

THE STATUS OF PALESTINE IN THE UNITED NATIONS  
AND ITS IMPLICATIONS FOR THE ISRAELI–PALESTINIAN CONFLICT

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AND ITS IMPLICATIONS FOR THE ISRAELI–PALESTINIAN CONFLICT

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## DECLARATION OF ORIGINALITY

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## ABSTRACT

### The Status of Palestine in the United Nations and Its Implications for the Israeli–Palestinian Conflict

The Palestinian application for UN membership in 2011 started the debates over the nature of statehood and reactivated the initiatives in different bodies of the UN. This dissertation focuses on the role of the UN in the Israeli-Palestinian conflict and highlights the legal and political aspects of statehood by applying the theoretical discussions to the Palestinian case. The political process of the Israeli-Palestinian conflict is based on the developments at different levels, namely the ground level, the UN level, and interactions between these levels including the negotiations so this mechanism can be defined as a complex two-level game for the Israeli-Palestinian conflict. Whereas the unilateral actions of Israel and the power imbalance in favor of Israel create an important advantage for the Israeli actors at the ground level, the legitimizing role of the anti-Israeli resolutions for the Palestinian claims and the high amount of support for the Palestinians in the international arena provide some assets for the Palestinian actors. The ground level witnessed a struggle over sovereignty while the UN level created a struggle over international legitimacy. Five General Assembly votes and three Security Council votes in terms of the policies and voting behaviors of the prominent actors and representative cases were analyzed in this dissertation. As a result, the UN process strengthened the hands of the Palestinians and contributed to the settlement of the Israeli-Palestinian conflict. However, it should be accomplished with the support of the external actors and favorable regional context for a comprehensive solution.

## ÖZET

### Filistin'in Birleşmiş Milletler'deki Statüsü ve Onun İsrail-Filistin Çatışmasına Yansımaları

Filistin'in 2011 yılında BM üyeliği için yaptığı başvuru devlet olmanın doğası hakkındaki tartışmaları başlattı ve BM'nin farklı organlarındaki girişimleri yeniden harekete geçirdi. Bu doktora tezi, BM'nin İsrail-Filistin çatışmasındaki rolüne odaklanır ve teorik tartışmaları Filistin örnek olayına uygulayarak devlet olmanın hukuki ve siyasi yönlerini öne çıkarır. İsrail-Filistin çatışmasının siyasi süreci saha düzeyi, BM düzeyi ve onlar arasında müzakereleri de içine alan etkileşimlerin olduğu farklı düzeylerdeki gelişmeler üzerine kuruludur. O nedenle, bu mekanizma İsrail-Filistin çatışması için karmaşık iki düzeyli oyun olarak tanımlanabilir. Saha düzeyinde İsrail'in tek taraflı adımları ve İsrail lehine olan güç dengesizliği İsrailli aktörler için avantaj sağlarken İsrail karşıtı önergelerin Filistinlilerin iddialarını meşrulaştırıcı rolü ve uluslar arası alanda Filistinlilere verilen büyük destek Filistinli aktörler için bazı kazançlar sağlamaktadır. Saha düzeyi bir egemenlik mücadelesine sahne olurken BM düzeyi ise bir uluslar arası meşruiyet mücadelesine yol açmaktadır. Bu doktora tezinde beş Genel Kurul oylaması ve üç Güvenlik Konseyi oylaması, öne çıkan ve temsil gücü yüksek aktörlerin politikaları ve oy verme davranışları açısından analiz edilmiştir. Sonuç olarak, BM süreci Filistinlilerin elini güçlendirmiş ve İsrail-Filistin çatışmasının çözümüne katkıda bulunmuştur. Buna karşın, kapsamlı bir çözüm için bu süreç, dış aktörlerin desteği ve uygun bir bölgesel bağlamla tamamlanmalıdır.

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Dedicated to my son, Ahmet Tahir

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## ABBREVIATIONS

|       |   |
|-------|---|
| BRICS | Brazil, Russia, India, China, South Africa  |
| DFLP  | Democratic Front for the Liberation of Palestine                                      |
| EU    | European Union  |
| ICC   | International Criminal Court  |
| ICJ   | International Court of Justice  |
| IR    | International Relations   |
| JDP   | Justice and Development Party   |
| NAM   | Non-Aligned Movement  |
| NATO  | North Atlantic Treaty Organization  |
| OIC   | Organisation of Islamic Cooperation (formerly Organization of the Islamic Conference) |
| PA    | Palestinian Authority   |
| PFLP  | Popular Front for the Liberation of Palestine   |
| PLO   | Palestinian Liberation Organization   |
| UK    | United Kingdom  |
| UN    | United Nations  |
| UNEF  | United Nations Emergency Force  |
| US    | United States   |

## CHAPTER 1

### INTRODUCTION

The Palestinian leader, Mahmoud Abbas, applied to the United Nations (UN) for full membership of Palestine in 2011.<sup>1</sup> Though this application was not put to the vote in the UN Security Council, the status of Palestine was upgraded to non-member observer state in the UN General Assembly in 2012 with the help of majority of states (138 votes in favor) in the vote. The UN has long been involved with the Israeli-Palestinian conflict starting with the Partition Plan in 1947. Moreover, the Resolutions 242 and 338 adopted by the UN have constituted the basis of peace negotiations between the two sides. After a long period of military struggle, the negotiations have been the main mechanism for presenting some solutions to the conflict. The two-state solution has been the only point of reference that all sides agreed upon. In essence, the two-state solution was based on the idea of “ending the Israeli occupation in West Bank, Gaza, and East Jerusalem in exchange for legitimacy, security, and a recognized border for Israel (Seidemann & Hendel, 2018, p. 23). Despite some positive steps and achievements during the negotiation process, the UN efforts did not lead to a comprehensive solution especially on the main issues such as borders, the status of Jerusalem and refugees. Because of the stalemate in negotiations, the Palestinians eventually preferred to apply for UN membership instead of pursuing the negotiation path. In this dissertation, I argue that the Palestinian application was a tactical move rather than a strategic change that would leave aside the negotiations completely. The changing dynamics in the Middle East as a result of the Arab Uprisings and the rising power of the Muslim Brotherhood not

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<sup>1</sup> “Application of Palestine for Admission to Membership in the United Nations”, available from <https://digitallibrary.un.org/record/711167?ln=en>



only in Egypt but also in other parts of the region created a window of opportunity for the Palestinians. Therefore, the timing of the application for UN membership was meaningful in that context. However, this move cannot be considered as a state-building project through the UN due to the impossibility of achieving UN membership against a probable US veto. Instead, the Palestinian leadership aimed to strengthen its hand in the future negotiations by getting the title of state, without a UN membership. Put differently, it was a way of lessening the degree of power imbalance between the two sides. Furthermore, the support of many states in the UN votes for the Palestinians was conditional and it depended on continuation of negotiations. Consequently, any unilateral decision by Palestinians to leave the negotiation table would mean the loss of that conditional support and the loss of legitimacy in the international arena that was significant for the Palestinian side.

In terms of the facts on the ground, upgrading the status of Palestine to non-member observer state did not create concrete changes but the vote in the UN General Assembly itself and the high number of votes in favor of the Palestinians were regarded as a symbolic and political victory. In other words, the vote contributed to Palestinian claim in the legal sense but was not be sufficient to establish a sovereign state on the ground. Thus, in this dissertation, I will focus on why this vote on upgrading the status of Palestine is still meaningful despite the lack of concrete results in terms of statehood and sovereignty. Apart from the symbolic meaning and legal contribution of the UN process, the major powers such as the US, Russia and leading European actors attributed importance to the process in the UN and they preferred to play roles and to take sides. Their involvement shows the political significance of the initiatives in the UN. As a result, I will concentrate on

the meaning and importance of the UN part of the Palestinian state formation process despite the absence of a crucial or triggering impact for the decisive actors.

The UN votes on the status of Palestine highlight the legal and political aspects of sovereignty. At the UN level, the votes in favor of the Palestinians could only be a source of legal background for the state formation. On the other hand, the Israeli control over territories where Palestinians have claims of sovereignty points to another aspect of the issue. Therefore, I will evaluate the whole process of the Israeli-Palestinian conflict as a complex two-level game: the UN level, the ground level and interactive relations in these two levels including the negotiations. At the UN, Palestine struggles for international legitimacy. While the US veto blocks almost all the attempts in the UN Security Council, the status of Palestine has been upgraded in the General Assembly. As a result, UN votes on the status of Palestine will be the dependent variable at this level. Independent variables include the international system, unilateral actions of Israel, external attempts to change the status quo about two-state solution, and contents and preparation of draft resolutions. On the other hand, there is a struggle over sovereignty at the ground level. A possible (future) Palestinian state will be addressed as the dependent variable at this level. The Israeli elites and Israeli domestic politics, the Palestinian elites and Palestinian domestic politics, external actors such as the US, the EU, Russia and China, and regional context will be considered as independent variables. Bilateral negotiations also have crucial meaning as the main platform of resolution for the Israeli-Palestinian conflict. It can be called as the main point of interaction for complex two-level game. The details of the previous negotiation processes will not be my central concern in this dissertation but the relationship between the UN level and the ground level as well as the negotiations will be addressed in order to understand the whole

process and dynamics in the Israeli-Palestinian conflict. The main hypothesis of the dissertation can be formulated as such: while the Palestinians aim to strengthen their hand on the negotiation table by upgrading their status at the UN and consolidating the support of other actors through internationalizing the conflict, the Israeli politicians prefer to create *fait accompli* situations on the ground so that they could get new room to maneuver in negotiations. As a result, the combination of two-level games in Israeli-Palestinian conflict can be considered as complementary to each other and the dynamics on one level have potential to influence other levels. The UN process, which takes part at the heart of this dissertation, should be thought as a part of the general process instead of a separate phenomenon.

The discrepancy at different levels, stemming from direct Israeli control on the ground despite high number of states recognizing and establishing diplomatic relations with the State of Palestine, leads us to questioning the concept of sovereignty. The concept of sovereignty has evolved in a different meaning depending on some developments in the historical process. The rising number of states which had different qualities compared to former Westphalian states after the decolonization process, the emergence of aspiring states or *de facto* states in different parts of the world, and the clashes of political claims and legal or historical claims over some issues make the reevaluation of the concepts of statehood and sovereignty inevitable. This also implies that the assumptions of the main International Relations (IR) theories about the definitions of state should be analyzed by taking into account these changes. The evolution of the concept of sovereignty introduces new types of statehood in the modern world so the Westphalian notions attributed to the classical definition of state cannot be sufficient in this new context. It can be argued that a possible or future Palestinian state may not coincide with the classical definitions but

it can be recognized as a state in the end. This would change many things not only in Israeli-Palestinian conflict and in the Middle East but also will be relevant for political theory and international relations disciplines.

The relationship between domestic politics and foreign policy has been one of the central themes in comparative politics and in the discipline of IR. While some scholars stressed the domestic causes and their international effects (“Second Image”) (Waltz, 1959, p. 80), some others focused on the influences of international factors on domestic politics (“Second Image Reversed”) (Gourevitch, 1978, p. 881). Robert D. Putnam, on the other hand, addresses the “domestic-international entanglements” instead of a purely domestic or a purely international analysis (Putnam, 1988, p. 430). This view, in my opinion, presents a better perspective for the relationship between domestic and international factors because the one-sided explanations focusing on the international effects of domestic causes or vice versa cannot be sufficient to explain the nature of the relationship. Furthermore, Putnam’s theoretical approach best fits Israeli-Palestinian conflict and will be used as a reference point in this dissertation. Israeli-Palestinian conflict plays the central role not only in foreign policy but also in domestic politics as well for both Israel and the Palestinians. Kissinger clearly expresses this situation for Israel: “Israel has no foreign policy, only domestic politics” (Shlaim, 1995, p. 20). Therefore, Putnam’s “logic of two-level games” reflects the conditions in Israeli-Palestinian conflict to a great extent. Put differently, the issues related to Israeli-Palestinian conflict are so decisive and intrinsic for both sides that their domestic politics and foreign policy cannot be thought separately. More importantly, bilateral negotiations between Israel and the Palestinians demonstrate the domestic-international entanglements about Israeli-Palestinian conflict. The chief negotiators of both sides have always taken

into account the possibility of ratification of a possible agreement on the negotiation table. Thus, the dynamics of domestic politics played a key role in the negotiation strategies. The relative size of “win-sets”, “the cost of no agreement” and “issue linkages” between the two levels constituted the main determinants of the negotiation process (Putnam, 1988, pp. 441-447). As the Israeli-Palestinian conflict will be considered as an example of the domestic-international entanglements in international relations, the concept of two-level game will be used as an essential conceptual tool in this dissertation.

According to Putnam’s concept of two-level games, one-sided explanations and state-centric literature cannot be sufficient for analyzing the relations and interactions between domestic and international levels. There are different dynamics of the two levels of negotiations, namely bargaining between negotiators (Level I) and separate discussions within each group to ratify the agreement (Level II) (Putnam, 1988, p. 436). In Putnam’s theory, “win-sets” which can be defined as “the necessary majority among the constituent in order to get ratification” influence the negotiation strategies and likelihood of an agreement during the negotiations (Putnam, 1988, p. 437). On the one hand, larger win-sets increase the possibility of an agreement between negotiators at Level I. On the other hand, the relative size of win-sets determines the bargaining power of the negotiators. Therefore, the negotiation strategies of two sides, the institutions that will ratify the agreement, and the policies and coalitions at the domestic level all affect the size of the win-sets. Moreover, the cost of no agreement is also an important determinant of the negotiation strategies.

In the Israeli-Palestinian conflict, the domestic conditions of the two sides are very different. Whereas Israel has an independent and sovereign state ruled by a

democratic system, the Palestinians could not establish their state and there is a de facto internal division among the Palestinian groups. Because of the electoral system in Israel, coalition governments became the rule; thus, the political orientations of the coalition members, the number of their parliamentary seats, and the public opinion on various issues are significant for the negotiation strategies of Israel. The cost of no agreement has been lower compared to the Palestinians so the Israeli negotiators did not need to make important concessions. One of the most important effects that have forced Israel to participate and make some concessions in the negotiations was international pressure. The Palestinian side, on the other hand, had very little room to maneuver and their cost of no agreement was always higher due to the poor living conditions for the Palestinian people on the ground. Although the Palestinian Liberation Organization (PLO), and the Palestinian Authority (PA) after the Oslo process (the peace process started with the secret talks in 1993 and led to some important results such as the Declaration of Principles and the Oslo Accords), represented the Palestinians in negotiations, their bargaining power was not so high because of the unfavorable domestic and international conditions for the Palestinians. Furthermore, convincing the Palestinian people to an agreement which include many conditions against the Palestinian causes such as changing the status of Jerusalem or giving up the right to return for the Palestinian refugees was almost impossible. The First and Second Intifadas, general Palestinian uprisings against the Israeli occupation and policies of the Israeli administration, can be considered as a reaction to failure of peace attempts and the conditions on the ground. In sum, the negotiation processes of the Israeli-Palestinian conflict reflect the logic of two-level games.

In addition to impacts of issue linkages on the preferences and policies of the actors, the logic of two-level games provides an opportunity for “synergistic

linkages” as a result of interactions between the domestic and international actors (Putnam, 1988, p. 447). In other words, the actors adopt different policies by taking into account their possible advantages at the two levels. For instance, a particular policy may seem difficult to pursue or a particular decision cannot be taken because of the domestic considerations but the involvement of the external actors or another process at the international level may ease to adopt that policy or decision in terms of convincing the domestic constituencies or public opinion. Furthermore, if there is an international agreement regulating the international standards about a particular issue, it becomes easier for the leaders and decision-makers to make legal regulations and to convince their citizens with the help of the international dynamics. Looking at the other side of the coin, the chief negotiators or decision-makers use the domestic conditions and the views of the public opinion as a negotiation strategy or a reason for deciding their position on a particular issue. The positions and policies of the actors at the UN level can be considered as an example of the latter case. Despite the fact that the Israeli-Palestinian conflict also includes many examples of issue linkages and synergistic linkages, the multi-dimensional and multi-actor aspects of the conflict make it more complicated than the ones depicted in the two-level games. The Israeli-Palestinian conflict is not only composed of legal or political issues but also there are cultural, religious, socio-economic, military, historical and humanitarian aspects of the conflict. This multi-dimensional aspect of the conflict, on the one hand, creates some chances for making some improvements in the negotiations with the help of issue linkages and mutual concessions on some issues but the two sides generally adopt non-negotiable positions on the main issues such as borders, the status of Jerusalem, and the rights of the Palestinian refugees. Therefore, a comprehensive settlement of the conflict could not be achieved despite some minor

improvements in the former negotiations. The attempts at the UN level and the role of external actors also lead to synergistic linkages between the two levels but they could not create the expected outcomes for the main issues either.

Putnam's theoretical perspective can be regarded as the most appropriate approach for the Palestinian case but the peculiarities of the issue need more elaboration. Although the status of Palestine in the UN has been upgraded to non-member observer state in the 2012 UN General Assembly vote and many states have already recognized the State of Palestine in principle, Palestinians could not establish a sovereign and independent state on the ground. The Palestinian bid for full membership to the UN having failed, the Palestinian actors are not treated as equal counterparts by the representatives of the other states. For instance, the Israeli and Palestinian chief negotiators do not take part on the negotiation table with equal status in the legal and political sense. More importantly, there is the reality of Israeli occupation on the ground. The lack of effective control on the territories populated by the Palestinian people and the absence of a sovereign and independent Palestinian state make the concept of domestic politics questionable for the Palestinian case; in other words, there is no domestic authority or monopoly on the legitimate use of power. In addition, the Palestinian economy is directly dependent on foreign aid and certain activities subject to the permission of Israeli administration. The PA in the West Bank and the Hamas government in Gaza cannot meet even the most basic needs of the Palestinian people living in the region because of the Israeli occupation. The air space and territorial waters of Palestinians are under direct control of the State of Israel. Furthermore, the Israeli governments can take any measures against the Palestinian people citing security reasons. There are also many Israeli checkpoints in the Palestinian territories resulting in discontinuous neighborhoods



instead of a unified territory in the West Bank. Though Gaza looks more unified in the most-densely populated area of the world, the Israeli operations and asymmetric use of power against the Palestinian people in Gaza have been ordinary parts of life there. As a result, it is difficult to talk about a genuine domestic politics in Palestine under the Israeli occupation. To put it another way, the domestic-international distinction is not clear for the Palestinian case. Therefore, this situation goes beyond the domestic-international entanglements depicted by Putnam. It can be expressed with a sentence similar to famous phrase in the Communist Manifesto (Marx & Engels, 1967, p. 83)<sup>2</sup>: All that is domestic melts into international. Because of these peculiar aspects, all things related to Palestinians can be internationalized easily. In other words, separation of domestic and international levels has been blurred in the Palestine. Consequently, the mechanism of complex two-level game in the Israeli-Palestinian conflict is different from Putnam's two-level game in some respects due to the ongoing Israeli occupation and lack of a sovereign and independent Palestinian state on the ground.

Complex two-level game of the Israeli-Palestinian conflict not only refers to a unique case but also can be considered as a combination of two-level games. Since the boundaries of domestic politics are not clear for the Palestinians, one level of the complex two-level game will be called as the ground level. The ground level refers to the reality and dynamics on the ground such as the Israeli domestic politics, the policies of the Palestinian actors, the consequences of the Israeli occupation, the involvement and policies of the external actors, and the regional context. The reality on the ground can be called a "stage without theatre".<sup>3</sup> Bilateral negotiations between Israel and the Palestinians have been directly related to the dynamics on the ground

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<sup>2</sup> See "All that is solid melts into air."

<sup>3</sup> The original expression belongs to Assoc. Prof. Dr. Gün KUT who used it in the Thesis Progress Committee at Bogazici University on June 8, 2020.

in two ways, because of the fact that the issues negotiated by the two sides will determine the changes in the conditions on the ground but also existing conditions affect the negotiation strategies of the delegates. The logic of two-level games in the Putnam's conceptualization explains the mechanism of the bilateral relations. To put it another way, the ground level includes a two-level game in itself. Actually, the negotiations constitute the platform where the dynamics on the ground and the developments at the UN level coincide; therefore, bilateral negotiations are considered as the main platform for a comprehensive solution in the Israeli-Palestinian conflict. The domestic and international factors come together on the negotiation table so the logic of two-level games defined by Putnam directly works there. In sum, the ground level refers to the reality or the dynamics on the ground and it is one of the two main levels of the complex two-level game of the Israeli-Palestinian conflict.

The other level of the complex two-level game of the Israeli-Palestinian conflict can be called as the UN level. The UN, as the most inclusive international institution, plays an important role in the international arena besides the other regional and international institutions as well as states and non-state actors. Whereas the UN Security Council has five permanent and ten elected members, the General Assembly functions as a kind of global parliament by including all the UN members in an equal status. The UN members express their positions and policies during the UN sessions. Thus, the UN General Assembly sessions and votes about a particular issue reflect the dynamics among the international actors. The Israeli-Palestinian conflict has long been an important issue at the UN agenda so the primary and secondary issues related to the Israeli-Palestinian conflict led to many proposals and resolutions in the Security Council and the General Assembly. Because draft

resolutions are prepared with the involvement of different UN members and the delegates of the UN members express the positions and policies of their states on any particular issue, the UN can be regarded as an indicator of the dynamics of the international arena. In this way, the role of the UN in the Israeli-Palestinian conflict and the initiatives taken at the UN level constitute an important part of complex two-level game as explained in this dissertation. Consequently, the UN will be the center of my focus as the most important part and reflection of the international dynamics. The UN process includes two-level games. Thus, complex two-level game of the Israeli-Palestinian conflict involves classical two-level games in its special two-level game so it deserves to be called complex in that regard.

### 1.1 Research puzzle

The Israeli-Palestinian conflict has long been the core problem in the Middle East. After long years of military struggle between the Arab and Israeli armed forces starting even before the establishment of the State of Israel, peace negotiations have turned into the main mechanism for solving the Israeli-Palestinian conflict. On the other hand, there has been a huge power imbalance between the State of Israel and the Palestinian groups on the ground and Israel did not show any restriction in using its asymmetrical power against Palestinians. Therefore, the status quo on the ground was in favor of Israel. The living conditions of Palestinians have deteriorated under Israeli occupation and heavy pressure. Low expectations on both Israeli and Palestinian people in the successive negotiations during the Middle East peace process, and the unilateral actions of Israel and its asymmetrical use of power against the Palestinian groups led to two general uprisings called the First and Second Intifadas. These can be considered as reactions by the Palestinian people against the

unfavorable status quo in the region. It has long been argued that the conditions on the ground are unsustainable especially for the Palestinians (Maher, 2011, p. 142). However, the Israeli-Palestinian conflict remained unresolved and the Palestinian people could not establish their own state despite the UN resolutions based on two-state solution and the long period after the establishment of the State of Israel. As a result, the question of how the unsustainable conditions for Palestinians on the ground could be maintained seemed intriguing for the purposes of this dissertation.

Looking at the other side of the coin, the Palestinians could gain increasing level of support in the international arena. In addition to the former UN Security Council resolutions such as Resolution 242 (S/RES/242),<sup>4</sup> adopted after the 1967 War, and Resolution 338 (S/RES/338),<sup>5</sup> adopted after the 1973 War, providing support and legitimacy for the Palestinian claims, the number of countries which recognized the State of Palestine and voted in favor of Palestinians in the UN have increased in time. Furthermore, the initiatives and votes about the status of Palestine and some other issues about the Israeli-Palestinian conflict have increased especially after the Palestinian application for the UN membership in 2011. In other words, the Palestinian application to the UN activated the international level in that sense. It can be argued that the Israeli-Palestinian conflict has experienced a very dynamic process compared to the other unresolved issues, including “frozen conflicts” (Berk, 2017, p. 72), in other parts of the world. The changing dynamics at different levels related to the Israeli-Palestinian conflict and the impacts of the relations among these levels constitute another aspect of the research puzzle in this dissertation. This dissertation

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<sup>4</sup> Security Council Resolution 242, U.N. Doc. S/RES/242, (Nov. 22, 1967), available from <https://digitallibrary.un.org/record/90717?ln=en>

<sup>5</sup> Security Council Resolution 338, U.N. Doc. S/RES/338, (Oct. 22, 1973), available from <https://digitallibrary.un.org/record/93466?ln=en>

will explain the mechanism which is based on developments in negotiations, changes on the ground, and the initiatives at the UN level.

The importance of the initiatives at the UN is another aspect of the research puzzle in this dissertation. Since the effectiveness of the UN bodies has been questioned by many actors and many reform proposals about the structure of the UN have been presented in different periods, the importance attributed to the attempts at the UN should also be explained in detail. More specifically, the UN Security Council can take binding decisions for the member states in order to fulfill its main function for “maintaining international peace and security”<sup>6</sup> in the world but its decision-making mechanism and membership procedures have been questioned from the very beginning of the UN history. Although ten members of the Security Council are elected for two years and rotated after that period, the permanent five members have the right to veto unlike the elected members. This structure was established in the context of the post-World War II period, and it reflected the balance of power in that context. However, the unchanging character of the structure of the Security Council, and the permanent members’ right to veto have made the issue more problematic for other actors. Parallel to the worries about the results of this structure, the UN Security Council could not take active role during political crises around the world because of the clashes of interests among permanent members. On the other hand, the UN General Assembly had one state-one vote principle but its decisions and votes were “mere recommendation” for the member states.<sup>7</sup> In other words, the General Assembly was not designed for playing decisive roles despite its inclusive character. In addition to this, even the binding Security Council decisions could not

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<sup>6</sup> UN Charter, “Chapter I: Purposes and Principles”, Article 1, available from <https://www.un.org/en/sections/un-charter/chapter-i/index.html>

<sup>7</sup> UN Charter, “Chapter IV: General Assembly”, Article 10, available from <https://www.un.org/en/sections/un-charter/chapter-iv/index.html>

be put into practice due to lack of enforcement mechanism in some cases.

Nevertheless, the UN has kept its central position as the most inclusive international institution in spite of the questions about its structure and effectiveness. Moreover, the regional and global actors in the international politics preferred to make active campaigns in UN votes and attributed striking importance to initiatives in the UN bodies.

The application of Mahmoud Abbas for full UN membership in 2011 not only reactivated the UN in terms of the Israeli-Palestinian conflict but also reignited the debate about Palestinian statehood. Theoretically, the status of statehood has legal requirements. However, the political process behind the legal confirmation of statehood plays more decisive role in order to get the status of statehood. In the Palestinian case, the Palestinian National Council, under the leadership of Yasser Arafat, proclaimed the State of Palestine as early as 1988.<sup>8</sup> The UN General Assembly recognized the right for Palestinian self-determination and the State of Palestine in principle under the framework of two-state solution with the resolution (A/RES/43/177) about “Question of Palestine” after the Palestinian declaration.<sup>9</sup> In addition to the UN decision, many states have recognized the State of Palestine in the following period. As a result of the successive initiatives and votes at the UN, the Palestinians could get the status of non-member observer state in the UN but the State of Palestine has not been accepted as a full UN member because of lack of the Security Council decision recommending the membership of the State of Palestine to the General Assembly.<sup>10</sup> This dissertation will discuss the legal and political

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<sup>8</sup> Letter from the Permanent Representative of Jordan to the UN about the Proclamation of the State of Palestine, available from <https://digitallibrary.un.org/record/50478?ln=en>

<sup>9</sup> UN Recognition of Proclamation of the State of Palestine, “Question of Palestine”, available from <https://digitallibrary.un.org/record/53922?ln=en>

<sup>10</sup> “Charter of the United Nations”, Chapter II: Membership, Article 4, accessed April 28, 2019, available from <https://www.un.org/en/sections/un-charter/chapter-ii/index.html>

requirements of statehood in order to explain the current preconditions for the Palestinian case. In addition to the features of statehood, the concept of sovereignty will be discussed as a crucial element of the debates on statehood. With the rise of non-state actors and emergence of different types of states, the modern state system, which is also called as Westphalian state system, has become questionable (Sorensen, 1997, p. 255). This system was based on sovereignty, and the principles of domestic authority and non-interference (Brathwaite, 2012, p. 39). However, the new actors claiming statehood have different qualities which do not overlap the classical definitions of sovereignty and statehood. Therefore, questioning the concepts of statehood and sovereignty will be a part of the dissertation while analyzing the Palestinian case in that sense. The research questions in the next part will show the other points of the research puzzle, and the hypotheses and assumptions will present the main arguments of the dissertation.

## 1.2 Research questions

The main research question of this dissertation can be formulated as: what kind of a role has the UN played in Israeli-Palestinian conflict, and how has the recent reactivation of the initiatives at the UN starting with the Palestinian application for UN membership in 2011 currently changed that role? How do the developments at the UN level, and the dynamics on the ground and domestic politics of both sides affect each other and the evolution of the Israeli-Palestinian conflict? What kind of a relationship emerges as a result of domestic-international entanglements?

Other research questions that will be dealt with in the dissertation are the following:

What are the definitions and requirements of state in political theory, international law and international governance? To what extent the Palestinian case fit those definitions and requirements? In what sense the concepts of statehood and sovereignty has changed in the modern period?

How do the Palestinian, Israeli or external actors expect a possible, or future, Palestinian state? What are the main reasons for differences over the state perceptions among these actors? What is the position of the UN in that debate and what kind of a role the UN resolutions play in the conflict?

What is the role of international system and the regional or global powers in the emergence of a new state? What kind of a universal system is favorable or disadvantageous for a Palestinian state?

What kind of voting patterns can we observe in the UN General Assembly and Security Council sessions? Have they changed through time and, if yes, in what direction? How did the recent votes in the General Assembly and Security Council in the last decade influence the Israeli-Palestinian conflict?

How do the unilateral actions of Israel and its asymmetrical use of power in reaction to the Palestinian groups affect the realization of Palestinian statehood in terms of population, territory, sovereignty and international recognition?

Why the current leader of the Palestinian Community, Mahmoud Abbas, decided to internationalize the issue and apply to the United Nations for statehood instead of continuing peace negotiations? What are the main reasons and motivations behind this change in the Palestinian policy?

Which factors affect the dynamics on the ground about the Israeli-Palestinian conflict? How do the changes on the ground influence the developments in the UN and the negotiation attempts between the two sides?



What are the main arguments of the US and Israeli representatives toward the issue?

What are the advantages or disadvantages of those arguments in terms of international law compared to counter-arguments asserted by the other members?

What are the legal and political consequences of upgrading the status of Palestine to non-member observer state and what are its implications for the Palestinian-Israeli conflict in the next period?

### 1.3 Hypotheses

1-Main hypothesis: As shown in Figure 1, the political process of the Israeli-Palestinian conflict is based on the developments at different levels, namely the ground level, the UN level, and interactions between these levels including the negotiations so this mechanism can be defined as a complex two-level game for the Israeli-Palestinian conflict. Whereas the unilateral actions of Israel and the power imbalance in favor of Israel create an important advantage for the Israeli actors at the ground level, the legitimizing role of the anti-Israeli resolutions for the Palestinian claims and the high amount of support for the Palestinians in the international arena provide some assets for the Palestinian actors. Moreover, the ground level witnessed a struggle over sovereignty while the UN level and the international arena created a struggle over legitimacy. The different dynamics at these two levels lead to sustainability of unsustainable conditions in the Israeli-Palestinian conflict. On the other hand, the negotiations keep their central place as the main platform for a comprehensive solution. Therefore, it can be considered as the level of synthesis in the dialectical relationship among the different levels.

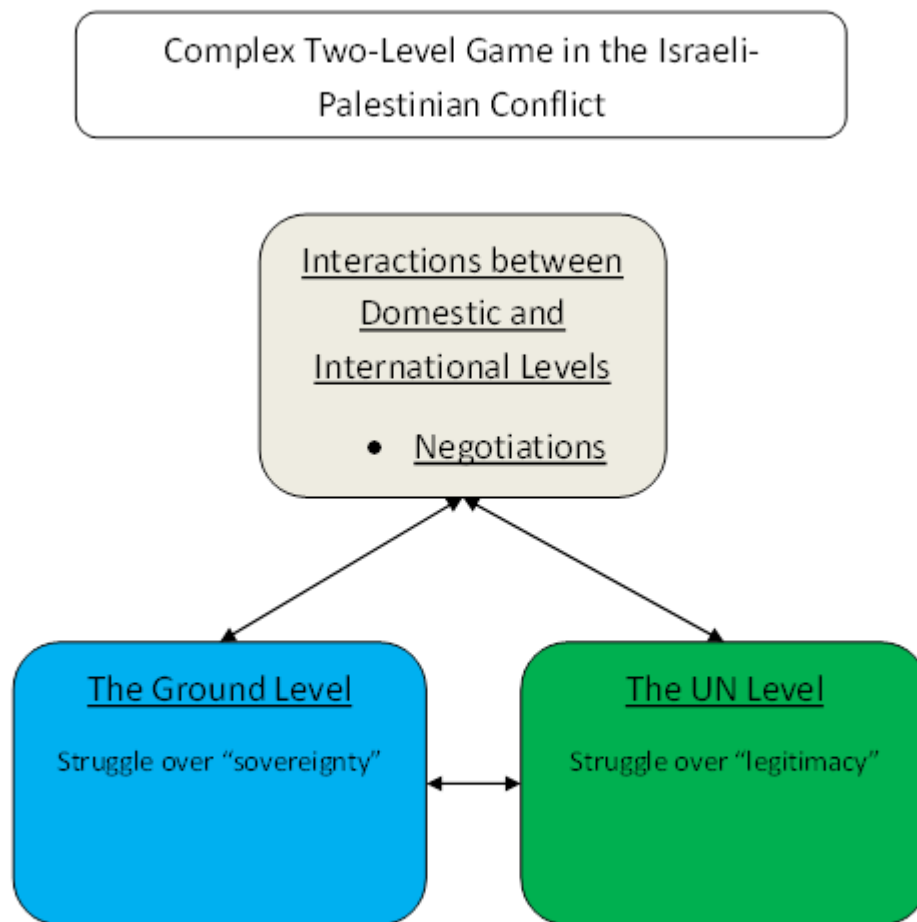


Fig. 1 Mechanism of the complex two-level game of the Israeli-Palestinian conflict

2-The regional context has a more dynamic character compared to the other variables on the ground such as the positions and policies of the Israeli and Palestinian actors especially on the basic issues. Therefore, it plays a more decisive role within the dynamics of complex two-level game of the Israeli-Palestinian conflict and it determines the activation or abandonment of the UN level depending on the context. The Palestinian application for statehood in the UN was more meaningful in the context of the Arab Uprisings. 2013 military intervention in Egypt and the reverse wave in the Arab Uprisings changed the atmosphere radically and led to the

conditions that were unfavorable for Palestinians. Donald Trump's Presidency in the US and improving relations with some Gulf monarchies also strengthened the hands of Israeli actors. This new regional and external context produced a peace plan, called Deal of the Century, in favor of Israel. Therefore, the dynamic character of the regional context will continue to play decisive roles in the policies of the two sides of the conflict.

3-The concept of state have different meanings in political theory and in international law. These different interpretations strengthen the political character of statehood. Even if Palestine could meet all the criteria for statehood in terms of international law, recognition is a fundamentally political act. Therefore, political conditions, positions of external actors and opportunity structures are at least as important as legal issues.

4-Whereas the unilateral actions of Israel and its asymmetrical use of power against the Palestinian groups decrease the chances of realization of a Palestinian state in terms of population, territory and sovereignty, they increase the international support for Palestinian statehood and its international recognition.

5-While the claims and arguments of the Palestinian side are mostly based the UN Resolutions and international law, the Israeli and US delegates point out to the de facto situation (the facts on the ground). Since the Israeli initiatives such as building new settlements and roads in the Occupied Territories change the conditions on the ground and the Palestinian initiatives create only minor changes, the gap between de facto and de jure statuses grows through time.

6-The Palestinian initiatives towards statehood and the UN decisions make the Palestinian case closer to the constitutive theory of statehood rather than declaratory

theory of statehood but the need for negotiations for a comprehensive solution makes it a unique case.

7-The change of Palestinian strategy towards internationalization and statehood stemmed from a few reasons such as failure of the former peace negotiations, changes in the policies of the mediators, deterioration of conditions in case of continuation of status quo for Palestinians, and international support for Palestinians against Israel's unilateral actions.

#### 1.4 Main assumptions

1-A possible, or future, Palestinian state has different meanings according to Palestinian, Israeli or external actors so that the details of the two-state solution are debatable. The seeming irreconcilable proposals for a Palestinian state will be the starting point in the negotiation phase. The result will emerge under the influence of the international context, the role of regional and global actors, the changes in the international system and the policies of Palestinian and Israeli actors. The comprehensive solution should, at least partially, satisfy both sides in any case.

2-The support of the international community in UN votes for Palestine is conditional and the final solution is considered as dependent on negotiations with Israel. Although this attitude shows the common will towards the two-state solution, there is no mechanism for enforcing that will into action. It results in continuation of the status quo.

3-The era of absolute sovereignty has already passed so the emerging actors claiming statehood should be analyzed from the perspective of changing meaning of sovereignty rather than the original Westphalian conception of state.

4-Because of the special relationship between the US and Israel, the US could block the attempts in favor of Palestinians at the UN Security Council by using its veto power. On the other hand, the US and Israel remained isolated in their campaigns against the anti-Israeli resolutions in the UN General Assembly.

5-The European Union (EU) could not turn into an alternative decisive player in the world politics despite its crucial financial role in the Israeli-Palestinian conflict. The performance of the EU could not meet the high expectations in that sense.

6-The relative decline in the US standing and changes in the global balance of power paved the way for the rising powers such as China and Russia. They aimed to play more active roles in the Middle East in order to fill the power vacuum stemming from the partial retreat of the US from the region. Their assertiveness in the Middle East reflects not only their goals towards the region but also their aspirations for change and upgrading their status in the international system.

7-The Israeli discourse about Palestinian statehood has always reflected the different versions of autonomy for the Palestinians. This discourse has turned into a state policy with the help of more or less coherent policies of the Israeli political elites. Although international pressure and the role of external actors led them to change their proposals in form, they remained almost the same in content.

8-The fractionalization within the Palestinian society, particularly the competition between Fatah and Hamas, makes the realization of two-state solution more difficult. Furthermore, a Palestinian state will not be the final solution but it will be a part and a means of achieving a comprehensive solution for the long-term conflict.

9-Palestinian initiative towards statehood in the UN did not aim at total rejection of negotiations but it targeted to return to the negotiation table on an equal basis. The cost of no agreement has always been higher for the Palestinians because of their

unfavorable conditions on the ground. Therefore, the choice of the Palestinian leader can be considered as a part of a grand strategy rather than a completely new track for solution.

### 1.5 Research orientation and study structure

The Israeli-Palestinian conflict has many dimensions reflecting political, socio-economic, cultural, religious, legal or military issues. Therefore, it was necessary to narrow down my focus in order to analyze a particular aspect of the issue in depth. However, it should be underlined that those issues related to the Israeli-Palestinian conflict cannot be separated from one another completely. Because of that, this part can be considered as an attempt to put my priorities in order. One of my concerns for the choices about the research topic was my possible contribution to the existing literature. Thus, I have preferred to concentrate on less studied aspects of the issue rather than those which have almost been exhausted by other scholars. For example, negotiations and the developments at the negotiation processes have been studied by many scholars so I did not go into the details of the negotiations in this dissertation. As a result, this dissertation will hopefully contribute to the wide literature about the Israeli-Palestinian conflict not only for its perspective but also for its focus and research puzzle.

First of all, it needs to be made clear what I will not focus on in this dissertation. Although socioeconomic, cultural, religious or military issues are of crucial importance in the Israeli-Palestinian conflict, they will not take part at the center of the dissertation. For the purposes of the dissertation, the political and legal aspects of statehood and the political process having an influence on the Israeli-Palestinian conflict will have higher significance compared to other issues. Apart

from that, specific issues related to the negotiation processes will not be at the top of my priorities in the dissertation despite the fact that the negotiation table is described as the central and decisive platform for the resolution of the complex two-level game in the Israeli-Palestinian conflict. Therefore, my UN-centered approach and analysis about the UN level in relation with other developments in the international arena and the ground level will certainly be a novel contribution to the literature. Consequently, issues excluded from the dissertation have been chosen either to narrow down my focus in such a complicated conflict or to prioritize the less studied aspects of the conflict in order to make an original contribution to the literature.

This dissertation will include the political and legal components of the Palestinian statehood and some other issues related to the Israeli-Palestinian conflict. Since the political process lying behind the requirements for statehood outweighs the legal aspects, the political issues will be of critical concern. The theoretical part will discuss different state definitions in political theory, international relations and international law. It will also give information about statehood theories and the current conditions in the Palestinian case. In that part, the concepts of statehood and sovereignty will be questioned particularly because of the practical problems under the influence of the developments in the current period. Then, a historical overview of the Israeli-Palestinian conflict in terms of the role of the UN and resolutions will be presented. The main chapters of the dissertation will address the variables at the UN level and the ground level.

## 1.6 Framework

The dissertation will be based on analyses of the developments and votes at the UN. In other words, the attempts at the UN level will be of the central concern for the

purposes of dissertation. Since the Palestinian application for UN membership triggered the reactivation of the UN, this application led to debates over the status of Palestine in terms of statehood. Therefore, the theoretical part of the dissertation will focus on the discussion about the nature of statehood in political theory, international relations and international law. Parallel to the widespread use of the Montevideo criteria, the legal requirements of statehood adopted in the Montevideo Convention in 1933, I will analyze the current status of the Palestinian case in accordance with those criteria in terms of international law. However, it should be underlined that the primacy and decisiveness of the political process about the statehood is one of my basic assumptions so the debates and preferences about the political aspect of statehood are more important for the dissertation.

