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**The Obama Administration's Intervention  
in UN Resolutions on Palestine**

**Rana Khaled Qasem Zakarneh**

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**The Obama Administration's Intervention  
in UN Resolutions on Palestine**

Prepared By:  
**Rana Khaled Qasem Zakarneh**

B.Sc. English Literature  
Birzeit University / Palestine

Thesis Supervisor: Dr. Mohammad Abu-Koash

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## Thesis Approval

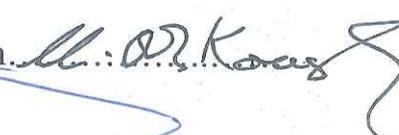
### The Obama Administration's Intervention in UN Resolutions on Palestine

Prepared By: Rana Khaled Qasem Zakarneh

Registration No: 21612848

Master thesis submitted and accepted, Date: 15/12/2018

The names and signatures of the examining committee members are as follows:

1. Head of Committee: Dr. Mohammad Abu-Koash. 
2. Internal Examiner: Dr. Daniel Terris. 
3. External Examiner: Dr. Michelle Murray. 

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## Declaration

I certify that this thesis submitted for the degree of Master, is the result of my own research, except where otherwise acknowledged, and that this study (or any part of the same) has not been submitted for higher degree to any other university or institution.

Signed .....

A handwritten signature in blue ink, appearing to read 'Rana Khaled Qasem Zakarneh', written over a dotted line.

Rana Khaled Qasem Zakarneh

Date: 15/12/2018

*Dedicated to the Inspiring*

*Dr. Rami Zakarneh*

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## **Abstract**

The Obama administration's intervention in UN resolutions on Palestine was inevitable and it did have many implications for the process of finding a suitable solution for the Palestinian-Israeli conflict. This intervention took various forms and also went through different frequencies depending on the general political context and some other factors; such as the pressure exerted by the American pro-Israel lobbying groups. From this perspective, this thesis demonstrates how extensively the Obama administration opposed UN resolutions related to Palestine; especially during the first term (2009-2012), and also outlines the changes in Obama's UN policy toward Palestine during his second term (2013-2016). The major focus in this thesis is UN resolutions on Israeli settlements and Palestine's UN membership.

## تدخل إدارة أوباما في قرارات الأمم المتحدة المتعلقة بدولة فلسطين

إعداد:

رنا خالد قاسم زكارنه

إشراف:

د. محمد أبو كوش

### الملخص

لقد كان تدخل إدارة أوباما في قرارات الأمم المتحدة المتعلقة بدولة فلسطين أمراً حتمياً، ونجم عنه العديد من الانعكاسات على عملية إيجاد حل عملي للصراع الفلسطيني - الإسرائيلي. كما اتخذ هذا التدخل أشكالاً مختلفة وتأثر بعدة عوامل كالسياق السياسي العام وبعض العوامل الأخرى؛ مثل الضغط الذي تم تنفيذه من قبل جماعات الضغط الأمريكية الموالية لإسرائيل. من هذا المنظور، توضح هذه الرسالة مدى قوة معارضة إدارة أوباما لبعض قرارات الأمم المتحدة المتعلقة بفلسطين، ولا سيما خلال فترة الرئاسة الأولى (2009-2012)، كما توضح أيضاً التغييرات في سياسة أوباما في الأمم المتحدة تجاه فلسطين خلال فترة الرئاسة الثانية (2013-2016). ويصب التركيز في هذه الرسالة على قرارات الأمم المتحدة في مجالين رئيسيين وهما: المستوطنات الإسرائيلية وعضوية فلسطين في الأمم المتحدة.

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## **I. General Framework of the Research**

### **A. Introduction**

The US had a considerable influence over UN resolutions on Palestine during Obama's presidency (2009-2016). This influence affected the Question of Palestine and also caused a delay in Palestine's status upgrade in the UN. However, few changes occurred during Obama's second term (2012-2016) with regards to the approach adopted by his administration at the UN; turning it from a one-sided policy that mainly supports Israel (during the first term) to another one that takes into consideration the concerns of the Palestinian side. Therefore, studying the evolution of the Obama Administration's intervention in the UN is essential toward understanding how the international system represented by the UN reacted toward issues related to the Palestinian-Israeli conflict.

For many years, the US had a major role in interfering in the work of the UN on different levels; starting from the point of the establishment of the UN, to interfering in the process of drafting and voting for resolutions on different matters. Thus, in order to fully understand the overall influence of Obama's administration on UN issues related to Palestine, there is a need to tackle the factors that shape the American UN policy, Obama's policy in particular. These factors may vary based on their source; whether it is domestic or foreign. They are also affected by the political context and the internal and/or external pressure.

Taking all these factors into consideration, this thesis aims at outlining the Obama Administration's influence on some specific UN agenda on Palestine. It focuses on specific UN documents: SC draft resolution S/2011/24, Palestine's application for UN membership, GA resolution 67/19, and SC resolution 2334. Analyzing these documents from both the political and legal aspects will be the key to understand the American attitude toward them,

in addition to studying the language used in Obama's speeches and comparing it to other famous speeches by Jewish leaders. For instance, the US has interfered in Palestine's UN status for many years, causing a delay in obtaining the non-member observer status, and blocking Palestine's attempts to gain its full UN membership. This American attitude is basically a result of different motives that occurred as a result of a specific political context. Therefore, this thesis aims at answering questions regarding Obama's intervention in UN issues related to Palestine, by first providing a brief description of the general frame work of the UN, GA and SC in particular, secondly by shedding a light on the dimensions of the Obama administration's UN policy on Palestine, including the impact of Trump's election.

## **B. Thesis Problem**

This thesis will investigate the changes in the Obama administration's attitude at the UN regarding issues related to Palestine; particularly the issue of Palestine's UN membership and Israeli settlement expansion.

## **C. Thesis Questions**

This thesis mainly aims at answering the following questions:

1. What is the core work of the UN and its two main organs; the GA and SC?
2. How does voting take place at the UN?
3. How much influence does the US have on UN resolutions regarding Palestine?
4. Did Obama try to help resolve the Palestinian-Israeli conflict through the UN?
5. How much influence did the American pro-Israel lobbying groups have on Obama's UN policy?

6. What influence did the election of Trump have on Obama's UN policy during his second term?

#### **D. Significance of Study**

This study is important for it will provide a comprehensive review of Obama's intervention in UN resolutions on Palestine when it comes to Israeli Settlements and Palestine's UN membership. In addition, the study will look into the main differences between Obama's UN policy during his first term and during his second term; in light of the influence of some major political factors.

#### **E. Hypotheses**

1. If a SC draft resolution is lawful but against the interests of the US or its allies, an American veto will be the reaction thereto.
2. The US does influence the attitude of other states at the SC.
3. The political context affects the American attitude at the UN.
4. Obama's stated policy regarding solving the Palestinian-Israeli conflict is contradicted by his administration's actions on the ground.
5. Obama's policy during his second term was critical of Israel.
6. The election of Trump influenced Obama to take decisions in favor of Palestine.

## **F. Thesis Objectives**

The main goal of the thesis is to develop an approach of the American influence on the UN core duties and procedures during Obama Administration (2009-2016) when it comes to resolutions on Palestine. The other objective of the current thesis is to provide a comprehensive review of some UN resolutions concerning the question of Palestine, and the role the Obama Administration played in either blocking or passing them. The selected documents to be studied represent two important issues; Palestine's status in the UN and Israeli settlements. Moreover, this thesis aims at demonstrating the changes in the Obama Administration's attitude in terms of the political context of these resolutions, as well as the influence of the American pro-Israel lobbying groups. In particular, this thesis has the following significant sub-objectives:

1. To provide a basic overview of the UN work and the voting system in the GA and SC.
2. To review historical milestones in the US-Palestine relationship at the UN.
3. To outline the Obama Administration's influence over UN resolutions on Palestine.
4. To analyze the legal framework and the political context of some UN resolutions during the Obama Administration, as well as the language used in the texts of each document.
5. To review the different variables that led the Obama Administration to behave in a certain manner toward these UN resolutions; including the political context, specific moral standards, and the influence of the American pro-Israel lobbying groups.

## **G. Research Methodology**

The main research method for this thesis is the analytical review of some UN-related documents: specific UN resolutions on Palestine, Obama's speeches at the UN, few other speeches at the UN as well as other political events. In addition, this thesis uses previous literature on the general work of the GA and SC including the mechanism of adopting UN resolutions, as well as the history of US-Palestine relations at the UN, with a major focus on the Obama Administration's influence over UN resolutions on Palestine. This thesis was also implemented through conducting personal interviews with Palestinian and American politicians and analyzing their opinions in light of the political context and the language used in UN resolutions and speeches. The interviewees are:

### **In Palestine:**

- Dr. Nabil Shaath (Advisor to Palestine's President on Foreign Affairs and International Relations).
- Ambassador Fida Abdelhadi (Deputy Permanent Observer of the State of Palestine to the United Nations).

### **In the US:**

- Payton Knopf (Former Spokesman at the US Mission to the UN under then-Ambassador Susan E. Rice).
- Dr. Abdelhamid Siyam (Former UN Spokesman and Chief of UN Arabic Radio, currently Lecturer at the Center for ME Studies at Rutgers University).

## **H. Literature Review**

The American intervention in UN resolutions on Palestine is inevitable and it occurs as a result of many factors. This thesis aims to shed light on this subject by focusing on the Obama administration and the role it played in influencing UN resolution related to Palestine. In order to do so, UN documents will be studied as well as previous scholarly work. These sources vary from covering the basics of the UN work and its voting system, to discussing the history of the of the American intervention in the UN with a particular focus on the Obama administration's intervention, and the reasons that caused this intervention.

**The core work of the UN** is very clear as mentioned in its Charter (1945), which provides a comprehensive overview of the purposes and principles of the UN, as an organization aimed at creating a better world. The UN Charter does provide a detailed description of the UN organs, as well as specifying the procedures by which states join the organization as members, and the responsibilities they have to fulfill as a result of their membership. This Charter stands as the basic source, which this thesis draws on while trying to explain specific UN procedures and the American intervention with them. Similarly, the UN website provides insights on the structure of the UN and a thorough description of the different functions the UN organs perform, which helps understanding the differences between the GA and the SC; as they are the major focus of this thesis.

Therefore, explaining the structure of both the GA and SC, as well as their work mechanism is necessary for understating the way the US attempts to interfere in them. Keohane (1966) and Lall (1975) described the nature of procedures implemented at the GA and how states deal with them from a political perspective. Thus, they discussed how states negotiate certain procedures and use the GA as an umbrella for implementing specific political agreements. This behavior, as useful as it might be, may also have negative consequences as Lall (1975) argued that the GA "succeeds as a negotiating forum only when

the process of diplomacy takes on a conciliatory tone which assures that all parties involved feel their interests are taken into account” (p. 63). Hence, this provides hints on the possibility of finding two sides to each action taken in the UN.

On the other hand, Gruenberg (2009) presented the process of finalizing SC resolutions and how states get affected by them, especially when there is consensus among the SC members except for one that chooses to use its veto. The latter is explained in the UN Charter, and also through the Security Council Report Website (2017), which provides detailed information on all vetoes. This was helpful in recognizing the American vetoes each by its year and subject. In addition, Brazys & Panke (2017) explained the voting system at the UN and how states attempt to use informal ways to gain the needed votes. A special focus on that was provided by Alexander & Rooney (2017), who discussed the American experience in buying votes at the UN. Moreover, Hwang, Sanford and Lee (2015) propose that temporary members of the SC receive favorable treatment from the IMF, the World Bank, or the US foreign aid in exchange for their political support for the permanent member, the US, and that the distribution of foreign aid is strongly influenced by donors’ political desire to draw cooperation from recipient countries. This leads to question the reliability of the work of the UN as well as the states that follow this path while dealing with other states.

