaza shows failure in political, legal, and humanitarian institutions. The institutional pillars worked within the framework of their formal mandated duties, but none of them yielded any results that could contain violence or even protect the civilians. The Security Council was paralyzed, but was procedurally involved. Obligations were expressed by the legal institutions but were not enforced. The humanitarian agencies would still operate, but they lacked security and political support. Such failures are occurring concurrently. It proposes not a dysfunctional episode, but an organizational illness whereby effectiveness is broken when institutional power is challenged with resultant power inequity.

In these areas, visibility was created unchecked by institutional involvement. Meetings were called, declarations made, law action announced, and relief provided at minimal level. But all these measures did not change the strategic environment, which determined the conflict. The violence persisted; there was still limited access and the injured number of civilians increased. The institutional system was still there but fruitless, which brought out a discrepancy between institutional activity and the effect of the institution.

#### **Institutional Mandates Versus Political Reality**

One of the key trends which have come out because of the Gaza case is the lack of convergence between institutional requirements and political reality. The international institutions are designed providing that legal power, mutual decision making, and normative pressure can bring about compliance. These mechanisms were not effective in practice in cases where they conflicted with the strategic interests of powerful states.

The structure of the Security Council lets permanent members exert influence on the enforcement mechanisms since their political inclinations are decisive. The collective action stagnated when these preferences were different. Law enforcement and cooperation were not as independent and so legal institutions relied on the same political actors to transform rulings into compliance. The humanitarian organizations were dependent on political mandate and the donor aid, which was determined by geopolitical factors. In both cases, institutional power was subjugated to political affiliation.

This trend shows that institutional performance lacks autonomy. Instead, it depends on the goodwill of influential actors to be constrained. In the absence of such goodwill, institutions merely operate procedurally but are deprived of their regulatory ability.

### **The Failure of Normative Constraint**

Norms within law, humanitarian values, and collective expectations provide much influence to international institutions. The aim of these values and norms is to influence behaviour through imposition of reputational costs and moral pressure. In Gaza normative condemnation was not translated into behavioural change. Cases of violation were reported in large numbers, but the pattern of behavior was mostly the same.

The fact that violence remains a common occurrence in the face of almost consistent normative reproach implies it must be the case that reputational costs were discounted or put differently, it could be that reputational costs were subjugated by strategic rationales. Institutional norms did not have the form of coercive power to disregard military goals or alliances. Consequently, norms acted as orientations and not restraints.

This resultantly casts doubt on the hypotheses of the uniform application of norm internalization in contexts where actors have existential or strategic stakes. Normative pressure seems to be inadequate to influence the change in behaviour especially where there are no enforcement mechanisms.

### **Fragmentation and Forum Substitution**

With the failure of the primary institutions to deliver outcomes, the institutional involvement became disconnected in a variety of forums. The resolutions passed by the General Assembly were met with a huge majority, international courts gained centrality in matters of legal mobilization and humanitarian agencies took up more advocacy functions. Although these changes were an attempt to balance out paralysis in the Security Council, they also increased institutional diffusion as opposed to consolidation.

Division weakened power in a group. Courts of law passed judgments that lacked implementation, political forums passed resolutions that lacked implementation and humanitarian institutions documented harm without gaining access. Institutional efforts worked side by side rather than complementing each other, and each one was limited by the lack of a central agency of implementation. This decentralization of authority undermined the overall unity of the institutional response.

### **Power Asymmetry as a Structural Condition**

The Gaza crisis highlights the concept of power asymmetry as a structural provision that determines the consequences of the institution. Institutions exist in a system of uneven distribution of influence though they are formally universal. The powerful states have the ability to block, dilute, or disregard institutional action without much cost. Weaker players do not have such leverage to force compliance.

This imbalance is institutionalized, especially in the Security Council, but also in the legal and humanitarian arenas, as in dependence on enforcement and dependence on donors. What comes out of this is an institutional order that is seemingly neutral but actual. The application of institutional rules is uneven, and adherence is based on political affiliation and not necessity by law.

### **Implications for Institutional Theory**

The Gaza case reveals the conditionality of institutional effectiveness. Institutions fail not because they do not have mandates, norms or expertise. When such conditions do not exist, they fail to work. Asymmetry of power, and the veto, combined with political orientation, become the defining aspects of the effect of restrained institutional influence.