In terms of the definitions of state in political theory, the classical Hobbesian or Weberian conceptualizations emphasizing the coercive character of state will be used as a reference point (Baig, 2014, p. 36; Catic, 2009, p. 13; Hobbes, 1963, p. 175; Miller, 2010, p. 145). Nevertheless, I believe that today's state has evolved to a different version compared to the classical definitions. The Westphalian state which has been used as the main point of reference in international politics has lost its unquestionable status in that sense (Krasner, 1996, p. 115). Moreover, new actors having different qualities compared to the Westphalian states emerged in the last century and many new states could gain the UN membership, which is considered as the most important indicator of recognition of statehood. The process of decolonization led to the rise of the number of new states throughout the world. Whereas some claimant actors have de facto control on the ground without international recognition, some others have been recognized by many actors despite the lack of effective control or sovereignty on the ground. New concepts such as



“aspiring states” (Catic, 2009, p. 30; Tabak, 2015, p. iii), “quasi-states”, “proto-states” (Clapham, 1998, p. 144; Pegg, 1997, p. ii) or “de facto states” have been offered in order to define these new types of claimant actors. In spite of this, it should be underlined that the process of the emergence of new claimant actors has not been accomplished yet especially under the influence of increasing uncertainty in the international arena. Put differently, there has emerged a “blurred line” between states and non-state actors (Clapham, 1998, 153). This dissertation claims that the Palestinian case takes place in this blurred line or gray zone. While the Palestinian actors could gain important amount of international support for their struggle over statehood, they are far from establishing effective control on the ground because of the Israeli occupation and pressure against them. As a result, the Palestinian case will be analyzed as a unique case in this dissertation.

Besides the theoretical approaches in political theory, there are two main statehood theories in the literature. While the declaratory theory of statehood emphasize the need for fulfilling the legal requirements such as defined borders, permanent population and effective control, the constitutive theory of statehood prioritizes the role of international recognition on establishing statehood (Coggins, 2006, pp. 38-39; Nelson, 2016, p. 5). Between them, the Palestinian case obviously seems closer to the latter theory. However, the support of the international actors has always been dependent on the need for negotiations for reaching a final solution in the Israeli-Palestinian conflict. Thus, the Palestinian case can be defined as constitutive theory plus negotiations. Consequently, the Palestinian case will be evaluated as a unique case in terms of statehood theories as well.

The mainstream IR theories, the different variants of Realism and Liberal theories, reflect the debates in political theory. They share certain assumptions such

as the central place of states as the main actors in international relations, the rational character of states, primacy of material factors and the anarchic nature of international relations. Although they differ in some other issues such as the basic functions of states, the role of international institutions and likelihood of cooperation, these differences cannot be considered as ontological challenges. The Realist ideas reflect the asymmetric power relations on the ground for the Israeli-Palestinian conflict; therefore, a form of Realist power-based analysis will be made in the dissertation. Furthermore, Israel and the US always address to the facts on the ground and they emphasize the power imbalance. The Israeli power-based policy can be observed in its unilateral actions and asymmetric use of power against Palestinians. The political process of statehood requires an analysis based on power and interests. As a result, power will be considered as an important element of the complex two-level game. On the other hand, critical theories emerged as an ontological and epistemological challenge against the mainstream theories especially the Realist theories. They stress the importance of the ideational factors in addition to the material factors. Parallel to my claims about the changing character of statehood in international politics, I put forward the constructivist conception of state and sovereignty as a useful way of understanding the Palestinian case and the transformation in international relations. Constructivists claim that “everything is socially constructed” and “anarchy is what states make of it” so even the basic assumptions of the main IR theories can be questioned (Wendt, 1992, p. 391). According to this approach, sovereignty and statehood are also socially constructed and the Westphalian notion of state is one among many alternatives. Moreover, in today’s world, absolute sovereignty is no longer the case on the ground. Therefore, the constructivist conception of sovereignty will be a useful approach for this

dissertation. The constructivist theory will be used as a part of theoretical approach of the dissertation because of its explanatory power for the Palestinian case, in particular, and for the changing features of sovereignty and statehood, in general. In sum, a Realist power-based analysis will be combined with the constructivist conception of statehood and sovereignty in the theoretical discussion of the dissertation.

### 1.7 Methodology and methods

This dissertation can be defined as a kind of explanatory research in terms of its purposes. It will be based on qualitative analyses and secondary sources will constitute the main sources for the research. Since the information gathered from the existing literature will be applied to the Palestinian case, case study will be the main method in this research. Besides the case study, process tracing will be used to show the relationship between the historical developments and its impact on the Israeli-Palestinian conflict. Moreover, quantitative methods and statistics will be used in order to show the voting patterns in the UN and the vote for upgrading the status of Palestine in the UN. Apart from that, data will be collected from the national and international newspapers and websites about the policies of the major actors.

### 1.8 Outline of the dissertation

After the introduction chapter, I will present the theoretical chapter in which the definitions of statehood and sovereignty in political theory, international governance, the main IR theories and international law will be put forward. The roles of states in the main IR theories have also been explained in detail because questioning the main assumptions of those theories will constitute an important part of the discussion in

the dissertation. The Westphalian state system that is used by the mainstream IR theories will be questioned due to its incomprehensiveness for some cases in the current period. Furthermore, I will address the role of international institutions in state-building efforts.

In the third chapter, the historical background of the Israeli-Palestinian conflict in terms of the UN resolutions and the role of the UN will be presented. Since the main bodies of the UN, the Security Council and the General Assembly, have played a crucial role in the history of the conflict and the UN has been the main arena of debate over Palestinian statehood, understanding the historical background from a UN-centered perspective will be helpful for analyzing the Israeli-Palestinian conflict in general. I will mainly argue that the role UN played in the Palestinian state-building process should be considered as a part of the larger process in the Israeli-Palestinian conflict instead of an alternative or challenging path.

The fourth chapter will focus on the UN General Assembly and Security Council voting patterns in the resolutions about the status of Palestine in the UN and the attempts for a possible statehood. While the 2011 Palestinian application for full membership in the UN and the subsequent upgrading the status of Palestine to non-member observer state in the UN General Assembly will be the center of focus, they will be compared to previous steps opening the way for upgrading Palestine's status and the following steps after the application. The unilateral declaration of independence by the PLO in 1988 and the UN General Assembly vote about that issue, 1998 UN General Assembly vote on granting additional rights to Palestine observer, the 2014 UN Security Council vote on a proposal about the full withdrawal of Israel and the Palestinian statehood, 2016 UN Security Council vote on condemning Israeli settlements, 2017 UN Security Council and General Assembly

votes about Trump's decision of recognizing Jerusalem as the capital of Israel and lastly, 2018 UN General Assembly vote about enhancing the rights and privileges of the State of Palestine and its Chairmanship of Group of 77 will be the main points of comparison. The policies and votes of the main actors will be analyzed case by case and they will be compared in the end. While analyzing the voting patterns in the UN, the representative cases which had decisive impacts on the preparation and results of the votes will be the main concern in this chapter.

In the fifth chapter, domestic levels of the Israeli-Palestinian conflict in relation with the developments at the international level, and the dynamics on the ground will be examined. Moreover, differences among the understandings and proposals of Israeli, Palestinian, and external actors for a Palestinian state, and the legal and political sources of these differences will be of the central concern. These differences will show that there is no consensus over the content of two-state solution and the qualities of a possible Palestinian state. The Israeli domestic politics and the policies of the Israeli government officials, the policies of the Palestinian groups, the roles of the external actors as well as the regional context will be analyzed as the decisive factors for the changes on the ground. Apart from that, I will focus on the roles and policies of Turkey in different UN voting processes. The dynamics on the ground will accomplish the mechanism of the complex two-level game in the Israeli-Palestinian conflict in addition to the UN level, which will be discussed in the fourth chapter, and the negotiation processes, which will be summarized in the third chapter.

In the conclusion chapter, the results of domestic-international entanglements in the Israeli-Palestinian conflict, the consequences of Israel's unilateral actions in terms of realization of statehood criteria, the legal and political consequences of

upgrading the status of Palestine in the UN, and its implications for the Israeli-Palestinian conflict will be analyzed. As a result, the role and function of the UN process in the larger picture of the Israeli-Palestinian conflict will be analyzed comprehensively.

## CHAPTER 2

### CONCEPTS OF STATE, STATEHOOD AND SOVEREIGNTY

The Palestinian bid for UN membership started the debates about the nature of statehood (Elgindy, 2011, p. 103; Twist, 2011, p. 35). Although the UN membership is considered as the universally accepted indicator of the status of statehood, it should be thought as a result of a process. Statehood requires some legal characteristics as well as political conditions; hence, establishing a new state can only be realized with the accomplishment of the necessary conditions on the ground. Among them, political aspects outweigh the legal requirements. Furthermore, there are some peculiarities of the Palestinian case. Two-state solution has constituted the basis of negotiations in the Middle East peace process. Therefore, a possible or future Palestinian state has been one of the major concerns of the delegations on the negotiation table. However, a Palestinian state is not defined in the same way by the Israeli, Palestinian or external actors. Whereas the Palestinians expect an independent and sovereign Palestinian state with defined borders, the Israeli actors can accept only a demilitarized and not fully-sovereign Palestinian state due to their security concerns. As a result, debates around the nature of statehood are of crucial importance for analyzing the negotiations and political process of the Israeli-Palestinian conflict. This chapter will theoretically put forward the discussions and different definitions of state in the literatures of political theory, international law, and international governance. This theoretical discussion will be helpful for understanding the dynamics of establishing a new state. A future Palestinian state is considered as the dependent variable of the ground level asserted in this dissertation. Thus, the concepts of state, statehood and sovereignty are significant for the complex

two-level game of the Israeli-Palestinian conflict. The ideas of different scholars in the literature, the impact of the international system, historical evolution of the concepts, and the question of whether the Palestinian case fit the existing definitions will all be highlighted in this chapter.

State is one of the most basic concepts in the field of IR, and states are regarded as the main actors by most of the mainstream IR theories such as Realism, with its different variants, and neoliberal institutionalism. State refers to not only a widely used concept in IR but also a level of analysis (Singer, 1961, p. 77). Despite its central place and wide use by the scholars, there is not a generally accepted definition of statehood. There are also differences between the legal definition of statehood and its definition in the political theory. The political and legal aspects of the concept of state make a clear-cut definition difficult. Furthermore, the existence of de facto states, those having control in a particular territory and claiming statehood, and de jure or judicial states, those that have some claims for statehood based on historical or legal issues despite the absence of de facto control on the ground makes the issue more complicated. The UN membership is considered as the main indicator for statehood but there is no linear path towards it. The procedures in the UN also include some political calculations so completing the legal requirements might not be sufficient to gain the UN membership. On the other hand, the rise of non-state actors makes state-centric approaches questionable. Therefore, the changes in the international system and the relative importance of different actors should also be taken into account in order to make a comprehensive analysis.

In the first place, I will focus on the definitions of statehood in political theory and the concept of state in the main IR theories. After that, I will present the concept of statehood and its requirements in international law with the purpose of



differentiating the legal and political aspects of statehood. Subsequently, I will put forward the different theories of statehood in the literature and this theoretical background will be used for analyzing the Palestinian case. Furthermore, the importance of the international system and context will be highlighted because the accomplishment of legal and political components for the emergence of a new state might not be achieved depending on the nature of the international system in that particular period. As a result, a new state comes into being under the influence of domestic and external factors so that the UN process in general, or the votes in the UN in particular, constitutes one part of the story rather than the whole story. It does not make it meaningless but it should be regarded as a process taking place in the grand picture. In the last part of the chapter, the role of international institutions in state-building efforts will be analyzed and the place of the UN will be discussed in that regard.

## 2.1 State and statehood in political theory

The ideas related to state and statehood take place among the most important and fundamental discussions in political theory and these ideas constitute one of the main characteristics of different IR theories. In other words, the definition of statehood, the place of states in the international system and the attributed qualities of state shape the approaches towards the international relations. State is not only considered as an actor among many others but also used as a unit of analysis due to its central importance. It can be said that the scholars point out different qualities or characteristics of state so it becomes difficult to reach a comprehensive definition in that sense. Cengiz Cagla (2017) emphasizes the need for abstraction while defining the concept of state due to various forms and qualities of states in different historical

periods and points out that “there is no single state, there are states” (p. 155). This expression addresses the existence of different types of states and the difficulty for making a clear-cut and comprehensive definition. In this part, the definitions of classical thinkers will be the starting point for the debate on the nature of statehood. Their ideas are helpful not only for showing the main elements of state but also for understanding the evolution of the concept of state and the relative importance of its place in the international system. The definitions of state in political theory may not overlap with the legal requirements of the modern world but the debates over statehood have shaped and guided the necessary conditions for the emergence of new states.

Thomas Hobbes’s definition is widely used in political theory and it underscores the centralized control of the state. Hobbes defines the state (as cited in Baig, 2014, p. 36), which is “the most powerful entity”, as “sovereign and holding a centralized administrative control of a given territory”. Hobbes’s model is based on a specific kind of contract theory, which requires transferring of rights to the sovereign. According to Hobbes, the sovereign has to have the force to compel in order to make the contract workable and valid. This idea of coercive power lies behind the idea of state. Hobbes likens state to Leviathan highlighting the coercive aspect. Humans renounce some of their basic rights in exchange for the state providing security in line with the social contract.

Earlier definitions of state mostly refer to control or coercion as the main characteristics. Actually, the prominence of security and control is not so surprising in a world where occupation was one of the legitimate rules of the game and brute power was the main tool in international relations. Thus, changes in the definitions should be thought parallel to the changes in the international system and rules of the

game in general. In one other widely used classical definitions of state, Max Weber (1965) puts forward the idea that “a state is a human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory” (p. 2). Weber underlines the legitimate use of force as the defining characteristics of the state in that famous definition and he also accepts state as a coercive actor. Catic explains Weber’s definition by uniting it with his other ideas: “Weber’s definition and its derivatives emphasize three attributes of statehood or three state functions: state as an institutionalized decision-making body; state as the sovereign authority; and state as the security guarantor for a populated territory” (Catic, 2009, p. 13). The definitions of state also give information about the functions of state and its relations with the subjects living in that particular territory. Different understandings about human nature, state-society relations and interactions among different actors naturally lead to different definitions in the end. Weber’s classical definition can be regarded as a starting point that shows the main components of the statehood. Miller (2010) analyzes the reasons for the central place of Weber’s definition because of its inclusion of the main aspects of statehood such as “legitimacy, coercion, and relation to human affairs” (p. 145).

The state definition based on control and coercion has been present in the works of many scholars in the later periods. Charles Tilly, as one of the most prominent thinkers, defines state as: “1) it is differentiated from other organizations operating in the same territory; 2) it is autonomous; 3) it is centralized; and 4) its divisions are formally coordinated with one another” (as cited in Baig, 2014, p. 38). Tilly calls states as “coercion-wielding organizations” (Brathwaite, 2012, p. 31). In his famous formulation, he underlines the relationship between state and war: “War makes states; states make wars” which implies “internal processes of concentration

of power and wealth in preparation for warfare” (Lotz, 2010, p. 220). Tilly (2010) defines state as a structure of power having four distinctive elements: “1) major concentrated means of coercion, especially an army, 2) organization that is at least partly independent of kinship and religious relations, 3) a defined area of jurisdiction, and 4) priority in some regards over all other organizations operating within that area” (p. 269). In Tilly’s definition, the parallelisms with the Weberian definition in terms of the coercive nature and the primacy of state among other actors and institutions are outstanding. This line of defining state as a coercive actor is not the only approach but it can be seen as the classical definition which is used as a reference point in the literature. On the other hand, all modern states may not necessarily fit the Weberian notion of state. A senior British diplomat, Sir Robert Francis Cooper, underlines the evolution of statehood by arguing that states do not fulfill Weber’s criterion of having the monopoly on the legitimate use of force starting with the pre-modern world (Michael & Fishman, 2012, p. 10). Put differently, states cannot be defined by solely their coercive aspects due to the changing qualities of states and emergence of new types of states. Consequently, definition of state based on its coercive nature has been one of the most widely used definitions of state and it has been a common reference point in that regard despite the evolution of state in the later periods.

States fulfill certain functions and they have some organs or mechanisms to realize those functions. Therefore, it is also possible to propose definitions of state in terms of its functions, its components or its relations with citizens or other actors. As in the classical definitions, there are some features of state related to control such as a coercive institution or monopoly of force. Also states have physical features such as territory (geographical region) and population (size) and are imagined to be

continuous in time and space. In addition, states have some institutional features such as a governmental apparatus and certain functional goals. Lastly, states should have internal and external legitimacy as well as “strong claims to be advancing the common good” (Tomhave, 2008, p. 13). Among these, the physical features as necessary conditions are the least controversial aspects of statehood and they also take part among the legal requirements of statehood. As a result, the physical features of a state can be considered as *sine qua non* and material requirements but they can be called as necessary but not sufficient features of a state.

On the other hand, features related to control, functional goals of the state or sources of legitimacy differ the state definitions from one another. Miller (2010) classifies different aspects of state definitions into groups: “...there are five aspects or dimensions of statehood. The state is 1) a coercive force, 2) a theory of justice, 3) a provider of goods and services, 4) a part of economic production and distribution, and 5) a tool for human flourishing” (p. 145). In that classification, there are some thinkers that consider state as a coercive actor in the first category. The definitions of Hobbes, Weber and Tilly have already been mentioned above. The scholars attributing an ideological content and a theory of justice based on history, culture or religion take place in the second category. Hegel and Edmund Burke present some examples of this view.

“The state as a provider of goods and services” implies a state definition based on a mutual relationship between state and society. The scholars of social contract tradition can be seen as the basic examples of that approach. They mainly argue that the emergence of state is a result of a social contract among people. This contract provides some power for the state (the ruler and other agents of the state) but it also creates certain responsibilities for it such as protecting the life, liberty, and

property of the people and providing the basic services and goods for them. Thomas Hobbes, John Locke, Kant and Rousseau are the pioneers of social contract tradition despite their different views about human nature or qualities of state. John Rawls is one of the successors of that tradition in a recent period. The idea of social contract has been considered as “one of the most momentous transformations in the history of ideas” (Salzborn, 2015, p. 26). For the social contract scholars, security is also provided by the state with the help of social contract. From another point of view, definitions related to a need for contract-based context opens the way for other interpretations about the abstract nature of statehood. Apart from that, the idea of social contract can be understood in the sense that the existence of state is based on “a kind of social relationship between a population and a rule-giving entity”. Therefore, a state is defined as “a rule-giving entity to which the population gives generalized obedience” (Segal, 1989, p. 16). From that perspective, a social contract is considered as a way of giving the generalized obedience to the rule-giving entity. Although state has been considered as a modern concept in the literature, the emergence of state-like entities and the need for establishing such entities are generally explained through the relationship between the rulers and those who are ruled (Akal, 2000, p. 14). As a result, the idea of social contract and the explanations based on the social relationship between state and people constitute one of the main lines of thinking related to statehood.

In the works of Aristotle, Burke, Hegel and Marx, the state is also defined as an economic actor. Marx, particularly, comes into prominence in that sense because in his theoretical approach, economy determines other fields of life including politics, and the struggle for power and government aims to control the means of production. Last of all, state as a means of human flourishing is not a widely used

definition but there are some views about it in some of Aristotle's works. There are some works which point out the relationship between sovereign state and human freedom (Salzborn, 2015, p. 1). This approach can be seen opposite to the views of Hobbes and Machiavelli who separate politics from morality.

Oliver Nay (2013) defines the sovereign state based on three characteristics: "national and centralized *authority* that ensures security within the state's territory; *legitimacy* based on popular consent and participation; and efficient organizational and managerial *capacity* to implement public policies and deliver services to the population" (p. 335). Thomas Weiss (2000) adds a fourth element to these three characteristics: "policy-implementing effectiveness" (p. 807). In another state definition, the state is defined as an entity having three components, namely territory, society and regime; and five types of capabilities, namely military capabilities, political legitimacy, ethnic and religious tolerance, economic capabilities, and available essential natural resources (Martin, 2002, p. 22). Consequently, the definitions of state in political theory share certain characteristics but they also differ from one another due to some factors such as functional goals attributed to state, the nature of state-society relations and the sources of legitimacy.

The emergence of states and the evolution of the concept of state cannot be thought independently of the historical conditions in which different types of states have been established. Analyzing the change and variation in contemporary statehood, Sorensen challenges the fixation of the state definitions and the taken-for-granted aspects attributed to the states. Instead, he offers a typology of three main types of state in the present international system: "(a) the post-colonial state, that is, the weak and unconsolidated state on the periphery, often in an ongoing state of entropy; (b) the modern, 'Westphalian' state, a consolidated nation-state with its own

structural dynamic and relative autonomy; and (c) the ‘post-modern’ state, a complex, transnationally interpenetrated entity immersed in globalization and multi-level governance” (Sorensen, 1997, p. 255). This typology also gives us information about the transformation of the notion of state under the influence of historical developments. Though the post-colonial states emerged as a result of the process of decolonization, the post-colonial type of state can be considered as a relevant conceptualization for the states established after that period. For example, a future Palestinian state will most probably be similar to the post-colonial states rather than the Westphalian states because the substantial capacity is not a precondition for juridical or formal sovereignty for the post-colonial states. In addition, the state institutions will be weaker than the existing states. It was also mentioned that the doctrine of decolonization created “a new mode of dualism, with ‘empirical statehood’ based on effective state formation, and ‘juridical statehood’ based on a doctrine of unconditional colonial liberation” (Österud, 1997, p. 182). Furthermore, there are some analyses in the literature indicating the relationship between the way of state-building and regime formation. To illustrate, it was argued that precolonial state development prevented the development of democracy outside the European continent (Hariri, 2012, p. 489). The different types of states also imply that there is no uniform path for state-building or state development so the attempts for state-building should take into account the peculiar aspects of each case and the changes in the international system.

The current state system has emerged as a result of some historical developments in the 20<sup>th</sup> century. This period witnessed the dissolution of the former empires and the proliferation of new states on the same territories. The collapse of the Ottoman and Habsburg Empires, the decolonization process and the dissolution



of the Soviet Union became the major sources of this transformation and they led to the new waves of statehood. These phenomena ended in a change in the state system and changes in the criteria for statehood. The scholars have begun to address that in the post-Cold War period, there is no consistent pattern of rules for entry to the state system, and membership process in the international system as a sovereign state is now complete with a few exceptions including the struggle for Israel-Palestine (Österud, 1997, p. 168). Apart from that, there have emerged some liberal democratic norms such as human rights and democratic governance as some new criteria for statehood in the post-Cold War period, and the self-determination claimant groups, sub-state actors, having internalized these norms have been more likely to receive international support (Gardner, 2008, p. 550). In sum, the historical context in which a particular state or group of states emerges is of crucial importance because the historical developments and the evolution of the international system in relation with those developments play decisive roles for the criteria of statehood and the establishment of new states.

There are some new conceptualizations describing the status of actors that could not achieve statehood by having membership in the UN. Aspiring states, quasi-states or proto-states are some examples of those conceptualizations. It should be emphasized that they must be seen as opposed to de facto states which have a certain amount of control and an effective rule in a particular territory but cannot gain external recognition. The case of Palestine seems closer to the first category of conceptualizations so I will concentrate on explaining the concepts attributed to cases similar to Palestine. Among them, aspiring states refer to “a sub-group of non-state actors who do not meet the legal criteria for statehood, yet which aspire to do so” (Tabak, 2015, p. iii). In terms of legal requirements of statehood, the aspiring states

are regarded as the ones that claim to have a permanent population and a defined territory but lack of having an effective government and the capacity to enter into relations with other states. However, it does not mean that they do not always have a certain amount of recognition by other actors. On the contrary, international recognition is significant for the aspiring states: “International recognition can be an important source for aspiring states since it endows the state with the guarantees and protections” (Catic, 2009, p. 30). It is necessary to keep in mind that the existence of aspiring states strengthens the central place of states in the international system but it also shows the increasing role and importance of non-state actors as well. Put differently, the right to self-determination, which is the central claim of aspiring states, supports the tendency to statehood but it also challenges the statehood or authority of those who control the territory before that period. The Palestinian case fits this description. The application for full membership in the UN indicates the Palestinians’ will or aspiration to obtain the statehood.

The concept of quasi-state originally belongs to Robert Jackson and it is considered as almost direct opposition of the de facto state. It is described as follows: “The quasi-state has a flag, a capital city, an ambassador, and a seat at the United Nations but it does not function positively as a viable governing entity” (Pegg, 1997, p. ii). The quasi-states claim their legitimacy derived from some legal (de jure) or historical issues but they encounter practical limitations on the ground. According to Jackson, the quasi states enjoy “negative sovereignty” which is based on international recognition, unlike the established states which have “positive sovereignty” based on effective control or dominion over their peoples and territories and capability to defend themselves militarily besides the international recognition (Clapham, 1998, p.144). Apart from that, the concept of “proto-state” (Griffiths,

2015, p. 734) also has a similar meaning with the quasi-state. The proto-states take place somewhere between states and non-state actors and they mostly refer to the cases which enjoy some form of territorial control but lack of institutionalized statehood. Among the Palestinian groups, Hamas is sometimes regarded as an example of proto-state.

## 2.2 International system, international governance and new states

The emergence of a new state cannot be thought independently of the international context in which it comes into being. The balance of power among the regional and global actors, changes in the norms or principles in the international law, the policies of great powers towards the specific issues, regional dynamics and domestic issues should all be taken into account in order to analyze the developments related to statehood. It can be claimed that each new state is a product of that particular international context. Therefore, the existence of favorable conditions is at least as important as domestic factors. The global balance of power can be regarded as one of the most important factors for the transformations in the regions. Gourevitch (1978) focuses on the impact of the international system and puts forward the distribution of power among states and the distribution of economic activity and wealth as the two main factors in that sense (pp. 882-883). This view is called the second image reversed. Even the role of a great power may change depending on the nature of the international system. For instance, the possibility of a change would not be the same in unipolar, bipolar or multipolar world systems. In a comparison of bipolar and multipolar systems, it was claimed that war is more likely and deterrence is more difficult in a multi-polar system (Mearsheimer, 1990, pp. 14-15). There is no doubt that the support of the global hegemonic power in a unipolar world can be sufficient

to achieve a goal in a regional matter. On the other hand, the effect of a global power support can be balanced with the support of the other global power as a counter-weight in a bipolar world system. The US role was much more decisive in a unipolar world than today's multipolar world. The importance of close relations between the US and Israel and their impacts on the Israeli-Palestinian conflict can be evaluated from that point of view as one dimension of the issue.

Among the external factors, the role of great powers deserves attention: "Given their role in the society of states, the great powers' recognition has normally preceded, and carried far more weight than, recognition by other states" (Fabry, 2005, p. 13). Obviously, the most powerful states, called the great powers, are influential players in international politics so they play a decisive role in whether a new state is recognized as such (Nelson, 2016, p. 41). To illustrate, the special relationship between Israel and the US created a huge barrier for the recognition of the State of Palestine as an independent state. It was even claimed that "the very notion of Palestinian or Jewish statehood would have been unthinkable" without the great power involvement (Sachar, 2011, p. 16). Because of the power imbalance among the actors, the minor actors generally have to accept the great powers' involvement and initiatives regardless of their willingness. It was claimed by some scholars that if the pivot changes its position in a critical issue, the regional actors had to accept the new rules of the game by repositioning themselves (Mansour, 2002, p. 17). Compared to the effect of great powers to the impact of international law, the great powers, unlike international law, can put different enforcement mechanisms into practice with the help of their military and political power. As a result, these enforcement mechanisms may change the dynamics and lead the issue towards certain directions.

The advance of globalization and increasing interdependence in the world brings uncertainties and opportunities at the same time. While the states have generally been accepted as the main actors of the world politics in the mainstream IR theories, the central place of state has also begun to be questioned in today's world. The rise of non-state actors and their increasing role in the political and economic issues as well as other spheres of life put a question mark on the centrality of states in the world politics. The relative distribution of power and influence of the states and the non-state actors can be debated but a need for reconfiguration of the roles of different actors is crystal clear. The concept of governance has changed under the influence of current developments. Furthermore, the authority and sovereignty of states are open to question in today's world. As former Secretary-General of the UN has mentioned, "The time of absolute and exclusive sovereignty has passed" (Weiss, 2000, p. 796). Thus, it can be said that a state's existence is not dependent on absolute sovereignty (Segal, 1989, p. 15). The concept of governance not only includes government today but also involves informal and non-governmental institutions. Scholars argue that in the post-Cold War global order, "states are not building blocks from which the subject is constructed" so they cannot be regarded as taken for granted because of the fact that the dividing line between states and non-states have been blurred (Clapham, 1998, p. 153). Of course, it does not mean that states are not influential actors but they are not as decisive as before in the international system. Most scholars agree on that states are still central but their authority and influence are eroding in crucial ways. Global stability is still associated with the states: "In a highly interdependent world, states are building blocks of global stability" (Marton, 2008, p. 101). The concept of sovereignty is not meaningless but it is not as sacred as it was before. Consequently, the states keep

their central place in the political affairs but today's state is not the same as the ones which were depicted by Hobbes or other classical thinkers.

### 2.3 The concept of state in the main IR theories

The classical definitions of state reflect the assumptions and approaches of the mainstream IR theories such as Realism and neoliberal institutionalism. These theories are put under the category of Rationalism and they show the rationalist understanding of human nature and international relations. States are considered as the main actors in those theories and the international system is described as anarchic. The actors struggle for power and they pursue their interests, which are given, in their relations. States have been considered like units except for their power capabilities according to Realism. Thus, the distribution of material capabilities is the key factor in the political affairs and high concentrations of power play a destabilizing role in the system (DiCicco & Levy, 1999, p. 679). State behavior is shaped by the material structure of the international system (Mearsheimer, 1994/95, p. 41). There are different variants of Realism such as classical realism, Waltzian neorealism, offensive and defensive realism, and neoclassical realism. According to Realists, a state's position in the international status hierarchy is determined by military power and a state's foreign policy is dependent on the concentration of power (Larson & Shevchenko, 2010, p. 69). Whereas the traditional realists assert that power and interests drive state behavior, Neorealists assume anarchy and distribution of capabilities as the driving factors (Schweller & Priess, 1997, p. 7). Neorealism is defined with five core assumptions by Mearsheimer (1994/95): "An anarchic world system, implying lack of central authority; all states can harm one another; states cannot know what other states will do; the fundamental aim of states

is survival; and, states are rational” (p. 10). These factors create the conditions of security dilemma in the international affairs. Anything may cause war in the anarchic nature of international relations and as Kant claims: “The natural state is the state of war” (as cited in Waltz, 2000, p. 8). Whereas offensive realists support the idea that states seek expanding their power and establishing regional hegemony, defensive realists claim that states are likely to seek equilibrium or balance of power rather than hegemony. Apart from them, power transition theory, first formulated by Organski, is centered on two key variables: relative power and degree of satisfaction with the international order (DiCicco & Levy, 1999, p. 682). According to that theory, only the powerful and dissatisfied states pose a threat. Apart from that, while postclassical realism shares a systemic focus and a state-centric view with the Neorealists, it challenges the Waltzian Neorealism in the sense that power is the ultimate goal of states and they can increase their power through nonmilitary means like economic activities (Brooks, 1997, p. 462). In sum, the Realists have long dominated the field of international relations and they attributed a central role to states which have certain characteristics and roles in the international system. Since power is an essential element of the dynamics on the ground and power imbalance in favor of Israel constitutes a crucial part of Israeli policies, Realist approach will be used as an important theoretical understanding for the complex two-level game of the Israeli-Palestinian conflict.

The main strands of the liberal theories, especially neoliberal institutionalism, accept the main assumptions of the Realist theories such as the anarchic nature of the international system, the central place of states in the international system and the characteristic features of the states. However, they are more optimistic about the likelihood of cooperation among states because of the increasing interdependence

and the helpful role of the international institutions. Keohane and Martin (1995) summarize the institutionalist view: “Institutions can provide information, reduce transaction costs, make commitments more credible, establish focal points for coordination, and in general facilitate the operation of reciprocity” (p. 42). The Democratic Peace Theory, as another liberal strand of IR theories, highlights the style of government and it claims that democratic states do not fight each other (Chan, 1997, p. 59). Andrew Moravcsik (1997) puts forward the core assumptions of liberal IR theory and he defends the idea that state is not an actor but a representative institution; in other words, “states do not automatically maximize fixed, homogenous conceptions of security, sovereignty, or wealth per se; but they pursue particular interpretations and combinations of them preferred by powerful domestic groups” (p. 519). Apart from these liberal theories, regime theories also attribute importance to the role of institutions in the international relations. The regime theories define international regimes as “rules, norms, principles, and procedures that focus expectations regarding international behavior” (Martin & Simmons, 1998, p. 737). Krasner (1982) makes this famous definition and he considers regimes as autonomous variables which play independent role (p. 499). As a result, neoliberal institutionalists, or institutionalists in general, attribute a role to the international institutions and regime besides the primary role of states in international relations.

On the other hand, social constructivists or Critical theories in general challenge the assumptions and ideas of the Rationalist theories and they underline the role of ideational factors. According to them, everything is socially constructed and “anarchy is what states make of it” (Wendt, 1992, p. 391). The constructivists point out the “intersubjectively constituted identities of state actors” as an intervening variable. The difference between causal and constitutive factors brings another



crucial aspect of different approaches. Hopf (1998) summarizes the distinctive factors with these statements:

Contra neorealism, constructivism assumes that actors and structures mutually constitute each other; anarchy must be interpreted to have meaning; state interests are part of the process of identity construction; power is both material and discursive; and change in world politics is both possible and difficult (p. 181).

Furthermore, they claim that interests can be shaped and changed by ideas. The emphasis on transformation and process is crucial for constructivist approach in order to place itself in IR discipline. Identities are established as a result of interactions; in other words, “identities are relational” (Wendt, 1992, p. 397). Identity formation is created through reciprocal interaction, during which inter-subjective meanings attributed according to other actors’ behaviors. States have multiple interests in their relations and they are mutually constitutive functionally. It can be asserted that constructivists give importance to the power of practice and they use ideas as a form of power. “Norms and rules are constitutive of identities and alter interests and behavior as a result” (Bayram, 2011, p. 67). About the role of institutions, constructivists support the idea that institutions can change state identities and interests (Wendt, 1992, p. 394). They are closer to the liberal theories in that sense but the roles and functions attributed to the institutions are different.

The basic principles and ideas of the constructivist theory can be observed in their approaches towards statehood. Social constructivists take social acceptance as a defining characteristic of statehood; thus, they consider states as a member of the international community. Moreover, the identities and interests of the states are not taken-for-granted for the social constructivists; hence, they recalculate their interests and reposition themselves in accordance with the changes in the context. The prominence of interaction in the constructivist theory attracts attention to the

relations among different actors. There is no doubt that this dynamic and interaction-based approach of the constructivist theory can be used as a new perspective to the idea of sovereignty in the modern world. The rise of non-state actors and the questions about absolute sovereignty in the contemporary period can increase the explanatory power of constructivism. The emergence of new types of states reveals the need for revision of the theoretical approaches in that sense. As a result, the constructivist theory presents a valuable insight to the questions of sovereignty and statehood in particular, and the field of international relations in general. Therefore, it will be used as an important contribution to the debate over statehood and sovereignty in relation with the Palestinian case in this dissertation.

Apart from social constructivists, the English School scholars have a different view of statehood. “English School scholars view recognition as a defining characteristic of statehood by conferring membership in the prevailing international order/ society” (Brathwaite, 2012, p. 32). Despite the fact that the English School is regarded as a Rationalist approach, they differ from other Rationalist accounts in the definition of statehood. It makes them closer to the constitutive theory of statehood, which I will present in the next parts in detail. Consequently, the existence of Critical theories or some challenging ideas show the alternative interpretations of statehood so that the evolution of the definitions of statehood and the roles or place of the states in the international system can be analyzed from different perspectives instead of expecting a linear path for the newcomers.

Post-structuralist theory goes beyond the constructivist challenge and claims that state is a fiction. They also support the undecidability of the claim of sovereignty because there are no timeless, universal and prepared definitions for these terms. This view can be regarded as a crucial challenge against the taken-for-granted

aspects and assumptions of realist theories and neoliberal institutionalism about states. For post-structuralism, “any depiction of state as a sovereign identity is but one among many possible interpretations” (George & Campbell, 1990, p. 287). They reject the given nature of sovereignty so that they question the basic principles of the modern state system as well. They claim that the paradigm based on state sovereignty limits the options in the world politics so this discourse leading to state-centrism should be left (Aydin-Duzgit, 2016, p. 159). In sum, post-structuralism makes a contribution to the questions over sovereignty and statehood through its criticisms.

In Robert Putnam’s famous theory of two-level game, the interactions between domestic and international levels are highlighted. According to that approach, “state derives its interests from and advocates policies consistent with the international system at all times and under all circumstances” (Putnam, 1988, p. 432). Putnam explains the process of negotiations and international agreements between the two sides at both national and international levels which include different dynamics. It can be considered as a good reference point for the negotiations between Palestinians and the Israeli actors. Since the interactions between the domestic and international levels have an influence on the developments at the international level and the negotiations, Putnam’s two-level game deserves a special attention for the purposes of this dissertation. It presents a valuable insight for the dynamic relations among the different levels of the Israeli-Palestinian conflict. In addition to this, Putnam’s analysis at two levels paves the way for establishing a framework for the analysis of the conflict. In sum, Putnam’s two-level game not only offers an understanding about the developments at the negotiation processes of the

Israeli-Palestinian conflict but also will be used as a reference point for the formulation of this dissertation as complex two-level game.

#### 2.4 Statehood in international law

States are defined as legal entities besides their political actorness. Therefore, they should fulfill certain criteria according to international law. The criteria for statehood in the international law are mostly addressed with reference to the 1933 Montevideo Convention on the Rights and Duties of the States. Although states parties to the Montevideo Convention are only from the American Continent (South and North America), the criteria for statehood defined in the Convention have been accepted as general rules in other parts of the world as well. Put differently, the Montevideo criteria have been generally considered as legal requirements for statehood despite some criticisms. According to the Montevideo Convention, an entity must possess the following qualifications in order to obtain international legal status as a state on the international level: (a) a permanent population; (b) a defined territory (defined geographic boundaries); (c) a functioning (effective) government; (d) the capacity to enter into relations with other states” (Brathwaite, 2012, p. 33; Catic, 2009, p. 24; Coggins, 2006, p. 41; Fabry, 2005, p. 2; Miller, 2010, p. 144; Nelson, 2016, p. 63; Noor, 1998, p. 53; Tabak, 2015, p. 11). These criteria have been almost universally accepted as the legal requirements of statehood. The last two criteria among them, namely an effective government and the capacity to enter into relations with other states, are combined as effectiveness by some scholars.

The existing states today share very little characteristics in common so the Montevideo criteria should be considered at the minimum levels. For example, it is really hard to determine a minimum size requirement for the territory or population

because of the existence of very tiny and underpopulated states in the UN. In addition to this, there are some disputed claims over the territories of some UN members but they do not prevent from keeping their status of state. The meaning of an effective or functioning government is also open to question. The extent of control of a government or the effectiveness of the administrative apparatus cannot be measured by objective criteria so easily. Apart from that, the actors have different kinds of diplomatic relations with each other and with the international organizations like the UN. Thus, the criterion of “the capacity to enter into relations with other states” is also controversial.

In addition to the four criteria of the Montevideo Convention, independence has been offered for the requirements of the international law as the fifth criterion but not all the authorities or scholars considered independence as an essential criterion. There are also some scholars questioning the legality of attributing certain criteria for statehood because of the possible changes in the features of the actors. In other words, the illegality of a state’s origin does not prevent its future legitimacy or vice versa. Furthermore, the Kosovo case made the issue more complicated because of the support of the US and many European states for the independence of Kosovo. It was claimed that “complete fulfillment of criteria is no longer the yardstick”. In the post-Kosovo period, legality and legitimacy were accepted as the additional criteria in the cases where humanitarian crises and further destabilization is more likely to occur (Megidido & Nevo, 2013, pp. 192-194). As a result, it is necessary to take into account all the factors while evaluating the statehood of a particular actor and the changing character of the context.

#### 2.4.1 The role of sovereignty and self-determination in statehood

The concept of state is intimately tied to sovereignty and this identification is originated from the Treaty of Westphalia: “International relations scholars usually view the Treaty of Westphalia (1648) as a milestone ushering in the modern state-system in international politics” (Brathwaite, 2012, p. 38). Two primary points of the Westphalia Treaty have been accepted as the defining characteristics of statehood: Domestic authority and non-interference. Thus, the modern state-system is also called as the Westphalian state system. These two factors can also be considered as counterparts of internal and external sovereignty so the modern state system cannot be thought independently of the idea of sovereignty. Historically, the separation of economic and political institutions; industrialization of warfare and the growth of administrative power became the important developments that paved the way for the Westphalian state system (Sorensen, 1997, p. 258). In the Westphalian state, sovereignty goes beyond a formal or judicial quality and it refers to a governing capacity, an economic power and an ability to defend itself through military power. The modern state system is based on sovereign states which are territorially defined, fixed and mutually exclusive; in other words, both statehood and sovereignty presume territoriality as a constitutive principle (Aksu, 2006, p. 40). As it can be observed in the literature, the classical state definitions based on monopoly on the means of violence mostly address the Westphalian type of the state systems. With the emergence of new states as a result of decolonization period, the status of sovereignty has begun to be contested and lost its former unquestionable character. For example, the Weberian monopoly on the legitimate use of force is no longer the case as it was defined. Consequently, the Westphalian state system keeps its dominance in the literature while it is no longer the unique type.