**The US-Palestine relationship at the UN has some specific historical milestones,** which are well explained by Chamberlin (2015) through illustrating the context of Yassir Arafat’s GA speech in 1974 and its implications. In addition, Anderson (1990) described the UN events of 1988, when Arafat addressed the GA and the US opposed his speech. Anderson also outlined how the Swedish government was involved in indirectly connecting the Palestinian and American governments to talk. Sarsar (2004) also stressed on the fact that the US had its own interventions in UN resolutions on the Palestinian-Israeli conflict, starting from 1947 and the passage of GA resolution 181 on the partition plan of Palestine. On the

other hand, Voeten (2015), Walt (2016) and Prifti (2017) explained Obama's attitude toward Palestine from a perspective focused on specific theories of international relations; Realism and Liberalism. The authors had different opinions on that since they described different political events, which led Obama to behave in different ways; through following the most suitable theory of international relations at every political endeavor.

Hence, **Obama's UN policy during his first term** differs from the policy he adopted during his second term on various levels. To illustrate this, Anderson (2012) argued that the US policy during Obama Administration was focused on expanding the notions of engagement and multilateralism, but only through the UN, not all international organizations. The Author stressed on the fact that Obama's policy was polarized, partisan, and also contradictory since it always aimed at engaging in the GA and SC, but to obstruct the main vehicle of UN values, leading to weaken the American influence. Moreover, Hammond (2016) discussed Obama's role in the Palestinian-Israeli conflict regarding the two-state solution and the Israeli settlements expansion. The author condemned how Obama worked toward maintaining the security of Israeli settlements, in contrary to his stated belief that they stand as an obstacle to resolving the conflict. Hammond's outlining of Obama's intervention in the Palestinian-Israeli conflict is well-explained and clearly documented; since it provides fundamental insights on Obama's policies and his failure at solving the conflict. In addition, Hammond's focus on the different factors that prevented ending the conflict-- despite the fact that both Israel and Palestine declared their wish to obtain peace, provides hints on a possible approach to be followed by future leaders to help end the conflict. In addition, Rosen (2011) explained the relationship between Obama and the Palestinian President Mahmoud Abbas with regards to the Palestinian attempts to secure a UN recognition of Palestine as a state back in 2011, and how the Obama administration opposed the UN bid. The author also described how Abbas and the Palestinian Authority thought that the peace process did not

result in the needed peace, and that is why the Palestinian leadership decided to go to the UN and pursue the full membership. On the other hand, Prifti (2017) elaborated the differences between Obama's promises and his real actions, in attempts to explain the contradiction in Obama's policy during his first term.

**Obama's UN policy during his second term** was slightly different in terms of the approach Obama adopted. Terry (2017) discussed that the changes in Obama's policy in his second term happened due to different factors including Netanyahu's bitterness over the Iran deal and his anger over Obama's attempted rapprochement with the Palestinians. One major milestone occurred on December 21, 2016, when Obama abstained on (SC resolution 2334) that called for a halt to all Israeli settlements, emphasizing that existing settlements have no legal validity and are a clear violation of international law. Moreover, Freedman (2017) explained how Obama aimed at preventing the construction of Jewish housing in East Jerusalem and the West Bank, which weakened the US-Israeli relationship, and led to the US abstaining on SC resolution 2334, in contrary to vetoing previous resolutions critical of Israel. Judis (2014) also explained how the Obama administration was not satisfied with the continued Israeli settlement expansion and thus it became critical of the Israeli government. Metz (2017) and Welsh (2017) shed the light on the fact that the election of Trump affected Obama's policy and directed him to be more supportive of Palestine. The authors argued that Trump's ceaseless attempts to criticize Obama's policy as well as his promises to fully support Israel might have influenced Obama to impose specific changes on his policy toward the Palestinian-Israeli conflict. One of those changes is mentioned by Welsh (2016), as he discussed Obama's decision to sign a six-month extension of the presidential override to prevent the implementation of a Congressional mandate on moving the US embassy from Tel Aviv to Jerusalem, since this was among the many promises declared by Trump during his presidential campaign.

In order to better explain the Obama administration's intervention in UN resolution related to Palestine, **specific UN documents** need to be outlined and thoroughly discussed, and the primary focus of this thesis is two major issues: Palestine's UN membership and Israeli settlements. Application of the State of Palestine for admission to UN membership is one major document for it contains specific language that was written with careful attention to the international law and previous UN resolutions. This fact opened the door to question the refusal the application received from the Obama administration, as well as the American negative vote on GA resolution (67/19), even though the majority of states voted in favor and thus resolution (67/19) was adopted and granted Palestine a non-member observer status in the UN. In addition, few other GA resolutions need to be discussed to further explain the American intervention in resolutions on Palestine. One of these GA resolutions is resolution 337 (uniting for peace), which explains a crucial exception in the core work of the SC; as this resolution grants the GA the ability to interfere in security issues in case the SC fails to fulfill its duties. In addition, GA resolutions 3236 and 3237 of 1974 were adopted despite the American negative vote. Their importance comes due to the fact that they made the PLO an internationally accepted organization representing the Palestinian people, since resolution 3237 includes granting the PLO the UN observer status. The last GA resolution to be focused on through this thesis is 43/177, which was adopted in 1988 and it "acknowledges the proclamation of the State of Palestine by the Palestine National Council on 15 November 1988." All these GA resolutions help draw the full picture of the Palestinian journey at the UN, and discussing the language used in them and the political context will help fulfill the overall aim of this thesis.

In addition, some SC resolutions on Palestine will also be studied in order to discuss the way the Obama administration reacted toward them. Three major SC resolutions on Palestine were adopted: 446, 465 and 2334. The first two were adopted during Jimmy

Carter's presidency and the last one during Obama's presidency, but all of them discussed the issue of Israeli settlements. On the other hand, this thesis discusses another six SC draft resolutions on Palestine, which were all vetoed by the US. In 1997, the SC failed to adopt two draft resolutions on Israeli settlements: 199 and 241, as well as SC draft resolution 24 in 2011; due to the American veto, in addition to SC draft resolution S/2014/916. The latter two resolutions were tabled during Obama's presidency; therefore, studying them will help explain Obama's UN policy toward Palestine. Also, other SC draft resolutions are reviewed: S/2017/1060 and S/2018/516; in order to give an overall glance on the American intervention in issues related to Palestine. Furthermore, this thesis depends on few UN press releases and meeting coverage documents, for the purpose of containing detailed information on the way by which states reacted to certain draft resolutions.

Most importantly, analyzing **Obama's speeches** is necessary to understand his administration's attitude toward Palestine and the factors that shaped that attitude. Thus, studying Obama's speeches, each in its own political context, gives insights into the announced American policy during the Obama administration, and also helps to compare it to the actual actions on the ground. Obama's famous Cairo speech contains major signs of strengthening the relationship between the US and Arabs, which draws hints on Obama's policy as the new president. Moreover, Obama's speeches at the UN in 2009, 2011, 2013, 2014, 2015 and 2016 present the changes in his policy over the course of his presidency, which help draw a line between the uttered words and the actual actions in light of the different political factors that lead the Obama administration to behave in a certain way at the UN.

In addition, **speeches delivered by other prominent political figures** will be studied as well for various reasons. Arafat's famous *Gun and Olive Branch* speech illustrates the Palestinian approach toward the conflict and the vision the PLO had to end the conflict. Also,

Arafat's press conference statement in 1988 pinpoints the conditions that were set by the US in order to start a dialogue with the PLO. On another hand, two memos published by AIPAC discuss the necessity for bilateral negotiations instead of the steps the Palestinian leadership takes at the UN. Clear connection can be made between these memos and Obama's speeches and his constant advices to the Palestinians to return to the negotiations table instead of drafting UN resolutions critical of Israel. Moreover, analyzing some speeches by Netanyahu, Susan Rice and Samantha Power is essential toward figuring out a comprehensive picture of Obama's UN policy toward Palestine; by comparing the language in each speech. Kerry's last speech by the end of Obama's second term is important to discuss as well; for it provides clear explanations of Obama's second term policy toward the Palestinian-Israeli conflict as much as it provides hints on the reasons of the changes in Obama's policy compared to the policy he pursued during his first term.

## **I. Abbreviations**

United Nations: UN

General Assembly: GA

Security Council: SC

Palestine Liberation Organization: PLO

The American Israel Political Affairs Committee: AIPAC

The American Jewish Committee: AJC

## **II. Basic Overview of the UN**

### **A. Brief Description of the UN, GA & SC**

The United Nations (UN) is an international organization with 193 Member States working according to certain purposes and principles specified in the first chapter of the UN Charter. Since its establishment in 1945, the main purpose of the UN has been to “maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace,” and also to “develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples,” as well as achieving “international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.” In order to serve these purposes, Member States shall act in accordance with specific principles. These principles include, inter alia, “the sovereign equality of all its Members,” the condition that “all Members shall fulfill in good faith the obligations assumed by them in accordance with the present Charter,” they also “shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered,” as well as giving “the United Nations every assistance in any action it takes in accordance with the present Charter” (UN Charter, 1945).

The UN fulfills its mission through its main organs, which are: the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council (which suspended operation in 1994), the International Court of Justice and the Secretariat, as well as its specialized programs such as the UNDP, UNICEF, UNHCR, WFP, UNRWA, and its specialized agencies: FAO, UNIDO, WHO, UNESCO, ILO and others (UN Website, 2018). As an international organization, the UN pursues its work through its Member States, by

providing the secretarial and technical services for discussion and thus providing the space for governments to negotiate, plan some agreements and therefore solve problems together. The UN performs its functions through its organs and offices, which are spread in different regions; New York, where the headquarters is located, and other three offices in Geneva, Nairobi and Vienna (UN Website, 2018).

Ever since the creation of the UN, many geopolitical factors have affected its mechanism, the area of focus regarding international issues as well as the procedures by which resolutions pass. The world polarity changed, which had its impact on the UN; in terms of the ability of certain states to influence the decisions and priorities of other states. The Soviet Union collapsed in 1991, which affected the balance of global powers and thus gave the US a margin to be more dominating. Abdelhamid Siyam, Former UN Spokesman, states-- in a private interview, that “the UN went through three stages; the first stage is called the bipolar stage, which lasted from the establishment in 1945 until the end of the Cold War in 1991” (A. Siyam, personal communication, July 24, 2018). During that stage, the US and the Soviet Union were the two main hegemonic states in the world, and each one tried to use the UN for its own benefits. The second stage, however, is the unipolar, which started in 1991 and had the US as the only dominant force. Siyam claims that in that stage “the US was able to launch the war on Iraq and to impose sanctions on Libya.” However, this stage came to an end by the early 21<sup>st</sup> century as new powers emerged , for example; the BRICS and the European Union, and other States such as China, India and Japan started showing their presence, leading to shape the third stage; the multipolar, which is the current stage of the UN life cycle.