This discussion implies that institutional theory must be more specific when it comes to explaining the contexts in which institutions lose their limiting capacity. Civilian protection, cooperation and compliance are not the automatic products of institutionalisation. They are

based on political circumstances, distribution of power, and readiness to enforce. Where such aspects are not in unison, the governance of the institution turns out to be performative and not regulatory.

### **Synthesis of Findings**

Combined, this evidence on Gaza indicates a trend of an institutional presence devoid of institutional power. Political institutions discussed without executing, legal institutions judged without enforcing, and humanitarian institutions helped without defending. The system worked but it did not rule.

This trend does not mean that institutions are irrelevant in every situation. Instead, it emphasizes their weakness when conflicts prevail in which the strategic interests are dominant. Gaza shows how institutional structures can be deactivated without being dismantled such that it leaves a structure that may look intact but lacks the ability to influence what happens.

### **CONCLUSION**

This analysis demonstrates the Gaza crisis in the realms of the institutional performance of international institutions with special interest to the political, legal, and humanitarian institutions incorporated in the modern global government system. It was analysed whether international institutions could possibly achieve their declared mandates of conflict regulation, legal responsibility and security of civilians in an environment where extreme power difference and geopolitical rivalry characterised the situation.

In all the reviewed areas, it was found that the institutional design-empirical outcomes appear to be still lacking. International institutions were still active and visible, but their interventions translated into no significant restraint of violence, international law compliance, and effective civilian protection. The Gaza crisis therefore became one of the occasions where the presence of institutions went hand in hand with institutional paralysis.

Political stalemate and power of veto prevented the Security Council, though repeatedly engaged, to use its enforcement authority. The law clarified responsibilities and took them to court but did not have the tools necessary to force compliance and hold people responsible. Humanitarian agencies have been operating in remarkable circumstances and could not receive protection, access, or scale awareness of civilian demands.

Combined, these results indicate that there is a systemic issue and it is not the fault of the institution alone. Institutions never fell in administration, and neither were they outside of the crisis itself. Instead, they did so under the riddles introduced by political affiliation, strategic and enforcement dependency. What the outcome was, is an institution order that could be documented, debated upon, and offer some help, but could not regulate or guard.

These findings have significant implications on institutional theory. They propose that the restraining ability of the international organizations is not homogenized as well as unguaranteed. Enforcement mechanisms, political consensus and readiness by powerful actors to accept constraint form the basis of institutional effectiveness. The Gaza crisis illustrates the weakness of theories that focus on norms, rules and repetitive interaction without encouraging power inequity and tactical prioritisation. When institutions work in favourable conditions cooperation is possible, however when political motives clash with institutional directives, institutions have difficulties operating as independent regulators. This does not make institutions irrelevant. Instead, it emphasizes the necessity of a better context-sensitive realization of when and how institutions act with influence and how they become procedurally active but substantially ineffective.

In the policy sense, the research findings indicate that there is a need to realign institutional mandates with plausible enforcement mechanisms. In the absence of this alignment, institutional responses will be more likely to be reactive, not preventive. Enhancing civilian protection needs to go beyond normative devotion; it needs political support that can turn legal and humanitarian principles into action.

The dangers of donor dependency and politicized humanitarian funds are also highlighted in the study. The analysis suggests policy implications such as de-politicized funding model for humanitarian agencies like UNRWA to be effective. Humanitarian operations require sustained and unconditional support to be effective and independent institutions to run their operations in a hostile environment. Further studies may build on this investigation by conducting comparative case studies on the performance of institutions during conflicts of different power set-ups. These compliance patterns across conflicts which can be assessed quantitatively can also help to refreeze institutional theory.

The Gaza crisis shows that international institutions can continue with their functioning and losing their ability to govern at the same time. Rules can be expressed in legal terms, humanitarian ideals reinforced, and political procedures maintained but results are dictated by power and not regulations. This paper emphasizes the structural framework within which institutional governance deteriorates and the inability of civilian protection.

These limits are critical both in theory and practice. Devoid of addressing the association that exists between power and institutional authority makes ineffective any attempt at enhancing global governance, as it ends up recreating structures that seem valid and unsuccessful at the point when they are most required.

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