On the other hand, there are some scholars challenging the holistic view of the state and they address the possibility that the components and importance of sovereignty can change over time (Williams, 2000, p. 558). For instance, the sovereignty of developing countries is under threat depending on the activities of aid donors. Stephen Krasner (1995-1996) argues that the Westphalian model has never been a clear-cut description of states so that it would be better to think it as a reference or starting point that is useful in some circumstances rather than as an ideal or historical reality (p. 115). He underlines the fact that since the meaning of sovereignty depends on the theoretical context, it is not possible to make a single definition of it. In the Palestinian case, the dependency of the Palestinian economy on the foreign aid makes the issue of statehood more problematic from that perspective. To put it another way, economic independence and sustainability is as important as political and legal aspects for establishing sovereign statehood. Because of the peculiar aspects of the Palestinian case, it has been offered for Palestinians to view sovereignty as a “multifaceted, multilayered attribute in which the degree of Palestinian control varies from zone to zone and from level to level” (Sayigh, 1995, p. 17). As it was mentioned, the time for absolute sovereignty has passed so that it will not be realistic to expect it for a future Palestinian state but it does not change the indispensable nature of sovereignty for statehood.

The statehood claims are mostly based on the idea of self-determination. While the concept became popular especially with the US President Wilson’s Fourteen Points after the First World War, it has a longer history and its meaning has changed in that period. Fabry (2005) mentions two versions of the idea of self-determination, namely as a natural and as a positive right:

The former, dominant from the 1820s to the 1950s, took as the standard for acknowledgement the achievement of the de facto statehood by a people desiring independence. The latter, prevalent since the 1950s, took as the basis of recognition a positive right to independence in international law (p ii).

There is almost a consensus on the existence of two dimensions of self-determination: “‘External’ self-determination concerns the international status of a people as an independent political unit. ‘Internal’ self-determination relates to the freedom of choosing the desired form of government” (Aral, 2004, p. 143). It can be also said that the right to self-determination challenges the claims of sovereignty in most cases; therefore, different amount of tension arises in relation with other dynamics. Many scholars point out the variable and historically contingent nature of these concepts. Furthermore, the post-Cold War period revealed that while minority self-determination outweigh the claims of sovereignty and territorial integrity, the opposite cases may also emerge under the influence of peculiarities of each case and policies of different actors (MacFarlane & Sabanadze, 2013, p. 621). Regardless of the results of the tension, one fact should be kept in mind: When claims of sovereignty and territorial boundaries do not coincide, the emergence of tension and struggle is inevitable.

#### 2.4.2 International law and enforcement

One important aspect of international law should be underlined: International law imposes some legal obligations upon states but they are not put into practice directly and there may not be an enforcing mechanism in some cases. Therefore, the “perceived legitimacy of international law’s authority” should be accepted by the actors in that sense. “International politics does not just happen. Political agents make it happen. The real power of law in world politics in effect depends on



politicians' sense of legal obligation and willingness to defer to international law” (Bayram, 2011, p. 80). More clearly, the states, as the main actors in the internal system, have been considered as responsible to enforce the rules of international law or sanctions. The actions of the Israeli governments contrary to the UN Security Council resolutions such as illegal settlements and continuing occupation can be understood from this feature of the international law. Additionally, “the absence of authoritative, impartial, and effective interpreters of the meanings of norms” constitutes another major source of weakness in international law (Falk, 2007, p. 44). Furthermore, the importance of enforcement and sanctioning has been put forward as such: “Even the most just and widely accepted principles of law, such as those contained in the United Nations Charter, are ineffectual in protecting human rights unless they are actually enforced and sanctioned” (Mallison & Mallison, 1974, p. 78). Israel has tried to turn this weakness into advantage by imposing its own interpretation about the texts and resolutions and using it as a bargaining strategy. Since “enforcement is more often the exception than the rule in the international system”, the Palestinians need to persuade other actors for their claims and to get the support of the international community (Dajani, 2006, p. 45). As a result, lack of enforcement mechanism for international law provides a better context for the powerful side on the ground.

## 2.5 Theories of statehood and the Palestinian case

There are two main theories of statehood in the literature: The declaratory (or declarative) theory and the constitutive theory. The Declaratory Theory of statehood, based on the Montevideo Convention, “legitimizes conferring statehood on an entity that claims a permanent population, a government, defined borders, and the capacity

to establish relations with other states”. These four points have generally been accepted as the main criteria for statehood in the international law. The Declaratory Theory claims that an entity has to have the first three conditions (population, borders, and sovereignty) before international recognition. In other words, there has to be a de facto state on the ground and it should be recognized by other states after the declaration. It means that the states exist regardless of the recognition of other states. Recognition is considered as the tool for establishing diplomatic ties rather than determining statehood. Today, recognition is predominantly considered declaratory. The achievement of statehood is seen as a bottom-up process in that widespread view. The act of recognition becomes acknowledgement of the situation in that sense. On the other hand, the Constitutive Theory “legitimizes statehood based on prior diplomatic interaction with a large number of states”. It claims that the act of recognition itself creates statehood (Posner & Sykes, 2013, p. 42). In other words, declaratory theory is status confirming while constitutive theory is status creating (Nelson, 2016, p. 5). It can be said that “the constitutive conception of recognition has a more constructivist or institutionalist articulation of the State in mind” (Coggins, 2006, pp. 38-39). The role and function of state recognition take place at the center of this debate. Some scholars claim that “recognition presupposes a state’s existence; it does not create it” (Fabry, 2005, p. 5) while some others point out that “an entity’s external relationships are the determining factor in gaining recognition and becoming a full-fledged member of the international community” (Bannor, 2015, p. iii). Constructivist accounts reject that idea and emphasize the constitutive role of recognition. The main difference stems from challenging views about whether the state is seen as a member of international community or an

autonomous actor which exists independent from the consent of the other legitimate actors.

By analyzing the Palestinian case under the light of these two main theories of statehood, the situation can be summarized as follows: The Palestinian initiatives towards statehood and the UN decisions make the Palestinian case closer to the constitutive theory of statehood rather than declaratory theory but the need for negotiations for a comprehensive solution makes the case unique. Today, 137 states have already declared that they officially recognize the State of Palestine. In addition, a high number of states have diplomatic relations with the Palestinian authorities. It means that Palestine certainly meets the criterion for international recognition or having diplomatic relations with other states. It comes before some full-member of the United Nations in that sense. Furthermore, the number of permanent population of Gaza and the Palestinian inhabitants of the West Bank (about 4.7 million by 2019 according to the World Bank) already exceeds the population of many UN members.<sup>11</sup> Although the legal and political conditions of the high number of Palestinian refugees living in the neighboring states or in other parts of the world are uncertain for now, the existing population is sufficient to fulfill the population criterion. On the other hand, the criteria of defined borders and sovereignty are open to question for the Palestinian case. According to former UN resolutions starting with Security Council Resolution 242, the Israel has to withdraw its forces from “the” territories occupied in the 1967 Arab-Israeli War. Therefore, the defined borders of Palestine include the Occupied Territories in 1967. In other words, most of the territories, belonging to Palestine according to international law, are under the occupation of Israel. This legal right cannot be prevented by force but it

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<sup>11</sup> “Population, total- West Bank and Gaza”, The World Bank, retrieved August 15, 2020, from <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=PS>

hardens the situation for the establishment of statehood on the ground. As a result, Palestine has defined borders in the legal sense but it does not have direct control over these territories so the situation for this criterion is complicated. There is certainly a clash between the conditions on the ground and the UN resolutions on that matter.

Last but not least, the most problematic issue for the statehood is establishing sovereignty in the Palestinian case. Under the Israeli occupation, the Palestinian groups have limited sovereignty over the fragmented territories of Gaza and the West Bank. There are many checkpoints separating the fragmented territories and limiting the freedom of movement especially in the West Bank. Israel has complete sovereignty over the air space and territorial waters. Consequently, it is not possible to talk about Palestinian sovereignty or control over the borders due to the Israeli occupation. The PA, which was established after the Oslo period, cannot fulfill the effective government criterion either. Hamas control over Gaza increases uncertainties about creating the necessary conditions on the ground. These conditions on the ground make the statehood more difficult. It seems that it is almost impossible to achieve statehood without the support of the international actors. As a result, the Palestinian application for membership in the UN and strong support of other states make the Palestinian case closer to the constitutive theory in terms of theories of statehood but the need for peace negotiations for a final solution makes it a unique case.

The theories of statehood should be analyzed together with the Palestinian actors in order to make a comprehensive analysis of the Palestinian case. First of all, the PA emerged as a result of the Oslo process. It was mostly composed of the PLO members coming from Fatah ranks, and Yasser Arafat was the leader of all these

organizations. However, its role and mission made it different compared to others. Moreover, the Western support and Israeli recognition increased its legitimacy in the international arena. The PA can be defined as the administration established to represent the Palestinians for a temporary period until the final settlement of the Israeli-Palestinian conflict and negotiations, and to govern the Palestinian population living in the Areas A and B of the West Bank and the Gaza Strip. The failure of the negotiations led to continuation of its role as the interim self-government body.

Despite the high expectations about the PA in the initial period, the PA turned into a center of reproducing colonial patterns such as “Palestinian non-sovereign status, authoritarian forms of domination, and the division of the colonized/ occupied population into social groups with different legal statuses and often antagonistic interests” (Dabed, 2014, p. 45). Consolidating their power in the domestic politics was a primary issue for the leaders of the PA. In terms of statehood, non-sovereign status of the PA was more important because it led to a context in which the external actors could also interfere with the affairs easily. The Palestinian leader, Yasser Arafat, preferred to consolidate his power instead of establishing institutions which would pave the way for a Palestinian state in the future. Many politicians and scholars blamed Arafat because of his policy in that period. The low performance of the PA was the common view among the scholars but they differed in their explanations of the failure of this interim body. Frisch and Hofnung categorize the potential explanations into three groups: “The foreign intervention thesis” is based on the power asymmetry between Israel and the PLO. “The domestic structural claim” defends the idea that the weakness of the legal system results from the ruler’s quest for power and rejection of limitations. “The cultural argument” focuses on lack of cultural dispositions and societal norms leading towards the rule of law or a

democratic system. The authors claim that although other explanations also have explanatory power or validity to a certain extent, the difficulty in institutionalizing liberal democratic norms mostly stemmed from the quest for power and political considerations, as the domestic structural model asserts (Frisch & Hofnung, 2007, p. 345). In other words, the low performance of the PA was a result of different internal and external factors but the internal problems and Arafat's policies and choices were more decisive compared to other factors. Consequently, the PA and Arafat had little room to maneuver in that period but their authoritarian tendencies and governing style based on patron-client relationships blocked the possibility of a better experience which would prepare the ground for Palestinian statehood in the near future.

The structure of the PA contributed to some developments about the legal and institutional design of the administration among the Palestinians in spite of the negative view towards the PA in terms of the political affairs. In the period from the establishment of the PA until the Hamas takeover in Gaza in 2007, the political system witnessed four distinct stages in which the strong presidential regime evolved into a "semi-parliamentary regime" and ended in "reconcentration of power in the president's hands" (Dabed, 2014, p. 43). However, the PA could never reach a level of de facto statehood on the ground, and as early as the eruption of the Second Intifada, it had no longer a monopoly over the use of force in the territory and its legitimacy was questioned among the Palestinians (Shikaki, 2002, p. 104). In sum, the experiment of the PA as an interim body could not result in the expected outcomes under the influence of some internal and external factors. The failure of this experiment decreased expectations towards a possible Palestinian state and state-

building efforts. Furthermore, Hamas control in Gaza made the issue more complicated than before.

Hamas, the Islamic Resistance Movement, is the second prominent actor in the Palestinian politics. Hamas emerged as the Palestinian branch of the Muslim Brotherhood in the process of the First Intifada. It aimed to remove the Israeli occupation and to dissolve the Israeli state in the region. These goals reflected the strict ideological view and political standing of Hamas against Israel. In addition, they have always supported the continuation of military struggle and they established their own military organizations. In the societal dimension, they created a huge support base among the people with the help of their extra-institutional network of social services. In the beginning, Hamas was a marginal political player despite their close relationship with the society. However, the low performance of the Palestinian Authority, which was established after the Oslo process, and the widespread corruption among the Fatah ranks as a result of patron-client relations directed the Palestinian people to other alternatives. Hamas took the leading role in that context and it could get the votes of the large number of people in the 2006 elections. In 2007, Hamas took over the administration of Gaza after a conflict with the Fatah. As a result, the Hamas victory in the 2006 elections and its military takeover of Gaza in the following year started the Hamas control in Gaza and opened the new phase for Hamas from opposition to government.

The governing position created a huge challenge for Hamas. Although the Hamas leaders were not so experienced in the political arena, and governing Gaza was a challenging task for them, they made some attempts to consolidate their power and to establish their authority in Gaza. Despite the restrictions on the exercise of civil and political rights and some human rights violations, Hamas succeeded in

“evolving from a marginal political and military organization to a sophisticated, deeply embedded, and influential player and a multilayered organization in Palestinian politics” (Berti, 2015, p. 9). The Hamas government has experienced an important transformation in Gaza. The transformation of Hamas has also shown the blurring line between state and non-state actors and the new forms of governance. The first goal of Hamas was building an effective and legitimate authority and they more or less accomplished that goal in the following process. The program of Hamas government, which was declared in 2006, included the proposed reforms for the next period. These reforms targeted to get the support of all segments of the Palestinian society such as youth, women and children. One of the goals for Hamas government was fulfilling the state-building project by establishing the necessary institutions and consolidation of power despite the existence of the Israeli occupation in the region. After Israel’s unilateral disengagement from Gaza and the Hamas military takeover in 2007, the Hamas government in Gaza can be interpreted as having effective sovereignty to a certain extent despite its weak international legitimacy. Consequently, the Hamas experience and transformation reflected a way of power consolidation through governance and brought new question marks about the concepts of statehood and sovereignty as well as the role of non-state actors in the international system.

## 2.6 The role of international institutions in state-building efforts

Realist theories claim that institutions are shaped and limited by states so they have minimal independent effect. International institutions are created by more powerful states and they serve the interests of these major powers (Waltz, 2000, p. 26). In contrast, neoliberals defend the idea that institutions matter and they both have



independent and interactive effects because they enable states to do some things by reducing the transaction costs, establishing points for coordination, linking issues and providing more information (Keohane & Martin, 1995, p. 42). In terms of the importance of the context for the effectiveness of institutions, it was argued that a multipolar international system in which all the major powers are satisfied with the order is the most favorable setting (Schweller & Priess, 1997, p. 22). As a result, it can be claimed that the international institutions have some functions in the international system but there are different ideas about the independent effects of the international institutions among the IR theories. The international system and context in which they will play a role is also important in that sense.

The conflict zones and the regions where the state institutions cannot establish effective governance mechanisms lead to the external interventions for building states. State building as a concept refers to the process of “constructing or reconstructing institutions of governance capable of providing citizens with physical and economic security” (Chesterman, 2004, p. 5). The increasing number of state failures and civil wars made the state-building efforts more widespread compared to previous periods. The emergence of failed states stems from two factors: “coercive incapacity” and “administrative incapacity” (Hehir, 2011, p. 1077). Nevertheless, the principle of “inadmissibility of the acquisition of territory by war” based on UN resolutions prevents the external actors from invasion or direct control over the land so that the lack of local governance mechanisms paves the way for the state-building efforts. Naturally, the major powers in the international arena and the international institutions like the UN come into prominence because of their power and role in the international system. Due to lack of administrative and coercive capacities, the local actors and officials are replaced by international organizations through transitional

administrations under the framework of the state-building efforts (Aksu, 2006, p. 43). Therefore, the territoriality principle which lies at the heart of the Westphalian state system takes a new form and this situation offers new types of governance.

On the other hand, the state-building efforts have not been exempt from criticisms and they have not been so successful in the practical sense. Some authors claim that the failure of rebuilt states stemmed from the development approach which was based on neo-liberal state (Barbara, 2008, p. 308). For them, the neo-liberal state has proved to be a poor model for the post-conflict zones and they offered some other models such as the East Asian developmental state. It was even claimed that state-building attempts aimed to create political communities which reflect an idealized image of Western democracies, instead of the vision of the existing Western states (Hehir, 2011, p. 1074). Through this Western-oriented view and discourse on intervention and state-building, the power asymmetries are reproduced and effective states cannot be established. The international administrations, which took the lead, failed in their initiatives of state-building.

Trusteeship has been offered as a way of governance especially for the transition period of conflict zones and it was put into practice in some cases such as East Timor and Kosovo. This mechanism was also opened to debate for the Palestinian case and it was presented as an effective form of international intervention and an explicit mandate to establish an independent Palestinian state (Indyk, 2003, 54). The notion of trusteeship has come to the fore especially for the “weak, war-torn or contested states and territories” and the West Bank and Gaza were regarded as suitable cases for implementing a well-designed trusteeship project (Caplan, 2007, p. 231).

International institutions not only attempted to implement state-building efforts through different forms of international intervention but also supported some internal projects. The PA started an institution-building program in the West Bank under the leadership of Salam Fayyad. This government program aimed to establish a de facto state apparatus in two-year period. The Fayyad government had an extremely modest reform and development agenda (Danin, 2007, p. 98). The state-building effort of the Fayyad government led to a “honeymoon period” between the government and the international community (Persson, 2020, p. 130). The Fayyad government in the West Bank could gain the support of the international institutions and external actors but this support went hand in hand with the isolation of Gaza so it institutionalized the West Bank-Gaza division through that way.

In conclusion, state has been used as one of the key concepts in political theory, international law and international governance. Although there is no consensus among the scholars over a single definition of state, some common references about the concept can be highlighted. The coercive nature of state which was emphasized in Weber’s classical definition based on “legitimate use of force”, and the need for a social contract regulating the relations between the ruler (or rulers) and those who are ruled come into prominence. Moreover, a state has to have internal and external legitimacy as an actor. It has to provide security and services for the people under its rule in order to fulfill the expected functions. Apart from that, there are some physical features of a state but they are not sufficient for establishment of a state. There is no doubt that there is no perfect state that has all these components at the maximum level. Therefore, the requirements for an emerging state should be considered at the minimum level especially in the context of the modern world in which the line between state and non-state actors has blurred.

It should be kept in mind that states have emerged as a result of different historical contexts. The rise of Westphalian states, emergence of nation-states as a result of the French Revolution, the dissolution of empires and their replacement by new states, and decolonization period should all be analyzed as the historical background of statehood in different periods. Because of the contextual differences among these historical periods, it is not possible to make a clear-cut definition that fits the conditions of all these periods but a state as an actor has to have certain essential and common characteristics.

Despite the rise of non-state actors and the emergence of the constructivist and critical accounts questioning the assumptions of the Realist and liberal theories, states keep their importance as actors and reference points for analyzing the conditions and relations in the field. On the other hand, the definitions of statehood in international law mostly refer to the Montevideo criteria. Additionally, there is an intimate relationship between the concept of state and the concepts of sovereignty and self-determination. Sovereignty is considered as a constituent element of statehood. On the other hand, the right to self-determination has been used as the essential reason for the new actors claiming statehood. Although sovereignty and the claims of self-determination might clash in most cases, they are essential parts of statehood for establishing statehood on a particular territory. The changing meaning of sovereignty and the constructivist approach to the issue should be taken into account in order to make a comprehensive analysis in the context of the contemporary world.

There are two main theories of statehood in the literature. The declaratory theory is based on fulfilling the legal requirements of statehood on the ground. On the other hand, the constitutive theory of statehood attributes more importance to

recognition and it considers recognition as a constitutive feature of statehood. The latter theory accepts states as members of international community. In terms of the Palestinian case, the Palestinians fulfill the requirement of permanent population and a certain amount of territory but even these features are controversial. Moreover, Palestinians have problems about a functioning government due to the Israeli occupation. It can be claimed that the Palestinians have sufficient capacity to enter relations with other states, and the high number of states having diplomatic relations with it in international relations confirm this fact. Consequently, the Palestinian case is, by nature, closer to the constitutive theory of statehood but the need for negotiations for the final settlement of the conflict makes it a unique case.

Palestinian groups do not have the expected sovereignty for statehood on the ground. Whereas the PA represents the Palestinians in the international arena but lack of control or sovereignty even in the West Bank, Hamas lacks international legitimacy despite its relatively more effective control on Gaza. The internal territorial and political division between the Palestinian groups makes the realization of statehood more difficult for the Palestinians.

Last but not least, the international system and the role of international institutions should be considered as a part of debates over statehood. The new states emerge as a product of the international system. The international system not only shows the positions of the individual actors and balance of power in a particular period but also highlights the relative powers of the prominent actors. In addition to the international system, the international institutions including the UN can play a role in state-building efforts for the actors having the claim of statehood. The impacts of their role might change from case to case. In terms of statehood, they can prepare the ground for future statehood in the long-term by establishing certain essential

institutions. For the Palestinian case, the UN contributed to similar activities on the ground especially in the period of Salam Fayyad government. Consequently, the role of international institutions cannot be regarded as a genuine state-building effort that would pave the way for Palestinian statehood.

This chapter has addressed the theoretical discussion about the concepts of state, statehood and sovereignty. After summarizing the historical background of the Israeli-Palestinian conflict in terms of the role of the UN and resolutions in the third chapter, the background information for the main chapters of the dissertation will be accomplished. The fourth chapter, on the dynamics of the UN level, and the fifth chapter, on the variables of the ground level, will constitute the main chapters. They will generally highlight the details and components of the complex two-level game of the Israeli-Palestinian conflict. The Palestinian case will be analyzed as a unique case in the dissertation but it is necessary to understand the main characteristics and nature of state in order to make a comprehensive analysis. The peculiarities of the Palestinian case and the dynamics of complex two-level game will be complementary evaluating the issue as a whole so this theoretical discussion and the historical background of the conflict will certainly constitute the basis of the further analyses in the main chapters.

### CHAPTER 3

#### HISTORY OF THE ISRAELI-PALESTINIAN CONFLICT

#### IN TERMS OF THE ROLE OF THE UN

The Palestinian-Israeli conflict has a very complicated and long historical background. It can be analyzed in different dimensions and from different points of view. Since the focus of this dissertation will be on the role of the UN and its resolutions about the Israeli-Palestinian conflict, and the debates around the Palestinian statehood, this chapter will put forward the historical background of the conflict in terms of the UN resolutions and the role of the UN bodies, especially the General Assembly and the Security Council, in that period. Therefore, the period before the establishment of the UN will just be summarized and the moments in which the UN got involved in the issue will be explained in detail. After the long years of military struggle and conflictual relationship between Israel and the Arabs, the negotiations and peace attempts came to the forefront as the main platform of the Israeli-Palestinian conflict. Due to the dynamics between domestic politics and international relations, the logic of two-level games functioned in the negotiation phase of the conflict. As a result, this chapter will examine the role of the UN in the conflict from its establishment until the current period and the developments during the negotiation process so that it will be helpful for analyzing the current developments. The Palestinian bid for UN membership and the reactivation of the UN level will be more meaningful by taking into account the historical background of the Israeli-Palestinian conflict. It will show the evolution of the conflict and create an opportunity to make comparisons among different time periods. Lastly, the emergence of the crucial actors and the transformation of the relations among the

different actors will present a better perspective for analyzing the dynamics of complex two-level game of the Israeli-Palestinian conflict.

The UN has taken part as an actor in the Israeli-Palestinian conflict since the foundation of the UN. Because the UN Charter included “the maintenance of the international peace and security” as the main mission of the UN, the issues related to the Israeli-Palestinian conflict that threatened the security and peace in the regional and global sense were of crucial concern for the UN from the very beginning. Furthermore, the social unrest, revolts and clashes within the Mandate of Palestine under the British control made the situation unsustainable for Britain so the British administration decided to apply to the UN for the authority in Palestine. It has opened the way for a more active UN role in the Israeli-Palestinian conflict in accordance with the founding principles of the UN Charter. After that, the level of activity at the UN has changed from context to context and the UN played primary or secondary roles depending on the features of the context and the positions of other actors but it has always been a part of the ongoing process in the Israeli-Palestinian conflict. Consequently, the transformation of the Israeli-Palestinian conflict can be evaluated through the role of the UN in different periods and it can be regarded as an important introduction for the international level which will be discussed in the third chapter.

The origins of the Israeli-Palestinian conflict can be dated back to the emergence of the Zionist movement based on nationalist tendencies and the First Zionist Congress in 1897 because their plan to establish a national home on the territory mostly populated by the Palestinians started the conflict (Khalidi, 1991, p. 7). This plan was aimed to put into practice with the mass immigration of the Jewish people to the particular territory which belonged to the Ottoman Empire in that



period. Despite some precautions taken by the Ottoman administration against the mass immigration especially towards Jerusalem and the region around it, the number of Jewish people in that territory increased gradually. In addition to the attempts of the Zionist movement and the immigration of the Jewish groups to the region, the Jewish people needed to get the support of a great power in order to achieve their goals. This support came from the British Empire with the Balfour Declaration in 1917. With the Balfour Declaration, the British government expressed its support for the establishment of a Jewish homeland in Palestine. Although this expression did not address a state for the Jewish people, the support of a major power in the international arena obviously strengthened their hands against the Palestinians who constituted the majority of population. After the end of World War I, Mandate of Palestine was established and it was assigned to the British Empire. During the Mandate period, the immigration of the Jewish people from different parts of the world to Palestine continued. The Arabs showed their reaction against the British administration and increasing number of Jewish people through revolts or strikes. In some periods, the growing tension ended in clashes between Arabs and Jews. There was a general strike in 1936 and it turned into an Arab revolt. This general Arab revolt triggered national consciousness, an idea of a nation-state and anti-Zionism among the Arab population (Balpınar, 2019, p. 35). It also contributed to the armed clashes between Arabs and Jews. The Palestine Royal Commission, which is called as Peel Commission, was appointed by Britain in order to investigate the causes of the unrest in the region. In the final report of the Peel Commission, it was stated that the Mandate of Palestine established by the League of Nations had become unworkable so that it should be abolished and a partition plan should be realized between the two communities. Although the plan was based on partition of territory

between a small Jewish state and a greater Arab state, the Arabs rejected the partition plan because they were against the idea of partition and any kind of Jewish state in principle. On the other hand, the Jews were not also satisfied with the result but they seemed open to negotiations on the partition of the land. Consequently, the Peel Commission could not reach a comprehensive solution but it was the first time the abolition of Mandate was mentioned and a partition plan was offered for the territory.

When the Second World War started, the situation in Palestine was chaotic and the relations between Arabs and Jews deteriorated with increasing number of Jewish immigrants and the negative reactions of the Arabs against them. The Holocaust and assaults against the Jewish people in Europe during the Second World War led to mass migration of Jews to Palestine in that period. As a result of the revolts and assaults against the British administration by both the Arab and Jewish communities, and the destructive effect of the Second World War, Britain brought the Palestinian Issue to the UN General Assembly. The UN established a special committee called The United Nations Special Committee on Palestine (UNSCOP) in order to investigate the issue and to find a solution to the current problem. The Committee prepared a report, which was called the Partition Plan, and the Resolution 181(II) , on “future government of Palestine”, based on the Partition Plan was adopted by the General Assembly in November 1947 with the help of majority of votes.<sup>12</sup> The process leading to the Partition Plan in the General Assembly started a more active period for the UN in the Israeli-Palestinian conflict. It was also declared by the British administration that May 15, 1948, would be the end of Mandate of Palestine under the British rule. It would mean the end of British control that had

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<sup>12</sup> United Nations General Assembly Resolution 181 (II), *Future Government of Palestine*, A/RES/181(II) (29 November 1947), available from <https://unispal.un.org/DPA/DPR/unispal.nsf/0/7F0AF2BD897689B785256C330061D253>

lasted for three decades. The UN Partition Plan assigned 55 percent of the territory to the Jewish community and 45 percent to the Arabs, who were much more populous compared to the Jews in that period. The Jewish and Arab states would be integrated through an economic union. Jerusalem would have had an international status according to the UN resolution. The UN established the Palestinian Commission to implement the Partition Plan. Although “the plan was vague and it was not sufficiently detailed”, the Commission prepared the Handbook in which all the issues related to the withdrawal of British forces and the implementation of partition took part (Ben-Dror, 2007, pp. 999-1000). However, even this detailed handbook was based on the idea that only the establishment of a Jewish state was possible and operative under those conditions. Therefore, it expected a partial implementation of the plan.

The UN Partition Plan in 1947 was not “the legal, moral, fair, balanced, pragmatic, practicable ‘compromise’ formula” which is possible in the eyes of the Palestinians (Khalidi, 1997, p. 9). Thus, the Arabs strongly rejected the Partition Plan. In fact, they were not ready to live side by side with a Jewish state near their borders. Additionally, the resolution was considered as a denial of “the right of a people to self-determination” (Armanazi, 1974, p. 89). On the other hand, the Jewish decision-makers considered the Partition Plan as a step on the way towards their greater state so they welcomed the UN Resolution to achieve their goals in the next period. There were some Jewish groups who rejected the Partition Plan because of their demand for a greater state in the whole Palestine and some important leaders such as Menachem Begin and Yitzhak Shamir were among those groups (Balpinar, 2019, p. 68). The Jewish leader, David Ben-Gurion, adopted a pragmatist policy in that period. Moreover, the Jewish groups under the leadership of David Ben-Gurion

prepared their military groups and equipment for a military takeover of the whole territory. As a result, the UN Partition Plan in 1947 could not establish a permanent and comprehensive solution for the problem. The dissatisfaction of the Arabs in the region led to a military struggle between Israel and Arabs. The state of Israel was founded immediately after the termination of the British Mandate in May 1948. It was defined as a Jewish and democratic state. However, a Palestinian state could not be established even decades after the Partition Resolution in the UN.

The establishment of the State of Israel in 1948 started a regional war between the Arab armies and the Israeli army. The military superiority of Israel against its enemies and the support of some great powers in terms of supplying more equipment for the Israeli army contributed to a total victory for the Jews. The Israeli army could take the control of the territory even beyond the borders mentioned in the Partition Plan. The military struggle ended with bilateral armistices between Israel and individual Arab states (Jordan, Lebanon and Egypt). By the Green Line adopted with the armistice agreements, Israel could take the control of 79 percent of the territory (The assigned territory for the Jews was 55 percent according to the UN Partition Plan). Moreover, the 1948 War resulted in the permanency of the problem of the Palestinian refugees. Despite the UN General Assembly Resolution 194,<sup>13</sup> which approved the right of repatriation and expressed the responsibilities of Israel, the Israeli government rejected this view. One year after the establishment of the State of Israel, Israel could get the UN membership on condition that it would accept the UN principles and decisions. On the other hand, Jordan declared the annexation of the West Bank and the Arab-populated part of Jerusalem to its borders in 1950. The relative stability achieved after the armistice agreements continued until the

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<sup>13</sup> United Nations General Assembly Resolution 194 (III), *Palestine--Progress Report of the United Nations Mediator*, A/RES/194(III) (11 December 1948), available from <https://unispal.un.org/DPA/DPR/unispal.nsf/0/C758572B78D1CD0085256BCF0077E51A>

Suez Crisis in 1956. The absence of military struggle, of course, did not mean that the conflict was not a part of discussions at the UN level. The General Assembly and the Security Council adopted resolutions about the issue, and the main problems related to the conflict were addressed especially in the regular sessions. However, it was significant whether the primary or secondary issues have been debated at the UN level. George Tomeh (1974) underlines the fact that “the Palestine Question” had taken part in the agenda of the General Assembly until 1952 and of the Security Council until 1967, and the UN dropped that issue in those dates by replacing them with some other headlines like “the Situation in the Middle East” (p. 15). He implies that this change was beyond just a different wording; on the contrary, it was an intentional policy of the Israeli delegates and the Secretary-General in that period. It meant a shift in the attitudes or policies of the actors towards the issue and the derivative issues replaced the primary ones. It shows the possibility of changes even in the agenda of regular sessions and a strategy of directing the focus of the debates through different means. To put it another way, the absence of military struggle does not mean that the struggle between the two sides is left aside; instead, it is maintained in different platforms and with different means.

During the Suez Crisis, not only Egypt and Israel as the regional powers but also the two permanent members of the Security Council, Britain and France, got involved in the struggle. The two superpowers, the US and the Soviet Union, decided to intervene the struggle and their interference changed the dynamics in favor of Nasser’s Egypt in that period. In terms of the UN role during the Suez Crisis, the creation of the UN Emergency Force (UNEF) was regarded as a milestone in the development of the UN and it indicated the emergence of the UN peace-keeping which aimed to prevent a confrontation between East and West (Urquhart, 1995, p.

575). The UNEF played a crucial role in that crisis as a means of peace-keeping. The creation of UNEF and effective participation of the General Assembly in the case of deadlock in the Security Council because of the French and British vetoes was significant for the UN role in a crisis because the General Assembly shared the responsibility of the Security Council in terms of maintaining international peace and security through its active involvement (Kenny, 1973, p. 772). It also proved the contribution of the UN to peace-making and peace-keeping efforts in the international relations.

In the 1960s, the Cold War influenced the atmosphere not only in the Middle East but also in other parts of the world. After the decolonization period, new independent states were established and the new member states changed the dynamics in the UN General Assembly. “The number of UNGA member states rose from 51 in 1945 to 76 in 1955, 117 in 1965, and 144 in 1975” (Sarsar, 2004, p. 458). Members of the Group of 77 or the Non-Aligned Movement (NAM) increased with the participation of new developing states in that period. While the Security Council could not function well because of the East-West division, the Soviet Union became the main supporter of the Arab countries in that period. “The United Nations became sidelined as a player in Middle East affairs except for the cases in which its peace-keeping capacity is used” (Urquhart, 1995, p. 576). This context led to the June 1967 War as a part of Arab-Israeli conflict. Israel could triple the territory it controlled as a result of that war with the help of its military superiority. Israel occupied the Sinai, Gaza, West Bank, the whole Jerusalem and the Golan Heights, and the number of Palestinian refugees increased dramatically. This time the Arabs seemed more enthusiastic for the settlement of the issue because of their military defeat. The

Security Council played a more active role for the settlement of the issue in that regard and the Security Council Resolution 242 was prepared in that context.

The UN Security Council adopted Resolution 242 after the 1967 Arab-Israeli War.<sup>14</sup> In that resolution, the UN called for immediate ceasefire, the withdrawal of Israeli armed forces from “the” territories occupied in the recent conflicts, and respect for territorial integrity and sovereignty of every State in the region. The UN Security Council Resolution 242 has constituted the basis of the negotiations and peace agreements in the later period. Since all the actors attributed central importance to the Resolution 242 and used it as a reference point for framing their discourses, it gained “a weak version of a canonical text” (Falk, 2007, p. 40). However, the rights of the Palestinian people, and a Palestinian state were not mentioned in the resolution. Additionally, like many other Security Council resolutions, the Resolution 242 was ambiguous in meaning so it was open to interpretation. There were also differences among the translations into different languages. For example, the English version did not include “the” while addressing withdrawal of the Israeli forces. While the Arabs have supported the idea that the Resolution 242 requires total withdrawal of the Israeli forces, the Jews have rejected the requirement of total withdrawal but they have thought that a partial withdrawal was sufficient to accomplish the conditions mentioned in the Resolution 242 (Balpınar, 2019, p. 103; Lapidoth, 2011, p. 12). The two superpowers also differed in their position about the withdrawal clause. Whereas Soviet Russians demanded a complete withdrawal, the US supported the Israeli view in that issue (Kenny, 1973, p.774). Similarly, there was a complete disagreement between the two sides about whether the Resolution 242 required the right of repatriation for all the Palestinian

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<sup>14</sup> Security Council Resolution 242, U.N. Doc. S/RES/242, (Nov. 22, 1967), available from <https://digitallibrary.un.org/record/90717?ln=en>

refugees (Quigley, 2007, p. 49). In addition to the ambiguity in the withdrawal clause, there were some other weaknesses of the Security Council Resolution 242 such as lack of sharper expressions against Israel's colonization program and administrative changes on the ground, and absence of time limit for withdrawal (McDowall, 2014, p. 1378). As a result, the Security Council Resolution 242 constituted the basis for the negotiations and the peace attempts in the next period but the meaning and requirements of the Resolution were not crystal clear so it started new debates about the issue.

Anwar Sadat came to power in Egypt after the death of Nasser in 1970 and changed the Egyptian policy towards Israel. Sadat declared that Egypt would recognize the State of Israel in exchange with the complete disengagement of the Israeli forces from the Sinai Peninsula. However, this policy shift did not end the military struggle in that period. The military struggle between Israel and Arabs continued with the October War, which is called as Yom Kippur War by the Jews, in 1973. Although the Egyptian crossing of the Suez Canal surprised the Israeli side in the initial phase of the war, the Israeli forces established the control on the ground with the help of the US support. However, the result was a more balanced one compared to the 1967 War so it constituted a reason for opening the phase of negotiations instead of military struggle. A UN peace-keeping force, UNEF II, played a role in the cease-fire at the end of the war. The UN Security Council adopted the Resolution 338 after the October War.<sup>15</sup> This resolution called for an immediate ceasefire for all the actors involved in the struggle and implementation of the conditions mentioned in the Resolution 242 such as Israeli withdrawal from "the" territories occupied during the 1967 War. It was asserted that Resolution 338 added a

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<sup>15</sup> Security Council Resolution 338, U.N. Doc. S/RES/338, (Oct. 22, 1973), available from <https://digitallibrary.un.org/record/93466?ln=en>



binding impact to the Resolution 242. There is no doubt that though it was not legally binding, Resolution 338 reinforced the Resolution 242 in many respects (Lapidoth, 2011, p. 10). The October War became the last ring of the series of Arab-Israeli Wars in less than three decades. The principles of security dilemma operated during the period of military struggles (Moeller, 2000, pp. 68-69). After the October 1973 War, the Arab states left the strategy of collective military struggle against Israel; instead, some individual Arab states such as Egypt and Jordan aimed to reach a diplomatic solution through agreements with Israel. The breaking down of the Arab unity against Israel meant the end of the phase of Arab-Israeli conflict in the Palestinian Issue.

The PLO gained the upper hand in the Palestinian politics as the representative of the Palestinian people by 1974. The PLO was set up in May 1964 by Ahmad al-Shuqayri, who was the representative of Palestine in the Arab League by the approval of the Arab Summit Conference. It was established “as the basis of the Palestinian Entity and as a pioneer in the collective Arab struggle for the liberation of Filastin (Palestine)” (Shemesh, 1984, p. 121). It was a result of the debates over representation of the Palestinians as a people in the international arena. The establishment of the PLO was reinforced with the formation of other representative bodies under the PLO framework. The PLO turned into the only representative mechanism for the Palestinians with the support of the Palestinian people and the Arab states despite some opposition in the initial period. In the international arena, the PLO was accepted as “the sole legitimate representative of the Palestinian people” in 1974 by the Arab Union, The Organization of Islamic Conference (which has changed as Organization of Islamic Cooperation, OIC, later), and more importantly the UN. Furthermore, it could gain an observer status in the

UN as the representative of the Palestinians. The UN General Assembly reiterated the right of self-determination for the Palestinian people, the rights of Palestinians and the right of repatriation for the Palestinian refugees as well (Balpinar, 2019, p. 119). As a result, the PLO took the lead on the Palestinian side and it began to represent the Palestinian people in the international arena, including the UN level.

On the other hand, the Israeli decision-makers pursued a policy of establishing their full control over the territories occupied in the military struggles. The increasing number of settlements in the occupied territories was a part of this state policy. Israeli leaders aimed to get the support of some political groups especially the right-wing groups in domestic politics and to establish their full sovereignty on the ground. It was called as “colonization of the occupied territories” by the Palestinians and led to changes on the ground in favor of Israel (Davis, 1984, p. 194). Because of the measures taken by the Israeli administration, the Palestinians inhabited in the occupied territories became dependent on Israel and foreign aid economically. The increasing influence of the right-wing parties in the Israeli domestic politics certainly affected the policies of the ruling parties and opposition groups. Therefore, the new settlements in the occupied territories continued even during the periods of Labor Party governments. Although the settlement policy caused criticisms by the external actors towards the Israeli governments and it was debated during the negotiations, the Israeli governments did not avoid making new initiatives for settlement projects. It can even be claimed that the Israeli delegates used the settlements as a part of their negotiation strategy. As a result, the changes on the ground were influential on both the attempts at the UN level and the negotiation process. The developments at other levels also had potential to change the dynamics

on the ground and in domestic politics. Thus, it is possible to define it as an interactive relationship among the two levels.