The main organ of the UN is the General Assembly (GA), which is responsible for the policymaking and is represented by all 193 Member States. An annual GA regular session commences in September, at which important issues get discussed and a two-thirds majority

of the members present and voting is required for important decisions to pass, while decisions on less important questions are by simple majority. However, Special Sessions may be conducted if necessary, as it is mentioned in the fourth chapter of the UN Charter: “the General Assembly shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations” (UN charter, 1945). In addition, an Emergency Special Session can be convened when the SC “fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression” (Resolution 377A(V), 1950), provided that this session shall be called if requested by the SC on the vote of any nine members or by a majority of the Members of the UN.

On the other hand, the primary responsibility for the maintenance of international peace and security is given to the Security Council (SC). Decisions are made as a result of the votes of its 15 Members (5 Permanent and 10 non-Permanent members), and all UN Member States are obliged to comply with these decisions. According to Article 23 of the UN Charter, the five Permanent Members are the People’s Republic of China, France, the Union of Soviet Socialist Republics (Russia now), the United Kingdom of Great Britain and Northern Ireland, and the United States of America (UN charter, 1945), while the 10 non-Permanent Members are elected by the GA every two years, and “when the two-year term of a non-Permanent Member concludes, it is not eligible to be immediately re-elected” (Gruenberg, 2009, p. 475). The elections to the SC occur by geographical region, and “of the 10 rotating Members, three UN Member States represent Africa on the Council, two Member States represent the Asia-Pacific, Latin American and Caribbean, and Western Europe and advanced industrialized

nations groupings, and one nation represents the Eastern European region” (Alexander & Rooney, 2017, p. 2).

In contrast to the GA, meetings of the SC are not fixed or limited, but the Charter requires a SC meeting at least every 14 days, as an answer to a “request made by either a SC Member, the GA, the Secretary General, a circumstance dictated by the United Nations Charter or an initiative by the President of the Security Council” (Gruenberg, 2009, p. 476). While the GA elects the 10 non-Permanent of the SC members, it, however, does not interfere with SC decisions; even though during the formation of the UN Charter in 1945, proposals were presented to allow the GA to take role in that process, but they were “judged to be too cumbersome and likely to inhibit decisive actions by the Security Council” (p. 476). Therefore, the idea of involving the GA in the SC proceedings was not accepted.

### **B. Voting System at the UN: Basic Dynamics & Some Flaws**

The voting system at the GA differs from that at the SC. As for the GA, Article 18 of the UN Charter states that “each member of the General Assembly shall have one vote,” it also specifies that “decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting.” Issues to be discussed at the GA vary and thus include—but are not limited to-- the election of the non-Permanent members of the SC, as well as the suspension of the rights and privileges of membership. However, “decisions on other questions shall be made by a majority of the members present and voting,” provided that the GA votes on resolutions if requested by at least one State, and States can make four choices: “favoring a norm- yes vote; opposing a norm- no vote; expressing neutrality or indifference- abstain vote; or remaining absent from voting altogether” (Brazys & Panke, 2017, p. 539). On the other hand, the SC pass resolutions that

support various actions including the use of force, and its voting system takes a different approach than the one at the GA; since the SC Members are categorized into Permanent and non-Permanent Members. Hence, the nature of the voting system at the SC, as it is mentioned in Chapter V, Article 27 of the UN Charter, revolves around the principle that each Member State of the 15 has one vote only and “decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members, and decisions on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members.”

SC resolutions should be accepted by all states. This seems vivid through analyzing the language used in SC resolutions; for example, the usage of phrases like “decides” and “confirms its determination” makes the resolution more compelling with a strong binding force and a sense of compulsory adherence by all Member States. Therefore, draft resolutions go through many editing sessions until they evolve into a shape that is acceptable by Member States, and thus be ready to be submitted for a vote. This scenario may apply to GA resolutions as well, as Robert Keohane (1966) points out: “most resolutions offered in the General Assembly go through a series of changes that are promoted through informal suggestion and, more rarely, through formal amendment” (p. 25). Therefore, the space for effective negotiation, which the UN fundamentally offers, may occur informally; in order to ensure that the final draft resolution to be voted on will be favorable to as many Member States as possible. This basically happens through opening a diplomacy path between States and offer them the chance to negotiate the language of the resolution. Thus, proposals submitted by States contain compromises in order to achieve a final draft text that is acceptable by the majority of States.

For instance, in 2018, Kuwait proposed a SC draft resolution; (S/2018/516), which called for the protection of the Palestinian civilians, following the mass killing of protesters at

the Gaza border on the 14<sup>th</sup> of May 2018. Siyam states that “Kuwait negotiated so much, on every word, and they watered it down so much. The US wanted to include terrorism and Hamas by name. Kuwait said we are not talking about Hamas, we are talking about protection of the Palestinians” (A. Siyam, personal communication, July 24, 2018). Many States were involved in drafting the resolution, including European and African States, which proves that a space for negotiating the language of the draft resolution existed and thus the majority of the SC members voted in favor, to 1 against (United States), and 4 abstentions: Ethiopia, Netherlands, Poland and the United Kingdom (SC 8274<sup>th</sup> Meeting, 2018).

However, such negotiations might generate a process that is not mentioned in the UN Charter; as the vote trading, which can be considered a flaw in the UN voting system. The fact that some issues are fundamentally very crucial to certain States leads those States to act according to their needs-- instead of working according to the UN principles-- and thus agree to exchange favors with other States through voting alongside the States that vote with them. This process might have negative consequences; such as creating a space for States to fulfill their needs through voting according to favors not to UN principles, which is a clear damage to the main UN purpose of creating a just and a better world.

In addition, mutual needs and priorities of specific States lead them to form some coalitions inside the UN, which lead to formulate decisions aimed at satisfying and benefiting these States and their allies. This means that States with mutual interests, sources of power, purposes and/or needs may collaborate aiming to pass or block certain resolutions. Such a coalition can be a double-edged sword for it either makes it easier for certain States to stand with just causes; such as the Group of 77 and China, which is a coalition of developing nations aimed at promoting the collective economic interests of its Member States through enhancing the negotiating capacity in the UN (G-77 Website, 2018), or it might result in UN intervention with international issues in a way that contradicts the affirmed UN mission of

creating justice in the world. For example, the alliance between the US and its neighbor country Canada against resolutions on the Palestinian-Israeli conflict can be considered a representation of the second form of these coalitions, which fundamentally stands against the UN principles.

Also, the UN voting system may be flawed since temporary members of the SC receive a better treatment from the IMF or the World Bank in exchange for their political support for permanent members; such as the US (Hwang, Sanford and Lee, 2015). This assumption contradicts what the UN Charter calls for in Article 2: “the organization is based on the principle of the sovereign equality of all its Members,” since it does not help achieve equality for all States, nor it allows States to act neutrally; for Member States that benefit from the IMF or the World Bank might be influenced to behave similarly with permanent States, rather than standing for the UN principles and the international law. In addition, Member States might be distracted by the process of attracting more financial aid and forget about the main purpose of their existence at the SC, which is helping find solutions to international conflicts and thus creating a better world, which will result in creating a serious flaw in the work of the UN and an atmosphere of corruption in the organization. Therefore, one can observe that a clear contradiction occasionally lies between the UN stated mission and the real actions of some of its Members.

### **C. The American Approach at the UN: Practical Context**

The previously-explained structure and functions of both the GA and the SC raise some questions regarding the dominating States at the UN and the nature of their power. First, the fact that the GA is represented through all 193 Member States leads to question the influence of each of these States on the decision-making process, especially that “the arena of international politics in which the GA exists is militarily dominated by a small number of powerful nations” (Keohane, 1966, p. 5). Thus, Member States with exceptional powers, as the US, may try to dominate the decision-making process at the GA. This claim can be further explained through studying the influence of the American aid to specific States, which lead these States to ally with the US and agree upon the American goals. On this regard, Siyam assures the previously-stated assumptions and thus explains that “applying pressure on smaller States is a very common practice at the United Nations by the big powers, who try to lure smaller States to their side” (A. Siyam, personal communication, July 24, 2018). This pressure takes different forms as it might be imposed financially, politically, or even militarily, and “threats of retaliation of one sort or another usually need not be made explicit. Often it is sufficient that the smaller state is aware that big brother is watching” (Keohane, 1966, p. 19).

However, the US cannot buy the support of all GA Member States on each and every decision, taking into consideration that the UN is currently in the multipolar stage, where many developing countries were able to join the GA as Member States. These countries face many similar struggles, which they aim to find common solutions for. They thus choose to ally with each other toward enhancement of their countries, leading to reduce the influence of the US in the GA; since they are united on one front. Furthermore, some States follow moderate political stances in the GA; therefore, their role is crucial toward preventing powerful Member States from dominating the GA. The fact that new States were able to gain

membership made it more difficult for the US to satisfy all regional groups at once; African, Asia-Pacific, Eastern-European, Western- European, Latin American and Caribbean. These groups may not have mutual interests with the US at all times, thus the US cannot buy their votes as easy as it used to when the UN was first established, especially when it comes to issues that some countries of these groups stand fully against; such as Venezuela's and South Africa's position toward the Israeli occupation of Palestine.

As a result of the changes that occurred during the multipolar stage, the US dominance at the GA became less strong than it used to be in previous stages, which basically led the US to focus their efforts in the SC. This UN organ "shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken," (UN Charter, Article 39, 1945) it is thus permitted to take crucial security decisions, which accordingly qualify the 15 SC Members to have control over the world's peace and security, especially the 5 Permanent Members with their right to "Veto". The latter is the most significant distinction between Permanent and non-Permanent Members in the UN Charter, and it basically means that a draft SC resolution shall be disapproved, if faced with at least one veto by any of the 5 Permanent Members (Security Council Report Website, 2015).

Since the US is a Permanent SC Member, it accordingly has the freedom to veto any SC draft resolution that is not compatible with its national and/or foreign interests, or if it imposes a threat on any of its allies; such as Israel, leading to meet the interests of specific States rather than achieving the desired purpose of the SC, which is international peace and security. Taking this assumption into consideration, the first hypothesis of this thesis is: if a SC draft resolution is lawful but against the interests of the US or its allies, an American veto will be the reaction thereto. For instance, SC draft resolution (S/2017/1060) was tabled at the SC by Egypt on the status of Jerusalem and thus reaffirmed that "any decisions and actions

that purport to have altered the status of Jerusalem have no legal effect, are null and void and must be rescinded,” and it was supported by 14 SC members, yet the US chose to shield its main ally, Israel, and present its veto, preventing it from being adopted. In fact, along through the years, the US has proved to veto many SC draft resolutions on Palestine, even when some of these resolutions were supported by the majority of the SC Members. This constant vetoing stands as an evidence that the US supported its main ally; Israel, at the UN regardless if all other 14 Member States supported the draft resolution on Palestine or not. According to the Security Council Veto Report, the US used its veto at the SC 84 times during the 1970-2017 period; 43 vetoes were against draft resolutions related to Israel, and 29 of them were against draft resolutions on the Palestinian-Israeli conflict.

However, in such incidents, the veto can be challenged at a GA Emergency Special Session, if the session was requested by the SC on the vote of any seven, *now nine*, members or by a majority of the Members of the UN, as it is mentioned in Resolution 377A(V); adopted in 1950 and entitled: Uniting for Peace. Ever since the adoption of this resolution, ten emergency special sessions were conducted, the last of them was on Palestine. Larry Johnson (2014) states that “the tenth emergency special session on Palestine began in 1997 and technically can still be resumed.” Therefore, Palestinians have a chance of overriding an American veto, since the 10<sup>th</sup> emergency session is still open. In fact, “Palestinians have utilized this resolution very well on issues related to security and protection; such as the Israeli Separation Wall, but not on all issues” Siyam states (A. Siyam, personal communication, July 24, 2018).