The developments starting with the UN Partition Plan and the events during the period of military struggles revealed that the UN played key roles especially at the moments of crisis and contributed to the steps towards the settlement of the issue. The UN declared its view for the final settlement as two-state solution based on pre-1967 borders. By the mid-1970s, the UN was sidelined in the Middle East affairs and it became a secondary player in the Israeli-Palestinian conflict (Urquhart, 1995, p. 578). The weakness of the UN position in that period was explained through three reasons: “lack of confidence on the part of both Israel and the Arabs; the clash between the UN principles and *realpolitik*; and lack of great powers’ support” (Kenny, 1973, p. 782). The secondary role of the UN continued in the 1980s. Of course, it did not mean that the UN did not have any action or role in the process but they were at the lower level compared to the previous period. In that period, the General Assembly adopted new resolutions about the issue and the Security Council conducted new meetings to discuss the developments on the ground. Furthermore, the UN kept its peace-keeping capacity and it was used when it became necessary such as the establishment of The United Nations Interim Force in Lebanon (UNIFIL) in Lebanon and The United Nations Disengagement Observer Force (UNDOF) for the Golan Heights. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) also played a crucial role especially for the Palestinian refugees. The polarized atmosphere of the Cold War context was one of the reasons for the low profile of the UN.

Looking at the other side of the coin, it was also claimed by some scholars that the secondary role of the UN stemmed from the US strategy which was based on

keeping the UN out of the decision-making processes and assigning the humanitarian and development work to the UN organs (Bennis, 1997, pp. 48-50). Parallel to this idea, the failure of the UN in the Middle East in terms of conflict resolution was explained by the fact that the UN, which was called as “an international non-sovereign body”, was not allowed to perform an independent role in the Arab-Israeli conflict (Srinivas & Upendra, 2000, p. 175). In addition to this, the changing dynamics with the involvement of new developing states also affected the US policy after the decolonization process. The US started to become critical of the UN and it preferred to pursue a more proactive policy in the UN Security Council and to use its veto power especially for the resolutions against Israel while diminishing its influence in the UN General Assembly in the period starting with the 1970s (Sarsar, 2004, p. 459). The alliance with Israel was of crucial importance for the US foreign policy in the Middle East in the Cold War context so that it supported Israel unconditionally. The Islamic Revolution in Iran in 1979 increased the strategic importance of the US-Israeli alliance in the Middle East. However, there were actually various reasons for this alliance. Among these reasons, shared national interests between the US and Israel in the region, their common religious traditions especially among the American Protestants mainly the Evangelicals, their similar visions for the Middle East, cultural disposition among the Americans towards the Jewish people instead of the Arabs, high number of Jewish voters and the existence of a strong pro-Israel lobby can be regarded as the most prominent ones (Sarsar, 2004, pp. 460-462). The marginalization of the UN in the Middle East affairs and the support of the US to the Israel against the anti-Israeli resolutions in the UN were parts of the US strategy. The role of the US strategy on the role of the UN can be debated but the evolution of the UN performance from primary to a secondary level

can be easily observed when the developments in different periods are compared. In sum, despite the fluctuations in the significance of the role of the UN in the Israeli-Palestinian conflict, it has always become an influential actor in the Palestinian Issue.

The Camp David Accords in 1978 and the Egyptian-Israeli peace treaty in 1979 transformed the Israeli-Palestinian conflict because they created new dynamics leading to new positions for all the actors (Kriesberg, 2000, p. 69). Although the attempt of the Egyptian President, Anwar Sadat, for a peace treaty was considered as a betrayal to the Arab challenges against the existence of an Israeli state in the region and it ended in the assassination of Sadat, the Egyptian-Israeli peace treaty opened a new phase for in the region. In the following period, the Arabs began to acknowledge the reality of the State of Israel in the Middle East and the negotiations became the main platform for the comprehensive settlement of the Israeli-Palestinian conflict. Because of the right-wing government in Israel, there were some challenging steps about the status quo in the region. Israel under the leadership of Menachem Begin declared Jerusalem as the united capital of Israel in 1980. The UN Security Council adopted the Resolution 478 against this attempt of Israel. The UN Security Council condemned the Israeli declaration and called the attempt to change the status of Jerusalem illegal.<sup>16</sup> Consequently, the Camp David Accords and the Egyptian-Israeli peace agreement led to some changes in the domestic politics of both sides.

At the end of 1987, a general Palestinian uprising called Intifadah or the Intifada, which was later called as the First Intifada, broke out against the Israeli occupation in the West Bank and Gaza. Occupation of Israel was not a recent development in that period but some recent Israeli actions became the last straw that breaks the camel's back. The protest movement emerged as a leaderless collective

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<sup>16</sup> Security Council Resolution 478 (1980), *Territories Occupied by Israel*, S/RES/478 (August 20, 1980), available from <http://unscr.com/en/resolutions/478>

movement and included various forms of strategies such as resistance and civil disobedience. General strikes, boycotts of the institutions belonging to the Israeli administration and an economic boycott were the parts of this protest movement. The Israeli government reacted with harsh punitive measures against the uprising and the Israeli security forces did not avoid directly targeting the protestors including children and young people. This reaction resulted in hundreds of deaths on the Palestinian side and a number of Israeli soldiers. Almost all the Palestinian groups in affiliation with the PLO such as Fatah, the Popular Front and the Democratic Front joined the Intifada. Despite the militant attacks against the Israeli soldiers, the non-violent character and unarmed strategy constituted the basis of protest movements and the groups that joined the protests generally acted in accordance with this strategy. The First Intifada lasted for a few years and continued until the Madrid Conference in 1991 in different ways.

As an important result of the First Intifada, the general uprising created a new wave of radicalism among the Palestinian youth and it indicated the emergence of a new leadership which is less willing to make concessions compared to their predecessors (Yorke, 1988, p. 22). It can be claimed that the First Intifada increased the politicization of the Palestinian society and it increased the awareness of the people about the developments related to the Israeli-Palestinian conflict on the ground. More importantly, one of the positive results of the First Intifada has been “the Palestinianization of the conflict” and “self-reliance of Palestinians” against the Israeli occupation (Nakhleh, 1989, p. 9). Furthermore, the Jordanian King Hussein declared that he would not speak on behalf of the Palestinians any more. He declared the withdrawal of Jordanian sovereignty from the West Bank and recognition of the primacy of the PLO in the territories. Thus, the PLO remained as the only

representative of the Palestinian people and the Israeli initiatives through the Jordanian regime were not valid in that context. The King Hussein's declaration opened the way for the PLO. It represented the Palestinianization of the conflict and it has completely turned into an Israeli-Palestinian conflict rather than Arab-Israeli conflict. Furthermore, the Intifada was of crucial importance because of its call for Palestinian independence. The Palestinian National Council, as a body of the PLO, proclaimed the State of Palestine with East Jerusalem as its capital in November 1988. It can be claimed that the Declaration of Independence in 1988 emerged as a result of the context in which the Palestinians increased their self-confidence during the process of the First Intifada. This proclamation also revealed a policy shift for the PLO because two-state solution replaced the former one-state discourse for the whole Palestine. The UN General Assembly adopted a resolution<sup>17</sup> in favor of this proclamation and many states recognized the State of Palestine. In sum, the First Intifada became a turning point for the Palestinians in the social and political field.

One important offspring of the First Intifada was the establishment of Islamic Resistance Movement, which is called Hamas, just after the breaking out of the uprising in 1987. Hamas was the Palestinian branch of the Muslim Brotherhood. In the initial period, the military wing of Hamas and its strict ideological stance against Israel came into prominence:

After all, the group fields a private army, embraces violence as a political tool, regularly orchestrates terrorist attacks, and is dedicated to the destruction of Israel and the establishment of an Islamist state ruling the territory of Israel and the PA (Herzog, 2006, p. 83).

This description of Hamas was almost common view of the external actors about it; therefore, they treated it cautiously and preferred to keep a distance instead of

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<sup>17</sup> General Assembly Resolution 43/ 177, *Question of Palestine*, A/RES/43/177 (Dec. 15, 1988), available from <https://digitallibrary.un.org/record/53922?ln=en>

improving their relations. With the help of the activities of its social service wing and its military struggle against Israel, the popularity of Hamas increased among the Palestinian people gradually. The disagreements between Hamas and the PLO over the strategies and policies against Israel created a political division in the Palestinian domestic politics. Hamas came to power in Gaza in the 2006 elections and it took over the control of the city militarily in 2007. This situation put the internal division to another level. As a result, the First Intifada led to important changes among the Palestinians and it obviously affected the evolution of the Israeli-Palestinian conflict as well. Thus, it can be regarded as one of the critical turning points in the historical background of the conflict.

The First Intifada was asserted as a state-building process in which the Palestinians withdrew their generalized obedience legitimizing Israeli rule in favor of the State of Palestine (Segal, 1989, p. 26). The Intifada not only affected the Palestinian domestic politics but also “became a model for movements of democratic protest in countries like Algeria, Tunisia, and Jordan, as well as in Eastern Europe and parts of Asia and Africa” (Said, 1991, p. 21). The First Intifada brought the Palestinian cause to prominence in the international arena and it contributed to the rise of Hamas as an important actor in the Palestinian context. Consequently, the emergence of the First Intifada changed the dynamics particularly in terms of shaping the Palestinian political field and activating the Palestinian society, and it created long-term effects on the social movements in the regional and global sense.

During the period of negotiations, there were also some unilateral actions of both sides. In 1988, the Palestine National Council of the PLO declared the establishment of the State of Palestine. The UN General Assembly convened and acknowledged the Declaration of the State of Palestine by adopting the Resolution



43/ 177. After that, the name Palestine was started to be used in the UN system. The State of Palestine was also recognized by more than 100 states in the world. The Declaration of Independence constituted an important part of the state creation process because it opened the way for the State of Palestine, as an entity, to function as an international person (Segal, 1989, p. 19). For instance, the Declaration of Independence provided a chance to be recognized by other states or to make agreements with other actors. As a result, the Declaration became a symbolic but crucial step in the state formation process for the Palestinians. Its recognition by other states and acknowledgement in the UN General Assembly legitimized this unilateral action in the international arena.

Despite the last initiative of the Clinton administration, the Camp David Summit in 2000 could not result in an agreement. The Second Intifada, which started after the Likud Party candidate Sharon's visit to Temple Mount in 28 September 2000, triggered a new period of violence between the Israeli forces and Palestinians. Sharon's visit was considered as highly provocative by the Palestinians. The Second Intifada is also called al-Aqsa Intifada because of this visit. The riots broke out just after Sharon's visit and the level of violence increased day by day. Many scholars confirm the fact that "Ariel Sharon's visit was the trigger, not the cause of the Intifada" (Dowty, 2004, p. 10). It can be claimed that the decreasing expectations towards the peace process was among the reasons for escalation of violence. Rabbani points out the decisive aspect of the people's expectations and hopes about the destiny of the two intifada movements: "Just as the population's hopes help explain the end of the previous uprising, so the frustration of these hopes is central to understanding the current one [the Second Intifada]" (Rabbani, 2001, p. 71). The Second Intifada emerged as a result of the combination of some factors:

It has been as a response by a ‘young guard’ in the Palestinian nationalist movement not only to Sharon’s visit and the stalled peace process, but also to the failure of the ‘old guard’ in the PLO to deliver Palestinian independence and good governance (Shikaki, 2002, p. 89).

This explanation highlights the generational division within the PLO and problems about the governing style and practices of the PA besides the external factors. The asymmetric power relations between Israel and the Palestinian groups led to the use of different tactics. While the Palestinian groups used guerilla tactics such as suicide bombings, stone-throwing and gunfire, Israel responded with gunfire, air and tank attacks against the Palestinians.

The Second Intifada caused thousands of deaths of civilians and combatants on both sides like the First Intifada. The year 2005 is generally considered as the end of the Second Intifada. The daily lives of the Palestinians affected negatively under the influence of continuing Israeli occupation. Moreover, the Second Intifada contributed to the “crystallization of two trends” in the Palestinian domestic politics, namely “a split between old and young guard within the nationalist movement” which decreased the PA leadership’s capacity in the domestic and international arena, and “a broader decline in the power of nationalists relative to the Islamists like Hamas” (Shikaki, 2002, p. 90). In sum, the Second Intifada, like the First Intifada, shaped the Palestinian domestic politics and this transformation created important results for the Israeli-Palestinian conflict in the following period.

In the international arena, the new millennium started with a catastrophic event in the US. The September 11 event changed the US discourse towards the Middle East and it dramatically transformed the US foreign policy in 2001. The Bush government declared global war on terror against the radical groups like al-Qaeda in the region. This foreign policy discourse led to an operation against Afghanistan in

2002 and another operation against the Saddam regime in Iraq in 2003. Furthermore, the September 11 changed the priorities of the US in the Middle East. Whereas the Middle East Peace Process had constituted the main dynamics of the US foreign policy towards the region and the political stability was the main concern for the US in the previous period, the Bush administration adopted the hands-off approach for the Israeli-Palestinian conflict after the September 11 event.

On the Palestinian side, Mahmoud Abbas was appointed as the Prime Minister of the Palestinian Authority in 2003 under the international pressure against Yasser Arafat and call for democratic reforms in Palestine. After Yasser Arafat's death in November 2004, Mahmoud Abbas was elected as the President in January 2005. Arafat's replacement by Mahmoud Abbas was an important development for the Palestinian politics. Abbas tried to convince the Palestinian groups for an armistice and he agreed to an armistice with Sharon despite the continuation of violence in a lesser degree. Hamas, Fatah and more than ten Palestinian groups signed the Cairo Declaration in 2005. They declared their willingness to participate in the Palestinian Authority and the parliamentary elections. The Palestinian groups, except for the Islamic Jihad, agreed on a national unity government. On the other hand, Arafat's death revealed the internal divisions among the Fatah factions. In addition to this, his death and power vacuum emerged as a result of disengagement of Israel from Gaza escalated the Fatah-Hamas conflict. Consequently, the Second Intifada caused a new wave of violence between Israel and the Palestinian groups, and the regional and global developments in that period led to transformations in the Israeli-Palestinian conflict.

The first decade of the new millennium witnessed some new initiatives for the settlement of the Israeli-Palestinian conflict. As one of the most important

initiatives about the issue, Saudi Arabia declared a plan based on certain conditions for Israel. This plan was accepted by the Arab Union and later turned into Arab Peace Initiative with minor revisions in March 2002. This plan can be described as:

full Israeli withdrawal from all territories occupied in June 1967 and Israel's acceptance of an independent Palestinian state with East Jerusalem as its capital, in return for the establishment of normal relations between the Arab states and Israel in the context of comprehensive peace (Podeh, 2014, p. 588).

That proposal reflected a radical shift in the Arab states' policy towards the issue and it can be regarded as a genuine offer compared to the previous periods. The Arab Peace Initiative included four rewards for Israel: "End of the conflict, peace, security, and normalization" (Daoudi, 2009, p. 536). It differed from other peace attempts in the sense that it was declared as a common initiative of the Arab states and it reflected an important policy shift. Furthermore, it brought the acceptance of a Palestinian state by Israel to the negotiation table. However, Israel did not accept this proposal and "missed the plausible and historic opportunity" (Podeh, 2014, p. 601). The declaration of the initiative was coincided with a suicide bombing organized by Hamas, and Israel reacted to the bombing with a large-scale military attack against the West Bank called Operation Defensive Shield. Therefore, the significant peace attempt could not lead to the expected outcome.

On the other hand, the Middle East Quartet which consists of the UN, the EU, the United States and Russia was set up in 2002 in order to "help mediate Middle East peace negotiations and to support Palestinian economic development and institution-building in preparation for eventual statehood".<sup>18</sup> It was an important international establishment because the Middle East Quartet brought the powerful international actors together and it was likely to turn into a common framework for

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<sup>18</sup> "Middle East Quartet," The Office of the United Nations Special Coordinator for the Middle East Peace Process (UNSCO), available from <https://unsco.unmissions.org/mideast-quartet>

the policies towards the Middle East peace process. The Quartet declared a performance-based and goal-driven Roadmap about the issue. The draft version was prepared by the US administration and the President W. Bush called for “an independent Palestinian state living side by side with Israel in peace” in his speech (“Full Text of George Bush’s Speech”, 2002, para. 2). It was the first time an American President called for an independent Palestinian state in the region. Despite the regular meetings of the Middle East Quartet, the initiative could not produce the expected outcomes.

The Palestinian groups, Fatah and Hamas, agreed on a reconciliation government with the Mecca Agreement in 2007. However, the competition between Hamas and Fatah led to a military struggle and ended in Hamas takeover in Gaza. Thus, the Palestinian territory divided into two main parts which were the West Bank under the leadership of the PA, and Gaza under the control of Hamas. It was a better scenario for Israel. Salam Fayyad, who had good reputation in the Western world, was appointed as the new Prime Minister of the PA. Olmert’s Israel, adopted the West Bank First policy in that context. This strategy was based on economic and political isolation of Hamas in the region. The Western actors also supported the West Bank First policy and the isolation of Hamas. However, this policy contributed to the continuation of violent actions between Israel and Hamas. In sum, the territorial and political division between the Palestinian groups became one of the decisive factors for the Israeli politics in the Olmert period. While Israel kept its relations with the PA, the relations with Hamas turned into a blockade against Gaza and military struggle.

On the other hand, Israel started a large scale military operation called Operation Cast Lead against Hamas in Gaza in December 2008. Mansour puts

forward the three objectives of the Israeli operation on Gaza: “To apply the operational lessons of the Lebanon war; to rebuild Israeli deterrence at the regional level; and to score as many points as possible in Gaza” (Mansour, 2009, p. 94). Israel not only targeted Hamas in Gaza but also aimed to remove the expectations for a possible Palestinian state. Thus, the Israeli relations with Fatah and Hamas were very different from each other. Whereas the Olmert government tried to pursue negotiations with the PA in the West Bank, the conflictual relations with Hamas led to a larger military struggle at the end of his period.

In the Israeli politics, election of Netanyahu, who was the leader of right-wing Likud Party, as the new Prime Minister of Israel in 2009 decreased the expectations about the negotiations. Netanyahu’s election was coincided the period in which Barack Obama was elected as the US President. Obama also considered the need for a peace based on a comprehensive settlement of the conflict through an agreement of the two sides and establishment of a Palestinian state peacefully side by side with Israel. There was a disagreement between Obama and Netanyahu in that sense. In his famous Cairo speech in June 2009, Obama declared his opposition to the new Israeli settlements and his support for the Palestinians’ right to self-determination (The White House, 2009). However, Netanyahu insisted on the fulfillment of the Israeli security concerns and recognition of Israel as a Jewish state as preconditions for the negotiations. In addition to this, he ordered to continue the settlement projects despite the opposition of the Obama administration. The Netanyahu government thought Hamas as a security threat for Israel. Its policy was expansionist and based on increasing the Israeli control on the ground.

The Arab Uprisings, which were also called as the Arab Spring in the initial period, erupted in Tunisia and spread to other countries in the region in such a

context about the Middle East peace process. The long-time rulers of Tunisia and Egypt were overthrown as a result of mass protests. The removal of Hosni Mubarak in Egypt opened the way for the increasing influence of the Muslim Brotherhood and its political branches. In terms of the Israeli-Palestinian conflict, the rise of the Muslim Brotherhood was an alarming phenomenon for Israel in the region. On the other hand, the Palestinian administration had good relations with the Muslim Brothers and they were pleased because of the increasing influence and power of the Muslim Brotherhood. The Palestinian leader, Mahmoud Abbas, decided to turn this favorable regional context into an advantage for the Palestinians and his own position within Palestine. He applied to the UN for full membership. The Palestinian application reactivated the UN level in that period and opened a new phase in the complex two-level game of the Israeli-Palestinian conflict.

In conclusion, the Israeli-Palestinian conflict witnessed different historical periods and it evolved to different directions under the influence of the domestic, regional and international factors. These factors shaped the dynamics of complex two-level game of the Israeli-Palestinian conflict in the previous periods. The UN, as the most prominent and inclusive international institution, was an important actor from the beginning and it played some primary or secondary roles during this historical process depending on the context. Whereas the military struggles between the Jewish (or Israeli) and the Arab armed forces led to a conflictual relationship in the first decades, the two sides preferred to search for solution of the conflict through negotiations. Therefore, the conditions changed at the ground level as well as the UN level. This chapter presented the changes and developments at both levels. The next two chapters will discuss the dynamics at the UN level and the ground level successively; as a result, all the variables of the complex two-level game will be

analyzed thoroughly by taking into account the background information of the second and third chapters of the dissertation.



## CHAPTER 4

### THE UN LEVEL AS A PART OF COMPLEX TWO-LEVEL GAME OF THE ISRAELI-PALESTINIAN CONFLICT

The two levels of complex two-level game, namely the UN level and the ground level can be clearly distinguished. While the UN level refers to the dynamics in different UN bodies, the initiatives at the UN, and the roles and policies of the international actors, the ground level refers to the dynamics and variables of the domestic politics at both sides of the conflict, the changes in the regional context, bilateral negotiations and the relations of the external actors with the main actors. But although this analytical separation may be necessary to examine the different dynamics at these levels, creating a dichotomy between the domestic-international or ground level vs. UN level or international level will certainly be misleading if the interactions and mutual relations between these levels are not taken into account. With the advent of globalization and increasing interdependence among the actors in different parts of the world, these separations remain artificial and even the borders and spheres of influence of the states are questioned. Therefore, the dynamics at the ground level and the UN level should be considered as two complementary parts of a whole. Furthermore, the conditions on the ground have some interactions with the international level so the variables at different levels naturally affect each other. For example, changes in the regional context may lead to new attempts through negotiations or initiatives at the UN level. Similarly, a policy of a particular actor on the ground may influence the voting behavior of an external actor, or a vote at the UN level may influence the bilateral relations of the actors. These points of interactions and mutual relations make the two-level game of the Israeli-Palestinian

conflict complex. These two levels also include other two-level games in terms of the domestic-international relations depicted by Putnam. As a result, two main chapters of the dissertation will analyze the variables and relations at two main levels of the complex two-level game of the Israeli-Palestinian conflict.

This chapter will focus on the dynamics at the UN level. First of all, the voting patterns in the UN Security Council and in the General Assembly will be highlighted. Then, dependent and independent variables of the UN level will be presented. These parts will prepare the ground for analyzing the votes in the UN bodies in different periods. In fact, each vote can be considered as an example of two-level games because the voting behavior of a UN member state is not independent of the dynamics in domestic politics. A vote at the UN level not only reflects the foreign policy and position of an actor towards a particular issue but also emerges as a result of the decision-making processes at the domestic level. More importantly, variables at two different levels may affect each other and change the voting behavior or policy of the actor. To illustrate, lobbies are important instruments in the US domestic politics and they have direct contacts with the actors in the decision-making mechanisms. Therefore, external actors may establish good relations with the lobbies in order to influence a foreign policy indirectly. Similarly, other domestic actors such as political parties, interest groups or NGOs can improve relations cutting across the boundaries of domestic and international areas. Consequently, the variables at the UN level will be taken into account with the interactions between different levels and they will be analyzed as a dynamic process rather than two separate levels.

#### 4.1 Voting patterns in the UN Security Council and in the UN General Assembly

The Israeli-Palestinian conflict, starting with the Partition Plan in 1947, has long been one of the most central issues and concerns of the different bodies of the UN, especially the Security Council and the General Assembly. Therefore, the evolution of the Israeli-Palestinian conflict and the reactions of the UN have shown the level of activity and the capacity of the UN (Jones, 2004, p. 391). Put differently, the actions of the UN can be regarded as a test for the power or influence of the UN in the global and regional affairs. After long years of struggles and negotiations, the Palestinian leader, Mahmoud Abbas, applied to the UN for full membership in 2011. The US veto against the application was everyone's expectation because of the voting behavior of the US in the UN and the traditional US foreign policy which favors Israel in the Middle East. Thus, the Abbas's first move was interpreted as symbolic. It was not put to vote in the Security Council. After that, the status of Palestine was upgraded to non-member observer state in the UN General Assembly with the help of 138 votes in favor. The support of moral majority was not also unexpected according to former voting patterns of the UN members. The different results reflect the different dynamics of the voting procedures of the two bodies of the UN, namely the Security Council and the General Assembly, and different voting behaviors of the member states.

The Security Council and the General Assembly have been the most important bodies of the UN. The founders of the UN attributed different roles and functions to these bodies. Whereas the architects of the UN Charter assumed the Security Council responsible for the maintenance of international peace and security, they assigned the role of formulation of principles to the General Assembly with the power of recommendation. Put differently, the General Assembly would be a

creative body while the Security Council would be the platform of action.

Historically speaking, “the General Assembly has functioned as both a creative body and an organ of action” especially during the times of crises when the Security Council came to a deadlock (Lande, 1966, p. 84). Therefore, the functions and roles of these different bodies may change from context to context.

The veto power prioritizes the will or the votes of permanent members in the Security Council votes and it shapes the dynamics of voting patterns. The right to veto had a negative function in earlier periods and it created an imbalance about the influence of the permanent members compared to other states. Even the elected ten members could not play decisive roles in the Security Council debates. It was, in that regard, claimed that “agreement between five is the same as agreement between 15” (Mahbubani, 2004, p. 253). Of course, it does not mean that the elected members cannot fulfill some functions but their roles are very limited especially in the voting process. Because of this unfair and imbalanced distribution of influence and power among the UN member states in the Security Council, there have been many reform proposals for changing the structure of the Council. Although some reforms have been achieved for making the bodies of the UN more operational, the Security Council has remained one of the most conservative bodies of the UN. Actually, the right to veto was considered as a balance mechanism among the great powers from the very beginning, and therefore, it is not so easy to make a reform in that body. The historical role of the Security Council was explained in the way that it was “not a means of supplanting power politics, but rather a means of complementing them, modifying them, and mitigating some of their worst effects” (Morphet, 1990, pp. 341-342). As a result, the structure of the Security Council created a tension between “power (or effectiveness) and legitimacy (or justice)” (Russett, 1997, p. 18). The

result of the Palestinian bid for the UN membership cannot be thought independently of the structure of the Council in that sense.

On the other hand, all the members of the UN have one vote (one state-one vote principle) in the General Assembly sessions, and no state has a veto power. The General Assembly can be seen as a kind of global parliament because of the equal share of all member states. The General Assembly resolutions have also been depicted as “a useful barometer of the collective mood of the member states” (Gowan & Brantner, 2008, p. 18). The resolutions adopted by the General Assembly are not legally binding; instead, they are accepted as mere recommendations.

However, because of the structure of the General Assembly, its resolutions are considered as having “a moral weight and significant political impact” (Marin-Bosch, 1987, p. 705). The voting behavior of a state in the General Assembly is regarded as an expression of the state’s foreign policy orientation which reflects the decisions of the ruling elite about the nation’s goals and expectations (Aral, 2004, p. 137). Thus, the foreign policy of a state over a particular issue can be understood by looking at its votes in the General Assembly. Needless to say, this relationship can best be perceived for the issues which are internationalized and of concern for the UN General Assembly. The Israeli-Palestinian conflict has long been one of the best examples in that sense. The equality in the General Assembly in terms of voting power reflects on the results of the votes. As a result, the votes about the Palestinian application for statehood and its status in the UN cannot be understood without focusing on the structure of the UN organs and the voting patterns in those organs.

Despite the existence of veto power of the permanent members, “voting unanimity has been achieved on nearly 92 percent of adopted resolutions since 1992” (Romita, 2018, pp. iv-v). The legitimacy of unanimity, good stewardship, the

perceived impact of a unified Council and fear of isolation were the main reasons for the established consensus in the Security Council. The percent of unanimously adopted resolutions during the Cold War was not so high but it was still in a relatively high degree. However, there were some issues that consistently created disagreements among the Security Council members. Among the reasons for negative stance of the permanent members against the resolutions, four of them have come to the forefront: “East-West rivalry, self-protection, protection of allies, and the bringing to an end of expressions of frustration” (Morphet, 1990, p. 346). Since the US has had a unique relationship with Israel and security of Israel has been a top priority for the US foreign policy in the region, the resolutions against Israel created an exceptional case that challenged the consensus in the Security Council votes. Thus, the US policy can be put under the category of “protection of allies” from the options mentioned above. The US frequently resorted to veto in order to protect the Israeli and American interests in the Middle East: “In fact, as of July 2012 the US has exercised its veto 41 times on matters related to either Israel or Palestine out of a total of 82 vetoes it has cast in the Security Council of the UN” (Khalifa, 2013, p. 207). The resolutions were generally on the issues related to Israeli-Palestinian conflict such as Israel’s occupation of the territories in the 1967 War, illegal Israeli settlements in the Occupied Territories, and Israeli policies in those territories against the Palestinian people. It was claimed that “frequent use of veto by the five permanent members of the Security Council led to a paralysis of the UN’s will that was overcome and reversed only in the aftermath of the Cold War” (Maksoud, 1995, p. 585). This situation was one of the main reasons of criticisms against the structure of the UN, and expectations for reform in the UN system.

Besides the veto power, the possibility of using veto which is called threatened veto or hidden veto also affects the dynamics of voting patterns in the Security Council. The expectation towards the likelihood of veto by a permanent member may prevent the actors from presenting some proposals or preparing more resolutions on some issues. The structure of the Security Council and the hidden veto impact hardens to observe all the dynamics in the policies of the actors. In any case, this analysis summarizes the Security Council voting patterns well: “Although normative factors play a significant part in the Council’s work, it is important to note that rational calculations and power politics ultimately determine how this body functions” (Romita, 2018, p. 169). Even the abstention of the US is considered as really unexpected in an exceptional vote for UN Security Council Resolution 2334 which “demands that Israel cease illegal settlement activity, focus on the two-state solution based on 1967 borders and on the future of the ‘occupied territories’” (Liel, 2017, p. 78). That resolution was adopted in the last days of the Obama period but the Trump administration showed that the US would position itself closer to the right-wing policies of Israel.

The US and Israeli delegates in the General Assembly generally claim the existence of an anti-Israeli bias among the UN members because of the high number of adopted resolutions against Israel with the support of majority of the member states. In most of the cases, Israel could get the support of only the US besides some small states like the Pacific micro-states. The US and Israel have been isolated in their opposition to resolutions particularly on the issues related to the Israeli-Palestinian conflict (Marin-Bosch, 1987, p. 718). Ian Williams evaluated the results of General Assembly resolutions as “the rest of the world to one (Israel) or two (Israel and the US)” (Williams, 1993, para. 7). The reactions of the American or

Israeli sides were generally based on accusing the UN members of anti-Israel bias. The UN has not been a trusted institution for the Israeli governments (Cohen-Almagor, 2012, p. 390). Since “the UN resolutions have been overwhelmingly in favor of Palestinians” and they could not change the voting behavior of other states in the UN, Israel and the US preferred trying to marginalize the UN role especially in the Israeli-Palestinian conflict (Williams, 1994, A Palestinian rebuttal, para. 2). Despite the consistent decisions taken by the UN General Assembly, those resolutions could not change the policies of the Israeli governments against the international law. The General Assembly decisions are not legally binding and even the Security Council resolutions do not have a particular and effective enforcing mechanism. This situation and the unconditional support of the US created a suitable atmosphere for the Israeli governments and leaders. They have been more assertive and aggressive in their policies in the Occupied Territories and against the Palestinian people. Because they did not encounter with a harsh reaction from the other actors, they acted as if there is a “culture of impunity” (Baroud, 2016, Culture of impunity) in Israel’s relationship with the UN.

The road to membership involves fulfilling some conditions and overcoming some obstacles. The Article 4 of the UN Charter states that UN membership is open to “all peace-loving states” which accept the obligations presented in the Charter. It also underlines the fact that admission to UN membership can be achieved by “a decision of the General Assembly upon the recommendation of the Security Council”.<sup>19</sup> In other words, application for new memberships should not be opposed by any of the permanent members because of the “unanimity rule” in the UN

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<sup>19</sup> “Charter of the United Nations”, Chapter II: Membership, Article 4, accessed April 28, 2019, available from <https://www.un.org/en/sections/un-charter/chapter-ii/index.html>



Security Council.<sup>20</sup> The Palestinian application for the UN membership faced an almost insurmountable obstacle in that regard because of the nature of US-Israeli relations and the US delegates openly declared that they would veto any unilateral initiative by the Palestinians in the Security Council. Therefore, getting UN membership through this unilateral move was impossible for the Palestinians. The 2011 Palestinian bid for membership confirmed this fact and the application could not be put to vote in the Security Council due to possible US veto. The 2012 UN General Assembly vote was not on deciding the UN membership for Palestine; instead, it was about upgrading the status of Palestine to non-member observer state. To put it another way, the 2012 UN General Assembly vote would create some advantages for the Palestinians but it would not provide full membership in the UN.

#### 4.2 Dependent and independent variables at the UN level

As stated in the preceding chapters, the UN level is a part of a larger process but it has its own dynamics as well. Since the changes in these dynamics can be seen in the voting results of the UN Security Council and the General Assembly, the UN votes should be considered as the dependent variable at the UN level. Therefore, the dependent variable is formulated as “the UN votes on Palestinian statehood, the status of Palestine in the UN and the secondary issues influencing the way to statehood on the ground”. Since the shifts of the policies of different actors can be observed in the voting results, they have been analyzed carefully throughout the dissertation. In some cases, changes in the independent variables may not lead to changes in the voting behavior of particular actors but they reflect their policy shifts in their discourses. It should be kept in mind that the delegates of the states in the UN

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<sup>20</sup> “Charter of the United Nations”, Chapter V: The Security Council, Article 27, accessed April 28, 2019, available from <https://www.un.org/en/sections/un-charter/chapter-v/index.html>

not only target the international actors through their discourses and policies but also aim to increase the domestic support base for their parties or leaders. Put differently, the logic of two-level games works at the UN level due to the mutual and dynamic relationship between domestic politics and international relations. It means that there are several two-level games at the UN level of the complex two-level game in the Israeli-Palestinian conflict. Since the details and effects of two-level games for each actor will go beyond the scope of this dissertation, the representative cases, which play decisive roles in the preparation or the results of the resolutions, will be the focal points because of their direct impacts on the process. Furthermore, all the discursive and practical attempts aim to change the voting behaviors of the actors; therefore, the UN voting results inevitably constitute the dependent variable in that sense.

At the UN level, it is possible to talk about a variety of independent variables because of the different internal and external factors having an influence on the voting behaviors of the actors. The UN system based on its different bodies, voting procedures and structure, the international system, unilateral actions of Israel, attempts to change the status quo about two-state solution, and contents and preparation processes of draft resolutions are the main independent variables at this level. It should be analyzed in what sense and to what extent they influence the dependent variable, the UN votes on the status of Palestine and the issues related to Palestinian statehood, one by one. This chapter will concentrate on the dynamics of the UN level including the domestic-international entanglements especially for the representative cases and prominent actors. Analyzing the dynamics of the UN level will certainly be helpful for understanding the complex two-level game and it will be

accomplished with the dynamics of the ground level which will be discussed in the fifth chapter of the dissertation.

The first independent variable of the UN level is the UN system which consists of different bodies of the UN, particularly the Security Council and the General Assembly, and their voting rules, structures and procedures. In the votes related to the Israeli-Palestinian conflict, the US comes into prominence in that sense because it does not avoid using its right to veto for the anti-Israeli resolutions depending on the strategic importance of the security of Israel for its foreign policy towards the Middle East, its close relations with Israel in the region and the impact of the Jewish lobby on the US policy. Because of the high possibility of the US veto, which is called hidden veto or veto threat, the draft resolutions can be removed or changed in the preparation process as well. On the other hand, General Assembly resolutions which can get the support of majority of the members can be adopted much easily. With the support of the majority of member states, the status of Palestine was enhanced from observer entity to non-member observer state through the General Assembly votes and Palestine could become the Chairman of the Group of 77, which is the largest group in the Assembly, for 2019. In all the General Assembly votes, a large number of states voted in favor of the pro-Palestinian resolutions. Therefore, the voting rules and procedures create a sharp distinction between the voting results in the Security Council and those in the General Assembly. Since the UN membership requires the Security Council recommendation, this ultimate goal for the Palestinian case is almost unachievable at the UN level due to the traditional US policy towards the issue. Consequently, the different practices and rules in the UN bodies produce different outcomes in the voting results so they

should be considered among the most influential independent variables at the UN level.

The second independent variable for the UN level is the international system and the positions of the actors in the global balance of power. The international system may have unipolar, bipolar or multipolar characters according to the changes in the relative powers of the actors and the alliances among them. For example, the international system was bipolar during the Cold War, such that the Western bloc and the Eastern bloc determined the positions and policies of the actors which took part in those blocs. As a result of this polarization in the global arena, even the independent countries which did not take place in either of those blocs felt the need to act as a group which was called as NAM. This polarization at the global level naturally affected the voting behaviors of the member states in the UN votes. In terms of the Israeli-Palestinian conflict, the 1988 General Assembly vote on proclamation of the State of Palestine was the most important development at the UN level in that period. The US and Israel were the only two members which voted against the resolution. Whereas the Western European states preferred to abstain from the vote, the Eastern bloc and the members of the NAM voted in favor of the resolution. The direct influence of the alignments during the Cold War can easily be observed in the voting results because the political polarization in that period led the actors to take collective decisions and to move as a group instead of pursuing individual policies. When the level of polarization is not so high, individual differences or independent decisions are much more probable. Apart from that, relative spheres of influence for each actor may change from one particular international system to another. For instance, the sphere of influence of the US as the only global hegemon in a unipolar world is relatively different compared to its sphere

of influence and roles in bipolar or multipolar world systems. The other actors are also more likely to implement independent policies especially in the multipolar world. As a result, the character or features of the international system influence the votes in the UN bodies. Because of the disagreements and clashes of interests among the great powers, most of which are permanent members of the UN Security Council, especially in the critical or polarized contexts, there emerges a deadlock in the Security Council. In those contexts, the Security Council cannot play active roles towards fulfilling its main mission, which is maintaining international peace and security. The votes in the General Assembly, on the other hand, show the policies of the actors and the alignments among the actors but they cannot provide the expected results for the regional and global problems because the Assembly is only “empowered to make recommendations to the States”.<sup>21</sup> In spite of this, the votes at the UN level cannot be thought independently of the international system. Though the influence of the international system changes from context to context, it should be analyzed as an independent variable for each of them. As a result, the UN votes or the attempts at the UN level are not realized in a vacuum in terms of the international relations, and therefore, the nature of the international system, and the role and influence of the member states change in different context and inevitably lead to different outcomes in different contexts.

The third independent variable that can be put forward for the UN level is unilateral actions of Israel. These actions include different forms such as the Israeli settlements in the occupied territories, direct assaults of Israel particularly against the Palestinian people living in Gaza by using asymmetric power, establishing checkpoints on the ground, sending or withdrawing some troops in different regions

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<sup>21</sup> “General Assembly of the United Nations: Functions and Powers of the General Assembly,” available from <https://www.un.org/en/ga/about/background.shtml>

and economic blockade. The unilateral actions of Israel have had two-fold influences on the votes in different bodies of the UN. On the one hand, the unilateral actions of Israel led to preparation of new resolutions against Israel. The continuous attempts of the successive Israeli governments for establishing new settlements in the Occupied Territories created reactions in the international arena. The Israeli governments were condemned by many actors because of the Israeli settlements and many draft resolutions were prepared at the UN level. Moreover, condemnations were declared by the representatives of many member states in the UN sessions. More importantly, the Security Council adopted the Resolution 2334 which declared the Israeli settlement activities as “flagrant violation of international law” and “having no legal validity”.<sup>22</sup> The fourteen votes in favor of the resolution and the unexpected abstention of the US in the last days of the Obama period showed the strength of the displeasure for the Israeli settlements.

On the other hand, the unilateral actions of Israel and asymmetric use of power against the Palestinian groups decreased the legitimacy of the Israeli side and the sympathy in the eyes of the third parties. This sympathy was really high especially among the European people in the previous periods and they supported the establishment of an Israeli state in the Middle East. The Jewish people were considered as the victims of the Holocaust so that a Jewish state was considered as essential for them. However, Israel emerged as a militarily superior state in the region and the Israeli decision-makers did not avoid using their military superiority against the Palestinian groups. The repeated assaults against the Palestinian people, continuing occupation and some strict measures in the name of administrative regulations changed the first impression of the Jewish people in the region. The

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<sup>22</sup> Security Council Resolution 2334, *Cessation of Israeli Settlement Activities in the Occupied Palestinian Territory, including East Jerusalem*, S/RES/2334 (Dec. 23, 2016), available from <https://digitallibrary.un.org/record/853446?ln=en>

changes in the perspectives of the third parties towards the Israeli governments resulted in their support for the anti-Israeli resolutions in the UN Security Council and the General Assembly. As a result, it can be claimed that the unilateral actions of Israel like continuing illegal settlements and its asymmetrical use of power against Palestinians not only increased the number of anti-Israeli resolutions but also changed the positions or policies of the member states in the UN Security Council and General Assembly votes. In other words, while Israel could gain certain advantages on the ground by using its superior power through the unilateral actions, the same actions deteriorate its international support and prestige at the UN level. It can be claimed that Israel prepares the ground for the anti-Israeli resolutions and anti-Israeli votes at the UN level so it reaps the harvest of its own practices in that sense.