In addition, the US may also tend to use its influence in the SC and pressure some Members not to vote for a SC draft resolution; in order to make sure it does not get the needed nine affirmative votes, and thus the US will not need to present its veto. For instance, in 2014, a SC draft resolution (S/2014/916) was submitted for a vote and it aimed at setting a

deadline to establish a sovereign Palestinian State. However, the draft resolution failed to receive the nine votes that are needed for it to be tabled in the 15-member body. Siyam explains how the US pressured Nigeria not to vote for the draft resolution so it will not gain the 9 affirmative votes and thus the US will be spared the use of its veto, which indeed happened (A. Siyam, personal communication, July 24, 2018). John Kerry, the US Secretary of State at that time, reached out to many senior foreign officials, including the president of Nigeria, to have them stand against the resolution, and he “worked to line up enough abstentions from American allies like South Korea and Rwanda so that the United States would not have to wield its veto” (Gordon & Sengupta, 2014). This incident proves the second hypothesis that the US does influence the attitude of other States at the SC.

### **III. The US and Palestine in the UN: A Diplomatic Battle Field**

#### **A. Prior to Obama: Historical Milestones at the UN**

The history of the American intervention in the Question of Palestine goes back to 1947, before the creation of Israel in 1948, when the US voted in favor of the partition plan for the land of Palestine. The partition plan, which can be considered as the beginning of the Palestinian-Israeli conflict, took place at the GA, and the US made its decision to support “the November 29, 1947 passage of UNGA resolution 181 on the Future Government of Palestine, which gave birth to Israel” (Sarsar, 2004, p. 462). Consequently, in the year after, Israel was established on the 15<sup>th</sup> of May 1948, and the US was the first country to recognize it. This American recognition of Israel was the very first step toward the construction of a strong bond between the two nations, which was strengthened further along through the years.

Another milestone in the US-Palestine relationship at the UN took place in 1974, when the President of the GA, Abdelaziz Bouteflika, invited Yasser Arafat, the former Chairman of the PLO, to deliver a speech at the GA in New York. Arafat’s famous “Gun and Olive Branch” speech, delivered on the 13<sup>th</sup> of November 1974, was hopeful of the establishment of one democratic state for Muslims, Jews and Christians, all together on one land; as he spoke: “let us work together that my dream may be fulfilled, that I may return with my people out of exile, there in Palestine to live with this Jewish freedom-fighter and his partners, with this Arab priest and his brothers, in one democratic State where Christian, Jew and Muslim live in justice, equality and fraternity” (Arafat, 1974). These words of Arafat were basically a reflection of the PLO Charter and the vision that Palestinians had in 1974 of a one state for all.

Nabil Shaath, Advisor to President Mahmoud Abbas on Foreign Affairs and International Relations, comments on this event, during a private interview:

There was not much support for this step among the Palestinians. There was still a lot of discussion whether to do that or not. Also, the United Nations did not have, at that time, a good reputation among Palestinians. The UN adopted only two resolutions that should have been helpful to the Palestinians; the partition resolution (181) and the return of refugees resolution (194), but they were not implemented. Maybe because the US was the major power at that time. So the United Nations became the organization that accepted what Israel did, and the best it did against it is to give money to the refugees. For many Palestinians, the UN was nothing but UNRWA. (N. Shaath, personal communication, July 29, 2018)

Yet, Arafat considered this opportunity the best thing to do at that stage of the Palestinian-Israeli conflict, despite the fact that the US was not fully in support of the invitation. Arafat's decision to address the UN must have been a reaction to his desire to attract the international support and help solve the Palestinian-Israeli conflict, especially that 27 years had passed since the UN partition plan of 1947, and no real implementation occurred, nor a Palestinian State was created as it was planned thereon. Therefore, Arafat must have felt that it is thus the responsibility of the UN to interfere again and help solve the conflict, as it did interfere before in 1947.

For the US, Arafat's speech at the GA did not include the language required by the them; and it contradicted their goal of securing an independent Israeli State; "Secretary Kissinger was not charmed by Arafat's overtures, nor was he pleased with the PLO's new diplomatic position" (Chamberlin , 2015, p. 250), indicating that Arafat's appearance at the GA did not get in line with the American discourse of protecting the sovereignty of the State of Israel, and it further escalated the gap between the Palestinian and American leaderships,

leading Kissinger to conclude that “a solution to the West Bank problem was unachievable short of change in PLO attitude or the reappearance of the Jordan-option.” This attitude of the US proves their crystal-clear support for an Israeli State, while intending to stand against the establishment of the State of Palestine, especially that Kissinger declared after Arafat’s speech that “this assembly is no longer an international body; it’s a forum for an anti-Western sentiment.”

Furthermore, on the 22<sup>nd</sup> of November 1974, the GA adopted resolutions 3236 and 3237, despite the US vote against them. The resolutions reaffirmed “the inalienable rights of the Palestinian people in Palestine and emphasized that their realization was indispensable for the solution of the question of Palestine” and gave the Palestine Liberation Organization “PLO” observer status at the UN. These resolutions practically made the PLO an internationally accepted organization representing the Palestinian people, which opened the door for the PLO to reach out to other international organizations and seek a similar status. In fact, the adoption of these resolutions provides hints on Arafat’s desire to attend the GA and address it. It seems that Arafat must have had a clue that these resolutions will be adopted, and the observer status is thus guaranteed, which made him take the effort to travel and deliver a speech, despite the Palestinian people’s decreased trust in the UN.

As a result of these resolutions, the relationship between the US and Palestine was aggravated much further; and the conflict escalated after Arafat declared the establishment and independence of the State of Palestine in Algiers on the 15<sup>th</sup> of November 1988. In that year, the US-- under Reagan’s presidency, refused to grant Arafat a visa to enter the US, and thereby prevented him from attending the General Assembly Session. This behavior of the US proves how hostile it was toward Palestinians, even when it comes to the multilateral arena not only the bilateral. Consequently, the GA had to vote, on the 2<sup>nd</sup> of December 1988, to move its session from New York to Geneva; in order to ensure Arafat’s presence and

ability to deliver his speech. In spite of the US vote against this resolution, it overwhelmingly passed, and the session was held in Geneva that month.

In the meantime, between the period 3<sup>rd</sup> -13<sup>th</sup> December 1988, indirect secret talks were held between the PLO and the US through Sweden. Jim Anderson (1990) states that “Swedish Foreign Minister Sven Anderson approached Secretary of State George Shultz with a proposal that Sweden be used as an intermediary to set up a direct series of meetings between the U.S. government and the PLO”. This initiative first began in the summer of 1988 but accelerated after Shultz denied Arafat’s visa to the US. Anderson adds that “Shultz called in the Swedish Ambassador on the 3<sup>rd</sup> of December 1988, with a secret letter to the Swedish Foreign Minister in Stockholm, giving Yasser Arafat the exact formulation to use in meeting the U.S. conditions about renouncing terrorism and recognizing Israel's right to exist.”

Thus, the PLO responded on the 7<sup>th</sup> of December 1988 with a secret letter, through the Swedish Foreign Minister, that “it would follow the Shultz formulation but also persuaded Shultz to drop language that would call for an end to all forms of violence once the negotiations began, since the PLO convinced Shultz that it was incapable of stopping the intifada or uprising in the Israeli-occupied territories” (Anderson, 1990). Consequently, Arafat delivered his speech in Geneva on the 13<sup>th</sup> of December 1988, but the US considered it vague; since it did not fulfill the three conditions set by them. Therefore, on the following day; 14<sup>th</sup> of December 1988, a press conference was held, where Arafat declared his acceptance of the three conditions set by the US. These conditions included recognition of Israel's right to exist, acceptance of Resolutions 242 and 338, and renunciation of terrorism, as Arafat spoke:

In my speech yesterday, it was clear that we mean our people's right to freedom and national independence according to Resolution 181 and the right of all parties concerned in the Middle East conflict to exist in peace and security and as I have mentioned

including the state of Palestine and Israel and other neighbors according to the Resolutions 242 and 338. As for terrorism, I announced it yesterday in no uncertain terms, and yet, I repeat for the record that we totally and absolutely renounce all forms of terrorism, including individual, group and state terrorism (Arafat, 1988).

Arafat's acceptance to precisely utter the American conditions must have happened because he knew that the USSR is coming to an end soon and the US will be the only dominant force for a while. Thus, Arafat's political calculations must have been focused on opening a dialogue with the US since the USSR, a big supporter of the PLO back then, is going to collapse soon and the American support will be very much needed.

Consequently, after having the 3 conditions set by the US fulfilled, the US-PLO dialogue was opened, and on the following day, the GA adopted resolution 43/177, which "acknowledges the proclamation of the State of Palestine by the Palestine National Council on 15 November 1988" and "decides that, effective as of 15 December 1988, the designation 'Palestine' should be used in place of the designation 'Palestine Liberation Organization' in the United Nations system." Despite the US decision to open a substantive dialogue with the PLO one day before this resolution was adopted, they yet chose to vote against it along with their main ally in the Middle East region; Israel.

Regarding Israeli settlements, the US has frequently showed an unshakable commitment toward protecting them at the UN throughout the years. For instance, in 1997, the SC failed to adopt two draft resolutions on Israeli settlements; due to the American veto. The first draft resolution S/1997/199 was submitted into vote on the 7<sup>th</sup> of March 1997, and the second draft resolution S/1997/241 on the 21<sup>st</sup> (UNISPAL, 1997). Both draft resolutions called on Israel to refrain from East Jerusalem settlement activity, and even though the resolutions were supported by the other 14 members-- except for the abstention of Costa Rica at the voting for the second draft resolution, the US chose to provide a negative vote and

justify their decision by claiming that “neither the Council nor the Assembly should be inserting themselves into issues that the negotiating partners have decided will be addressed in their permanent status talks” (UN Website, 1997).

However, the American position toward Israeli settlements has not always been in favor of Israel. In fact, finding a final solution to the Palestinian-Israeli conflict has been crucial toward the fulfilment of few important American national interests. Thus, a successful peace settlement of the conflict has been desired by many American presidents, because as long as the conflict continues, obstacles will keep generating and therefore it will be difficult to manage the American objectives in the region; such as the access to the Arab energy reserves. Based on that fact, Jimmy Carter, for instance, was one of the American presidents who acknowledged the importance of solving the conflict and acted accordingly. Under his administration, two SC resolutions on the issue of Israeli settlements were adopted; resolution 446, adopted on the 22<sup>nd</sup> of March 1979 with the abstention of the US, and resolution 465, adopted on the 1<sup>st</sup> of March 1980, with 15 total positive votes (UNISPAL, 1980).

These two resolutions were an exception in the well-known American attitude at the UN when it comes to resolutions on Palestine, due to the fact that they took place during Carter’s Administration. In fact, Carter was very knowledgeable about the Palestinian-Israeli conflict and spoke “more forcefully about the need and justice of a Palestinian state than any other past US president” (Terry, 2017, p. 896). However, it was not always easy to support Palestine; since the American domestic system and politics stand as an obstacle. With the American elections system offering the president a term of 4 years, sensitive issues like the Palestinian-Israeli conflict have to be carefully tackled, especially when a president plans to win another presidential term. And since the Jewish lobby in the US is very strong and has the power to affect the American political agenda and the choices set by the presidents, declaring the American support for Israel gets on top of the agenda for the majority of

presidential campaigns, in order to secure the domestic political support. Hence, Carter's historical attitude in the previously-mentioned resolutions confirms the third hypothesis that the political context affects the American attitude at the UN, and also plays a major role in determining the nature of the American-Palestinian relationship at the UN.

### **B. Theories of International Relations: Obama's Discourse**

According to US Diplomacy Website, Realism, as one main theory of international relations, "treats states as the primary unit of analysis. Power is primarily viewed in military terms, and the military power of other states presents the greatest potential danger to an individual state . . . Realists have also long rejected notions such as that free trade or scientific progress might lead to long-term peace, viewing such ideas as dangerous chimera." On the other hand, Liberalism means "a perspective on international politics which views the state as the unit of analysis, but also includes international law, international organizations and nongovernmental organizations as increasingly important factors in world politics."

The American foreign policy toward Palestine has always been a reflection of the different political and strategic factors, which influence the American president's attitude toward Palestine. The different geopolitical aspects in the region, as well as the American interests in it have directed President Barack Obama to form certain foreign strategies, which basically aim at containing the American global dominance. Hence, the Obama Administration was following more than one theory of the international relations theories, depending on the goals and purposes it wanted to accomplish, as well as the kind of pressure created by the Jewish American lobbying groups and the conservative officials in the government, described by Payton Knopf, former Spokesman at the US Mission to the UN under then-Ambassador Susan E. Rice, in a private interview, as: "domestic politics always

have an influence on the foreign policy; particularly policies at the presidential level, and that represents the democracy in our country” (P. Knopf, personal communication, August 8, 2018).

Thus, the Liberalism dimensions seem vividly obvious through Obama’s speeches as well as his actions, but also a Realist approach was followed by Obama, at some specific occasions. Hence, Obama’s international policy did not depend on only one theory of international relations, but rather following the suitable approach whenever it seemed appropriate. This claim is supported by Obama’s Nobel Peace Prize speech, as he said:

There will be times when nations – acting individually or in concert – will find the use of force not only necessary but morally justified. I make this statement mindful of what Martin Luther King Jr. said in this same ceremony years ago: “Violence never brings permanent peace. It solves no social problem: it merely creates new and more complicated ones.” As someone who stands here as a direct consequence of Dr. King’s life work, I am a living testimony to the moral force of non-violence. I know there’s nothing weak – nothing passive – nothing naïve – in the creed and lives of Gandhi and King. But as a head of state sworn to protect and defend my nation, I cannot be guided by their examples alone. I face the world as it is, and cannot stand idle in the face of threats to the American people . . . To say that force may sometimes be necessary is not a call to cynicism – it is a recognition of history; the imperfections of man and the limits of reason. (Obama, 2009)

In other words, not only did Obama show an understanding of the consequences of violent conflicts-- if the Liberal approach was not followed, but also declared his willingness to follow the Realist approach when it is necessary, stressing the fact that the theory to be followed is the one which brings the US the ultimate deal of security.

Moreover, Obama's Cairo speech, delivered on June 4, 2009, assures the above-mentioned assumption and further represents how his policy has both realist and liberal dimensions. When Obama spoke about the Palestinian-Israeli conflict, Obama aimed at emphasizing the American firm support to Israel as a strong ally in the Middle East region; he thus stated: "America's strong bonds with Israel are well known. This bond is unbreakable. It is based upon cultural and historical ties, and the recognition that the aspiration for a Jewish homeland is rooted in a tragic history that cannot be denied." This statement confirms Obama's realist approach and his deep understanding that securing the safety and sovereignty of Israel is essential for the US; for it protects the American dominance in that region of the world.

On the other hand, Obama's Cairo speech contained liberal notions as well, when he spoke in powerful terms of Palestinians and expressed adherence to the human rights law, which the Liberalism stands for. He thus stated:

It is also undeniable that the Palestinian people – Muslims and Christians – have suffered in pursuit of a homeland. For more than sixty years they have endured the pain of dislocation. Many wait in refugee camps in the West Bank, Gaza, and neighboring lands for a life of peace and security that they have never been able to lead. They endure the daily humiliations – large and small – that come with occupation. So let there be no doubt: the situation for the Palestinian people is intolerable. America will not turn our backs on the legitimate Palestinian aspiration for dignity, opportunity, and a state of their own.

Prifti (2017) also assures the claim that Obama followed more than one international relations theory and states that "Obama believed that one doctrine could not be applied to all states and regions around the world" (p. 118). However, Stephen Walt (2016) has a different perspective and thus argues that Obama's foreign policy did not follow the main principles of

political realism. Walt (2016) alludes to the fact that Obama's participation in the failed Middle East peace process between Israel and Palestine stands as an example of violating the realist doctrine, as he says:

Similarly, Obama's well-intentioned efforts to achieve peace between Israelis and Palestinians were a series of humiliations: Israeli settlements kept expanding, Gaza kept getting pummeled, moderate Palestinians were discredited, Hamas grew stronger, and the two-state solution that Bill Clinton, George W. Bush, and Obama all favored is now dead (if not quite buried).

Furthermore, Obama's international policy matches the above-mentioned definition of Liberalism in many ways; as it views international relations "as a system of interactions holding the potential for mutual gain" (US Diplomacy Website). This claim seems clear in Obama's speech at the GA on the 28<sup>th</sup> of September 2015, as he said:

Over seven decades, terrible conflicts have claimed untold victims. But we have pressed forward, slowly, steadily, to make a system of international rules and norms that are better and stronger and more consistent. It is this international order that has underwritten unparalleled advances in human liberty and prosperity. It is this collective endeavor that's brought about diplomatic cooperation between the world's major powers, and buttressed a global economy that has lifted more than a billion people from poverty. (Obama, 2015)

According to Erik Voeten (2015), "Obama portrays the U.N. as a centerpiece to a liberal international order that espouses respect for international law, human rights, and democracy," confirming the previous definition of Liberalism, which views international relations as a way to work multilaterally toward universal prosperity.

#### **IV. Obama and Palestine in the UN (First Presidential Term)**

During his first term, Obama's foreign policy aimed at maintaining the status quo and the American hegemony in the world, as well as preventing the emergence of a regional hegemon, and his UN policy was focused on expanding notions of engagement, cooperation and common global action (Anderson, 2012). However, the engagement at the UN, which Obama pursued, took a contradictory path; since his actual intervention in the UN aimed at standing against specific countries; like Iran and Libya, while supporting its allies like Israel, despite Israel's ongoing violations of a series of SC resolutions. Obama came into office with the promise of transforming US foreign policy, and "he promised peace instead of war, cooperation instead of conflict, prosperity instead of poverty, equality instead of disparity, and hope instead of pessimism" (Prifti, 2017, p. 146). On the contrary, Obama's achievements had few of those promises happen, since reality was harsher than he expected. The pressure on Obama by the American pro-Israel lobbying groups as well as the domestic policies that support Israel must have forced him to take Israel's side, especially after the failure of the Democratic party at the midterm elections in 2010, because according to the 2010-elections results, the Republicans took control over the House of Representatives and won 5 more seats at the Senate. Thus, Obama must have been blamed for this loss and he was also "in a way accused, maybe wrongly, that he is too soft on the issue of supporting Israel, especially after his famous 2009 speech in Cairo" (A. Siyam, personal communication, July 24, 2018). Therefore, one could assume that the pressure impacted Obama to strengthen his support to Israel in order to regain the trust of the pro-Israel Americans in the first place, and his Democratic party in the second.

### **A. Draft Resolution (S/2011/24) on Israeli Settlements**

The peace and prosperity, which Obama promised, were not fully achieved when it comes to discussing the Palestinian-Israeli conflict. While Obama has declared, in his speech at the GA on September 23, 2009, that the US “does not accept the legitimacy of continued Israeli settlements” (Obama, 2009), he yet supported them at the UN and vetoed the draft resolution (S/2011/24), which supported the Israeli-Palestinian peace process, condemned Israeli settlement activities and called for a freeze on further settlement construction. Obama’s Administration chose to veto it, while all fourteen of the other members of the SC voted in favor (UNISPAL website, 2011). This attitude proves the first hypothesis: if a SC draft resolution is lawful but against the interests of the US or its allies, an American veto will be the reaction thereto. And even though the US explained their veto by claiming that such resolutions do not help the negotiation process between the two parties, their position still seems paradoxical to their stated international policy of engagement and global cooperation, which undermines the role of the US as a mediator in the Palestinian-Israeli conflict.

In addition, the US Ambassador to the UN at that time, Susan Rice, justified in her speech at the UN, on 18 February 2011, the American veto of the anti-settlement resolution by saying:

While we agree with our fellow Council members-- and indeed with the wider world, about the folly and illegitimacy of continued Israeli settlement activity, we think it unwise for this Council to attempt to resolve the core issues that divide Israelis and Palestinians. We, therefore, regrettably, have opposed this draft resolution.

However, the draft resolution did not really "attempt to resolve the core issues that divide Israelis and Palestinians" (Rice, 2011). Instead, it explicitly reiterated the demand “that Israel,

the occupying power, immediately and completely ceases all settlement activities in the Occupied Palestinian Territory” and to continue the negotiations on the final issues in the Middle East peace process (Draft Resolution S/2011/24).

Furthermore, Payton Knopf, former Spokesman at the US Mission to the UN under then-Ambassador Susan E. Rice comments- in a private interview, on this incident: "when you are a policy maker, you have to weigh the practical impact of any action you are taking. So I think when you look at this resolution, one of the questions you have to consider is whether it actually made a practical difference in terms of either the construction of settlements or creating an environment that is going to be more conducive to a negotiated settlement based on the two-state solution” (P. Knopf, personal communication, August 8, 2018). However, the fact that the draft resolution insisted that negotiations be based on international law is what the Obama Administration rejected (Zunes, 2012, p. 12), despite the fact that it is actually a very appropriate role for the SC.

In fact, Obama’s attitude clearly aimed at protecting Israel, even if the latter is violating the international law and basic legal principals. This is simply because Israel is a strong ally of the US in the Middle East region, and according to Shaath “it was a question of calculation of how he can continue to rule the US. That was his defining moment, and we, Palestinians, had to pay the price” (N. Shaath, personal communication, July 29, 2018), which assures the forth hypothesis that Obama’s stated policy regarding solving the Palestinian-Israeli conflict is contradicted by his administration’s actions on the ground, since the US have continuously opposed the Israeli settlement activities yet did not help stop this settlement expansion through its interference at the UN

From a Palestinian perspective, Feda Abdelhady, Deputy Permanent Observer Mission of Palestine to the United Nations, explains, in a private interview, that this draft resolution “was negotiated over the course of almost two months, and the negotiations and

discussions were also held with the Obama Administration including with Susan Rice” (F, Abdelhady, personal communication, July 31, 2018). She also explained how Palestinians were very close to reaching an agreement that would ensure US support for the draft resolution, but “there was intense lobbying by the Israeli government-- Netanyahu in particular and the Congress.” Therefore, one can argue that Obama’s approach was indeed influence by the Israeli government through its Prime Minister, Benjamin Netanyahu; especially that in Netanyahu’s speech at the American Israeli Public Affairs Committee (AIPAC) Conference on 22 March 2010, he declared an idea that “the United States can help the parties resolve their problems, but it cannot solve the problems for the parties. Peace cannot be imposed from the outside. It can only come through direct negotiations in which we develop mutual trust.” Five months later, the same idea was presented in Obama’s remarks after bilateral meetings with Mideast leaders on the 1<sup>st</sup> of September, as he stated:

The United States will put our full weight behind this effort . . . But let me be very clear. Ultimately the United States cannot impose a solution, and we cannot want it more than the parties themselves. There are enormous risks involved here for all the parties concerned, but we cannot do it for them. We can create the environment and the atmosphere for negotiations, but ultimately, it’s going to require the leadership on both the Palestinian and the Israeli sides.