The attempts of third parties to change the status quo about two-state solution constitute the fourth independent variable for the UN level. The only thing that all the actors of the Israeli-Palestinian conflict have agreed upon is two-state solution and it has long established the reference point for the negotiations. Though not all the actors refer to the same features especially in terms of a possible Palestinian state, two-state solution has been accepted by all the actors in principle. According to the former UN resolutions, the Israeli forces should be withdrawn from “the” territories occupied in the 1967 War and a Palestinian state will be established with East Jerusalem as its capital. Israel has some criticisms related to the borders but the Israeli decision-makers accepted the idea of a future Palestinian state including the East Jerusalem as its capital in the former negotiations. Therefore, the principle of two-state solution and the need for a Palestinian state will be the starting point for the next rounds of the negotiations. Historically, the regional third parties got involved in

the military struggle especially in the first decades after the process leading to the establishment of the State of Israel. In the negotiation phase, they mostly contributed to the bilateral negotiations between the Israeli and Palestinian delegates and some Arab states preferred to establish diplomatic relations with Israel. Put differently, they aimed to play a constructive role in the negotiation period. The changes on the ground emerged as a result of the unilateral actions of the Israel and the Palestinian groups. The third parties generally refrained from taking bold steps and imposing their own policies. Moreover, the third parties showed their policies through their votes in the UN bodies after the activation of the UN level starting with the Palestinian application for the UN membership. In sum, the third parties played a constructive role in the negotiations and in the resolutions at the UN level for a long time.

Trump's decision for recognizing Jerusalem as the capital of Israel at the end of 2017 changed not only the traditional US policy about the status of Jerusalem but also the way which the third parties are involved in the Israeli-Palestinian conflict. As might be expected, it created a huge reaction by the other actors. The reactions went beyond the official declarations of the representatives. In an immediate meeting of the OIC, East Jerusalem was declared as the capital of Palestine and Trump's decision was condemned. The initiatives against the decision of Trump administration were maintained at the UN level. First of all, a draft resolution which was based on rejection of Trump's decision and calling for not moving the embassies to Jerusalem was prepared in the Security Council. While the resolution was not adopted because of the US veto, the other fourteen members in the Council unanimously voted in favor of the resolution. Subsequently, another draft resolution having similar content was put to vote in the UN General Assembly. A high number



of states voted in favor of the resolution whereas the US and Israel could only get seven other supporters in that vote. Consequently, Trump's decision for recognizing Jerusalem as the capital of Israel became the first bold attempt in order to change the status of Jerusalem, in particular, and the status quo about the main dynamics of two-state solution, in general, and it faced with great challenges in the international arena. It was also the first example of UN votes which emerged as a result of a practice of a third party related to the Israeli-Palestinian conflict. This particular event showed how the status of Jerusalem and possible attempts at changing dynamics on the ground are significant in the eyes of the regional and global actors. The UN level constituted an appropriate platform for the reactions in that sense. The unilateral attempts of third parties will most likely encounter with new resolutions against their initiatives and the resolutions will most probably be adopted by the support of the majority of the member states.

Lastly, the technical aspects of the UN resolutions constitute the fifth independent variable for the UN level. The contents and the preparation process of the draft resolutions might have an impact on the votes of the member states to a certain degree. The representatives of the member states in the UN sessions sometimes refer to the technical aspects of the resolutions while explaining the reasons for their votes. For example, some delegates underline the preparation process in which there is not enough discussion about the resolution. In some other cases, the representatives point out the one-sided perspective of the expressions taking place in the resolutions. The explanations based on the technical details should be analyzed cautiously because they can be used as a camouflage for the exact reasons lying beneath the resolutions. It can be claimed that the political evaluations or positions of the actors certainly outweigh the technical issues so the technical

explanations may not be sufficient to convince other people. However, the technical reasons may affect the preferences to a lesser degree as well. Since abstention from the vote is an option for the member states, the technical reasons may direct them to abstention instead of clear votes (for or against the resolution) due to their indecision about some aspects of the issue. Therefore, the technical reasons should be taken into account as an independent variable especially for the abstentions in the votes.

In sum, this chapter will discuss and analyze the influences of the UN system, the international system, unilateral actions of Israel, the attempts of third parties to change the status quo about two-state solution, and contents and preparation of draft resolutions on the UN votes about the status of Palestine and the issues related to the Palestinian statehood. To put it another way, it will focus on the dynamics of the UN level as a part of the complex two-level game. The Security Council and General Assembly votes about these issues will be analyzed one by one with the help of the independent variables and their impact on the dependent variable. This chapter will be helpful for understanding the different dynamics at different levels so that it will be possible to make comparisons among them and to see the interactions and influences among the two main levels and other two-level games within them.

#### 4.3 UN General Assembly resolution on “Question of Palestine”(A/RES/43/177) in 1988

The PLO, under the leadership of Yasser Arafat, declared independence in 1988 unilaterally and it was accepted by the Palestine National Council on 15 November 1988. This declaration did not specify the borders and called the State of Palestine as “the state of Palestinians wherever they may be” (Isseroff, 1998, para. 16). After the unilateral declaration of independence, the UN General Assembly convened and

acknowledged the proclamation of the State of Palestine by adopting Resolution 43/177.<sup>23</sup> As a result of this resolution, the designation Palestine was begun to be used in the UN system. Since this declaration of independence would not change the facts on the ground, supporting this declaration had a symbolic meaning; in other words, recognizing the State of Palestine implied a political position in principle.

Furthermore, the bipolar system during the Cold War created its own dynamic so the voting patterns in that period reflected the atmosphere of the Cold War. It does not mean that the Cold War effect was the only factor directing all the actors in the vote but it should be taken into account in order to analyze the voting behavior of each actor. Additionally, the voting patterns of the actors in other votes related to the Israeli-Palestinian conflict in general, the status of Palestine in the UN in particular, after the Cold War can be regarded as a point of reference for understanding the Cold War impact and comparing the results. Consequently, the General Assembly vote in 1988 about the proclamation of State of Palestine and the voting behavior of the actors should be evaluated within the context in which it was carried out.

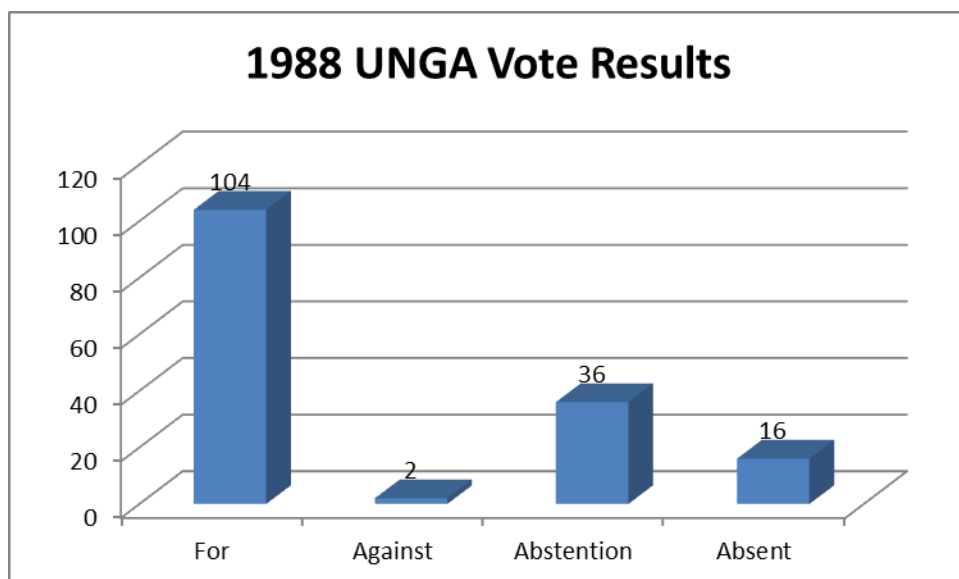


Fig. 2 Results of the 1988 UN General Assembly vote on “Question of Palestine”

<sup>23</sup> General Assembly Resolution 43/177, *Question of Palestine*, A/RES/43/177 (Dec. 15, 1988, available from <https://digitallibrary.un.org/record/53922?ln=en>).

As shown in Figure 2, the UN General Assembly Resolution 43/ 177 was adopted with 104 votes in favor, 36 abstentions, two votes against and 16 absentees. As it can be guessed easily, the two against votes belonged to Israel and the US. As they were both against the unilateral Palestinian actions of any kind, their votes were not surprising. Historically, this declaration and the UN vote coincided an interesting period because it was in the last few years of the Cold War so the results of the vote reflected the Cold War dynamics. While the US voted against the Resolution and the Western European states abstained from the vote, the Eastern bloc together with the members of the NAM voted in favor of the Resolution. This voting result cannot be analyzed independently of the Cold War relations. During the Cold War, the actors preferred to act in accordance with the bloc they took part in. Thus, the division between the Western bloc and the Eastern bloc constituted the dividing line in almost all the cases. Moreover, the members of the NAM also preferred to act together as an independent group. As a result, the tendency for bloc voting was observed in the vote on this resolution as well. Because of this tendency in the Cold War period, the individual policies of the actors may not be understood in that context. For example, all the actors in the Eastern bloc or the members of the NAM might not genuinely support the State of Palestine. Individual analyses can be done by making comparisons with their actions in the later period. Similarly, there might have been differences among the policies of the actors in the Western bloc. Not all the differences change their votes but even the reasons for their votes may differ from one another. Consequently, the tendency to act as a bloc or to vote unanimously might cover the individual differences because of the Cold War context so the next votes or policies of the actors were open to unexpected shifts in that sense.

One striking result of the vote was the high number of abstentions, especially the abstaining votes of the members of the Western bloc except Israel and the US. Their common decision towards abstaining from vote reflects the tendency to act together in the Cold War period. However, a common decision to vote against the resolution would have been a clear challenge against the other blocs and a strong support for the US and Israel. They did not prefer that option. It can be interpreted in the way that there was not a collective decision or a common policy challenging the State of Palestine in principle. Put differently, the voting behavior of the Western bloc implied that there were some actors in the Western bloc that were not against the State of Palestine as a principle. The bipolar world system in the Cold War period prevents us from seeing the individual differences because it leads the actors to obey the collective decision. On the other hand, the vote in the late period of the Cold War created a good example about the changes in the policies of the actors towards the Israeli-Palestinian conflict and a future Palestinian state as well as the transformation in the world politics. The end of the Cold War opened a new phase in which the role of the US increased as the only superpower and some other actors could gain more rooms to maneuver in order to pursue more independent policies.

The votes at the UN level reflect the policies or positions of individual actors about a particular issue. Therefore, the UN sessions turn into an arena where domestic calculations and policies of the actors meet their foreign policy decisions. The delegates of the member states have to take into account the reactions of their vote at the UN level in the domestic politics and their relations with the external actors at the same time. The existence of a traditional foreign policy or a stance in a particular issue provides an opportunity to pursue a more coherent policy and voting behavior. It, on the other hand, prevents harsh criticisms against the decision-makers

in the domestic politics as well. In other words, the positions of the delegates at the UN level require keeping balance in the domestic politics and the role of their states in the international relations. A policy shift at the UN level might lead to positive or negative results for the decision-makers in the domestic politics. Similarly, changes in the domestic factors such as leadership change or forming new alliances in the government may end in different policies or voting behaviors at the UN level. Thus, it is necessary to take into account both domestic and international dynamics in order to analyze the decisions or votes of the actors. While domestic factors may play decisive roles in certain cases, the international or external factors might become the main reasons for some others. The Cold War context of the vote for the UN General Assembly Resolution 43/ 177 played the decisive role for the voting behaviors of the actors. The tendency to act as a bloc among the UN members blocked the individual differences and analyses in that sense. The dynamics in the domestic politics of the actors were not so influential for this particular case. In sum, the 1988 UN General Assembly vote on the “Question of Palestine” witnessed the decisive impact of the Cold War context; therefore, the international aspect of complex two-level game came into prominence in that period.

#### 4.4 UN General Assembly vote on “Participation of Palestine in the work of the United Nations” (A/RES/52/250) in 1998

The State of Palestine was proclaimed in 1988 UN General Assembly vote and it took over the rights and responsibilities resulting from the observer status of PLO. In addition to these rights, the General Assembly convened in 1998 in order to decide whether additional rights and privileges can be provided for Palestine. This new package of rights and privileges included

the right to participate in the general debate of the Assembly, to speak under agenda items other than Palestinian and Middle East issues at any meeting of the plenary, to exercise the right of reply and the right to co-sponsor draft resolutions and decisions on Palestinian and Middle East issues.<sup>24</sup>

As shown in Figure 3, the General Assembly adopted the resolution (A/RES/52/250) by 124 votes in favor to four against votes (Israel, the US, Marshall Islands and Federated States of Micronesia), with 10 abstentions including three European states (Bulgaria, Poland, and Romania).

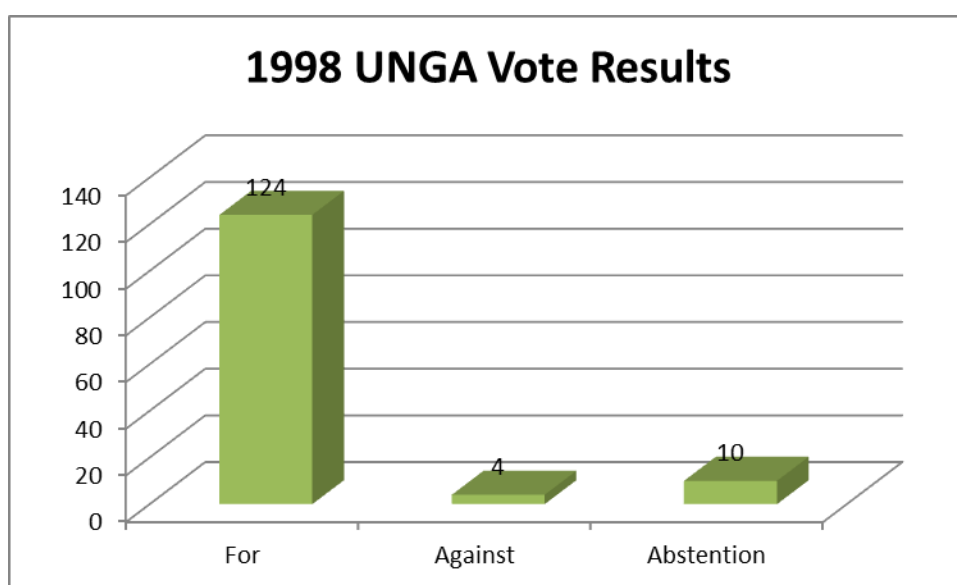


Fig. 3 Results of the 1998 UN General Assembly vote

According to this resolution, Palestine could get a seat immediately after the non-Member states and before other observers. In other words, the status of Palestine rose a little higher than other observers. In a Security Council report, it was formulated as “a new sui generis observer status, still less than a state but higher than

<sup>24</sup> United Nations General Assembly Resolution 52/ 250, *Participation of Palestine in the work of the United Nations*, A/RES/52/250 (7 July 1998), available from <https://digitallibrary.un.org/record/257757?ln=en> ; United Nations Press Release GA/9427, “Palestine Observer is Granted Additional Rights to Participate in Work of General Assembly,” July 7, 1998, available from <https://www.un.org/press/en/1998/19980707.ga9427.html>

all other observers”.<sup>25</sup> However, this small amount of upgrade only provided a practical advantage in the preparation of texts and in the General Assembly sessions. It was more a legal or technical arrangement in favor of Palestine rather than a real change in its status. Therefore, it did not meet huge challenges by other actors, and the delegates who preferred voting in favor as a principle. Furthermore, it was presented as an example for the practical issues of the observers by some actors.

The US and Israel were the leaders of opposing group against the resolution but only two small Pacific states, Micronesia and Marshall Island, took their side. The delegate of the US, Bill Richardson, defined the resolution as “the wrong resolution at the wrong time”. Moreover, he mentioned this attempt as a symbolic initiative which would hurt the negotiation process. Another point he underlined was the need for maintaining clear division between Member and non-Member states. Put differently, he implied that this resolution would constitute a bad example for other observers in the General Assembly. The Israeli representative, Dore Gold, opposed the resolution because of its “preambular language and the operative paragraphs”. He accused the Palestinians of preferring symbolic elements of changing political status at the UN instead of continuing bilateral negotiations. On the other hand, one striking result of the vote was the consensus among the members of the EU. The Austrian delegate, who spoke on behalf of the members of the EU, explained their support through the need for practical measures about the rights and privileges of the observers. He emphasized the importance of arrangements for clear formulations and avoiding ambiguities. Among the European states, only three of them, Bulgaria, Poland and Romania, which became members of the EU in a later period, abstained

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<sup>25</sup> Security Council Report, “Palestine’s Application for Admission to the UN,” Update Report No.2, (Sep. 23, 2011), available from <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Update%20Report%2023%20September%202011%20Palestine.pdf>, 2.



from the vote. It can be claimed that almost all spokespeople in the General Assembly session supported determining the status of the UN observers, regarding their rights and privileges. In other words, there was almost a consensus about the legal aspect of the issue. However, the political advantages of the changing status for Palestine were considered from different perspectives. The delegate of Palestine, Nasser al-Kidwa, thanked the supporters and sponsors of the resolution and he interpreted it as a step for the goal of full membership at the UN. Consequently, since the practical and technical aspects of the resolution outweigh the political repercussions, it was not generally controversial in that sense. It created a small change in the status of Palestine but it did not change the conditions on the ground.

The UN General Assembly Resolution 52/250 provided some additional rights and privileges for Palestine and its status was enhanced a little higher than other observers. The US and Israel were against the resolution as expected but only two small Pacific states supported their position with their votes. The consensus among the EU member states was important for reaching a unity in a foreign policy issue. The abstention of 3 Eastern European states, Bulgaria, Poland, and Romania, was a signal for different policies and position in the Israeli-Palestinian conflict especially in the Eastern Europe. However, it should be emphasized that this resolution was generally considered as a technical issue rather than a political stance in the conflict. Almost all the delegates pointed out the issue of the status and rights of the observers in the UN. Since the resolution was adopted by a moral majority among the UN members, there was no representative case having a decisive influence on the result or having at least a symbolic meaning differing from other cases. As a result, the resolution can be regarded as a small step for enhancing the

status of Palestine at the UN but it still contributed to Palestinian position at the UN level in the long run.

4.5 The UN General Assembly resolution on “Status of Palestine in the United Nations” (A/67/L.28) in 2012, and the policies and votes of the prominent actors

The Palestinian leader, Mahmoud Abbas, applied to the UN for full membership in 2011. Although the UN membership was unattainable because of the possible US veto at the Security Council, the Palestinians aimed to activate the UN level with the help of changing regional context in the Middle East. The context of the Arab Uprisings was one of the most important reasons for the Palestinian application because rising power and influence of the Muslim Brotherhood in the Middle East meant the emergence of a powerful regional ally for the Palestinians. To put it another way, the favorable context of the Arab Uprisings provided a window of opportunity for the Palestinians and the Palestinian leader aimed to turn this advantage into a concrete result at the UN level. Thus, the changes on the ground should be considered in relation with the other level or vice versa. This situation reflects the nature of two-level games. The negotiators may try to get more benefits at one level by making a move at another level through synergistic linkage. This situation shows the logic of two-level games and entanglements between domestic politics and international relations. Furthermore, the Palestinian leader, Mahmoud Abbas, was personally in a difficult position in the domestic politics due to his decreasing popularity among the Palestinian people but his activation at the UN level as the representative of the Palestinians in the international arena provided a chance for his political career as well. Thus, the Palestinian application for UN membership emerged as an alternative in the changing regional context with the eruption of the

Arab Uprisings. Consequently, the Palestinian bid and the activation of the UN level in the following period mostly stemmed from the developments on the ground, and it became a good example of interaction of the domestic and international factors in the Palestinian case.

The vote for upgrading the status of Palestine to non-member observer state reflected the calculations of different actors in their foreign policy decision-making. Since all 193 members of the UN cannot be put in this category, I will choose the prominent actors and analyze the preferences of those states. In one op-ed, the results were presented with the names of some prominent actors: “Nine states voted against (including the United States, Canada, and the Czech Republic), 138 in favor (including France, Italy, Spain, Turkey, Brazil, Russia, India, China, and South Africa), and 41 abstained (including Germany, the United Kingdom, and Australia)” (Dessi & Huber, 2012, p. 1). This classification of the votes can be used for the purposes of this dissertation. Needless to say, Israel was the most prominent actor together with the US in the opposition camp and they did not avoid making counter-attempts in order to change the votes of other countries against the resolution. They tried to prepare a strong campaign against the UN bid but they could not get the expected outcome as a result of the vote. There were some other categorizations used for analyzing the results. Johan Galtung underlined some points about the result:

The Organization of Islamic Cooperation (OIC), Muslim and Arab nations; none yielded to US-Israel. Israel is alone in the region... More than half of those not in favor (abstentions) were from Eastern Europe and the Pacific, with the rest from Latin America, Africa and Asia (not Japan). Western Europe-NATO was divided (Galtung, 2013, para. 2-4).

These points are noteworthy because they can be considered as reference points in a region-based analysis. Galtung examines the vote in terms of a world regionalization process. Shortly, particular states came into prominence in all three types of votes so

that it is necessary to focus on these actors in order to understand the main dynamics and preferences of different regions.

In the first category, there are states that voted against the resolution or enhancing the status of Palestine at the UN. There were only nine Member states in that category. Among them, there were four Pacific states. For Whitbeck (2013), “they more closely resemble territories of the United States than genuine sovereign states” so “accordingly, only three ‘real’ states joined Israel and the United States in voting against Palestine and the two-state solution: Canada, the Czech Republic and Panama” (para. 3-5). The US and Israel started lobbying and tried to influence the votes of other states in the UN but they could not be so successful according to the results. Actually, their campaign against the statehood of Palestine was expected for other actors because of their political positions about the issue.

In the first place, I will focus on the position of Israel. There is no doubt that Israel felt threatened because of the Palestinian initiative, so much so that the Israeli delegates used all the means to prevent this attempt or at least to decrease the level of support. The Israeli delegate, Prosor, in the UN General Assembly summarized the main legitimization of the opposition camp with the following words:

There is only one route to Palestinian statehood, and that route does not run through this hall in New York. That route runs through direct negotiations between Jerusalem and Ramallah that will lead to a secure and lasting peace between Israelis and Palestinians. There are no shortcuts, no quick fixes and no instant solutions.<sup>26</sup>

As President Obama said in 2010, ‘Peace cannot be imposed from the outside’.<sup>27</sup>

The Israeli delegate also strengthened this view by adding some peculiarities of the Israeli state. Obviously, the one-sided initiative of the Palestinian side was

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<sup>26</sup> U.N. GAOR, 67th Sess., 44th plen. mtg., U.N. Doc A/67/PV.44 (Nov. 29, 2012), available from <https://digitallibrary.un.org/record/740741?ln=en>

<sup>27</sup> Ibid.

unacceptable for the Israelis and it made their position harder. As I have mentioned before, the Israelis could benefit from the status quo in their relations with Palestine and in the regional affairs, so they perceived a serious threat with the internationalization of the issue. The Israeli delegate, Prosor, also argued that “we won’t establish another Iranian terror base in heart of our country”.<sup>28</sup> This statement shows a real perception of threat in terms of security of Israel. The Israeli Prime Minister Benjamin Netanyahu underlines the importance of the security of Israel: “It doesn’t matter how many hands will be raised against it, there is no force in the world that would cause me to compromise Israel’s security” (Ravid, Shalev & Mozgovaya, 2012, para. 17). Another argument of the Israeli representatives and other opposition groups was that upgrading the status of Palestine would not change anything on the ground; on the contrary, it would pre-empt the negotiations in the future. They not only warned the Palestinian leader not to make the application to the UN but also threatened Palestinians with economic sanctions.

In addition to the previous perceptions of threat, there was one critical issue for Israel. The resolution would make a Palestinian application to the International Criminal Court (ICC) about accusing of the Israeli attacks on Palestine as war crimes or crimes against humanity possible. Upgrading the status of Palestine in the UN would also open the way for its application to the international bodies and courts so as to constitute a real threat for the Israelis. The actors in the opposition camp and the ones which had some reservations about the resolution aimed to get a guarantee about this possibility by taking a promise from the Palestinians in that regard and they wanted to change the text in accordance with their expectation: “The US, Israel and Britain wanted the Palestinians to give explicit pledges they would not seek to

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<sup>28</sup> Ibid.

join the ICC any time soon and also to resume peace negotiations with the Israelis” (MacAskill & McGreal, 2012, para. 23). The ICC issue can be considered as the most concrete reason for feeling under threat because such an application would cause trouble for all the Israeli attempts against the Palestinians. Thus, it was itself sufficient to make the Israelis worried: “‘The ICC issue is what the Israelis are really worried about,’ a UN official told Reuters on the condition of anonymity. ‘They know this whole process isn’t really symbolic except for that.’” (“Canada ‘considering all available steps’”, 2012, U.S. opposition, para. 4) It was actually more than a mere possibility for the opposition figures and they were aware of the fact that it would remain as the sword of Damocles even if the Palestinians would not use it soon. They thought that other points in the resolution would not change the ground much so they were more or less acceptable but the ICC issue was really significant from their point of view:

...perhaps the main US-Israeli objection to the ruling is that as an “observer state” the Palestinians will have standing with the International Criminal Court. As such it will be possible to launch legal proceedings against Israel for various infractions including war crimes under international law (Smith, 2012, para. 9).

However, the ICC issue may result in a reverse point for some Palestinian officials: “The end result would be that Palestinian officials both in the West Bank and Gaza will either find themselves in the Hague mounting their defense in what can be a very lengthy and financially draining process” (Holvoet & Mema, 2013, p. 4). Since Israel was more experienced in those kinds of activities, Israelis could turn it into their advantage. Because of the potential pitfalls of joining ICC such as “aid cuts, Israeli retaliation, diplomatic fallout, stalling by the UN Security Council, and limitations imposed by Oslo”, Mahmoud Abbas did not prefer to take quick steps and used it as a bargaining chip in the first period (Kattan, 2014, p. 68). Then, Palestine formally

became an ICC state party by 2015 (“ICC: Palestine”, 2015, para. 1). As a result, the concerns or perceptions of threat for the Israeli side were beyond the symbolic meaning of the resolution and the Israeli delegates strongly reacted to the attempt with their efforts in collaboration with the Americans.

The US was the other main actor in the opposition camp together with Israel. It has always had a special place in the Middle East Peace Process. However, the US interests prioritize the security of Israel in the region such that the US policy has been in accordance with the Israeli policy in general. Although there were crucial disagreements between Obama and Netanyahu on certain issues, the US policy about Israel and the Israeli-Palestinian conflict reflected continuity: “Despite the allegations of a deepening rift between Obama and Netanyahu, there seems to be no change in US policies regarding Israel’s security, and no change is expected” (Yegin, Ersoy, Güner & Toprakseven, 2013, p. 27). Despite the “lofty rhetoric and good intentions” expressed by Obama himself in the beginning of his Presidency, his policies during his period in the office facilitated Israeli rejectionism and could not meet the expectations (Ruebner, 2016, p. 51). The US has given almost unconditional support to Israel due to historical and political reasons. The new UN bid was not an exception in that sense so the US delegates started a campaign against the Palestinian application for statehood. The public opinion in the US do not support Israel unconditionally: “What is clear is that the majority of Americans want the United States to take neither side, but nearly half of Republicans want the United States to take Israel’s side” (Telhami, 2014, p. 5). The official position of the US was expressed by Susan Rice in the General Assembly meeting: “We have long been clear that the only way to establish such a Palestinian State and resolve all permanent status issues is through the crucial, if painful work of direct negotiations between the

parties”.<sup>29</sup> She underlined that this unilateral attempt would not change the conditions on the ground for the Palestinian people and called both parties “to resume direct talks without preconditions on all issues that divide them.”<sup>30</sup> In sum, the US position about the issue was not different from the Israeli position and it reflected the traditional US foreign policy towards the Israeli-Palestinian conflict.

In general, the arguments or legitimizations of the US do not differ from one another. Moreover, there are some claims about the existence of a bias or discrimination against Israel at the United Nations for a long time due to the resolutions adopted by the UN against the policies of Israel and strong support of many UN members in favor of the Palestinians. This idea was declared by the representatives of Israel and the US, as well as by some scholars (Muravchik, 2013, p. 35). It has turned into a chronic problem for Israel at the UN sessions. Hillary Clinton described the vote as “unfortunate and counterproductive” (MacAskill & McGreal, 2012, para. 12). For the Americans, the resolution would not serve the peace process; on the contrary, it would be a back step towards the ultimate goal. They not only warned the Palestinians about it but also threatened them with cutting the foreign aid given to Palestine. It was one of the methods that were used to harden the position of the Palestinians and to force them to retreat from the initiative. The US wanted the Palestinians to resume new round of peace talks instead of upgrading their status in the UN.

The concerns and the underlying reasons for the US opposition were certainly beyond the official declarations so it requires a more careful analysis. The US interests in that issue was in harmony with the Israeli interests. The main worries of the US about the resolution were the possibility of “using Palestine’s status for

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<sup>29</sup> U.N. GAOR, 67th Sess., 44th plen. mtg., U.N. Doc A/67/PV.44 (Nov. 29, 2012), available from <https://digitallibrary.un.org/record/740741?ln=en>

<sup>30</sup> Ibid.



joining the International Criminal Court as well as seeking membership in specialized agencies of the United Nations which could have consequences for the financing of the international organizations as well as the Palestinian Authority itself” (Gordon & Landler, 2012, para. 5-6). There is no doubt that the developments in the US domestic politics were also a factor having an influence on its foreign policy. Therefore, it is possible to witness the logic of two-level games in the US example. Lobbies are essential components of the US politics; hence, the powerful lobbies can shape certain decision-making mechanisms. The Israeli lobby in the US came into prominence in that regard because it has always been one of the most influential lobbies. “Israel has a great influence over the US Congress and over its outgoing and the incoming House and Senate leaderships” (Bishara, 2015, Bullying Israelis, para. 1). Because of the strong Israeli lobby in the US, almost all the foreign policy decisions about the Palestinian Issue or the Middle East conflicts have been in favor of the Israeli interests regardless of the political orientations of the US presidents. For example, the US support for Israel continued during the Obama period despite some crucial disagreements between President Obama and Prime Minister Netanyahu over certain issues. However, the relationship between the lobbies and the US administration should not be considered as one-sided; otherwise, it does not reflect the logic of two-level games. The US administration and the lobbies have converging interests in different issues. Thus, a foreign policy decision of the US administration can be in favor of one lobby but the US President may use this positive relationship either to increase his/ her support base in the US elections or to design another domestic or international issue with the help of that lobby. In other words, the US administration tries to regulate the domestic and international levels in favor of its interests at the same time. The issue linkages or synergistic

linkages provide opportunities for getting benefits at different levels. For the 2012 General Assembly resolution on upgrading the status of Palestine at the UN, the US did not hesitate to use all the means to prevent the acceptance of the resolution. Despite the US and Israeli campaigns and their enormous efforts, only a few states voted against the resolution and the number of those which were not in favor of it (abstentions) could not be as high as they expected. It cannot be considered as a pure competition or defeat but the consequences of the vote were meaningful for the two states.

The results of the vote in the UN General Assembly were interpreted in different ways. While some analysts accepted it as a total failure for the US and Israel, some others did not think it so definite. Since the US has been the superpower in the world for a long time and it has had different tools to convince other states in favor of a certain policy, the UN bid for the Palestinian statehood led to questioning the position of the US in the world politics. For instance, the US aid policy and strategies targeted to influence the UN votes as an attempt of “vote buying” but it could not create enormous influence due to other calculations of each actor (Carter & Stone, 2015, p. 30). According to another research which points out the importance of different forms of aid, and it confirms the positive relationship between the US aid (especially in the forms of general budget support and grants) and voting compliance in the UN General Assembly votes in the period between 1973 and 2002, there can be considered a relative decline in the influence of the US aid on “vote buying” in the last years (Dreher, 2008, p. 157). From that point of view, the US began to lose its enormous power, and the failure in the campaign against the resolution despite its power and significant tools was an indicator of that trajectory: “The scale of the defeat represented a strong and public repudiation for Israel and the US, who find

themselves out of step with the rest of the world” (MacAskill & McGreal, 2012, para. 2). In that sense, the failure of the campaign can be seen as a result of a process rather than a specific issue and it will certainly have some influences on the next developments. It was interpreted as a message from other states to the US, and the result “has removed the prior US monopoly control over the peace process and even the US role in it” (Whitbeck, 2013, para. 13). For some, it showed that “the fall of the US empire is on track” (Galtung, 2013, Different forms of demoralization, para. 6). This interpretation was explained through different forms of demoralization, namely political, economic, military, cultural and social, representing the decrease in the superiority of the US in a comparative sense. Since the UN General Assembly functions as a kind of global parliament due to its inclusive character, the General Assembly votes reflect the global balance of power to a certain extent and the 2012 vote meant an alarming condition for the US dominance in the world.

The Israeli Defense Forces started a large operation called Operation Pillar of Defense in November 2012 just before the UN General Assembly vote. The Israeli forces targeted the Gaza Strip and aimed to prevent the rocket attacks of the Palestinian groups including Hamas, the al-Qassam Brigades and the Palestinian Islamic Jihad. The Israeli operations against Gaza were repeated for in different periods in the previous few years. In those operations, Israel accused of the rocket attacks from Gaza and it did not avoid using asymmetric power against the Palestinian groups. Many civilian people were also killed or injured during the operations. Whereas some external actors considered the Israeli operations as Israel’s right to defend itself, many others especially the Muslim countries condemned the Israeli operations and its asymmetric use of power against the Palestinian people. Moreover, the Israeli operations and its asymmetric use of power constituted one of

the reasons for accusing of Israel and adopting a pro-Palestinian stance for the international actors. This situation can be observed in the UN votes. Therefore, the Israeli policies on the ground create problems for its position at the international level including the UN. These policies have led to many anti-Israeli resolutions in the former periods. Consequently, the asymmetric power balance on the ground and Israeli preferences to use the military superiority against the Palestinians cause difficulties for Israel and its allies at the UN level. Two very different positions for both sides of Israeli-Palestinian conflict at the ground and UN levels can be explained by these dynamics on the ground.

The other real states that have independent foreign policy and voted against the 2012 UN General Assembly resolution on the status of Palestine were Czech Republic, Canada and Panama. Their official statements were also based on calls for negotiations and avoiding unilateral moves. They shared a similar view with Israel and the US in that sense. Besides that, the vote of Czech Republic, which adopted the name of Czechia in 2016, had a symbolic meaning because Czech Republic was the only European state which voted against the resolution. There were also a number of European countries abstained from the vote but they did not want to use an exact no unlike Czech Republic. Moreover, Canada went beyond just voting against the resolution and strongly opposed the application for the Palestinian statehood. The Canadian delegate, Mr. Baird, supported their view in the General Assembly meeting with these words:

Canada opposes draft resolution A/67/L.28 in the strongest of terms because it undermines the core foundations of a decades-long commitment on the part of the international community and the parties themselves to a two-State solution, arrived at through direct negotiations.<sup>31</sup>

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<sup>31</sup> U.N. GAOR, 67th Sess., 44th plen. mtg., U.N. Doc A/67/PV.44 (Nov. 29, 2012), available from <https://digitallibrary.un.org/record/740741?ln=en>.

He also underlined that “Canada has long opposed unilateral actions by either side”. In another speech at the House of Commons, he clearly reflected the side Canada took: “Canada supports the ‘Jewish state’ and the people of Israel” (Parry, 2012, para. 7). The strong position of Canada can be explained by its close relations with the US and Israel. Canada joined the campaign against the resolution and lobbied to put pressure on the smaller countries. In other words, Canada was an active member of the opposition camp because of its own interests and mutual relations with the US and Israel. Donald Barry points out the impact of Canadian Jews on the current government (Barry, 2010, p. 191). For him, the Prime Minister Harper came to power with the support of the Jewish votes and the Jewish lobby has been influential due to its organized character so Canada prefers to stand with the US and Israel in the issues related to the Israeli-Palestinian conflict despite the high number of Arabs living in Canada. Additionally, Canada has been an active member of the Middle East issues and the Arab-Israeli conflict starting with the plan of “Partition of Palestine” in 1947 and Zionist lobby had changing degrees of influence in different periods historically (Husseini, 2008, p. 41). The voting behavior of Canada can be considered as a good example of the mechanism of two-level game because a Canadian decision-maker or delegate has to take into account the Canadian-US relations, the Canadian-Israeli relations and the importance of the Jewish lobby as well as the Palestinian diaspora or the impact of the Arab people living in Canada while determining the position of Canada in the Israeli-Palestinian conflict and the choice of Canada in a particular UN vote. Therefore, a policy or decision at the UN level may lead to certain outcomes in the domestic politics or a change in the domestic politics may lead to different policies at the UN level. The dynamics at the domestic and international levels may change from case to case but each actor has to

calculate all the dynamics at the two levels. As a result, the US and Israeli campaign could not grow the sphere of influence of the opposition camp. Statistically, 18 out of 20 most populous states of the world voted in favor of Palestine. This considerable amount of support had complex reasons such as sufferings of the Palestinian people, delegitimizing acts of Israel and declining power of the US. The number of states voted against the resolution reflected the dynamics at the UN level related to the issue.

In the second group of states in terms of the votes in the 2012 UN General Assembly voting were 41 Member states from different parts of the world which abstained in the vote. Interestingly, 15 of them had already extended diplomatic recognition to the State of Palestine so it can be understood that their main concern was not recognizing Palestine as a state. Among the states which abstained in the vote, the prominent actors were the powerful European countries especially Germany and the United Kingdom (UK). Germany was significant because of its central role in the European Union and its sphere of influence but it did not have a strong stance in the Israeli-Palestinian conflict and intentionally avoided taking the leadership in a certain direction. Put differently, Germany preferred to control the dynamics instead of leading other actors in favor of its choice. The political and economic relations with the Middle Eastern states were important for Germany. The position of Germany was described as follows:

Obviously Germany has a special relationship with Israel, so it has to be careful. But at the same time, I think it's not sympathetic with the American position on this and wants to show they have some independence...without being too critical of Israel (Szabo, 2012, para. 2).

As a result, Germany preferred to abstain from the vote instead playing a leading role in the UN resolution in order to keep its good economic and political relations with

the Arab states and not to remind the problems with the Jewish people in the German history.

On the other hand, the UK had a clearer stance in that issue. In the official explanation of the vote, Sir Mark Lyall Grant called for restarting negotiations and avoiding taking steps in response to the events.<sup>32</sup> Generally speaking, the UK's position was not very different from France or other major European states. It had no problem for the statehood of Palestine or upgrading its status to non-member observer state but it wanted some guarantees from the Palestinian leadership by changing the text. To put it another way, the UK gave a conditional support to the resolution upgrading the status of Palestine but the Palestinian Authority did not accept the conditions. As a result, the UK preferred to abstain in the vote instead of voting in favor of Palestine because its intensive effort to modify the text could not lead to the expected outcome. Some other analyses included the concrete proposals of the UK in terms of assurances: "A commitment not to pursue ICC jurisdiction over the Occupied Territories at this stage" ("Q&A: Palestinians' Upgraded UN status", 2012) and that "the Palestinians would seek negotiations with Israel 'without preconditions'" ("William Hague Says", 2012, para. 2). William Hague, Foreign Secretary of the UK, expressed the position of the UK clearly after a certain time: "London would support the Palestinian vote- if the Palestinians promised not to use its confirmed attributes of statehood to join the International Court of Justice (ICJ) or the International Criminal Court (ICC)" (Williams, 2013, para. 6). After the vote in the UN General Assembly, he reaffirmed the position of the UK by calling the parties to return to negotiations based on two-state solution and explaining their vote by the lack of assurances they suggested ("UN upgrades", 2012). Consequently, the

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<sup>32</sup> U.N. GAOR, 67th Sess., 44th plen. mtg., U.N. Doc A/67/PV.44 (Nov. 29, 2012), available from <https://digitallibrary.un.org/record/740741?ln=en>

UK preferred to abstain because of not getting the commitments or assurances on certain points. In general, the European states were not against upgrading the status of Palestine in the UN but some of them were cautious because of the possibilities the result would open up for the Palestinians.

The UN vote for upgrading the status of Palestine created a different table for the European states. They could not have a common decision but there were some common points in their views. The hesitancy and lack of common decision among the EU member states reflected the case in both 2011 Palestinian bid for statehood and 2012 UNGA vote on the status of Palestine at the UN (Persson, 2020, p. 126).

The results for the EU countries can be shown in this way:

The European Union vote was 14 ‘yes’, 1 ‘no’ and 12 abstentions. Aside from Germany, the Netherlands and the UK, all of the old ‘Western’ members voted for Palestine. All 10 of the new ‘Eastern’ members abstained or, in one case, voted against Palestine (Whitbeck, 2013, para. 11).

It is possible to make a regional analysis within the EU. Some analysts from Europe considered this disunity among the European countries negatively: “It shows their inability to transcend their partiality in the Israeli- Palestinian conflict, ignoring the long-term damage on Israel and the Palestinians, as well as its wider impact on the Middle East” (Dempsey, 2012, para. 19-20). In another report, Richard Youngs (2014) offers the European countries to have a more flexible position by including Hamas and Gaza to the policy and to support for a consensus government in Palestine (Conclusion, para. 4). Despite the differences among the European countries, there is more or less a consensus over the two-state solution. Hillary Clinton also underlined this common point: “We and our European partners agree on the most fundamental issues and share a common objective- two states living side by side in peace and security” (“Canada ‘Considering’”, 2012, U.S. opposition, para. 11).