This statement of Obama has paradoxical interpretations; it can either be viewed as a positive indication that the US stands with a just solution and will help secure it with all possible means, and it also reflects how Obama’s words were a clear imitation to Netanyahu’s, which were uttered five months before. Therefore, one could assume that Obama spoke in a tone that was initially generated based on the needs of Israel, whose one main aim is preventing any international intervention in the Palestinian-Israeli conflict.

In fact, the overall political context of the Middle East during the period, when draft resolution (S/2011/24) was vetoed by the US, was less stable than before, especially after the Arab Spring and the tension it caused in the region. Therefore; these increasing tensions in the region led to shift the American focus from the Palestinian-Israeli conflict to the other arising problems in the wider region, and a considerable American attention was given to issues related to the revolutionary incidents in Egypt, Tunisia, Libya and other Arab states, with less attention to the conflict. In addition, the US must have thought that if this draft resolution pass, the conflict might be further escalated, and violent consequences might be expected, as Abdelhady puts it: “the US did not want to do anything that would further raise tensions and instability in the Middle East.”.

### **B. Palestine’s Application for UN Membership in 2011**

The previously-mentioned American veto to draft resolution (S/2011/24) assures the fact that Obama’s administration had frequently taken a clear anti-Palestine position, which was also reflected when the first Obama administration blocked Palestinian membership in the UN in 2011, when President Mahmoud Abbas submitted an application to the SC for full UN membership on September 23, 2011. At that time, Palestine had an observer status at the UN, and thus the Palestinians sought an upgrade to Palestine’s status to be a full member-state, which “includes formal recognition of a Palestinian state by the most authoritative organ of the world body, and it enshrines two additional key principles: (1) that the pre-1967 armistice line should be the basis for future negotiations over borders, and (2) that eastern Jerusalem be the capital of this Palestinian state” (Rosen, 2011).

While some may believe that it was the right decision to do yet it came a little late, Abbas must have previously hoped that Israel will fulfill its duties based on the previous

agreements and help implement the two-state solution, and he must have been very positive regarding the negotiation process. However, with the continued Israeli settlement expansion and violations of the international law and the human rights law, Israel made the negotiations seem pointless; for no concrete results were accomplished. Therefore, Abbas felt it was the right time to take a step in another direction despite the American and the Israeli disapproval.

The Obama Administration was focused on stopping this step from going forward. They thus tried to persuade Abbas to cancel the UN bid; Denise Ross and David Hale “met with Abbas in a final unsuccessful attempt to pressure him to back down” (Hammond, 2016, p. 353), Obama did too the day before Abbas addressed the GA and tried to convince him one last time not to submit an UN application for statehood. In addition, the American Congress tried to pressure Abbas to drop the bid by pushing for a substantial cut in the US aid to the Palestinians, as a punishment for the UN bid in the first place, as well as a threat to cancel it (p. 358).

In fact, one can argue that some of these American efforts to stop the UN bid occurred as a result of the influence of American pro-Israel lobbying groups. For instance, David Harris, the Executive Director of the American Jewish Committee (AJC), explained his opinion regarding the negative consequences of the Palestinian UN bid, aiming to warn the Palestinian leadership not to pursue it further. He thus stated that the UN bid -if succeeded- will affect the Palestinians negatively, as “they grasp that annual US aid of about \$500 million may come to a screeching halt” (Harris, 2011). This might explain why the American Congress indeed pushed for a substantial cut in the US aid to the Palestinians, and thus prove the inevitable influence of the American pro-Israel lobbying groups on the American government. Moreover, in a memo, published by the AIPAC six months prior to this UN bid, a tough and direct order was placed that “the United States must continue to publicly make clear that it opposes unilateral Palestinian steps and that it will act against any effort at the

U.N. that seeks to single out Israel” (AIPAC, 2011). This public announcement can be considered a clear threat to Palestine as well as an alert to the Obama administration, indicating that the US has a firm responsibility to stick to support Israel against any UN intervention critical of it.

Nonetheless, Abbas was determined on pursuing this goal and submitting the UN bid, no matter if the US or Israel stands against it or not. This was quite a rare incident; since Abbas has always tried to find solutions with the help of the US, but the escalation of Israeli violations and the American passive position toward it drove him to sort the problem out in a new diplomatic way through the UN, which gained him a lot of support from the Palestinians, who as well were fed up with the unavailing American promises. Not only did the US try to convince Abbas to back down the UN bid, but also reached out to other States to convince them not to vote for the application, so it will not gain the nine votes needed for it to be tabled. Many European countries were convinced by the US including Germany, France and Spain.

Consequently, the nine votes were not accomplished, and the application was not put for a vote. Siyam states: “the country that could make it was Bosnia. Abbas went there and talked to their president, but they explained that they cannot vote” (A. Siyam, personal communication, July 24, 2018), and their decision is basically a result of the American pressure. On this matter, Abdelhady claims: “there was Israeli threats not only American, and for a country like Bosnia, seeking to become a member of the European Union and to expand its trade, they were looking at their national interests like every other country. Thus, they could not take a position regarding the application” (F, Abdelhady, personal communication, July 31, 2018).

The Obama Administration's refusal to support the application is a vivid example of their true intention to ignore the legal right for Palestinians to seek recognition at an international organization. Therefore, even though Obama's policy was focused on engagement and multilateralism to help create peace and resolve conflicts, but when it comes to the Palestinian-Israeli conflict, Obama would suggest that both parties shall work on finding a solution without any international intervention, as he stated in his speech at the UN on 21 September 2011: "ultimately, it is the Israelis and the Palestinians--not us--who must reach agreement on the issues that divide them: on borders and on security, on refugees and Jerusalem" (Obama, 2011). This statement clearly shows how double-standard the attitude of the Obama Administration used to be during that period. It is also a proof that Obama's decision was influenced by the American pro-Israel lobbying groups, which were determined on preventing any UN intervention in the conflict, as mentioned in an AIPAC memo, published on December 21, 2010, stating that "a unilateral declaration of a Palestinian state would not solve any of the difficult issues at the heart of the dispute: borders, refugees, Jerusalem, security arrangements and water."

With regards to this application, Abdelhady claims that "there was a fleeting hope that somehow the US will not veto the recommendation to be submitted to the Security Council, but we also knew in the months prior that it is going to be very difficult." She also adds that "it seemed a remote possibility that the Obama Administration would agree to this, but the Palestinian leadership felt that this was an important conversation that had to be held" (F, Abdelhady, personal communication, July 31, 2018). Therefore, a special focus was given to the application's language, which precisely declared the following words: "it is being submitted based on the Palestinian people's natural, legal and historic rights and based on United Nations General Assembly resolution 181 (II) of 29 November 1947 as well as the Declaration of Independence of the State of Palestine of 15 November 1988 and the

acknowledgement by the General Assembly of this Declaration in resolution 43/177 of 15 December 1988,” as well as a declaration that “the State of Palestine is a peace-loving nation and that it accepts the obligations contained in the Charter of the United Nations and solemnly undertakes to fulfill them” ((Palestine’s Application for UN Membership, 2011).

These declarations basically confirm Palestine’s acceptance of the previously-adopted UN resolutions and thus the adherence to the two-state solution. Most importantly, they assure the right for Palestine to gain membership; for Palestine fulfills all prerequisites to membership listed in the UN Charter, as it is mentioned in Article 4: “membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations” (UN Charter).

Yet, the Obama Administration chose not to support this legal cause, but rather to “call upon both parties to refrain from proactive actions . . . and then rendered this all meaningless by reiterating its call for the resumption of negotiations without delay or preconditions” (Hammond, 2016, p. 363), even though the negotiations were not useful, and the conflict escalated much further. The real dilemma here revolves around the fact that the US, with all the pronounced values of freedom, engagement and global cooperation, chose not to provide its support to Palestine, a country that fulfills all UN membership preconditions, but on the other hand, the US chose to maintain its support to another country; Israel, which does not fulfill all UN membership preconditions; because up until this moment, Israel does not have specific borders and it is not a peace-loving country, taking into consideration the killings of innocent Palestinians, as well as the fact that many Palestinians in the occupied West Bank and Gaza suffer from the grave Israeli violations of international humanitarian law and international human rights law. Thus, the application is in effect frozen pending securing the needed nine votes. Thereafter, the USA veto awaits it.

### **C. Palestine's Status Upgrade at the UN (GA Resolution 67/19)**

A year later, Abbas addressed the GA on the 29<sup>th</sup> of November 2012 and submitted a downgraded request to the GA for admission to the UN as a non-member observer state. This specific date was not randomly chosen, because it is in fact the date when the GA resolution 181 on the partition of Palestine was passed in 1947, it is also the date when the GA passed resolution (32/40 B) in 1977, which “called for the annual observance of 29 November as the International Day of Solidarity with the Palestinian People (UN website). Abdelhady explains this step by saying: “because we know that everything that we are appealing for is not based on just desire but on international law, we are not deterred” (F. Abdelhady, personal communication, July 31, 2018).

This specific step came as a result of the failure in the preceding year to obtain from the SC its recommendation to the GA to accord Palestine the status of a member state, commonly known as full membership. Since the big move was not successful, a smaller one would not be viewed wrong, as long as it brings a favorable change in Palestine's status at the UN. In fact, this step was suggested a year ago, when Abbas submitted the application for full membership, as some of the EU countries opposed the full membership application yet supported “a GA resolution upgrading Palestine's status from observer to non-member state on the condition that Palestinians agree not to file charges against Israel at the ICC” (Hammond, 2016, p. 353). But in 2011, this suggestion was not even accepted by the US, which led the EU to cancel this initiative. However, in 2012, the Palestinian leadership doubled their diplomatic efforts and reached out to many states to gain their support on the new decision for the GA non-member status.

According to the 67<sup>th</sup> GA Plenary, there was an overwhelming support for the resolution (67/19): “138 in favor to 9 against (Canada, Czech Republic, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Panama, Palau, United States), with

41 abstentions” (UN Website). Thus, the GA granted Palestine a non-member observer state status in the UN, documented in GA resolution 67/19, which confirms to “accord to Palestine non-member observer state status in the United Nations, without prejudice to the acquired rights, privileges and role of the Palestine Liberation Organization in the United Nations as the representative of the Palestinian people, in accordance with the relevant resolutions and practice” (Resolution 67/19, 2012). However, the term “state” on the new label does not necessarily mean that all States voting in favor of the resolution recognize Palestine as a State; since the multilateral recognition of Palestine as a state does not include a bilateral one. In fact, the resolution was supported by 138 States, while only 132 States recognized the State of Palestine at that time (WAFSA, 2012)

The American negative vote came as a result to a major concern by the US as well as Israel that “Palestine’s status upgrade meant it could pursue legal actions against Israel at the ICC” (Hammond, 2016, p. 410). The Obama Administration undoubtedly viewed the resolution as a threat to the peace process, as the US Ambassador to the UN, Susan Rice, expressed at the GA, immediately after the vote, the American denunciation of the resolution by saying: “today’s grand pronouncements will soon fade. And the Palestinian people will wake up tomorrow and find that little about their lives has changed, save that the prospects of a durable peace have only receded” (Rice, 2012), meaning that even when a resolution is adopted by the GA, the US is not obliged to accept it. Yet again, the US proves to stand against Palestine’s membership in the UN and this attitude assures that Obama’s stated policy regarding solving the Palestinian-Israeli conflict contradicts his administration’s actions on the ground.

In this very specific year, the American interference at the UN against Palestine was stronger than before since it was the elections year, and Obama wanted to secure another presidential term. It was understood that satisfying the large community of American

supporters of Israel will help Obama guarantee another presidential win, that is why Obama's attitude toward the Palestinian-Israeli conflict was extremely biased against Palestine on many levels. The latest of those attitudes was the American negative vote on resolution (67/19), but it was preceded by other sorts of actions; such as the American support for Israel during the war on Gaza in November 2012, known as: Operation Pillar of Defense. The US reaction to the escalation of hostilities "was to reflexively blame the Palestinians and express firm support for Israel's violence" (Hammond, 2016, p. 393), claiming that the violence was initiated by Palestinians. Even if that was true, the US, as a mediator, should have fulfilled its role and focused on ending the violence, instead of producing such statements, that would flame the conflict up.

Ironically, the US keeps insisting on a bilaterally-negotiated solution to the conflict rather than supporting Palestine's UN membership, while when the conflict first started in 1948, the US supported Israel's move at the UN and did not ask the Jewish leadership at that time to reach a negotiated agreement with the Palestinians before going to the UN. Accordingly, Israel achieved its independence through a UNGA resolution that was strongly supported by the US, simply because it is a main ally and supporting it is an American priority. This incident assures the double-standard attitude of the US and their willingness to contradict their stated values of freedom and equality, when it comes to supporting their allies. Therefore, Obama, during his first term, did not do much to end this double-standard attitude of the US; since he continued to provide a strong American support to Israel at the UN in a way that contradicts the American values of freedom as well as the UN main purpose; which is creating a peaceful and just world.

## **V. Obama and Palestine in the UN (Second Presidential Term)**

### **A. New Presidential Term; New UN Policy**

In January 2013, Obama's presidency started its second term, and the Palestinian-Israeli conflict remained unresolved. The American intervention in UN resolutions related to this conflict proved to have taken Israel's side rather than Palestine's, as Susan Rice, the former National Security Advisor and the US Ambassador to the UN during Obama's first administration, stated in her speech at the AJC Global Forum: "for four and a half years at the UN, I did battle every day to defend Israel from a drumbeat of hostility. I was proud to lead that fight. The United States fought tooth and nail against the deeply-flawed Goldstone Report. We vigorously opposed the Human Rights Council's unbalanced and counter-productive focus on Israel" (Rice, 2016). Such statements undermined the credibility of the US as a mediator; since its role was not balanced in terms of standing against all sorts of violence, whether it was caused by Israelis or Palestinians.

In fact, the US support to Israel did not initially commence during Obama's administration; because maintaining the security of Israel has been a long-term American national interest for almost all previous American presidents. However, during Obama's second term, politics started to have a different shape and Obama began to show some practical understanding for Palestinians, in attempts to fulfill the role of a true mediator rather than supporting one party against the other. This new American approach toward the conflict - led by Obama, could be a result of a few different reasons; one revolves around Obama's disappointment regarding the failure of the Palestinian-Israeli peace talks in 2013-2014, which were led by John Kerry, former Secretary of State. The negotiations between the Palestinians and the Israelis collapsed after the expiry of agreed 9-month period, consequently, "the Obama administration has become openly critical of Israeli Prime Minister Benjamin Netanyahu's government." (Judis, 2014).

Furthermore, Obama's new attitude must have been a result of the fact that it was Obama's last term and there was no possibility for him to be reelected. Thus, his attitude need not to be influenced by the domestic policies that support Israel, the Jewish lobbying groups in the US, or the Republican-led Congress. In fact, Obama did call for a halt in Israeli settlements as well as a serious implementation of the two-state solution, but the domestic American politics prevented him from turning his back on Israel at the UN, and thus led his administration to veto any UN resolution critical of Israel, leading the latter to further pursue its illegal actions and prevent the birth of the two-state solution. But after years of this endless conflict, Obama seemed to have reached to a point, where he acknowledged that the conflict is nearly unsolvable and an essential change in the American policy has become a must.

In 2013, the first year of Obama's second term, Obama gave a speech at the GA, where he yet again emphasized the importance of solving the Palestinian-Israeli conflict by securing a just and lasting solution that fulfills the needs of both parties. He stated:

So now the rest of us must be willing to take risks as well. Friends of Israel, including the United States, must recognize that Israel's security as a Jewish and democratic state depends upon the realization of a Palestinian state, and we should say so clearly. Arab states, and those who supported the Palestinians, must recognize that stability will only be served through a two-state solution and a secure Israel" (Obama, 2013)

This statement proves Obama's full recognition that a two-state solution is the most suitable way to achieve peace and bring the conflict to an end, it also shows his continued desire to work closely with other states to help implement this solution during his presidency. This attitude of Obama does not stand in line with his previous negative reactions to Palestinian attempts of securing UN membership in 2011 and 2012, which proves that a change has happened, and Obama is no longer fully against Palestine.

Obama's language in his 2013 GA speech was full of optimism and hope as he spoke: "so let's emerge from the familiar corners of blame and prejudice. Let's support Israeli and Palestinian leaders who are prepared to walk the difficult road to peace," making it clear that his commitment to solving the conflict is still strong; for the long-awaited solution is deeply desired to take place during his second administration. However, Obama's optimism started to decrease, and this was clear in his speech at the GA in the year after. The Palestinian-Israeli conflict has not been solved like Obama hoped since he came to the White House, in fact, the tension escalated further; especially after the Israeli war on Gaza in 2014. Therefore, Obama's words on the conflict were surprisingly short and also critical of Israel, as he spoke:

The violence engulfing the region today has made too many Israelis ready to abandon the hard work of peace. And that's something worthy of reflection within Israel. Because let's be clear: The status quo in the West Bank and Gaza is not sustainable. We cannot afford to turn away from this effort-- not when rockets are fired at innocent Israelis, or the lives of so many Palestinian children are taken from us in Gaza. (Obama, 2014)

Such statements of Obama were different to the ones he declared in previous UN speeches. Obama barely took the effort to criticize Israel; therefore, such words must have irritated Israelis in particular, especially that the US is almost always the faithful ally to Israel at the UN, not the state to criticize it. Therefore, with this behavior, Obama proves to have taken a different approach at the UN by starting to outline the faults committed by Israel, which assures the fifth hypothesis of this thesis: Obama's policy during his second term was critical of Israel.

Nonetheless, the fact that Obama criticized Israel at some rare occasions does not necessarily mean abandoning the US's main ally in the Middle East region. Thus, few

months after Obama's speech, the US vetoed SC draft resolution (S/2014/916), which was introduced by Jordan on behalf of the Palestinians and affirmed "the urgent need to reach within 12 months a peaceful solution to the situation in the Middle East and would have paved the way to a Palestinian state with East Jerusalem as its capital" (UN Website, 2014). Only eight of the SC fifteen members voted in favor, which is one vote fewer than the needed votes to pass a resolution with the absence of a veto by any of the SC's five permanent members. Yet, the US chose to veto this draft resolution, as Samantha Power, the US Ambassador to the UN at that time, explained their position by assuring the US's strong belief that bringing both parties to achieving a negotiated settlement is the best solution. She thus declared: "this resolution is not one of those constructive steps" (UN Website, 2014), as the resolution will create "more division, not compromise," hinting that the UN intervention in the Palestinian-Israeli conflict is needless; for the only way to solve it is by bilateral negotiations-- ignoring the fact that 21 years had then passed since the Oslo Agreement and the prolonged peace negotiations failed.

Furthermore, in her speech at the AIPAC Conference in 2015, Samantha Power reassured the American support to Israel at the UN and commented on that veto by saying:

At the Security Council, we have also guarded vigilantly against any resolution that threatens Israel's security or undermines the pursuit of peace. That is why in December we opposed efforts to pass a deeply imbalanced Security Council resolution on Palestinian statehood and successfully rallied other countries to do the same (Power, 2015).

This American veto came after failed efforts of John Kerry, former US Secretary of State, "to line up enough abstentions from American allies like South Korea and Rwanda so that the United States would not have to wield its veto," (Gordon & Sengupta, 2014). The Palestinian leadership, however should have seen it coming and postponed the vote for the following

month, since it will be a new cycle with new non-permanent Member States at the SC; including Malaysia, New Zealand and Venezuela, which are considered good friends of Palestine and would have provided their support to that draft resolution.

On the other hand, Obama's speech at the GA in 2015, contained enormous indifference to the conflict. As a matter of fact, Obama did not even refer to Israel nor Palestine at all in his speech. However, Obama was all focused on spreading a general notion of hope by saying: "there have been too many times when, collectively, we have fallen short of these ideals. Over seven decades, terrible conflicts have claimed untold victims. But we have pressed forward, slowly, steadily, to make a system of international rules and norms that are better and stronger and more consistent," (Obama, 2015) as well as reassuring his commitment to help create a global peace: "I stand before you today believing in my core that we, the nations of the world, cannot return to the old ways of conflict and coercion . . . and if we cannot work together more effectively, we will all suffer the consequences. That is true for the United States, as well." Obama's speech contained a general notion of hope and global cooperation with no specific remarks on the Palestinian-Israeli conflict-- like he used to, for he either lost hope in solving the conflict during his presidency, which was almost over, or because other arising conflicts in the world captured the administration's attention more than this 67-year old conflict did.

Again, the absence of tackling the Palestinian-Israeli conflict in Obama's speech provides hints on his growing indifference to this issue, as his second term comes to an end. While, on the other hand, he continues to show interest in issues related to Iran, Syria and Russia. In 2014, for instance, SC draft resolution (S/2014/348) on referring Syria to the ICC was not vetoed by the US, but by Russia and China. The US affirmative vote came as a result of its growing interest in that region as well as its concerns regarding Russia's control over it. Thus, they believed that an international intervention is deemed necessary in this particular

matter, even though this contradicts their previously-announced belief that a multilateral intervention in the Palestinian-Israeli conflict is not a suitable action.

### **B. SC Resolution 2334**

During Obama's last year as a president, his policy toward Palestine encountered a total change, compared to his previous 7 years in service. The US's double-standard attitude led to questioning its credibility by Arab states, and consequently endangering the American dominance over that region. This threat, as well as the fact that it was Obama's last year as a president, could be the reason why the US started to change its policy and call on Israel to act on the basis of international law. Therefore, Obama's language in his speech at the GA in 2016 was harsh on Israel and its continued military occupation of the Palestinian land, as he said: "Israelis and Palestinians will be better off if Palestinians reject incitement and recognize the legitimacy of Israel, but Israel recognizes that it cannot permanently occupy and settle Palestinian land. We all have to do better as leaders in tamping down, rather than encouraging, a notion of identity that leads us to diminish others" (Obama, 2016).