The principle of two-state solution can be considered as the starting point for the final peace agreement and the core issues should be resolved around this basis. As it can be seen from the official statements of all states in the UN session, almost all states in the world are ready for recognizing Palestinian statehood while the way they propose varies. The European Parliament has adopted a resolution supporting Palestinian statehood in principle (“EU MPs”, 2014, para. 1). For Europeans, especially for some of them, the Israeli-Palestinian conflict crosscuts the domestic politics and it affects the relations with Israel, the US and the Middle Eastern states so different factors are important to determine the foreign policy for a particular state. The dynamics of two-level game can be observed in the voting behavior of each actor at the UN level. Thus, differences in foreign policy decisions and disunity become almost inevitable in that context. The last UN vote was just one example reflecting the diversification in Europe and in international relations.

In the third group, there were states that voted in favor of the resolution. The concept of moral majority was used to define the substantial number of states and 138 votes in favor of the resolution can obviously be regarded as representing a moral majority. Among these states, some European countries such as France, Italy and Spain, BRICS (Brazil, Russia, India, China, and South Africa) states, as well as Turkey can be highlighted because of their special position in the political relations. Paul Eden points out that the former French President (Nicolas Sarkozy) was the one who suggested “the status of a UN Observer State and allowing them to join the subsidiary bodies and treaties of the United Nations” for Palestinians in September 2011 UNGA session (Eden, 2012, p. 231). France had a clear stance in that issue from the beginning and supported the Palestinian bid. Israel criticized France because of its policy in that regard. The general support of the Western European

states for the Palestinian bid is remarkable. Some analysts explain this policy with the growing discontent about the Israeli settlements and attacks on Gaza: “European anger is growing over continuing Israeli settlements; the dust has not settled in Gaza and Israel has just killed civilians in another attack” (Ulutas, 2012). The recent attack against Gaza, called Operation Pillar of Defense, just before the UN vote increased the level of discontent. Additionally, this attitude of the European states shows that the conditions and developments on the ground have an influence on the policies of the external actors for the Israeli-Palestinian conflict.

In addition to some Western European states, the support of BRICS states together for the Palestinian bid was meaningful despite their good relations with Israel. For example, India has special relations with Israel especially on the issue of nuclear cooperation. It is not so surprising that these states preferred to take the opposite side with the US but the global competition and different kinds of relations in different issues make this case more complicated. Although it was claimed that “intensification of consultation on foreign policy issues among the BRICS states starting with 2006 did not lead to increase in voting cohesion in the General Assembly votes”, it is possible to observe voting cohesion of the BRICS states in the General Assembly votes analyzed in this dissertation (Hooijmaaijers & Keukeleire, 2016, p. 403). Apart from that, Turkey’s position towards the Israeli-Palestinian conflict has always been special. Turkey has long adopted a pro-Palestinian stance at the UN level. The UN vote became another step for this policy and Turkey strongly supported the Palestinian bid and actively worked on behalf of Palestine: “On November 30<sup>th</sup>, 2012, Turkey not only voted in favor of Palestine becoming a non-member observer state at the UN, but also lobbied other countries to vote ‘yes’” (Yegin, Ersoy, Güner & Toprakseven, 2013, pp. 33-34). Turkey was an active

supporter of the Palestinian application and it welcomed the result of the vote. Ahmet Davutoglu, who was the Minister of Foreign Affairs in that period, spoke in the UN session on behalf of Turkey. Davutoglu emphasized that “The denial of the right of Palestinians had no justification on moral, political or legal grounds”.<sup>33</sup> He further mentioned that UN membership and Palestinian statehood should be considered as “a humanitarian and legal obligation” and “a booster” for a negotiated comprehensive solution. To sum up, the support of the Western European states, BRICS states and Turkey increased the level of popularity and legitimacy of the Palestinian bid and it could reach the point of moral majority together with the other states that voted in favor of the resolution.

In sum, the UN General Assembly vote on the status of Palestine at the UN reflected the dynamics of the complex two-level game of the Israeli-Palestinian conflict. The context of the Arab Uprisings created a window of opportunity for the Palestinians and for the Palestinian leader. Put differently, the changes on the ground led to an initiative at the UN level. However, the counter-revolution in Egypt and declining power of the Muslim Brotherhood and the Islamist groups in the region transformed the regional context radically in the later period. While the status of Palestine was upgraded to non-member observer state by the UN General Assembly, the conditions on the ground were no longer favorable for the Palestinians. The activation of the UN level resulted in new attempts and resolutions producing some benefits for the Palestinians in the following period but the complex two-level game of the Israeli-Palestinian conflict changed the atmosphere in favor of Israel gradually. The relations and entanglements between domestic politics and international relations can be observed for each actor.

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<sup>33</sup> UN General Assembly Plenary, *General Assembly Votes Overwhelmingly to Accord Palestine “Non-Member Observer State” Status in the United Nations*. GA/11317, (Nov. 29, 2012), available from <https://www.un.org/press/en/2012/ga11317.doc.htm>

#### 4.6 2014 UN Security Council vote on “the situation in the Middle East, including the Palestinian Question”

In December 2014, another draft resolution was prepared towards the goal of Palestinian statehood. The draft resolution called a one-year deadline for the negotiations with Israel and accepting the full membership of Palestine in the UN by the end of this 12-month timeframe. That resolution would pave the way for a Palestinian state with East Jerusalem as its capital and it called for full withdrawal of the Israeli forces from the West Bank by the end of 2017 (“UN Security Council action”, 2014, para. 1). Needless to say, this draft resolution aimed to propose a particular timeline for reaching a comprehensive solution as a result of the negotiations. Furthermore, it confirmed the previous UN resolutions like Resolution 242 and 338 by calling for “full and phased withdrawal of the Israeli forces”. A phased withdrawal, obviously, was more practicable when the conditions on the ground were taken into account. Apart from that, putting a deadline would urge the negotiating parties to pursue more constructive policies. As a result, the draft resolution was a positive step to encourage the negotiations and to overcome the stalemate in the conflict. However, the draft resolution, as shown in Figure 4, failed to get the minimum nine votes in the Security Council session. In addition, the US, as a permanent member of the Security Council, opposed the text so even nine votes would not have been sufficient for adopting the resolution. The other against vote belonged to Australia. Among the permanent members, the UK preferred to abstain from the vote while the other three members (China, Russia and France) voted in favor of the resolution.

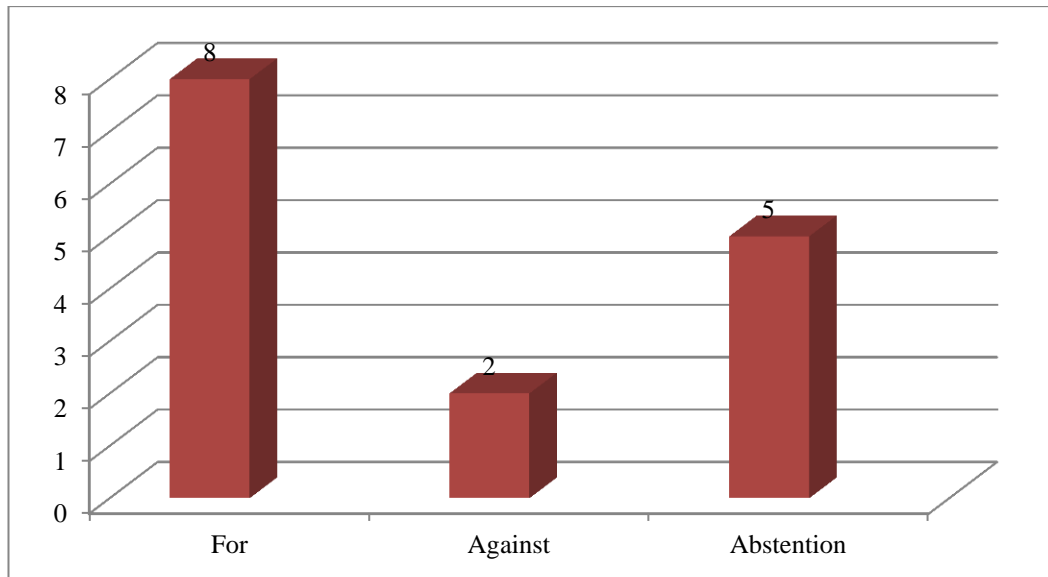


Fig. 4 Results of the 2014 UN Security Council vote on “the Situation in the Middle East”

Nigeria, as an elected member of the Security Council, was expected to vote in favor of the resolution but it preferred to abstain. Hence, the draft fell short of one vote for the necessary nine votes to pass (Associated Press, 2014, para. 2). Thus, Nigeria played a decisive role for the result of the vote so it needs to be analyzed as a representative case for the 2014 UNSC vote.

Nigeria’s voting behavior in the 2014 UN Security Council vote was unexpected because of some features of Nigeria and its former policies. Nigeria is one of the most populous countries in the world. Its population is mostly composed of Muslims and Christians having close numbers. In addition to its high number of Muslim population, Nigeria is one of the members of the OIC and it has supported the Palestinian cause in the international arena. These features of Nigeria led to expectations of the Palestinians and other members of the OIC from Nigeria to vote in favor of the resolution but the abstention of Nigeria created a shock among those actors. The Palestinian OIC representative called the abstention of Nigeria as an “unacceptable contradiction” and “violation of the former OIC resolutions”

(“Palestinians blast”, 2015, para. 3-4). This reaction can be considered as a common view of the Muslim world because it got reactions not only from the representatives of other states but also from the Nigerian domestic actors representing the Nigerian Muslims as well. The Nigerian Supreme Council for Islamic Affairs called the Nigeria’s abstention as a “vote for injustice”.<sup>34</sup> The Israeli newspaper, Haaretz, explained Nigeria’s abstention through the growing relations between Nigeria and Israel during the period of President Goodluck Jonathan, who was a Christian. Bassist (2015) also addresses the role of increasing Israeli-Nigerian relations on Nigeria’s abstention in the vote (para. 1). Apart from that, Peter Beaumont (2014) claims that the expectation was towards Nigeria’s vote in favor of the resolution until the day of the vote but it was the last-minute calls of Netanyahu, the Israeli Prime Minister, and Kerry, the US Foreign Minister, with Nigeria’s President Jonathan which changed Nigeria’s vote to abstention (para. 5). Eichner (2014) also points out the decisive role of the diplomatic efforts of the US and the impact of the Israeli Foreign Minister Avigdor Lieberman’s visits to the African countries, including Nigeria and Rwanda (para. 2). In terms of the logic of two-level games, it can be claimed that the domestic and external benefits of abstaining from the vote would outweigh the domestic and external costs for the Jonathan government according to its calculation. This decision would certainly put him into a difficult position in the domestic politics and among the Muslim countries because of the reactions of the Muslims in Nigeria and other parts of the Islamic world. However, improving relations with Israel and the US would create certain benefits for the Nigerian government in the international arena. Therefore, the voting behavior of Nigeria at the UN Security Council in 2014 was a result of this cost-benefit analysis related to

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<sup>34</sup> “The UNSC Vote: Nigeria’s Abstention Was a Vote for Injustice,” Nigerian Supreme Council for Islamic Affairs, available from <https://nscia.com.ng/index.php/news-room/98-the-unscc-vote-nigeria-s-abstention-was-a-vote-for-injustice>

the dynamics in the domestic politics and international arena. Since the resolution fell short of just one vote, Nigeria's vote played a crucial role in that sense and made it a representative case. In sum, the abstention of Nigeria in the UN vote stemmed from a few reasons among which the growing Israeli-Nigerian relations in the Jonathan period and the diplomatic efforts of the US came into prominence, and it created disappointment among the Palestinians and the Islamic world.

On the other hand, the US declared that it would veto the resolution if it had been able to pass with nine votes. Therefore, the final result would not have changed indeed. The US ambassador called the draft resolution as "deeply unbalanced" and the Israeli delegate called this initiative as the continuation of political games. The UK ambassador underlined the lack of necessary and normal negotiation for the resolution while explaining their vote for abstention (Ferrigno, 2014, Israeli: "political games" continue, para. 4). The results and the expressions of the ambassadors show that the draft resolution could not convince the members of the Security Council. Although it called for the implementation of the former UN resolutions and aimed to reach a comprehensive solution through a new round of negotiations according to a particular timetable and deadline, it failed to get enough support from the Security Council members. It can be claimed that the possible US veto was an expected result for the vote because of the traditional US policy towards the Israeli-Palestinian conflict but the failure to get the minimum nine votes was disappointing for the sponsors of the draft resolution. Getting the minimum nine votes in favor of the resolution would have encouraged further attempts for the Palestinian statehood. Consequently, this initiative could not create a positive step for the next period towards the goal of comprehensive solution; on the contrary, it strengthened the stalemate or status quo on the ground.

#### 4.7 Trump period and recognition of Jerusalem as the capital of Israel by the US

The role of prominent external actors in the Israeli-Palestinian conflict will be highlighted in the fifth chapter and the role and policies of the US will be discussed there in detail. However, the developments at the ground level and the UN level cannot be separated from one another completely. It is necessary to analyze the two levels in two different chapters for the academic purposes but the dynamic relations and interactions between the two levels should be taken into account at the same time. In this part, I will concentrate on the changes in the US foreign policy towards the Israeli-Palestinian conflict after the election of Trump as the US President and the consequences of those policies at the UN level. There is no doubt that the changes in the US domestic politics lead to policy shifts or relations with the regional or global actors in the international arena. Similarly, the US foreign policy towards a particular issue and the developments in the international arena may have an impact on the dynamics of the US domestic politics. As a result, the US can be considered as an important example showing the relationship between domestic and international levels in the global sense.

In the Obama period, the US did not radically change its traditional policy towards the Israeli-Palestinian conflict but increasing level of tension between Obama and Netanyahu made the US-Israeli relations cooler. Although the US did not avoid showing its support for Israel in the international arena including the UN sessions, the level of mutual trust between Obama and Netanyahu administrations was not as high as before. This relationship was confirmed with the UN Security Council Resolution 2334 (S/RES/2334) which called the Israel's settlement activity



as “flagrant violation of international law” and having no “legal validity”.<sup>35</sup> All the elected members and the permanent members of the Security Council, except the US, voted in favor of the resolution. The US preferred to abstain from the vote. Put differently, it did not block the adoption of the resolution. Although the resolution was adopted as a non-binding chapter, it demanded Israel to stop its illegal settlement activities. It was the first Security Council resolution related to Israel/Palestine territories since 2009. The timing of the resolution was really interesting for the US administration because it passed on December 23, 2016, and coincided with the transition period (November 2016-January 2017) in which Donald Trump was elected as the new President and Barack Obama was about to leave the office. In other words, Obama was a lame duck in that period. The result of the vote and the US abstention, particularly, was disappointing for the Israeli government. The Netanyahu government put the blame on Obama and one spokesperson of Netanyahu even claimed the role of Obama in the formulation of the resolution (“Official: ‘Rather Ironclad’”, 2016, para. 1). Nevertheless, the US abstention can be considered as a last-minute message from the Obama administration for Netanyahu but the resolution cannot be regarded as a radical departure from the traditional US foreign policy towards the Israeli-Palestinian conflict because of its non-binding character.

Donald Trump’s election in the US improved the relations between the US and Israel. As Trump repeatedly emphasized during his election campaigns, he aimed to have better relations with Israel. More importantly, the US under the leadership of President Trump did not avoid taking bold steps in favor of Israel regarding the Israeli-Palestinian conflict. These attempts were likely to change the status quo in the region and they targeted the main tenets of the two-state solution. Among these

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<sup>35</sup> Security Council Resolution 2334, *Cessation of Israeli Settlement Activities in the Occupied Palestinian Territory, including East Jerusalem*, S/RES/2334 (Dec. 23, 2016), available from <https://digitallibrary.un.org/record/853446?ln=en>

policies, declaring Jerusalem as the capital of Israel was one of the most significant policy shifts in the US foreign policy. On December 6, 2017, Trump declared that the US recognized Jerusalem as the capital of Israel and they planned to move the US Embassy from Tel Aviv to Jerusalem (Lendler, 2017, para. 1). This declaration meant a radical change in decades-long US policy about neutrality on Jerusalem and Trump called it as a part of new approach towards the issue (Lee & Klapper, 2017, para. 2). Since this declaration was a challenge to the status quo and it would change the dynamics for the two-state solution, it triggered reactions from other actors related to the issue. The reactions were generally based on the rejection of Trump's declaration and calls for stopping similar steps which would aggravate the situation.

One week after Trump's declaration, an extraordinary OIC summit was held in Istanbul with the call of the Turkish President, Recep Tayyip Erdogan, because Turkey was the chair of the OIC in that period. At the final declaration of the summit, East Jerusalem was declared as "Palestinian capital" and Trump's announcement was called as a "dangerous" move ("OIC declares", 2017, para. 1). The Palestinian issue was the main concern for the establishment of the OIC and the Muslim countries aimed to show their strong reaction against the US declaration. After that, the issue was first brought to the Security Council and the draft resolution in the Security Council calling for the withdrawal of the US decision to recognize Jerusalem as the capital of Israel was backed by all of the Council members, except the US which used its right to veto (Beaumont, 2017, para. 1). The US ambassador to the UN, Nikki Haley, interpreted the result as "an unforgettable insult against the US". The consensus against the US decision indicated the common view about keeping the status of Jerusalem until reaching a comprehensive solution. The US attempt would change the status quo and the dynamics on the ground; hence, the

Security Council members challenged this bold initiative. The US veto in the Security Council meeting did not stop the responses to the US declaration. Turkey, as the chair of OIC, and Yemen, as the chair of the Arab League, prepared a common resolution for the UN General Assembly and the Assembly was convened in a rare emergency meeting. It can be claimed that “the emotional centrality of Jerusalem transcends rational political and strategic calculations” (Heller, 1979-1980, p. 128). While the US veto blocked the process in the Security Council, the resolution for the General Assembly prepared another arena for the policies and positions of different actors. Consequently, Trump’s decision to recognize Jerusalem as the capital of Israel not only created negative reactions in the regional and international arena but also reactivated the UN level through the counter-attempts of the other actors.

The General Assembly resolution (A/ES-10/L.22), on the “Status of Jerusalem”, “asking nations not to locate diplomatic missions in Jerusalem” was adopted by a vote of 128 in favor to nine against (Guatemala, Honduras, Israel, Marshall Islands, Micronesia, Nauru, Palau, Togo, and the US), with 35 abstentions in the UN General Assembly (Masters, 2017, para. 1-2).<sup>36</sup> The list of votes shows that the US and Israel could not get the support of the major European states in the vote. Only four small Pacific states, one African state and two Central American states took their side. The Palestinian representative mentioned that the decision of Trump administration would not change the Holy City’s status and he reminded the US veto in the Security Council against the 14 votes of the other Council members in favor: “The veto will not stop us”. The US ambassador, Nikki Haley, declared that “America will put its embassy in Jerusalem and its citizens would remember today’s

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<sup>36</sup> General Assembly Resolution ES-10/19, *Status of Jerusalem*, A/RES/ES-10/19 (Dec. 21, 2017), available from <https://digitallibrary.un.org/record/1468436?ln=en>

votes”.<sup>37</sup> Israeli representative called the resolution as one example of “one-sided anti-Israel resolutions” and showed their view which is not open to discussion for them: “Jerusalem has been, and always will be, the capital of the State of Israel”.<sup>38</sup> More importantly, the US administration pursued an active campaign before the vote in the General Assembly. Donald Trump threatened to withhold the US foreign aid from the countries which vote in favor of the resolution and the US ambassador, Nikki Haley, sent letters to almost all member states telling that she would be “taking their names” (Beaumont, 2017, para. 2). As a result, the active campaign of the US and Israeli administrations and the US threat about foreign aids did not end in the expected outcomes for them in the UN General Assembly vote on status of Jerusalem.

Among the abstentions, there were seven European states, namely Bosnia and Herzegovina, Croatia, Czech Republic, Hungary, Latvia, Poland, and Romania. On the other hand, the leading European states such as Germany, France and the United Kingdom as well as most of the other European states voted in favor of the resolution (Farrell, 2017, para. 3). While twenty-two of the twenty-eight EU members voted in favor of the resolution, [six] EU members abstained from the vote (Beaumont, 2017, para. 6-7). In other words, the European states, including the major actors in the region, did not back Trump’s decision to declare Jerusalem as the capital of Israel and to move its embassy from Tel Aviv to Jerusalem despite the fact that there was no consensus among the European states. One important point that should be underlined about the votes of European states was that none of them voted against the resolution. Furthermore, even most of those which abstained from the vote rejected the unilateral decision of the US. Some of the actors which abstained from

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<sup>37</sup> U.N. GAOR, Emergency Special Sess., 37th plen. mtg., U.N. Doc A/ES-10/PV.37 (Dec. 21, 2017), available from <https://digitallibrary.un.org/record/1471336?ln=en>

<sup>38</sup> Ibid.

the vote explained their positions depending on some technical problems about the resolution such as unhappiness with the procedure around the draft or lack of dialogue about the draft resolution. Some others addressed the fact that the resolution would not help the negotiation process or a comprehensive solution for the conflict. The European states which preferred to abstain from the vote explained their positions in similar ways. For example, the representative of Czech Republic expressed their support for the EU position but they abstained because “the resolution would not contribute to the peace process”.<sup>39</sup> Although Latvia accepted that Jerusalem must become the capital of both Israel and a future State of Palestine, they abstained due to the need for “not escalating the political and security situation in the region”. Lastly, Hungary explained its abstention with its traditional policy for not making comments on the foreign policy decisions of the US. As a result, the positions of those which abstained from the vote were not closer to the US decision so it can be easily claimed that the US policy shift which would change the status of Jerusalem could not gain the expected support worldwide, especially among the major European powers. The votes in the UN Security Council and General Assembly confirmed the international isolation of the US and Israel in that issue.

4.8 2018 UN General Assembly vote on “Chair of the Group of 77 for 2019”  
(A/73/L.5)

2012 UN General Assembly vote had upgraded the status of Palestine to non-member observer state and this status enabled the Palestinian delegation certain rights and privileges in the General Assembly sessions. The Palestinian delegation had the right to attend the sessions but they could not vote. As I presented in the

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<sup>39</sup> U.N. GAOR, Emergency Special Sess., 37th plen. mtg., U.N. Doc A/ES-10/PV.37 (Dec. 21, 2017), available from <https://digitallibrary.un.org/record/1471336?ln=en>

previous parts, the UN General Assembly adopted many resolutions enhancing the rights and privileges of the Palestinians and the General Assembly confirmed upgrading the status of Palestine in different votes. In other words, the General Assembly has been the platform of getting new rights and enhancing their status at the UN level for the Palestinians, and the General Assembly showed a consistent pattern in the successive votes. The 2018 UN General Assembly vote (A/73/L.5) constituted the last ring of the chain in that sense. The resolution would provide the State of Palestine additional rights and privileges when it was to assume its position as chair of the “Group of 77” in 2019. These rights and privileges included “the right to make statements, submit proposals and amendments and introduce them on behalf of the Group; to co-sponsor proposals and amendments; and to raise procedural motions”.<sup>40</sup> Since Palestine was not a full-member in the UN, it needed such a resolution for fulfilling its functions as the chair of the “Group of 77” in 2019. As shown in Figure 5, the resolution was adopted by the General Assembly with 146 votes in favor, three against votes (US, Israel, Australia), and 15 abstentions (Austria, Andorra, Bosnia& Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Honduras, Hungary, Latvia, Lithuania, Monaco, Poland, Slovakia, and Tuvalu). The results reflected the isolation of Israel and the US in the UN General Assembly and showed the continuation of the former trend in that sense. The adopted resolution was interpreted as the allowance of the General Assembly for the State of Palestine to act more like a full-member state in the 2019 UN meetings when they chair the Group of 77 (Nichols, 2018, para. 1). The additional rights and privileges were assigned to Palestine as long as it served as the Chairman of the Group of 77 in 2019.

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<sup>40</sup> General Assembly Resolution 73/ 5. *Chair of the Group of 77 for 2019*. A/RES/73/5 (Oct. 16, 2018), available from <https://digitallibrary.un.org/record/1648985?ln=en>

Therefore, the resolution did not make a permanent change in the status of Palestine at the UN.

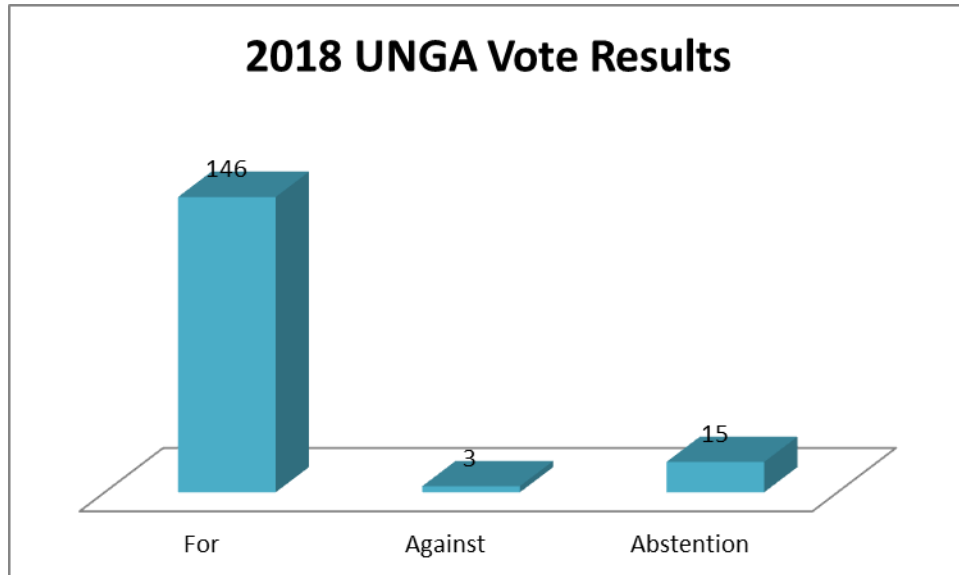


Fig. 5 Results of the 2018 UN General Assembly vote on “Chair of the Group of 77 for 2019”

The Group of 77, or the G-77, is the single largest bloc at the UN with its 135 members including China. It represents the coalition of the developing world with nearly two-thirds of the UN membership and about 80 percent of the world population. G-77 is especially powerful in debates related to the budget and management issues at the UN (Goldberg, 2019, para. 6). The group defines itself as “the largest intergovernmental organization of developing countries in the United Nations” and it aims to promote the collective economic interests of the countries of the South and to enhance their negotiating capacity on all international economic and development issues.<sup>41</sup> Although the Group of 77 was based on collective interests in developmental and economic issues, their importance for the UN General Assembly votes is undeniable. Thus, chairmanship of the State of Palestine was another symbolic victory for the Palestinians at the UN level. It can be claimed that the

<sup>41</sup> The Group of 77 at the United Nations, “About the Group of 77: Aims,” <http://www.g77.org/doc/>

additional rights and privileges as a result of the resolution enabled the Palestinian delegation to act like a full-member in 2019. Put differently, the Palestinians gained almost all the rights except membership at the UN level. This point can be considered as the highest point which can be reached through the General Assembly votes because the UN membership cannot be gained without the Security Council recommendation. Therefore, that point can be seen as the end-point of gradual process of upgrading the status of Palestine and gaining new rights and privileges through the UN General Assembly votes. It is possible to go further through the Security Council but the attempts at the Council have been blocked by the US and will be undoubtedly blocked by it in the near future. As a result, the last symbolic victory in the General Assembly would mean completing its mission for the Palestinians. It does not mean that there will be no more votes in the General Assembly about the status of Palestine or the Israeli-Palestinian conflict but the new votes may concern new issues instead of providing more rights or higher status for the Palestinians.

In the 2018 UN General Assembly vote on “Chair of the Group of 77 for 2019” enhanced the rights and privileges of the State of Palestine in the sessions when it assumed chairmanship of Group of 77. Thus, individual analyses for representative cases will be more meaningful. Mouin Rabbani underlined the fact that the chairmanship of the State of Palestine for the Group of 77 meant beyond the nomination of a candidate and he interpreted the result as a humiliating defeat for the US and its allies, and a political message directed at the US (Deen, 2018, para. 23). Since this resolution was adopted one year after the period in which the US under the leadership of President Donald Trump declared their recognition of Jerusalem as the capital of Israel, the high number of support for the chairmanship of the State of



Palestine can be regarded as a political message or a challenge to the US attempt to change the status quo in the region. Moreover, the representative of the US expressed the US policy in the UN session openly by saying that the US has long opposed the initiatives aiming to upgrade the status of Palestine at the UN and “it does not recognize that there is a Palestinian state” so they strongly oppose the chairmanship of Palestine.<sup>42</sup> Moreover, the representative of Israel emphasized that this resolution would only serve the interests of the Palestinian delegation and it would be harmful for the UN system and the strong place of the Group of 77 at the UN. It can be claimed that while Israel pointed out the specific advantages of the resolution on the chairmanship of Palestine, the US delegate interpreted the resolution from a broader view and as a part of enhancing the status of Palestine at the UN system.

The US and Israeli representatives’ call for negotiations shows their perspective towards the complex two-level game. Because the US and Israel could not get the expected amount of support in the UN votes and it seems impossible to achieve their goals due to the structure of the UN bodies, especially the General Assembly, they have long preferred to trivialize the attempts towards enhancing the status of Palestine at the UN level. Even the strong positions and challenges against the resolutions could not create significant changes in the decisions of the member states. Despite this US policy against the primary role of the UN in terms of maintaining international peace and security, some scholars have been pointing out the need to return to UN-based diplomacy especially through the Security Council (Sachs, 2018, p. 31). The US did not avoid threatening some states by cutting the foreign aid given to them during the Trump period. On the other hand, unilateral actions of Israel and their practices in the Occupied Territories created advantages

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<sup>42</sup> U.N. GAOR, 73rd Sess., 20th plen. mtg., U.N. Doc A/73/PV.20 (Oct. 16, 2018), available from <https://digitallibrary.un.org/record/1659050?ln=en>

for them on the ground. The Trump administration, contrary to the former US policy, decided to recognize the legitimacy of the unilateral actions of Israel such as recognition of Jerusalem as the capital of Israel or annexation of the Golan Heights by Israel. As a result, the US and Israel aimed to turn the advantages on the ground into concrete outcomes through negotiations. Therefore, they generally tried to bypass the processes at the UN level.

The only vote, besides the US and Israel, against the resolution came from Australia so the US and Israel were again left alone in their position against the chairmanship of Palestine. The representative of Australia explained their vote by saying that unilateral recognition of Palestinian statehood will not end in peace.<sup>43</sup> Furthermore, she called the parties to return to negotiations based on two-state solution. When the results of the vote are compared to the former ones, it is necessary to remember the 2014 UN Security Council vote because Australia voted against that resolution as an elected member of the Security Council in that period. It shows a consistent policy and voting behavior for the Australian delegation. It can be interpreted in the way that Australian decision-makers do not support the Palestinian statehood or they do not accept the UN level as the appropriate platform for recognition of Palestinian statehood. These two against votes, in 2014 and in 2018, reflected their clear view about the issue. Parallel to this policy, the Australian representative abstained from the 2012 UN General Assembly vote on upgrading the status of Palestine to non-member observer state by emphasizing that the resolution would make a negotiated solution more difficult and he called the parties to return to

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<sup>43</sup> U.N. GAOR, 73rd Sess., 20th plen. mtg., U.N. Doc A/73/PV.20 (Oct. 16, 2018), available from <https://digitallibrary.un.org/record/1659050?ln=en>

negotiations.<sup>44</sup> As a result, the Australian opposition to the resolution in 2018 became the last indicator of a consistent policy rather than an unexpected move.

In the 2018 UN General Assembly vote, the abstention votes mostly belonged to the European states, 12 out of 15. Though not all of them were EU member states and most of the EU members voted in favor of the resolution, the small amount of opposition against Palestine's chairmanship for the Group of 77 can be observed in the results. In addition, most of these abstentions came from the states which abstained from one or more votes in the General Assembly so their decisions cannot be thought as striking differences in their policies. Apart from that, there were two members of the Group of 77, which includes 135 members in total, among the fifteen abstentions: Bosnia and Herzegovina, and Honduras. While high number of votes in favor of the resolution showed the level of support for the chairmanship of Palestine among the Group of 77 members, these two cases seemed exceptional in that sense. It should be remembered that Honduras was also among the nine states which voted against the 2017 UN General Assembly vote on the status of Jerusalem, and Bosnia and Herzegovina abstained from that vote. The balance of power in the Bosnian domestic politics and the administrative system established with the Dayton Agreement can be regarded as one of the reasons for the votes of Bosnia and Herzegovina at the UN level. Therefore, their preferences were not unexpected outcomes compared to their previous voting behaviors. The exceptional cases do not change the near consensus among the members of the Group of 77 but it can be claimed that the number of abstentions would have been higher without the political message directed at the US through the nomination of Palestine as the chair of the Group of 77 in 2019.

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<sup>44</sup> U.N. GAOR, 67th Sess., 44th plen. mtg., U.N. Doc A/67/PV.44 (Nov. 29, 2012), available from <https://digitallibrary.un.org/record/740741?ln=en>

#### 4.9 Analysis of the results of the votes in the UN Security Council and the General Assembly

The UN has long been a part of the Israeli-Palestinian conflict starting with the withdrawal of the British Mandate and applying to the UN for the next period. The Partition Plan in 1947 was the first UN initiative towards the solution of the conflict. Despite its central place as the main mechanism that maintained the relations with all parties, the military struggles left aside the crucial role played by the UN. The long period of military struggles and wars were followed by the negotiation phase. The UN General Assembly recognized the unilateral proclamation of the State of Palestine in 1988.<sup>45</sup> This vote became the first example of the series of votes towards the Palestinian statehood and the status of Palestine at the UN level. This vote did not change the status of Palestine in that period but the name Palestine began to be used in replacement of the PLO with the rights and responsibilities of the status of observer entity. Ten years after this vote, the General Assembly adopted another resolution on assigning additional rights to Palestine observer.<sup>46</sup> By this vote, Palestine gained more rights compared to other observers so its status became higher than classical observers but lower than a state.

The first decade of the new millennium did not bring the developments that would realize the expectations. The global war on terror declared by the Bush administration after the September 11 process opened a new period of external intervention in the Middle East. The emergence of the Arab Uprisings, which started in Tunisia and spread to other parts of the region, has changed the dynamics and

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<sup>45</sup> General Assembly Resolution 43/ 177, *Question of Palestine*, A/RES/43/177 (Dec. 15, 1988), available from <https://digitallibrary.un.org/record/53922?ln=en>.

<sup>46</sup> General Assembly Resolution 52/ 250, *Participation of Palestine in the work of the United Nations*, A/RES/52/250 (July 7, 1998), available from <https://digitallibrary.un.org/record/257757?ln=en>

balance of power in the Middle East. The Palestinian leader, Mahmoud Abbas, decided to turn this new context into an advantage for the Palestinians and applied to the UN for full membership in 2011. Although this application did not end in an approval in the Security Council, it started a new series of votes in the main bodies of the UN, namely the Security Council and the General Assembly. In other words, the Palestinian application activated the initiatives at the UN level and the Israeli-Palestinian conflict has turned into a complex two-level game in that period.

After the Palestinian application for the UN membership, the successive draft resolutions about the status of Palestine and some other issues related to the Israeli-Palestinian conflict were put to vote in the Security Council and in the General Assembly in six years. In the Security Council, three resolutions came into prominence in that period. First of all, a draft proposal which called a one-year timeframe for the Palestinian membership in the UN, the end of negotiations, and full Israeli withdrawal from the Occupied Territories by the end of 2017 was put to vote in 2014. This resolution could not get the minimum nine votes with Nigeria's last-minute abstention. It was a disappointing result for the sponsors of the resolution and Palestine as well. Secondly, the Security Council adopted the Resolution 2334 which called the Israeli settlement activities as "flagrant violation of international law" and "having no validity" with the help of the US abstention and the consensus among all the other members in favor of the resolution. The US abstention came at the very end of the Obama period in the US and it reflected the cool relations between the Obama administration and Netanyahu government. It became the only Security Council resolution that could be passed against Israel. The election of Donald Trump as the US President created a significant change in the US policy which went beyond the traditional attitude towards some sensitive issues related to the Israeli-Palestinian

conflict. Last but not least, a new resolution in 2017 showed the change in the US policy during the Trump period. It emerged as a reaction to Trump's decision to recognize Jerusalem as the capital of Israel and it called the withdrawal of that decision. Although all the permanent and elected members of the Security Council except the US voted in favor of the resolution, it was not adopted by the Council because of the US veto. The resolutions related to the Israeli-Palestinian conflict have long been the moments at which the US frequently used its right to veto and supported Israel unconditionally especially in the critical and binding cases. As a result, attempts towards the Palestinian statehood and UN membership through the Security Council are doomed to failure due to the US opposition.

In the General Assembly votes, the results have been in favor of Palestine because of the one state-one vote principle and absence of the right to veto. After the Palestinian application for the UN membership, three important resolutions were put to vote in the General Assembly. In the first place, the disapproval of the Palestinian membership in the Security Council led to another resolution about upgrading the status of Palestine to non-member observer state in 2012. The resolution was adopted with the help of 138 votes in favor. Besides some small Pacific states, the US and Israel could only get the support of three states. The divisions among the European states were striking in that vote. The second important resolution in the General Assembly was on the status of Jerusalem and it aimed to reject Trump's decision to recognize Jerusalem as the capital of Israel. The draft resolution was prepared after the US veto in the Security Council and Turkey was one of the two sponsors of the resolution as the Chair of the OIC. This time 128 states voted in favor of the resolution. Lastly, another resolution on "Chair of the Group of 77 for 2019" which would enhance the rights and privileges of the State of Palestine during its

chairmanship was put to vote in the General Assembly in 2018. In that vote, the number of votes in favor increased to 146. As a result, the State of Palestine was nominated as the Chair of the Group of 77, which was the largest single group in the General Assembly with more than 130 members, for 2019.

The resolutions about the status of Palestine and other issues related to the Israeli-Palestinian conflict could get the support of moral majority in the General Assembly. The status of Palestine was upgraded from observer entity to non-member observer state and it was nominated as the Chair of the largest group, the Group of 77, in the Assembly. The distribution of groups and voting behaviors of the member states show the likelihood for continuation of similar results. Nonetheless, it is not possible to get UN membership through the General Assembly alone except the Uniting for Peace option. The Uniting for Peace emerged as a Security Council resolution during the Korean War and it was adopted in order to overcome a deadlock in the Security Council and for the cases in which the disagreements among the permanent members prevent them from fulfilling their main mission of maintaining international peace and security. It is sometimes debated whether this option can be used for the Palestinian case but it should be underlined that it has never been used for the statehood issues (Brooks, 2013, p. 32). Additionally, it was claimed that the Palestinian statehood is highly unlikely to be interpreted as “threat to international peace and security” and it is uncertain if the Uniting for Peace can be used as an alternative way of bypassing the Security Council (Azarov, 2011, p. 7). Consequently, the initiatives about enhancing the status of Palestine have already reached their limits by the last votes in the General Assembly. Upgrading the status of Palestine can be turned into a means for strengthening the hands of Palestinians on the negotiation table for the next period but they cannot be regarded as game changer

moves. Thus, the enhancements in the status of Palestine, in particular, and all the attempts and votes at the UN level, in general, should be analyzed in terms of their role and influence in the Israeli-Palestinian conflict as a larger process. The UN level should not be thought independently of the dynamics of the ground level and negotiations; otherwise, its meaning and function cannot be put into context in the correct manner. A complex two-level game cannot be comprehended through the developments at one level alone.

So how should we analyze the role and function of the UN level in general? Can it be considered as a state-building project through the UN? Or is it just a symbolic process which never has a potential for a meaningful change? Can it be seen as a contribution to the negotiation table or an obstacle for continuation of negotiations? These types of questions can be increased and they all address different aspects of the UN level. The negative questions reflect the criticisms towards the attempts at the UN level.

First of all, the UN level is a part of complex two-level game and it is not the platform in which the comprehensive and final solution for the Israeli-Palestinian conflict will be achieved independent from the ground level and negotiations. Therefore, attributing more meaning to the initiatives at the UN level will most probably end in new disappointments. In the second place, the Palestinian application for UN membership and the UN role in the Palestinian case cannot be seen as a state-building project through the UN. According to the UN Charter, admission to UN membership requires a “decision of the General Assembly upon the recommendation of the Security Council”.<sup>47</sup> This requirement implies that there is a need for a Security Council resolution for new memberships and no opposition from the

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<sup>47</sup> “Charter of the United Nations”, Chapter II: Membership, Article 4, available from <https://www.un.org/en/sections/un-charter/chapter-ii/index.html>



permanent members. The traditional US foreign policy prioritizes the security of Israel in the Middle East and the US does not avoid using its right to veto in the anti-Israeli resolutions at the UN level so the US, as a permanent member of the Security Council, obviously blocks that road. The expectations for the Palestinian application were not high from the beginning because of that reason. Furthermore, the UN support for the Palestinian actors including the PA has never reached the level of state-building. They can only be regarded as a contribution for the institution-building efforts which may pave the way for the Palestinian statehood in the future. Apart from that, the UN has not declared to undertake such a mission by itself despite the resolutions based on two-state solution. As a result, the UN has always preferred to be a part of the solution but it did not aim to reach that goal as the decisive actor in the process.

Thirdly, even the existence of the UN level itself as a part of complex two-level game is meaningful and significant for the Israeli-Palestinian conflict. Since there is a power asymmetry in the Israeli-Palestinian relations, Israel can control the developments on the ground and the status quo in the region maintains in favor of the Israeli side. The Israeli decision-makers use this situation as a negotiation strategy by trying to turn it into their advantage in the negotiations. The Palestinians have very limited options to change the existing imbalance at the ground level. On the other hand, the negotiations created high expectations on both sides but they could not end in concrete results that would satisfy the demands of both sides and establish the ground for the final solutions especially on the main issues. The limited options of the Palestinians on the ground against the powerful State of Israel and decreasing chances in the negotiations left the Palestinians in a desperate position. Different Palestinian actors resorted to violence and saw the military struggle as the only

alternative for the continuation of their claims in order to overcome their desperate positions. The Palestinian leader Mahmoud Abbas's application to the UN has come to the fore in such a context. Thus, the initiatives at the UN level can be considered as a way of going beyond the dichotomy of negotiations vs military struggle (or violence) in that sense. In addition, internationalizing the conflict had the potential for increasing the support base among other actors for the Palestinians and the structure of the UN General Assembly might open a window of opportunity for the pro-Palestinian attempts. The successive results of the votes at the UN level confirmed the possible advantages for the Palestinians. Upgrading the status of Palestine can at least be seen as an advantage for the negotiations in the next period. Of course, these functions of the UN level cannot make it as the main platform for the final solution of the Israeli-Palestinian conflict. The UN level is still mostly based on symbolic and discursive actions. The struggle at the UN level is a struggle of international legitimacy but legitimacy alone cannot lead to statehood in the end. Consequently, the existence of the UN level is meaningful by itself and it fulfills certain functions but it can only serve as a contribution to the final negotiations or agreement. The UN level lessens the degree of power imbalance between the two sides by internationalizing the conflict. Therefore, it prepares the background for the final negotiations which still seems unlikely in the short-term. Otherwise, the great powers in the international arena would not have attributed any role to the initiatives at the UN level for just a symbolic game.

Last but not least, the interactions among the two levels should be analyzed carefully. The Israeli side tries to turn their advantages on the ground and the existing power asymmetry in favor of themselves into an asset for the negotiation table. On the other hand, the Palestinians aim to get their support base in the international

arena especially at the UN level through which they will strengthen their hands in the next rounds of the negotiations. As a result, all the actors have long been getting prepared for the next rounds of negotiations and they relentlessly make their moves to gain more benefits on the negotiation table. It can be claimed that the developments at the UN level and at the ground level may change some dynamics about the conflict but they are more like a backstage rather than the stage itself. Although the negotiations have seemed stagnant in the last decade, it keeps its central place as the main mechanism for the resolution of the Israeli-Palestinian conflict. Additionally, the developments at different levels indicate the fact that one level can be more active and come into prominence in certain periods depending on the initiatives at these levels or changes in the context but the functions of each level more or less remain the same. Thus, a development at one level should not be exaggerated; instead, it should be analyzed according to its role in the big picture or complex two-level game. The two main levels and the need for negotiations show how complicated the Israeli-Palestinian conflict is, so this process will not end overnight.

This chapter has concentrated on the dynamics of the UN level. However, the UN level will more meaningful when it is considered as a part of complex two-level game of the Israeli-Palestinian conflict. The domestic and regional sources of the attempts at the UN level, the two-level games determining the voting behavior and policies of each actor at the UN, the impacts of the UN votes or resolutions on the dynamics at the ground level, and more importantly, the interactions of the actors and variables at the two main levels shape the complex two-level game. Therefore, the UN level cannot be thoroughly understood without understanding the dynamics at the ground level, and vice versa. With the increasing level of interactions among

local and international actors, the relations have become more complex so an actor may try to influence a decision through indirect ways. Apart from that, the complex interdependence in the world has increased the possibilities of issue linkages in the relations among the actors. Moreover, the complex relations among the domestic and external actors lead to synergistic linkages between the two different levels. As a result, these complex relations increase the probabilities about the domestic or international issues and it becomes impossible to understand an issue by solely looking at the dynamics at one level. In terms of the Israeli-Palestinian conflict, the dynamics on the ground are at least as important as the dynamics at the UN level; thus, the next chapter about the ground level should be analyzed in relation with this chapter.

## CHAPTER 5

### THE GROUND LEVEL AS A PART OF COMPLEX TWO-LEVEL GAME OF THE ISRAELI-PALESTINIAN CONFLICT

In the previous chapter of the dissertation, I analyzed the dynamics at the UN level. As it was mentioned in that chapter, the Israeli-Palestinian conflict cannot be understood and analyzed by solely looking at the developments at one level. The other level of the complex two-level game is the ground level and this chapter will focus on the variables at the ground level. The Israeli and US representatives in the UN sessions always address the fact that the UN resolutions and votes related to the Israeli-Palestinian conflict do not make meaningful changes on the ground. This expression can be considered as partially true because the UN resolutions cannot lead to important concrete results depending on the absence of enforcement mechanisms. However, it does not mean that the developments at the UN level and the negotiation processes are not as important as the ones that are at the ground level. The struggle at this level can be called as struggle over sovereignty. It can be said that realization of a state can be achieved through establishment of sovereignty over a particular territory and a particular population based on their generalized obedience, and gaining international legitimacy. Whereas the Palestinians aim to get international legitimacy for their state at the UN level and by getting recognition of the independent states, they will need to establish their control and sovereignty on the ground within the borders of their state. Put differently, the legitimacy war at the UN level and the sovereignty war at the ground level should be seen as complimentary processes on the way to statehood. The interactions of the two levels and mutual aspects of the developments at both levels, of course, should not be overlooked. The

achievements at both levels will open the way for a Palestinian state and for a comprehensive solution on the negotiation table, which still constitutes the main platform for the Israeli-Palestinian conflict.

The ground level is one of the peculiar aspects of the complex two-level game of the Israeli-Palestinian conflict because the ongoing Israeli occupation and the absence of an independent and sovereign Palestinian state on the ground differs the domestic-international relations and interactions in the Palestinian case. The Palestinian actors cannot control all the dynamics on the territories populated by the Palestinians or occupied by Israel. The Palestinian territory is composed of discontinuous parts and there are many checkpoints and illegal Israeli settlements separating the neighborhoods. Furthermore, the Palestinian economy is dependent on foreign aid and the Israeli economy. The territorial waters and airspace are also controlled by Israel. Apart from that, the Israeli administration can take any measures for security reasons. The PA in the West Bank and Hamas in Gaza cannot regulate and provide all the necessary services for the living conditions of the Palestinian people due to the occupation. In other words, there is no effective government on the ground. In sum, domestic-international distinction becomes artificial in the Palestinian context due to the Israeli occupation and every domestic and basic issue can be internationalized easily. It can be claimed that the establishment of a sovereign Palestinian state (a future Palestinian state), which will be discussed as the dependent variable of the ground level, will make the complex two-level game of the Israeli-Palestinian conflict similar to other two-level games defined by Putnam by making the domestic-international distinction more clear. Consequently, the dynamics on the ground reflect some essential characteristics of the Palestinian case

and they will be helpful for understanding the UN level and the nature of the complex two-level game as well.

### 5.1 The dependent and independent variables of the ground level

All the developments on the ground influence the possibility of a future Palestinian state and the end result of struggle over sovereignty will be establishment or failure of a Palestinian state. Therefore, the dependent variable at the ground level is naturally a possible or future Palestinian state. The idea of two-state solution, which has constituted the main principle of the negotiations, is based on establishment of a Palestinian state (an Arab state in the beginning) besides Israel (it was defined as a Jewish state in the initial period). The Partition Plan of the UN was also based on the division of the territory between two states. Although the State of Israel was established in 1948, a Palestinian state could not still be realized after seven decades. One point that should be underlined is that a Palestinian state does not only represent an ideal of Palestinians or a Palestinian strategy but also the need for a Palestinian state as a part of two-state solution has been accepted by the external actors and it has constituted the backbone of the negotiations in the international platforms. Even the Israeli representatives declared and accepted the possibility of living side by side with a Palestinian state because of the international pressure upon Israel on that issue. However, the features of a Palestinian state are as important as the existence of a Palestinian state. Thus, accepting the idea of a Palestinian state in principle cannot be sufficient to overcome the huge challenges faced in the Israeli-Palestinian conflict. For instance, the borders of a future Palestinian state, water resources, the status of Jerusalem and the status of Palestinian refugees are directly related to the Palestinian statehood and they have long been the basic issues that could not be

resolved in the previous periods. Because of their policies and expectations towards the Israeli-Palestinian conflict, the Palestinian aspirations for a Palestinian state, the Israeli conditions and expectations for a possible Palestinian state, and the ideas of external actors for a Palestinian state do not coincide with one another. The disagreements over the features of a Palestinian state have prevented the realization of a Palestinian state on the ground and created the current impasse in negotiations. As a result, the dynamics on the ground will determine the possibility of a future Palestinian state, which is the dependent variable at the ground level, but the question of what kind of a Palestinian state will emerge in the end should also be kept in mind because the features of a Palestinian state are really significant for the evolution of the Israeli-Palestinian conflict and for the policies of all the actors.

Establishment of a Palestinian state is dependent on some factors. On the one hand, the policies of the Israeli elites and Israeli domestic politics have a great influence on the conditions related to a possible Palestinian state because of the Israeli control in the occupied territories. Israeli government and decision-makers come into prominence depending on their responsibility and their power that gives them a chance to put their policies into practice. The representatives of the opposition parties, Israeli interest groups, religious and social groups also play a role in terms of shaping the Israeli policy towards the issue; thus, they should also be taken into account as the actors on the Israeli side. Since the impacts of the domestic actors may change from issue to issue, they should be taken into account with the peculiarities of the issue and the relative influence of each actor. Therefore, various domestic actors such the Israeli elites, bureaucracy, political parties or interests groups can play different roles in different periods. On the other hand, the policies of the Palestinian groups and the Palestinian domestic politics will be considered as



another independent variable at the ground level. Due to the Israeli occupation, the domestic political field in which the Palestinian actors pursue their policies is not the same as the one in Israel. Moreover, the Hamas takeover of Gaza in 2007 consolidated the geographical and political division between the two main Palestinian groups, namely Hamas in Gaza and Fatah in the West Bank. The head of the PA, Mahmoud Abbas, represents the Palestinians in the international arena and he is considered as the legitimate leader in the eyes of the external actors. Though Hamas could get an electoral victory in 2006 elections, the Hamas leaders were not welcomed by the external actors because of their ideological background, strategies and policies. The political division between the Palestinian political groups is a reality on the ground and the policies of the Palestinian political groups should be considered as an independent variable in terms of the conditions related to a future Palestinian state. Hamas and Fatah are not the only Palestinian groups but they come to the forefront because of their significant place in the Palestinian domestic politics. One other point which should be underlined is that a future Palestinian state does not mean the same thing for all the actors and particularly the Israeli and Palestinian actors completely differ from one another on that issue.

The policies and roles of the external actors about a future Palestinian state will be analyzed as the third independent variable for the ground level in this dissertation. Apart from the regional actors, the US and the EU have played important roles in the Israeli-Palestinian conflict. Among the external actors, the US can be considered as the most important actor because of its central role especially during the negotiations and peace attempts. After the failure of peace initiatives, the role of the US has also changed but retained its importance. The US took a position in favor of Israel especially against the anti-Israeli resolutions at the UN level due to

its close relations with Israel and the importance of Israel in terms of the strategic goals of the US towards the Middle East. In addition to the US, the EU and the European states played a role in the Israeli-Palestinian conflict. It can be claimed that the EU could not transfer its financial contribution to a political role in the former periods; therefore, it could not go beyond a secondary actor in that regard. Apart from the Western actors, Russia and China began to play more active roles not only in the Middle East but also in other parts of the world. Thus, their policies towards the region and the Israeli-Palestinian conflict will be analyzed in order to understand the dynamics at the international level and their reverberations at the ground level. Lastly, Turkey's role and its stance in the Israeli-Palestinian conflict will be highlighted. As a result, the complex two-level game in the Israeli-Palestinian conflict and its complicated character make it inevitable to get the attraction of the external actors and internationalizing the conflict.

Last but not least, the developments on the ground and a future Palestinian state cannot be examined thoroughly without the influence of the regional context. When the Palestinian leader, Mahmoud Abbas, applied to the UN for full membership, the conditions on the ground were relatively more favorable for the Palestinians. The eruption of the Arab Uprisings and the likelihood of the increasing Muslim Brotherhood influence and power in the region created a window of opportunity for the Palestinian actors. The Israeli decision-makers preferred to follow a wait-and-see policy in the beginning. Put differently, the Israeli side was worried while the Arab Uprisings triggered the Palestinians to play a proactive role. However, the circumstances that were in favor of the Palestinians did not last long. The military intervention in Egypt ended the one-year Presidency of the Muslim Brotherhood in Egypt in 2013. Furthermore, the Trump administration established

very good relations with the Israeli government and unconditionally supported the Israeli actions on the ground at the cost of leaving the traditional US policies in some issues. Israel and the US, under the leadership of Trump, improved their relations with some Arab states. Therefore, the favorable conditions for the Palestinians starting with the Arab Uprisings turned upside down in just a few years. Consequently, a future Palestinian state, if it can be achieved, will emerge under the conditions of a regional context and that context will be decisive on the features of the state. Thus, it can be said that the regional context will not only influence whether a Palestinian state can be established or not but also determine what kind of a Palestinian state will be more likely in the Middle East.

In 2011, Mahmoud Abbas, the leader of the Palestinian Authority, refused the last offer for new negotiations and applied for full membership in the UN. This application was not accepted by the UN Security Council. Nevertheless, the status of Palestine was upgraded to non-member observer state with the support of an overwhelming majority of states in the 2012 UN General Assembly vote. The critical factors for the Palestinian application are of high importance for analyzing the change in the Palestinian strategy and for the current dynamics in the conflict. First and foremost, the main reason for refusing a new round of negotiations was the impasse of the previous peace talks. Negotiations between the two sides were considered as unproductive because there was lack of ambition on the Israeli side, negotiating positions were almost irreconcilable and conflicts were hard to overcome in the short-term (Zantovsky, 2012, p. 79). Thus, the Palestinian side decided to take an initiative to change the dynamics and to break the negative consequences of the status quo. Mahmoud Abbas preferred to bypass the peace process in that sense. The Palestinian leadership was accused of leaving aside the negotiating table and

pursuing unilateral way. However, the former experiences related to the Israeli-Palestinian conflict have demonstrated that it was not the first time the two sides applied to unilateral attempts. Therefore, the scholars argue that “unequal power relations and unilateral actions have been a defining component of the conflict from its very inception” (Gordon & Cohen, 2012, p. 6). It can be claimed that the actors decide to make unilateral moves either when there is a favorable regional or international context for themselves or there are favorable changes on the ground. Therefore, the Palestinian application can be considered as a result of a favorable regional context emerged during the initial period of the Arab Uprisings.

In addition to the favorable regional context, internationalizing the conflict was an opportunity to increase the support base for the Palestinian agenda and for Abbas himself. His success in that goal increased his credibility and prestige among the Palestinians. In other words, it was an opportunity for the Palestinian Authority under Abbas’s leadership for consolidating its political structure by getting the support of different actors at the international level and for getting rid of the criticisms targeted at Mahmoud Abbas and the PA. This situation preserved one fact about Abbas’s position in the Palestinian politics from the very beginning: His achievements in dealings with Israel and the international community would strengthen him domestically against his rivals within Fatah and outside. Because of the political vulnerability and the existence of rivals, Abbas had to be active in the international arena either through the attempts at the UN level or negotiations (Rabbani, 2014, p. 53). From a broader perspective, the UN bid provided advantage for the Palestinians for the next process and negotiations: “Thus, far from negating the possibility of peace negotiations, the Palestinians’ UN gambit is a strategy aimed at strengthening their negotiating posture vis-à-vis Israel and the United States while

improving the domestic stand of Abbas and his colleagues” (Elgindy, 2011, p. 108). It was not a total rejection of negotiations in that sense; instead, this attempt would “place the Palestinian voice on a higher level within the international community” (Russell, 2011, p. 3). Despite the possible risks of this unilateral attempt, the Palestinian leadership expected to get more benefits by internationalizing the issue. In sum, the Palestinian initiative should be evaluated in terms of both the domestic and international level and the mutual influences between the two levels.

One of the significant points that will be dealt with in the dissertation is the decision of the Palestinian leader to internationalize the issue by applying for full membership in the UN. It can be claimed that the change of strategy towards internationalization stemmed from a few reasons such as failure of the former peace negotiations, changes in the policies of the mediators, deterioration of conditions in case of continuation of status quo for Palestinians, and international support for Palestinians against Israel’s unilateral actions. One of the assumptions put forward in this dissertation towards the issue is the following: Palestinian initiative towards statehood in the UN did not aim at total rejection of negotiations but it targeted to return to the negotiation table on a relatively equal basis. Therefore, it can be considered as a part of the grand strategy rather than a completely new track for solution. The status quo in the Palestinian-Israeli conflict has deteriorated the living conditions of the Palestinians under the Israeli occupation. Thus, the failure of negotiations meant worse conditions rather than the maintenance of status quo. The Israeli initiatives such as building new settlements and roads in the Occupied Territories change the conditions on the ground. On the other hand, the Palestinian initiatives in the UN create only minor, if any, changes so the gap between de facto and de jure statuses widens through time. In other words, there are meaningful

reasons for changing the strategy by the Palestinians. The Palestinian application emerged as a unilateral move but it aimed to involve different actors and to bring the issue into a multilateral mechanism at the UN level. While the claims and arguments of the Palestinian side are mostly based on the UN Resolutions and international law, the Israeli and American delegates point out to the de facto situation (the facts on the ground). As a result, the Palestinian initiative towards statehood and internationalization of the issue stemmed from a combination of domestic and international factors.

The existence of meaningful reasons can explain the need for change in the strategy but it does not mean that the Palestinians can totally reject the negotiating table. The strong support of the international community in the UN votes can be encouraging for the Palestinian people towards pursuing their own strategy. However, we should always keep in mind that the support of the international community in the UN votes for Palestine is conditional and the final solution is considered as dependent on negotiations with Israel. Almost all the delegates of the other states address the two-state solution and the need for negotiations for the final solution. To put it another way, the Palestinian representatives cannot leave the negotiating table by trusting the support of other states in the UN votes. Their total rejection of negotiations will most probably end in losing their sympathy and support in the Palestinian-Israeli conflict. The only thing they can get by these initiatives is strengthening their hands on the negotiation table. It can be said that the support of the international community is a useful means for the Palestinian side so losing this powerful means will put them into a worse position. Because the status quo is unfavorable for the Palestinians and the support of the other states is dependent on the negotiations with Israel, a unilateral decision to leave the table cannot be

considered as an option for them. In other words, the cost of no agreement is really high for the Palestinians so reaching an agreement is a must for them and the negotiations still constitute the main platform for the resolution of the issue. Although the attitude of the international community shows the common will towards the two-state solution, there is no mechanism for enforcing that will into action. This situation results in continuation of status quo. Therefore, the Palestinians felt themselves under the need and misery to overcome this vicious circle and the Palestinian application for membership in the UN can be regarded as an attempt at seeking for a solution in that sense.

## 5.2 Israeli domestic politics and the views of the Israeli actors towards a Palestinian state

The State of Israel was established in a region surrounded by the Arab states in 1948. The military superiority of Israel and its victories against its Arab neighbors consolidated its position in the Middle East. After the 1967 War, Israel expanded its control and established its de facto sovereignty over the territories mostly populated by the Palestinians such as East Jerusalem, the West Bank and Gaza. Since that period, Israel has been the side for making new initiatives on the ground and the Palestinians have had to follow a defensive policy. It was mentioned that in that period, “instead of land and settlement being an instrument for attaining sovereignty, sovereignty became instrument through which land title could be obtained and the settlement project continued and expanded” (Zreik, 2011, p. 26). Moreover, the Israelis could have a chance to put their policies into practice on the territories they actively controlled. To put it another way, the Israeli policies did not only remain at the discursive level but also could create results at the ground level. There is also an

intimate relationship between the Israeli domestic politics and foreign policy. Kissinger underlines this fact by saying that “Israel has no foreign policy, only domestic politics” (Shlaim, 1995, p. 20). Because of the direct relationship, the changes in the Israeli domestic politics should be taken into account carefully in order to analyze the ground level. Israel’s reactive behavior in the international arena was explained with the domestic conditions such as complex multi-party system and breakdown of national consensus (Shlaim & Yaniv, 1980, p. 248). The right-wing, left-wing and religious parties constituted the three main groups in the Israeli politics. It was difficult to formulate a national strategy for Israel due to the existence of many political groups. The Israeli governments aim to create new facts at the ground level in order to control the developments on the negotiation table in favor of themselves. In sum, the Israeli domestic politics not only influences the circumstances on the ground but also plays a crucial role for the evolution of the complex two-level game in the Israeli-Palestinian conflict. Lastly, the expressions of the Israeli leaders about a future Palestinian state is of real importance because they reflect the Israeli negotiation strategy and the Israeli policies on the ground affect the viability of Palestinian statehood in the region. In this part, the changes in the Israeli domestic politics and the views of the Israeli actors towards a future Palestinian state will be examined.

After the establishment of the State of Israel in 1948, David Ben-Gurion became the founding Prime Minister, and successive governments of the Labor movement ruled the state until 1977. While the ruling party was Mapai in the initial period, the Israeli Labor Party was established as a result of the merger of Mapai, Ahdut HaAvoda and Rafi parties in 1968. Therefore, the parties of the Labor movement were the decisive actors in the Israeli domestic politics. Since the relations



with the Arab states were based on military struggles in the Arab-Israeli conflict, the policies of the Labor Movement reflected more hawkish measures instead of negotiations. The domestic struggle was between Jabotinsky's Revisionist Zionism and Practical or later called Labor Zionism under the leadership of Weizmann and David Ben-Gurion. Whereas the Revisionist Zionism advocated the establishment of Greater Israel on both sides of the Jordan River and rejected the partition of the territory with the Arabs, the latter group followed a more pragmatist policy and adopted a step-by-step approach by prioritizing the establishment of a Jewish state as a first step towards the Greater Israel (Ryhold & Waxman, 2008, p. 14; Shlaim, 2012, p. 84). The Labor Zionists could get the support of the Jewish people and they were the winners of the political and ideological struggle in the first period. The State of Israel was established by the Ben-Gurion and Weizmann clique. Among them, Ben-Gurion became the first Prime Minister of Israel and Weizmann served as the First President of the State of Israel. On the other hand, the Revisionist Zionism constituted the basis of the Israeli right and their influence in the Israeli domestic politics increased in the later period. In sum, the Israeli domestic politics was dominated by the leaders and parties affiliated with the Labor movement since the foundation of the State of Israel until 1977.

David Ben-Gurion is known as the founding father of the State of Israel. He was the leader of the Jewish community even before the establishment of the State. He served as the first Prime Minister and the Minister of Defense until 1963 except for a short period. Therefore, his actions and decisions played a crucial role before and during the establishment of the State. Although Ben-Gurion was bonded with the Zionist ideals at heart, he did not avoid making pragmatic choices at the critical moments. For example, Ben-Gurion advocated the idea of partition both after the

report of the Peel Commission and the UN Partition Plan. In other words, he accepted to live with a neighbor Arab state and to find a way for coexistence with the Arab population at least for a temporary period. However, his policy was not based on a genuine two-state solution. One of the main tenets of his policy was increasing the number of Jewish people by encouraging the Jewish migration to the region. For Ben-Gurion, guaranteeing the existence and security of the new state was the primary concern. In addition to this, Ben-Gurion did not hesitate to use military means in order to reach the goals of the Zionist movement. In the 1948 War, Israel could control the territory going beyond the borders mentioned in the UN Partition Plan for the State of Israel. Subsequently, Israel occupied much of the Sinai Peninsula until the involvement of the US and the Soviet Union during the Suez Crisis. In sum, Ben-Gurion's left-wing policies can be regarded as more moderate and pragmatist compared to other variants of Zionism. In terms of a possible Palestinian state in the region, Ben-Gurion was ready to coexist with such a state in exchange for the gains towards the establishment of the State of Israel and the advantages of the Jewish community.

Levi Eshkol was the successor of Ben-Gurion as the new Prime Minister of Israel. Eshkol remained in the office until his death in 1969. The most important developments in the Eshkol period were improvements in the US-Israeli relations and the 1967 June War (or the Six Day War). Eshkol could establish close relations with the American President Lyndon Johnson and his period became a milestone in the strategic alliance between the US and Israel. The US support to the Israeli military in terms of equipment contributed to the great victory of Israel in the 1967 War. Israel could prove its military superiority against the Arab armies and its strategic importance in the region. The 1967 War is considered as a turning point for

the US-Israeli relations by scholars because good relations turned into a strategic alliance or a special relationship in that period. In the Israeli domestic politics, the Israeli Labor Party was established with the merger of three parties in 1968. This party became the leader and main actor in the Israeli Left after that period. Consequently, the improvements in the US-Israeli relations and the victory in the 1967 War were the main achievements of the Eshkol period.

Golda Meir and Yitzhak Rabin were the other two Labor Party-affiliated prime ministers of Israel before the 1977 elections. Golda Meir was the first woman holding that office and known as the Iron Lady of the Israeli politics. She resigned in 1974 because of the criticisms against her about her inaction or controversial decisions especially in the initial phase of the 1973 War (the Yom Kippur War). Yitzhak Rabin was the successor of Golda Meir as the new Prime Minister of Israel. The Sinai Interim Agreement in 1975 was one of the most important developments in his first term. It can be considered as the first sign of Rabin's role in the peace process. However, the rise of right-wing policies in Israel by the 1977 elections not only changed the domestic atmosphere in Israel but also led to changes in the attitudes and negotiation strategies of the Israeli leaders in the conflict. Consequently, the period of Labor governments in Israel until 1977 coincided with the period of military struggle in the Israeli-Palestinian conflict so their relatively more moderate policies and views did not facilitate the peace attempts. The military superiority and victories of the Israeli side, the policies of the Arab states and the roles of external actors were also as important as the Labor Party dominance in the Israeli domestic politics. The ground level was the active platform of the complex two-level game in that period.

### 5.2.1 The rise of right-wing policies in the Israeli domestic politics after 1977

The 1977 elections are considered as a turning point for the transformation of the Israeli domestic politics. The Likud Party under the leadership of Menachem Begin came to power in that year. Colin Shindler tells the story of the rise of right-wing in the Israeli politics through an internal struggle within the Revisionist Zionism (Shindler, 2010, p. 7). According to Shindler, the Israeli Right shifted away from Jabotinsky's Revisionism towards Maximalist Zionism with the challenge of Begin and his supporters. Therefore, the military Zionism gained the victory in that sense. The Likud victory in the 1977 elections has started the period of right-wing governments in Israel and the relative radicalization of the Israeli society in terms of their political preferences. Yorke (1988) addresses the 1977-84 period as a watershed in Israeli politics and he claims that the militant Zionists harnessed and consolidated the effects of the 1967 War to further their ideals in that period (p. 7). Edward Said (1991) compares the developments in the Palestinian and Israeli domestic politics, and interprets the transformation as two opposite directions: Whereas Palestinian politics has evolved "from the peripheries to the center of an international consensus on coexistence with Israel as well as on statehood and self-determination", the Israeli position has followed an opposite direction which led Israel from the moderation of Labor governments to "the hardening maximalist extremism of successive Likud-dominated governments after 1977" (p. 9). This comparison is useful in order to understand the impact of the domestic politics of both sides on their positions in the period until the end of the Cold War. Obviously, the transformation of the Israeli domestic politics had reverberations on the Israeli-Palestinian conflict. For example, Labor Party "did not rule out the eventual creation of a Palestinian state" while the right-wing parties challenged all types of concessions which would destroy the

negotiations between the two sides (Noyes, 1997, p. 151). The changes in the Israeli domestic politics led to changes in the negotiation strategies of both sides and the bilateral relations between Israel and the external actors. The interactions and dynamic process between domestic politics and the international arena reflect the logic of two-level games.

Begin's premiership in Israel increased the use of ideology in the Israeli politics. For Begin, "Palestine was indivisible, land maximization was indispensable, and Jerusalem (united Jerusalem) was the eternal capital of Israel" (Balpinar, 2019, p. 125). Moreover, he was completely against the idea of a Palestinian state even in the West Bank and Gaza. On the contrary, Begin aimed to consolidate the Israeli sovereignty over the West Bank and Gaza. In terms of the relations with the Palestinians, Begin had a view towards the Palestinians based on enmity. Despite Begin's rigid ideological and political stance, his period of premiership became one of the most active periods in terms of peace attempts and negotiations. Moreover, the Egyptian President's historic visit to Israel and his speech in the Israeli Parliament, Knesset, could not produce the expected outcome. The Camp David Accords constituted the next attempt for the peace process under the mediation of the US President Jimmy Carter in 1978. The Egyptian-Israeli peace agreement was signed in March 1979. The developments in the Begin period show the dynamics of two-level game. The interactions on the ground paved the way for the Egyptian-Israeli Peace Agreement despite the failure of a comprehensive settlement of the Israeli-Palestinian conflict. These developments not only affected the regional and international arena but also shaped the Israeli, Egyptian and Palestinian domestic politics. Otherwise, it would be unexpected for the Begin government to pursue negotiations due to their ideological and political position.

Yitzhak Shamir replaced Menachem Begin as the new Prime Minister of Israel in 1983. His ideological view was not very different from Begin's view. Yitzhak Shamir was completely against the idea of a possible Palestinian state so the struggle against a Palestinian state was part of the Israeli policy in his period. In fact, even the leading members of the Labor Party were against the establishment of a sovereign Palestinian state in the region. Shamir advocated resolving the issue through the unilateral actions of Israel instead of internationalizing it. However, the emergence of a general Arab Uprising called the First Intifada changed the dynamics on the ground. The Shamir government reacted to the Intifada by using military power so the level of tension between the two sides increased to a great extent. In spite of the developments in the international arena, Shamir preferred to pursue its own policy by preparing a plan called Shamir Plan. Shamir always advocated peace for peace formula and rejected the idea of land for peace. However, the Israeli public opinion began to change in favor of peace attempts instead of maintaining traditional ideological position. In the regional affairs, the increasing strategic importance of Israel for the US foreign policy after the Iranian Revolution and in the last years of the Cold War context created favorable conditions for Israel. Moreover, the Egyptian-Israeli Peace Agreement broke the Arab unity against Israel and the international pressure was not as high as it was before. Thus, the regional and international context created a better atmosphere to pursue its own strategies and policies for Israel.

In the Israeli domestic politics, the 1992 elections opened a new phase for the negotiations. Yitzhak Rabin from the Labor Party came to power for the second time. Compared to Shamir's ideological and right-wing view, Rabin had a more realist and pragmatist profile. Rabin's government was one of the most dovish governments in

the history of the Israeli politics (Shlaim, 1994, p. 6). Rabin promised to normalize the relations with the Arab neighbors and to make an agreement with the Palestinians about the settlement of the conflict during the election campaign. These promises were in line with the expectations of the majority of the Israeli people in that period and provided the electoral success for the Labor Party. It can be regarded as a watershed for the Israeli politics after the Likud Party governments.

The differences between the Likud Party and the Labor Party should be noted in order to understand the change in the Israeli domestic politics. Although they had certain similarities such as their “blind spot” for the Palestinians, their opposition to Palestinian nationalism and denial of Palestinians’ right to self-determination, and their negative view towards the PLO, there were also crucial differences particularly on their policies about the negotiations (Shlaim, 1994, p. 6). The Likud’s ideology based on the idea of Greater Israel left almost no room for negotiations and they were completely against a Palestinian state and land for peace policy; hence, their proposal could not go beyond limited autonomy, which was not attributed to the land but to the people. On the other hand, the Labor Party was “a pragmatic party which places security above all other values” so Israel’s security, not the Land of Israel, is considered as sacred by the Labor Party (Shlaim, 1995, p. 21). The prevailing assumption among the Arabs about the existence of only little difference between the Labor and Likud parties was not correct for all issues and contexts (Telhami, 1999, p. 389). The improvements in the negotiations during the Labor Party governments compared to Likud Party governments were not coincidence in that sense. The succession of the Labor Party under the leadership of Rabin in the Israeli politics opened the way for the next round of negotiations.

For Rabin, the Israeli security was the ultimate concern and he aimed “to overcome the sense of isolation” for Israel through negotiations (Shlaim, 1994, p. 13). The role of Shimon Peres in the Oslo negotiations is of crucial importance besides Rabin. In August 1993, the two sides signed the Declaration of Principles which had a historic meaning for the conflict. By signing this declaration, the PLO and Israel officially recognized each other. Israel also recognized the Palestinians as a people through that declaration. The Oslo agreement was far from a genuine two-state solution which would satisfy the demands of the Palestinians. The Israeli delegation aimed to institutionalize the cantonization of the Palestinian society through the Oslo agreement.

Rabin aimed to guarantee the Israeli security and demography in a consolidated manner through a peace agreement. He also allowed increasing the number of the Jewish settlements in order to prevent the pressure of the nationalist and right-wing groups over his government. The settlements turned into a part of “incremental method” and a kind of “compensatory action” for the attempts at the negotiation level (Agha & Malley, 2002, p. 11). Moreover, Bishara underlines one other aspect of the dominance of the right-wing politics in Israel: “It has always been the Left of the political spectrum that goes to war, and when it does, it always plays in the hands of the Right” (Rabbani, 2009, p 41). Put differently, the left-wing politicians pursued some military-based policies in order to attract the nationalist or potentially right-wing voters but these policies triggered the nationalist sentiment in the Israeli society and paved the way for the dominance of the right-wing policies in Israel.

Despite Rabin’s compensatory policies, his policy based on land for peace and his attempts for the peace process led to reaction among the nationalist and



religious people and he was assassinated by a fanatic Jew in November 1995. His commitment to the peace process and pragmatist leadership could not contribute to a comprehensive settlement of the Israeli-Palestinian conflict. Moreover, the negotiations almost came to a halt because of his assassination. Many scholars considered Rabin's assassination as the end of negotiations and possibility of a peaceful solution for the conflict.

In the 1996 elections, Benjamin Netanyahu, the leader of the Likud Party, came to power. He was known with his hawkish ideas and policies, and he was against the idea of land for peace. Netanyahu was personally against the Oslo process. His main concern was the Israeli security and he formulated his policy as "a secured peace". Because of the growing gap between the Netanyahu discourse and the realities on the ground, Netanyahu decided to continue the negotiations with the Palestinians. His unwilling participation in the negotiations and signing the Wye River Memorandum increased criticisms against Netanyahu. As a result, he could not put his policies into practice in his first term in the office. His position of being stuck between the right-wing discourse and the realities on the ground could not produce a coherent policy in his first period and he lost the 1999 elections against Ehud Barak's Labor Party. Netanyahu's first term indicates the impact of interactions between the ground level and the negotiations.

Ehud Barak declared to maintain Rabin's policies during the electoral campaign despite his doubts about the Oslo process. Although there were no concrete proposals in the Israeli side and the unresolved main issues, Barak became the first Israeli Prime Minister who openly mentioned "a Palestinian state" (Balpinar, 2019, p. 248). As a result, he made a discursive and symbolic change but there was no radical change in the Israeli policy in the Barak period.

The negotiations in Camp David under the mediation of the US President Bill Clinton ended in failure in 2000. The international actors generally blamed Arafat because of his attitude during the negotiations. However, it should be emphasized that Arafat had very little room to maneuver during the negotiations. The feeling of despair and the condition of uncertainty contributed to increase in the level of tension and violence in the following period. A visit to al-Aqsa by Ariel Sharon, the leader of the Likud Party in that period, erupted a general uprising called the Second Intifada, al-Aqsa Intifada, in that context.

Barak was defeated by Ariel Sharon's Likud Party in 2001 elections and it has become the beginning of Likud Party governments for the next period. Ariel Sharon was known for his radical stance and ideological view about the Israeli-Palestinian conflict. He was against not only the Oslo process but also a sovereign Palestinian state in the region. However, the wave of violence especially after the Second Intifada and acts of suicide bombings by the Palestinian groups created a security threat for Israel. Besides his radical stance, Sharon was a pragmatist leader. Despite his personal unwillingness, he was aware of the need for a Palestinian state and he declared to recognize it on the condition of the guarantee for Israeli security. For him, the security of Israel was the major concern and a possible Palestinian state would certainly be a demilitarized one. The September 11 events led to a radical transformation of the US discourse towards the Middle East and policy shifts about the conflict. The US President George W. Bush declared the need for "a viable Palestinian state" for the resolution of the conflict and he became the first US President in that sense (Telhami, 2004, p. 10). Bush also declared the US support for two-state solution in the UN General Assembly and the US began to play a more active role in the Middle East peace process in that period.

After the suicide bombings of some Palestinian groups such as Hamas and the Islamic Jihad, the Israeli security concerns were highlighted in that context and these concerns influenced the Israeli policy. In addition to starting the Operation Defensive Shield, the Sharon government began to build a security fence going beyond the Green Line. The security fence would separate the two communities physically and isolate the Palestinians on a small and fragmented territory. Israel built many checkpoints in the region so the Palestinian society began to live in a lot of cantons after that period. In other words, the Israeli policy based on establishing a security fence and checkpoints around it led to the cantonization of the territory and created a new *fait accompli* for the Israeli-Palestinian conflict. In sum, the Sharon government made important unilateral changes on the ground as a reaction to the increasing violence in the context of the Second Intifada. The unilateral actions of Israel in that period led to permanent changes in the living conditions of the Palestinians.

In the international arena, the US, Russia, the EU, and the UN established the Middle East Quartet for coordination of the Middle East Peace Process. They declared the Roadmap Plan as the basis of their goals and strategies. The Roadmap Plan included a viable Palestinian state besides Israel. In that political context, Sharon declared his acceptance of the idea of a Palestinian state before the 2003 elections in Israel despite the previous opposition of the Likud Party. However, a Palestinian state, in Sharon's mind, would be economically dependent to Israel and composed of physically separated cantons just like the Bantustan model in South Africa (Balpinar, 2019, p. 300). Consequently, Sharon's declaration about "a future Palestinian state" would have features determined in accordance with the Israeli security concerns rather than the demands of the Palestinian people.

Israel under the leadership of Sharon preferred to make a unilateral action instead of pursuing negotiations. Sharon declared the Israeli policy towards unilateral disengagement from Gaza. It had a significant symbolic meaning because it meant the first evacuation of the Israeli settlements. Since Israel was the powerful side on the ground, making little concessions in accordance with their political and military strategies were preferable for the Israeli leaders instead internationalization of the issue. The plan for disengagement from Gaza led to a right-wing opposition against Sharon as well (Makovsky, 2005, p. 54). The building of the security fence continued throughout that process. However, the ICJ decided that the Israeli security fence was a violation of the international law in July 2004. Israel's unilateral disengagement from Gaza was accomplished by August 2005. The Sharon government tried to appease the security concerns of the Israeli people by physical separation of two communities.

According to Sharon, a Palestinian state would be established in the small territory already populated by Palestinians instead of getting more land through negotiations. Sharon's conception of two-state solution was not very different from the proposal of limited autonomy in content. It would be a cantonized state composed of two main bodies in the West Bank and Gaza. Nevertheless, the idea of Palestinian statehood had been normalized in the Israeli public opinion in that period and "the question of whether there will be a Palestinian state has been replaced by questions about where the Palestinian state will be, the nature of statehood, and the conditions under which the state will be created" (Levy, 2005, p. 26). Consequently, the conditions and developments on the ground were more prominent in the Sharon period and Sharon aimed to put his policy into practice through unilateral actions. Sharon decided to leave the Likud Party and established Kadima Party in November

2005 as a result of criticisms against the unilateral disengagement from Gaza.

Therefore, Sharon's policy led to a change and division in the Israeli Right.

After the political division between the Palestinian groups, Israel continued the negotiations with the PA. On the other hand, there were military conflicts with Hamas in Gaza. Before the elections, Israel started a large scale military operation called Operation Cast Lead in December 2008. Israel not only targeted the violent actions of Hamas but also aimed to remove the expectations for a possible Palestinian state. Operation Cast Lead was made in the period in which there were negotiations between Israel and Syria under the mediation of Turkey. Therefore, Israel's large-scale operation against Gaza became one of the reasons for deterioration in the Turkish-Israeli relations. In sum, Israel pursued negotiations with the PA while it targeted Hamas militarily in the Olmert period.

In the 2009 elections, Benjamin Netanyahu's Likud Party gained a victory and Netanyahu, who is also called Bibi, became the Prime Minister of Israel for the second time. He has remained in the office until today so his policies determined the Israeli discourse and actions in that long period. Netanyahu had a hawkish stance and political background compared to his competitors. He believed the necessity of increasing the Israeli control on the ground. Security concerns of Israel and recognition of Israel as a Jewish state were important issues in Netanyahu's political agenda. A future Palestinian state and two-state solution were not among his priorities. Unlike Sharon, Netanyahu was not a pragmatic leader so he did not make promises for a comprehensive settlement. It should be underlined that the cost of no agreement was always high for the Palestinians and the Israeli leaders could only make concessions or pursue negotiations under international pressure. When the Arab Uprisings erupted in Tunisia and spread to the other parts of the region, there

was a deadlock in negotiations. Moreover, the Arab Uprisings changed the dynamics and balance of power in the region. As a result, the Netanyahu government's ideological perspective and uncompromising attitude created a stalemate in the negotiations, and this situation led to the unilateral initiative of the Palestinians in the context of the Arab Uprisings. The Palestinian application to the UN for full membership activated the UN level in that context.