In fact, Obama tried to pressure Israel and prevent them from the construction of Jewish housing in East Jerusalem and the West Bank (Freedman, 2017, p. 242), which weakened the US-Israeli relationship, escalated the gap between Obama and Netanyahu and led the US to abstain on SC resolution 2334, contrary to the norm of vetoing all previous resolutions critical of Israel. Thus, toward the end of Obama's presidency-- on the 23<sup>rd</sup> of December 2016, SC resolution 2334 was adopted and stood out as Obama's farewell gift to Palestine, as he, for the first time during his entire presidency, stood against Israel and supported Palestine by abstaining on voting for the resolution.

The draft resolution was circulated by Egypt, the only Arab member on the SC, on the 21<sup>st</sup> of December, and Abdelhady states that when she and the Palestinian team first started drafting the resolution, they “relied on the law as it is in the UN Charter and the Geneva Conventions, but also relied on previous UN legislations on Palestine. There was some political consideration in the drafting to ensure that we get the support,” and thus the resolution condemned all acts of violence against civilians including acts of terror, which Abdelhady confirms that they agreed to include; in order to guarantee a balanced language and thus a wider support, especially that “as a matter of principle, we Palestinians oppose violence against civilians” (F, Abdelhady, personal communication, July 31, 2018).

However, on the evening of December 22, Egypt decided to withdraw the draft resolution and “Great Britain worked quietly behind the scenes to help draw up the final wording of the resolution in order to secure the necessary votes” (Terry, 2017 p. 903). Finally, “New Zealand, that had already drawn up a resolution along the same lines, joined by Malaysia, Senegal, and Venezuela, formally submitted the resolution” (p. 903). Thus, on the basis of this resolution, the SC reaffirmed that “Israel’s establishment of settlements in Palestinian territory occupied since 1967, including East Jerusalem, had no legal validity, constituting a flagrant violation under international law and a major obstacle to the vision of two States living side-by-side in peace and security, within internationally recognized borders” (UN Website, 2016).

Abdelhady considered that resolution as “an insurance policy that protects us. It reaffirms the longstanding UN legislation on the settlements, and on the wider issue of the two-state solution, the right of the Palestinian people to self-determination and statehood” (F, Abdelhady, personal communication, July 31, 2018). In fact, the adoption of this resolution means that it should be respected by all states; therefore, Palestinians should take advantage of it at other international forums as well as the bilateral engagements, and stress on the

importance of its implementation.

Speaking of the political context that led this resolution to pass, it was clear that the Obama-Netanyahu relationship did not continue to be good, as Obama met with Netanyahu for the last time in the fall 2016, and “their mutual distain was evident” (Terry, 2017, p. 901). This tension in the American-Israeli relationship did not happen only because of the continued Israeli settlement activities despite of the American reoccurring calls for a halt, but also because of the Iran deal; since Netanyahu was all against it. Therefore, Obama was not as strongly motivated to support Israel at the UN as he used to, and he chose to pressure Israel because of its settlement expansion by abstaining on that resolution.

Although this resolution passed with 14 affirmative votes, Israel chose to deny it and Netanyahu “called all the ambassadors from nations that had voted for the resolution into his office to reprimand them personally,” he “also -wrongly- blamed Obama for initiating and securing passage of the resolution” (Terry, 2017, p. 904). Obama, on the other hand, was fully certain that his abstention was definitely the right thing to do; as he expressed in a speech he has recently given on January 24, 2018, at Temple Emanu-El in New York, where he declared that he allowed the resolution to pass because “the pace of Israeli settlement construction skyrocketed making it almost impossible to make any kind of Palestinian state,” he also added: “voting against the resolution would have damaged our credibility on affirming human rights only when it's convenient, not when it has to do with ourselves and our friends” (Obama, 2018).

In the week following the historic vote on this resolution, on December 28, John Kerry delivered a major speech on the two-state solution, where he spoke about Obama’s commitment to Israel and the necessity to start the implementation of the two-state solution to the Israeli-Palestinian conflict. In his speech, Kerry sharply declared: “despite our best efforts over the years, the two-state solution is now in serious jeopardy,” he also stressed that

Israel fail to recognize that this friend, the United States of America, that has done more to support Israel than any other country, this friend that has blocked countless efforts to delegitimize Israel, cannot be true to our own values -- or even the stated democratic values of Israel -- and we cannot properly defend and protect Israel if we allow a viable two-state solution to be destroyed before our own eyes. (Kerry, 2016)

Kerry's statement assures that the Obama's administration, represented by him in this speech, considers Israel's actions a serious threat to the two-state solution, and also contradictory to the American values, and that is the reason behind the US's abstention on resolution 2334, as Kerry went to say: "and that's the bottom line: the vote in the United Nations was about preserving the two-state solution." These statements may be correct but there are also other reasons behind Obama's abstention on this resolution. One could rely on the fact that Donald Trump, whose campaign was focused on opposing Obama's attempts to help Palestinians, won the elections as the 45<sup>th</sup> of the US. Consequently, Obama was focused on strengthening his support to Palestine, since the president-elect is threatening of overturning the American approach against Palestine once he is sworn in.

### **C. Influence of Trump's Election on Obama's UN Policy**

The election of Trump was a shock to many; including Obama himself. Belonging to different political parties as well as having different opinions and values resulted in completely different presidential promises and plans. In fact, both presidents have their own different foreign policies, but in terms of broad strategic objectives, there is some continuity between the two presidential administrations, especially the aim to "preserve the Middle East's regional order and help protect Israel and the Arab states against Iran and violent extremism" (Metz, 2017). However, both presidents have different opinions on many issues; including -

but not limited to- the Iran deal, international cooperation, and most importantly the Palestinian-Israel conflict; and Trump presidential campaign's main focus was on proving how flawed Obama's doctrine was; since he "throughout the 2016 presidential campaign, railed at the ineffectiveness of Barack Obama's Middle East policy, promising that if he was elected there would be dramatic change" (Metz, 2017).

Hence, after Trump's unexpected electoral win in November 2016, Obama as well as others were worried of the total change in the US foreign policy, which the Trump's administration is going to implement. For instance, on the 28<sup>th</sup> of November 2016, former American President Jimmy Carter authored an op-ed titled 'America Must Recognize Palestine,' where he aimed at convincing Obama to face the one-state solution which Israel is imposing on itself and the Palestinian people, as well as emphasizing the urgent need for an American intervention at that point, before the new president-elect takes over, and blindly support Israel. In fact, Trump has given many promises to the Israeli government, but moving the US embassy from Tel Aviv to Jerusalem was on top of his list. On the other hand, Obama was fully aware of the consequences of such promises and that was the main reason that triggered a new shift in his policy by standing with Palestinians, and thus signing a six-month extension of the presidential override to prevent the implementation of a Congressional mandate on moving the US embassy from Tel Aviv to Jerusalem (Welsh, 2016).

Moreover, the UN arena is also perceived important by the new administration and they believed that an action against Israel at the UN was possible by the Obama administration. Thus, in an interview on the 20<sup>th</sup> of November 2016, Former Ambassador John Bolton, on behalf of the President-elect, publicly warned Obama against any UN action that recognizes a Palestinian state" (Bolton, 2016). These threats did not, however, stop Obama from abstaining on SC resolution 2334, which disappointed many pro-Israel Americans and the Israeli government itself. In fact, the new administration tried to stop the

resolution from passing, even before being sworn in, as “Trump weighed into the debate,” and “on Thursday morning, December 22, after discussions with Israelis, Egyptian President Abdel Fattah al- Sisi called Trump, allegedly to discuss peace plans. By Thursday afternoon, Egypt had withdrawn the resolution” (Terry, 2017, p. 903). Yet, the resolution passed since other countries took over Egypt’s place as explained earlier.

In fact, Obama seems to have been influenced by Trump’s announced intentions to stand against Palestine. This influence took various shapes; not only by supporting the passage of SC resolution 2334, but also by signing “an executive order releasing \$221 million in humanitarian aid to the Palestine Authority that had been blocked by Congress” (Terry, 2017, p. 905), on his last day in office; because Trump previously threatened to cut US financial aid to Palestinians. This decision was not accepted by Israel nor by Trump, who immediately announced that he will review the decision once he officially starts his duties. This incident also proves the sixth hypothesis that the election of Trump influenced Obama to take decisions in favor of Palestine, taking into consideration that Trump’s promises during his campaign were all about standing with Israel against Palestine no matter what.

## **VI. Conclusion**

This thesis aimed at investigating the Obama administration's intervention in UN resolutions on Palestine as well as the changes in Obama's UN policy toward Palestine during his two presidential terms. It can be concluded that Obama did interfere in UN resolutions on Palestine in a way that was supportive of Israel especially during his first term. Obama's first term contained several contradictions between his announced plans and his administration's actual actions on the ground. This contradiction came as a result of many factors: mainly the political context and the American pro-Israel lobbying groups, which pressured Obama to take decisions that were not in line with his announced plans. In addition, it can be concluded that the influence that Obama had at the UN occurred on many levels; either through voting against GA resolutions on Palestine, vetoing SC resolutions critical of Israel-- even when the other 14 members supported the draft resolution, or through influencing certain states not to vote for the SC draft resolution so it will not get the 9 affirmative votes needed for it to be submitted into a vote.

In addition, Obama's strong support for Israel at the UN was vividly clear in his speeches as well as the speeches of Susan Rice, the US then-Ambassador to the UN. One can easily draw a line between the American language and the language used in preceding speeches by Benjamin Netanyahu and some American pro-Israel leaders, which proves that Obama's policy was indeed influenced by them. This also proves that Obama was mostly a Realist when it comes to issues related to the conflict; since he recognized that his potential to be reelected might be jeopardized if his support to Israel was not satisfying enough. Thus, standing against Palestine's applications for UN membership was an inevitable American decision, even though Palestine fulfills the five membership conditions as listed in the UN Charter. Not only did the Obama administration refuse Palestine's UN bid for membership, but also voted against GA resolution 67/19-- which granted Palestine the non-member

observer state status, even when a vast majority of states voted in favor.

However, Obama's attitude changed during his second term. First, his attention was slightly shifted to other arising conflicts in the Middle East region; secondly, his UN policy toward the Palestinian-Israeli conflict took a different shape, since he started to criticize Israel for its constant illegal violations of the international law. These changes can be explained based on the fact that Obama accomplished the goal of being reelected and he no longer needs the support of the strong and influential American pro-Israel lobbying groups, as well as the fact that the Obama-Netanyahu relationship did not continue to be good. In addition, the election of Trump might have affected Obama; since Trump's presidential campaign promises were focused on criticizing Obama's policy on the conflict and also on supporting Israel against Palestine in various ways. All these factors shifted Obama's attitude to be more of a Liberal than a Realist, paying back part of his debt to the Palestinians. Obama's abstention on SC resolution 2334 during the last month of his entire tenure was a major disappointment for Israelis. This is due to the fact that the abstention was Obama's first clear support to Palestine at the UN, and it was also the first to pass since the Jimmy Carter, who voted in favor of SC resolution 465 on Israeli settlements in 1980. The 36-year old strong American commitment to Israel at the SC was shaken by allowing resolution 2334 to pass.

In summary, although some will claim that the changes in Obama's UN policy during his second term came a little too late and that he missed many opportunities to make a real difference during his 8-year presidency, yet the American abstention shows that at last, Obama voted his conscious in favor for a just cause. Regardless of the fact that it happened late, what is right was done and SC resolution 2334 gave Palestine a further internationally-recognized legal document against the illegal violations of the Israeli government, which continue unabated.

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