The Israeli policy in the Netanyahu period and the Israeli actions on the ground lessened the hopes for two-state solution. While the Israeli government aimed to change the dynamics on the ground in favor of themselves, the Palestinian actors increased their attempts at the UN level and tried to gain international support for the Palestinian statehood. The Palestinian groups, Fatah and Hamas, agreed on a reconciliation government in 2012. Israel, as a reaction, started a military operation called Operation Pillar of Defense in November 2012 in order to punish the Palestinian groups. Although the Palestinian application for UN membership was not accepted by the Security Council, the UN General Assembly adopted a resolution which upgraded the status of Palestine to non-member observer state. The Israeli operation, Operation Pillar of Defense, was made just a few weeks before the General Assembly vote on the status of Palestine. One of the most alarming results of the UN General Assembly vote was the fact that the new status of Palestine opened the way for a Palestinian application to the ICJ about war crimes against Israel.

In terms of a future Palestinian state, Netanyahu considered it as a demilitarized state whose security, borders, air space and military capacity would be under Israeli control. In other words, a future Palestinian state would not be sovereign and it would be designed in accordance with the Israeli security concerns. The declaration of national unity government between Hamas and Fatah meant the

end of negotiations for Israel. In other words, Israel openly supported the political division between the Palestinian groups and preferred the PA as a better alternative for the negotiations. Unilateral actions became the main mechanism for the next period. The Netanyahu government turned again to its hard power-based policy and started the Operation Protective Edge in July 2014. The military forces of Israel targeted the Hamas leaders and military equipment in that operation. The last months of the Obama period could not create a momentum about the peace process. On the contrary, the rocky relations between Obama and Netanyahu were observed with the US voting behavior in the UN Security Council. In the last days of the Obama period, the UN Security Council adopted the Resolution 2334. The issue of Israeli settlements had created problems in the US-Israeli relations during the Obama period so the UN vote constituted the last example of these problems.

Donald Trump's election as the US President changed the atmosphere in the US-Israeli relations. Netanyahu could find a better context to put his policies into practice with the alliance of the new US administration. The close relations between the US and Israel in the Trump period and Trump's policies in favor of Israel played a legitimizing role for the Israeli policies in the region despite the criticisms against those policies. Changing regional context after the Arab Uprisings, improving relations with some Gulf monarchies, the unconditional support of the Trump administration and the electoral success of Netanyahu in the domestic politics created a very favorable context for Israel and its allies. Deal of the Century was the product of this favorable context, and the US, Israel and their allies aimed to impose their proposal in the region.

### 5.2.2 The Israeli discourse on a future Palestinian state

The Israeli discourse about the settlement of the core issues of the Israeli-Palestinian conflict has changed during the period of the negotiations. While Israel did not recognize Palestinians as a people and the PLO as the representative of Palestinians for a long time, it had to revise its discourse and policies under the influence of the new context. The Oslo Agreement and the Declaration of Principles became the moment of “mutual recognition” (Jamal, 2000, p. 36). Israel’s proposal in this period did not go beyond a limited autonomy for the Palestinian-populated parts of the West Bank and Gaza. The Israeli-Palestinian conflict was based on “two divergent political projects, namely an Israeli vision of limited autonomy and a Palestinian vision of self-determination,” starting with that period (Anziska, 2018, p. 299). Begin declared his autonomy proposal before the Camp David Accords in 1977. However, Begin’s autonomy proposal was based on a limited self-government in terms of “the source, extent, and scope of the administrative council’s authority” because the Israeli military government would remain in existence, and autonomy would be conceded for the people, the Arab inhabitants in the region, not for the territory (Heller, 1979-1980, pp. 118-119). In other words, the administrative council would have almost no authority and power. Furthermore, it was far from preparing the ground for a future Palestinian state under the framework of two-state solution. The Likud policy under the leadership of Begin and Shamir was consistent in terms of its ideological commitment to the idea of the Greater Israel. However, the First Intifada changed the moderates’ view of autonomy in the Israeli domestic politics because they no longer saw autonomy as a viable option (Rynhold & Waxman, 2008, 21). The First Intifada not only led to politicization of the Palestinian society and



Palestinianization of the conflict but also created a huge challenge against Israel with the rise of Islamist groups, including Hamas.

The Oslo Accords led to divisions within the Likud Party. Although Israel recognized Palestinians as a “people” with the Declaration of Principles and the exchange of letters between the leaders, the Israeli government did not mention the “rights” of Palestinians and “the Israeli proposal for local autonomy still assumed the Palestinians of the occupied territories to be disconnected from the Palestinian problem” (Jamal, 2000, pp. 43-49). To put it another way, the autonomy proposal aimed at physical and political separation of people. There was a conditional partnership between Israel and the PA in that period. From the perspective of the Israeli decision-makers, the existence of PA was meaningful as long as it served the Israeli security and prevented the terrorist attacks from targeting the Israeli people (Jamal, 2000, p. 45). Therefore, the Israeli discourse on limited autonomy for the Palestinians in the West Bank and Gaza did not change in many respects.

In spite of the relative consistency in the Israeli politics, the Israeli decision-makers had to make a choice between keeping the Jewish character of the state and the idea of Greater Israel after the First Intifada and the Oslo process. They pursued a more pragmatic policy at that moment and decided to make partial concessions from the territory that was not significant for the Greater Israel. More importantly, the moderate actors in the Israeli actors began to talk about disengagement from Gaza. Despite his ideological and rigid stance, Netanyahu was the first Likud leader who publicly declared a partition plan (Rynhold & Waxman, 2008, p. 22). Parallel to the ideological change within the Likud Party and Israeli politics, Israel accomplished unilateral disengagement from Gaza in the Sharon period. The need for keeping the Jewish majority in Israel was the major concern lying behind this policy. Moreover,

Sharon also became the first Israeli Prime Minister who publicly accepted the creation of a Palestinian state. Consequently, there had been an ideological change in the Israeli domestic politics starting with the First Intifada and the Oslo process.

In the 2009 elections, Yiftachel describes the Israeli domestic politics based on the three main political groups. In terms of their views about a future Palestinian state, the colonialist bloc, including the Likud and the major Jewish religious parties, was opposed to the establishment of a Palestinian state. The ethnocratic bloc, including the centrist parties such as Labor and Kadima, supported the need for a two-state solution. Lastly, the democratic bloc, including the small leftist-liberal Zionist party Meretz and the Arab parties, supported a fully independent Palestinian state on all the occupied territories (Yiftachel, 2009, pp. 78-79). The marginal role of the democratic group, and Netanyahu's election as the new Prime Minister determined the Israeli policy towards a future Palestinian state in the following period.

Israel has made a considerable effort to create facts on the ground and to make the implementation of the Security Council Resolution 242 impossible. The extensive Israeli settlements and road network, Israel's refusal to withdraw its de facto control on the whole Jerusalem have been among the unilateral attempts that made the establishment of a future Palestinian state really difficult. As a result of them, what has been offered to the Palestinians is a "Bantustan state" that includes limited amount of political independence, territorial integrity, and sovereign rights (Falk, 2007, p. 47). In another conceptualization of the administration in the territory, it was called "apartheid of a special type" because of the differences with the apartheid regime in the South Africa (Greenstein, 2019, p. 89). Another concept that is used in order to describe the administration in the occupied territories has been

“settler colonialism”. The parameters of the settler colonialism were presented as: “A more technologically and militarily powerful entity imposing itself on less powerful and less technologically sophisticated communities and appending their economy to that of the settlers and their metropole” (Peteet, 2016, p. 32). This description fits the circumstances in today’s Palestine (the Occupied Territories) and indicates the reasons why it resembles other cases of settler colonialism in the Americas, Australia, and South Africa. The Israeli measures aiming to establish facts on the ground have contributed to a “matrix of control”. This matrix of control includes settlements, closure, separation barrier, planning, making new laws, controlling the water resources, and establishing cantons besides other practices (Halper, 2006, p. 46). Consequently, these changes on the ground not only affect the daily lives of the Palestinian people inhabiting in the territory but also create new difficulties for the establishment and sustainability of a possible Palestinian state.

There are some pessimistic views among scholars about a Palestinian state because of the limited change on the ground and deteriorating conditions: “The state the Palestinians will be granted won’t be the one they have demanded for the last two decades. The result is more likely to be Netanyahu’s abridged version of it” (Rumley & Tibon, 2015, p. 87). A Hamas spokesperson described the Israeli view for a future Palestinian state as follows: “It’s a state of zones. An area here and an area there that is surrounded by the Israelis; a state that controls less than 40 percent of the West Bank” (Ghazzal, 2005, p. 194). Netanyahu’s strategy was based on lowering expectations on the Palestinian side and giving a small portion of their aspirations. Regardless of the ideological background of the Israeli governments, the policies towards a Palestinian state have shown strategic continuity. The Israeli policy about a Palestinian state was declared by Menachem Begin at Camp David negotiations as

such: “Under no condition can a Palestinian state be created” (Falk, 2013, p. 75). Bishara described a future Palestinian state in the eyes of the Israeli politicians as “a package deal without the return of refugees, without Jerusalem, but with land exchange” (Rabbani, 2009, p. 53). The “land exchange” mentioned here aims at demographic separation. The Israeli politicians had to mention a Palestinian state under the international pressure but they basically implied “a nonviable Palestinian statelet” instead of a sovereign and independent state. This formulation turned into a state policy. For instance, Sharon’s conception of a Palestinian state was not very much different from Netanyahu’s and it was similar to the sub-sovereign Bantustan model of the apartheid South Africa because it did not imply a return to 1967 line and full sovereignty for Palestinians (Le More, 2005, p. 990). At the bright side of the situation, Israeli leaders have long recognized the necessity of a Palestinian state as early as 2005 and it was declared by Sharon in the UN General Assembly. It was also mentioned in the secret negotiations during the Olmert period, and Netanyahu, also, accepted a demilitarized Palestinian state (Daoudi, 2009, p. 538; Maoz, 2013, pp. 38-39). Netanyahu described the Palestinian state in his mind as “a demilitarized state recognizing the Jewish state” in his speech addressed to the UN General Assembly after the Palestinian application for UN membership (“Israeli PM”, 2011, p. 219). In addition to this, Netanyahu proposed some more details about a possible Palestinian state. He underlined the need for international supervision in order to prevent smuggling of weaponry, and curtailment of the freedom of airspace due to possible attacks against Israeli targets (Cohen-Almagor, 2012, p. 389). These points can be considered as some preconditions for a future Palestinian state. There is no doubt that increasing the number of preconditions would make the realization of a Palestinian state more difficult and it was part of the Israeli strategy in that regard.

From the very foundation of the State of Israel, the Israelis have felt themselves under security threats and containment by hostile Arab communities. It has turned into a kind of ontological problem, which was exacerbated by long term military struggles with the Arab states. Security has been at the top of priorities for the Israeli state and an integral part of the Israeli self-perception so they considered the Israeli-Palestinian conflict and a possible Palestinian state from that perspective (Greenstein, 2019, p. 90; Rabbani, 2009, p. 39). The Israelis were “prone to securitization” of the issue in that sense (Moeller, 2000, p. 78). In terms of the discursive aspect of the securitization, Israel’s depiction of Palestinians “through the lens of risk, threat and national security” reinforces the existing perception among the Israeli leaders and Israeli citizens (Peteet, 2016, p. 30). The Israeli decision-makers needed to encircle the Palestinian communities in the territories over which they claimed sovereignty and they codified Palestinian people as the source of security threat. Because of the blockade on Gaza, it comes into prominence about the encirclement by Israel but the same logic applies in the West Bank as well. It was argued that the Israeli policies towards the region are fundamentally the same for both areas and the difference is just a matter of degree, temporal rather than qualitative (Bowman, 2015, p. 11). As a result, the security-based approach and strategies of the Israeli decision-makers blocked more rational and livable proposals for a Palestinian state in the negotiations.

On the other hand, there are some scholars looking from other perspectives showing the relationship between Israel’s security-oriented policies and Palestinians’ demands. According to them, Israelis’ security concerns cannot be met without providing some satisfaction of the Palestinian demands because such a one-sided view or policy will lack legitimacy in the eyes of Palestinians (Mead, 2009, p. 67).

To put it another way, the Israeli policy expecting security cannot be thought independently of the eradication of sources of the security threats against them. From Israel's perspective, "a Palestinian state should exercise its authority over its citizens so that it will have the monopoly on the use force; it will provide well-being and security of the population; and it should fulfill its obligations towards its neighbors" (Michael & Fishman, 2012, p. 24). In other words, Israel expects such a Palestinian state that it will control all sources of violence targeting Israel with the help of its own authority and power (Kaplan, 2008, p. 53). Otherwise, a Palestinian state would mean another destabilizing force in the region. However, security has to be considered as an integral concept including political, social, economic and environmental as well as military dimensions (Sayigh, 1995, p. 10). Therefore, security in the region is dependent on the strength of the state agencies and it naturally requires a relatively strong state. It means that the demilitarization of a future Palestinian state will block the chances for removing the security threats by that state.

The primacy of security has been emphasized by many scholars for a Palestinian state. More importantly, the security issue has not been considered just a domestic issue. On the contrary, the security establishment of a Palestinian state has been taken into account as a matter of ensuring security within its own borders, enhancing Israel's security and contributing to the regional security in general (Hunter & Jones, 2004, p. 204). Thus, security issue is a constituent element for a Palestinian state. Obviously, a Palestinian state could not survive without minimally peaceful relations with Israel (Bishara, 1999, p. 11). In other words, there needs to be peaceful coexistence for the implementation of two-state solution in the region. Because of the high concerns and worries of the Israelis, it was proposed that the

Palestinian state must be limited and constrained such that it would enhance the security of Israel rather than creating a security threat (Slater, 1991, p. 412). For instance, it was mentioned that “the State of Palestine has no alternative other than to be to some extent demilitarized” (Segal, 1989, p. 22). Bishara claims that “unassailable military superiority” is considered as a precondition for peace by the Israeli decision-makers (Rabbani, 2009, p. 39). The only exception for the demilitarization of a Palestinian state was considered as the existence of security forces for providing internal security, and the defense of this state would be guaranteed by international actors (Khalidi, 1991, p. 14). However, it was also argued that the absence of an army, which is an essential component of sovereignty of a state, and a completely demilitarized state will be unacceptable for the Palestinians (Yorke, 1979, p. 17). Whereas the majority of Israelis have supported a demilitarized state, only about one third of the Palestinians have expressed their support for such a state which reflected the zero-sum logic in the public opinion as well (Shamir & Shikaki, 2005, p. 322). Slater (1997-1998) has named the three most important potential threats against which a limited Palestinian state would enhance Israeli security as “terrorism, future Palestinian irredentism, or an attack by one or more powerful Arab states in alliance with Palestine” (pp. 680-681). Among them, the third element does not seem relevant for the current context but they all may come into prominence as long as the Israeli-Palestinian conflict cannot end in a comprehensive solution.

During the peace process, the Israeli representatives seemed non-negotiable about the issues related to security because of their demands for guaranteeing their security so they supported the idea that a Palestinian state would have no armed forces and only a limited internal security force (Martin, 2002, p. 31). Because of the

possible limitations in terms of material capabilities and other aspects of sovereignty, “flawed sovereignty” and “structural weakness” have been considered as the intrinsic characteristics of any Palestinian state (Sayigh, 1995, p. 7). Obviously, this description limits the sovereignty and capability of a state so the Palestinians challenged this proposal. Therefore, the need for “an international security plan” for establishing a Palestinian state and settlement of the issue has been emphasized by the scholars (Yorke, 1990, p. 115). As a result, the security issue should be considered as a constituent element for a Palestinian state and the demands of both sides about security should be met in order to create stability in the region.

On the other hand, there are some other facets of the reality that are in favor of the Palestinians. Although the number of Jewish people outweighs the Palestinian population living in the region (West Bank, Gaza and East Jerusalem) now, the population estimates show that the number of Palestinians will be higher in less than two decades (Unger, 2008, p. 60). The demographic balance in these territories is one of the main concerns which can shape the Israeli policies. Most scholars defend the idea that a democratic bi-national state option is unlikely and unacceptable for Israel because of the demographic reasons. In addition to this, the demographic changes may put Israel into a more difficult position in a near future and the status quo may not be more favorable after that period. There are some views arguing that Palestinians should assert their civil rights through peaceful movements which will lead the Israeli decision-makers to recalculate their positions and unsustainability of the status quo forever. Put differently, the costs of continuing occupation will most probably be higher for Israel in the future. If there emerges some other developments in the regional dynamics or in the international support in favor of the Palestinians, they may shift the Israeli policy regarding a Palestinian state. When the demographic



reality is added to a favorable regional or international context, Israel may feel pressure for resolution of the conflict. As a result, the cost of no agreement can be higher for the Israeli people and governments in such a context.

### 5.3 Palestinian domestic politics and views of the Palestinian actors towards a Palestinian state

The occupied territories have long been under the control of Israel and developments on the ground were mostly dependent on the Israeli actions because of the Israeli superiority and dominant position in the region. However, the Palestinian groups and the Palestinian political field should be taken into account as the other side of the conflict. Since military struggle has gone hand in hand with the negotiations and the attempts at the UN level, the policies, strategies and actions of the Palestinian groups have been as important as their Israeli counterparts. Despite the fact that the Palestinian actors resemble the Israeli actors in terms of their relevance and significance for the developments on the ground, their features and the context in which they have to act have been very different. While the State of Israel and the Israeli governments represent the Israeli people in the international arena, the absence of a state on the Palestinian side creates more problems for the Palestinian people. The PLO was accepted as “the sole legitimate representative of the Palestinian people” by the UN and some other regional and international institutions and it participated in the negotiations on behalf of the Palestinians in the previous period. After that, the PA as an interim body of self-rule was established in accordance with the decisions of the Oslo Accords. Therefore, the two representatives, the PLO and the PA, have been recognized as legitimate bodies in the international arena. In spite of their international legitimacy, there have emerged

some challenging actors among the Palestinian people and they have reshaped the Palestinian domestic politics. The Islamic groups such as Hamas (the Islamic Resistance Movement) and the Islamic Jihad were the prominent examples of the challenging groups.

The rise of Islamic groups has transformed the Palestinian political field and their increasing role not only affected their relations with Fatah and the PLO factions but also constituted another front in the struggle against Israel. While the Islamic Jihad advocated and adopted a strategy based on armed struggle for the liberation of Palestine, Hamas turned into an important actor in the military and political struggle (Wheatley, 2011, p. 159). The views of the Islamic groups towards a future Palestinian state and the State of Israel were also different from the ones belonging to the Fatah group. As a result, the rise of Islamic groups and the emergence of challenging actors diversified the Palestinian struggle against Israel and changed the conditions on the ground. The political and geographical division within the Palestinian actors affected not only Palestinian domestic politics but also the relations with the external actors and the representation of the Palestinians in the international arena. The external actors also establish different kinds of relations with the Palestinian actors; hence, the internal division leads to new interactions in the complex two-level game of the Israeli-Palestinian conflict. The role and policies of the Palestinian actors will be analyzed as an important variable at the ground level.

#### 5.3.1 The PLO and Fatah

The PLO was set up in May 1964 by Ahmad al-Shuqayri, and it gained the upper hand in the Palestinian politics as the representative of the Palestinian people by 1974. The PLO was an umbrella organization which included at least nine different

Palestinian factions. Among them, there were three major groupings, namely “ ‘the rejectionist’ or anti-Arafat opposition; the ‘loyal opposition’ formed by the Popular Front for the Liberation of Palestine (PFLP) and the Democratic Front for the Liberation of Palestine (DFLP); and Fateh” (Sayigh, 1989, p. 249). The anti-Arafat opposition aimed to overthrow Arafat in order to reach their goals but their role was marginalized in the 1980s while Arafat consolidated his power base and became the only decision-maker of the movement. The “loyal opposition” groups, PFLP and DFLP, expressed their opposition against Fatah but did not question the leadership position of Arafat. They continued to play a minor role in the decision-making processes of the PLO and could get the support of some people in the Occupied Territories and the diaspora. However, the internal struggle within the PLO ended in “the decline of consensus politics and shift to majority politics” (Sayigh, 1989, pp. 254-255). Therefore, the process contributed to the consolidation of Fatah’s position as the most important and predominant group among the PLO factions, and the unquestionable leadership of Yasser Arafat.

Although the military wing of the PLO came into prominence because of the clashes with the Israeli forces, it emerged as a “predominantly civilian organization” (Khalidi, 1991, p. 10). There is no doubt that it was difficult to highlight the civilian components under the continuing Israeli occupation and the Israeli-Palestinian conflict. The predominance of Fatah and the role of other guerilla groups created the merge of Palestinian nationalism and the guerilla movement among the Palestinians in the later period. After that, the PLO and Fatah have been used interchangeably in most cases. Fatah’s success, in that sense, stemmed from a number of factors such as “its size, its Palestinian nationalism with non-ideological (secular) agenda, leadership and strategy” (Howard, 2016, p. 92). Edward Said (1991) points out Yasser Arafat’s

domination in the post-Shukairy PLO and addresses the other circles of influence starting with the early period such as “the Gulf, the Iranian Revolution and the Khomeini regime, the link between the Palestinian struggle and many oppositional movements within the Arab world, and the world of liberation movements” (p. 7). It can be claimed that the PLO has turned into a collective body representing the Palestinians and establishing relations with other actors interested in the Israeli-Palestinian conflict. With the emergence of an actor, the PLO, legitimately acting on behalf of the Palestinians by the approvals in the international platforms, the struggle turned into a Palestinian-Israeli conflict rather than an Arab-Israeli conflict. The Arab states began to implement different policies towards Israel instead of acting as a common front. The leader of the PLO, Yasser Arafat, began to act as the representative of the Palestinians after that period. He participated in the UN General Assembly session on behalf of the Palestinians and he made his famous “freedom fighter’s gun and olive branch” speech (Bennis, 1997, p. 55; “Palestine at the United Nations”, 1975, p. 192). From then on, the PLO acted as the representative of the Palestinian people in the international arena and Yasser Arafat became the personified symbol of the Palestinian cause.

Yasser Arafat played an important role in the Palestinian politics not only as a leader during the military conflict against Israel but also as a representative of the Palestinian people in the negotiations. Because of his leading role in such a historic moment, he turned into an iconic actor for the Palestinians. Nevertheless, there were harsh criticisms against Arafat due to his strategy during the negotiations and especially for his administration style as the leader of the PA after the Oslo process. It is necessary to take into account the impact of the context and power balance in order to evaluate Arafat’s performance as a representative of the Palestinian people

on the negotiation table and as the leader of the Palestinians on the ground. On the one hand, there were many negotiation attempts in the Arafat period after the Arab-Israeli wars. After the PLO was accepted as “the sole legitimate representative of the Palestinians” by the UN and other regional and international actors by 1974, Arafat participated in the negotiations on behalf of the Palestinian people for several times. In some cases, Arafat was accused of leaving the negotiation table due to his uncompromising attitude especially by the Israeli delegates. However, it should be noted here that Arafat could never participate in the negotiations as an equal actor with his counterpart on the negotiation table. While the Israeli delegations spoke on behalf of the State of Israel, Palestinians could not establish their independent state. Furthermore, there was a huge power asymmetry on the ground so Arafat had to remain in a defensive position in which he was expected to make concessions in exchange for either small gains or nothing. In other words, Arafat had to represent the Palestinian cause in a powerless and unequal position. The expectations of other Arab states and Arab people in the Middle East as well as the Palestinian refugees in different countries created new sources of pressure. The behavior of Arafat can be named as “involuntary defection” in Putnam’s conceptualization. Putnam (1988) underlines that “the smaller the win-sets, the greater the risk of involuntary defection” (p. 439). As a result, it will be unfair to put all the blame on Arafat because of his limited room to maneuver during the negotiations. The main issues in the Israeli-Palestinian conflict have not been resolved after Yasser Arafat’s death either so Arafat’s negotiation strategy can only be regarded as one part of the failure of the negotiations, not the main reason.

On the other hand, Arafat’s performance as the leader of the PA caused many criticisms. The policies of the PA were far from satisfying the demands of the

Palestinians living in the region. Instead, the administration of the PA turned into a mechanism of consolidating the domestic power and filling the bureaucratic and administrative posts by the Fatah members and some other PLO members in a lesser degree. Moreover, the PA became the center of nepotism and corruption in the later period. It can be claimed that the establishment of the PA could have been used as a window of opportunity for preparing the ground and building the necessary institutions and infrastructure in order to reach the goal of an independent Palestinian state. Despite the limited political and economic power of the PA, it could control the financial resources assigned to the Palestinians. Of course, it does not mean that the only variable for the Palestinian statehood was the policies and performance of the PA but it could have been used as a means to open the way for further steps but the PA under the leadership of Arafat missed that opportunity. Therefore, Arafat's power and room to maneuver as the leader of the PA was higher compared to his negotiating position in the international arena and he can be regarded as the responsible actor for the low performance of the PA. As a result, Arafat can be criticized because of the policies of the PA rather than his role as the chief negotiator of the Palestinian side.

Historically, Fatah was established in 1959 and it joined the PLO by 1967. Fatah took the upper hand in the PLO after that period. The Palestinian diaspora played a crucial role in the emergence and institutionalization of Fatah in the Arab countries. Since it was established during the Arab-Israeli Wars and it aimed to remove the Israeli occupation, Fatah contained many armed groups in different periods. Fatah also established its political party and became the dominant actor in the Palestinian politics for a long time. In terms of its political bodies, the Central Committee is the executive branch of Fatah while the Revolutionary Council acts as

the legislative branch. Fatah is a member of the Socialist International. It is generally considered as a non-ideological and secular actor in the political arena. The Palestinian nationalism constituted the unifying factor for the Fatah members and it took the lead for the Palestinian struggle on the ground. Because of the activities of the armed forces within Fatah against the Israeli actors, Fatah was put into the list of terrorist organizations by Israel and the US Congress until 1988. It was only after its declaration for condemning terrorism that Fatah was accepted as a legitimate actor which could represent the Palestinian people in the negotiations. Arafat was also considered as a terrorist figure until that time and he could not return to the Palestinian territories due to his negative image and lack of legitimacy in the eyes of the international actors. However, Fatah has focused its attention on negotiations and political arena rather than military struggle after that period. Although Hamas and other Islamic groups have risen as a significant alternative for the Palestinian people, Fatah and the PLO have kept their central place among the Palestinian actors. Since the international actors recognized it as the representative of the Palestinian people and a legitimate actor, Fatah could keep its dominant position at the UN level and on the negotiation table despite the decreasing support in the domestic politics so its representative role constituted a counterbalance in that sense. Consequently, Fatah and the PLO prioritized the political process and search for negotiations after the long military struggles against Israel, and they could remain one of the two main actors of the Palestinian politics.

### 5.3.2 Hamas (The Islamic Resistance Movement)

Hamas, the Islamic Resistance Movement, was founded by the Muslim Brotherhood after the eruption of the First Intifada in the occupied territories. The Muslim

Brotherhood's connection with Palestine dates as early as 1935 (Abu-Amr, 1993, p. 6). Therefore, the Brotherhood-affiliated actors were not newcomers to the Palestinian context. On the contrary, they played an active role with the help of their activities through the religious institutions and social services. These religious and social activities provided them a significant access to the Palestinian population. However, the eruption of the First Intifada among Palestinians led them to reconsider their strategies. Since the ideology of the Muslim Brotherhood based on transforming society was not appropriate for the Palestinian context during the general uprising because of the need for challenging the Israeli occupation through military means, the leading figures acting in the Palestinian territory on behalf of the Muslim Brothers decided to establish a separate organization and Hamas emerged as a result of this consideration in the context of the First Intifada. In other words, the establishment of Hamas was a solution for adapting to the local conditions and organizational structure in the case of occupation without changing the ideological stance of the Muslim Brotherhood.

Hamas declared its ideology, aims and strategies with its famous Charter in 1988. Hamas has long been identified with this Charter despite the transformation in its discourse and practices in the later periods. In the Hamas Charter, Hamas was defined as "only a branch of the Muslim Brotherhood Society". In Article 11, it was mentioned that "it is not right to give the land of Palestine up nor any part of it". More importantly, Hamas asserted the "uprooting of the State of Israel and the establishment of an Islamic state in its place" as the solution of the problem. More importantly, it was also declared that "there is no solution to the Palestine problem except jihad".<sup>48</sup> Obviously, the Hamas Charter reflects a rigid ideological stance

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<sup>48</sup> "Hamas Covenant 1988," The Avalon Project, available from [https://avalon.law.yale.edu/20th\\_century/hamas.asp](https://avalon.law.yale.edu/20th_century/hamas.asp)



against the Israeli occupation and it rejects peaceful coexistence with the State of Israel. Despite its emphasis on some commonalities with the PLO, the Hamas Charter also addresses criticisms against the PLO as well. After issuing their Charter, the Hamas leaders and members participated in the First Intifada and they became one of the most prominent groups in the uprising. Hamas leaders justified their military struggle with the Israeli occupation and they emphasized that “Hamas cannot be just a political party because ending occupation cannot come through political work alone” (Ghazzal, 2005, p. 193). In the social field, they used the Brotherhood’s earlier experiences and it was easier for them to accommodate their services in that period.

On the other hand, the First Intifada opened a new era for Hamas in terms of their military struggle against the Israeli occupation. This new era brought new opportunities as well as challenges for Hamas. By the first years of 1990s, Hamas changed its organizational structure and turned into a multi-layered organization. Despite the strict ideological view which can be seen in the Hamas Charter, there were many Hamas members who expressed their opposition against the Hamas leadership from the very beginning. The scholars advocated the idea that these oppositionist voices revealed the character of the movement which was not dogmatic (Klein, 2009, p. 891). The movement and its party were not completely pragmatic either. Therefore, it should be considered as an eclectic body reflecting different features. It can also be claimed that the Hamas Charter, or the Islamic Covenant, lost its central place especially in the governing period of Hamas and the critiques within Hamas showed the emergence of new perspectives among the Hamas members. As a result, the transformation of Hamas in terms of ideology, policies and organizational

structure should be taken into account while analyzing its role in the domestic politics and in the international arena.

The military struggle of Hamas against Israel starting with the First Intifada and its social services for the Palestinian people increased the popularity of Hamas in the Palestinian society. Despite some successes in the local elections, Hamas decided to boycott the 1996 elections for the Palestinian Legislative Council. Hamas's preference for boycotting the elections was congruent with its ideological position. Nonetheless, ten years after those elections, Hamas leadership decided to participate in the elections this time. Obviously, it was necessary to explain this shift in Hamas's decision from boycott to participation. The Hamas leaders also tried to justify the change in their position. Lovlie explains the Hamas's changing electoral strategy with the change in the dominant faction among the Hamas members under the influence of some external shocks. According to Lovlie (2013), "the return of Sheikh Ahmed Yasin, the forced relocation of the politburo and the marginalization of the al-Qassam commanders" constituted the external shocks and led to the factional dominance of the Gaza branch (p. 583). Furthermore, "the suspension of Oslo, the long overdue institutionalization of the Palestinian National Authority (PNA), and Hamas's increasing popularity" were mentioned as the additional factors for the changing electoral strategy in the same article. The growing popularity was also considered as "an insurance policy against possible repressive measures of the Palestinian Authority" (Klein, 2007, p. 445). Khalid Mashal, Hamas politburo chief, explained their decision to participate in the elections with some reasons such as corruption, the poor performance of the PA, and PA's negative attitude toward resistance (Rabbani, 2008, p.68). As a result, Hamas adopted a pragmatic ideology and a vote-seeking strategy with the help of favorable environmental factors for

itself. The unexpected level of electoral victory confirmed the success of their electoral strategy.

Hamas's unexpected victory in the 2006 elections was explained with a number of reasons such as the incompetence and corruption of Fatah, failed peace attempts in the former period, the movement's hard work and widespread social services for the Palestinian people, and establishing good relations with the religious minorities instead of emphasizing religious issues in their campaign (Hroub, 2006, pp. 8-10). In fact, the shift in the electoral strategy had been observed in the documents issued by Hamas after the decision for participating in the 2006 elections. Hroub points out three key documents representing the discursive shift in the Hamas's strategy (Hroub, 2006, p. 7). These documents made a justification for the Hamas's decision to participate in the elections. The author claims that these documents are based on reform program adopted by Hamas and created the background for a "new Hamas" for the next period.

Despite the steps toward a more reformist and pragmatic party, Hamas's failure to acknowledge the PLO as "the sole legitimate representative of the Palestinian people" and its rejection of subscribing to the UN resolutions and the agreements signed between Israel and the PLO resulted in the inconclusiveness of the coalition talks (Hroub, 2006, p. 16). It can be claimed that Hamas aimed to transform itself in accordance with the expectations of the international actors and the responsibilities stemming from being in the government. In addition to this, Hamas's other political texts such as some leaders' speeches and interviews or party platform differed from the Islamic Charter in the sense that they were "pragmatic and action-directed rather than theological and ideological" (Klein, 2007, p. 453). Therefore, the Hamas programs including significant reforms at the practical level

and changes in the Hamas's ideology declared by the Hamas Charter revealed its attempts to adapt to its governing position. It was interpreted as an evolution from fundamentalism to radicalism at first; and then, from radicalism toward pragmatism by some scholars. However, the reactions of the international actors showed that Hamas could not convince them in terms of its sincerity and moderation.

Compared to the organizational features of Fatah, Hamas's Islamist ideology and high activism of its social wing comes into prominence in the Palestinian politics. Hamas's participation in the local and parliamentary elections increased the internal political struggle between the two actors. They both emerged as para-military organizations in the region and against the Israeli occupation but they evolved into different directions. Parallel to the ideology of the Muslim Brotherhood, Hamas aimed to Islamize the society through social services and religious activities. These social and religious activities increased the popular support among the Palestinian people and Hamas could turn this support into an electoral victory in 2006. After continuation of internal struggle between Fatah and Hamas, Hamas could takeover Gaza one year after the elections. Apart from that, their international legitimacy and attention to military struggle differentiate the two actors from one another. Whereas Fatah recognized the State of Israel and preferred to pursue policies through political and diplomatic ways, Hamas continued its military struggle especially through Izzaddin al-Qassam Brigades and it was not accepted as a legitimate actor despite its electoral victory. As a result, the international actors maintained negotiations with the PA, under the leadership of Fatah, and the Western actors pursued West-Bank First strategy. On the other hand, China, Russia, Turkey and the regional actors preferred to keep positive relations with Hamas. Thus, the increasing power and influence of Hamas could not produce the same weight in the

international arena and it remained in the list of terrorist organizations for Israel and the Western actors. In sum, the ideological differences, organizational features and political strategies created the tension and domestic division among the Palestinian actors, and these differences led to changes in the relations and policies of the regional and international actors towards them. The internal division in the Palestinian politics influences the Palestinian position in the negotiations and in the attempts at the UN level but at the same it is affected by the regional and international developments. This mutual and interactive relationship constitutes an important dynamic of the Israeli-Palestinian conflict.

### 5.3.3 Internal division of the Palestinian actors and their views on statehood

From the Palestinians' point of view, a Palestinian state has to be an independent and sovereign state that carries all the features of statehood. They assert their views about a future state by explaining its essential characteristics: "A 'successful' Palestinian state needs to have the ability to improve security for Palestinians and Israelis; effective and legitimate government; economic viability; and the capability to provide well-being of its citizens" (Hilal, 2006, p 107). It was defined by the PA in the London Meeting in 2005 as "a sovereign, strong, independent, territorially contiguous state that would be economically, politically, and socially viable" ("London Meeting", 2005, p. 178). Viability of the state can be regarded as its control over the borders and basic resources, possessing territorial contiguity and developing a viable economy (Halper, 2005, p. 60). Thus, the continuing Israeli occupation remains as the main block against a viable and sovereign Palestinian state. Kaplan (2008) also argues that "a coherent Palestinian state cannot be created unless some of the existing settlements are demolished" (p. 56). In addition to

“genuine sovereignty” over the occupied territories, security guarantees should also be provided due to possible “demilitarized” character of the state (Agha & Malley, 2002, p. 13). A Hamas spokesperson from the Gaza branch expressed “Israel’s withdrawal from the lands taken in 1967, the establishment of a Palestinian state, and a solution for the refugees” as the conditions for establishing peaceful and good relations with Israel as well as other neighbors (Wheatley, 2011, p. 171). Ismail Haniyya, the Prime Minister of that period and a Hamas leader, also declared the support of his government for the Arab initiatives which would bring “a fully sovereign Palestinian state with its capital in Jerusalem” (Klein, 2007, p. 457). Khalid Mashal, Hamas politburo chief, defined a future Palestinian state as “a state on the borders of 4 June 1967, including Jerusalem, and the rights of return, with full sovereignty, and without settlements” (Rabbani, 2008, p. 80). These expressions reveal the fact that the Palestinians do not expect limitations for a future Palestinian state but the gap between the Palestinians’ expectations and the proposed versions of a possible state has been one of the main reasons for the inconclusiveness of the negotiations.

The geographical and political division between Fatah-dominated West Bank and Hamas-dominated Gaza can be regarded as the most important domestic obstacle for a unified and independent Palestinian state. The polarization of the Palestinian politics did not start with the 2006 elections but it consolidated the existing fragmentation process and constituted one of the main factors promoting vulnerability in the political field together with disempowering political institutions and external interference (Hilal, 2010, p. 24). Initially, the main disagreements between Fatah and Hamas can be summarized as: whereas Fatah renounced violence against Israel and pursued peaceful relations by making agreement with Israel to end

the occupation, Hamas opposed any kind of negotiations with Israel and refused to recognize Israel as a legitimate state in the region (Howard, 2016, p. 123). These positions, especially the ones belonging to Hamas, have changed after the relative moderation of Hamas through participation in the elections and governments in the next period. The territorial and political fragmentation of the West Bank and Gaza emerged as a result of a process and there were critical shifts in this process such as “international acceptance of Palestine’s territorial fragmentation, the imperative of ending Israel’s occupation, the de facto annexation of West Bank lands to Israel, and the transformation of Palestinians into a humanitarian issue” (Roy, 2012, p. 71). The implementation of the Israeli strategy towards the issue and the US support to this strategy deserve attention about these shifts in the international arena. Among them, the internal separation and disunity between the Palestinian groups seems the single most important problem. While the PA under the control of the Fatah leadership established good relations with the external actors such as the US and the European states, Gaza was isolated because of the military struggle of Hamas against Israel.

In fact, the US and the European actors expected a gradual moderation of the Hamas ideology with the help of its participation in the political system and cooptation with the Hamas leaders as a result of this process. In addition, some scholars also underlined the signs of moderation in the Hamas rhetoric and practices which were accepted as evolution in the direction of moderation (Wheatley, 2011, p. 152). However, the Palestinian context did not include some important factors for cooptation at least in the short-term:

The existence of a strong, healthy, and relatively free political system into which the Islamists can be absorbed; a balance of power tilted against the Islamists that forces them to play by moderate rules; and sufficient time for co-optation to take effect (Herzog, 2006, p. 91).

Thus, the Western actors decided to adapt their policies in accordance with that context and the US-designed and Europe-backed West Bank First strategy institutionalized the isolation of Hamas. The Quartet, including the US, the EU, Russia and the UN, announced that they would not make any deal with a Palestinian government which does not renounce violence, recognize Israel and the international treaties. Obviously, this announcement reflected their expectations from Hamas.

Since the punitive policy has failed to produce the expected outcomes despite the asymmetric balance of power and military superiority of Israel, engaging Hamas as an inclusive strategy was offered to Israel by some scholars in order to demilitarize the conflict (Johannsen, 2011, p. 50). Obviously, the internal division among the Palestinian groups was not in favor of Palestine; on the contrary, it provided a better atmosphere for the Israeli occupation and settlement projects. Apart from that, the Israeli governments have pursued a strategy for maintaining the political division among the Palestinians. Mansour analyzes the Israeli policies from that perspective. According to her, Israel's unilateral actions in the West Bank also aimed to make a future Palestinian state impossible. Thus, turning attention of the Palestinian and external actors to Gaza rather than the West Bank was part of a purposeful strategy of Israel in that sense. Getting the support of Egypt and providing the PA's acquiescence were significant components for the success of that strategy. Lastly, the establishment of a blockade on Gaza and the military operations against the Palestinians living in Gaza constituted another important part of the Israeli strategy about maintaining the internal division of the Palestinian groups (Mansour, 2009, p. 93). Therefore, Israel not only benefits from the internal division of the Palestinian groups but also triggers that division through its policies on the ground. On the other hand, the attempts for national unity government or reconciliation



between the two main Palestinian groups, Fatah and Hamas, could create some agreements and establishment of cabinets but they could not be permanent in the Palestinian politics (Heller, 2014, pp. 1-2). As a result, the internal division remains as the basic problem of the Palestinian side in the Israeli-Palestinian conflict besides the Israeli occupation.

The polarization in the Palestinian political field manifested itself many times but Fatah and Hamas are not the only actors in the Palestinian politics. The Palestinian youth, with different groups and movements such as March 15 Movement, has begun to play more independent role which gained a momentum with the Arab Uprisings. The oppressive administrative styles and practices of Fatah and Hamas, and the political problems resulting from the division between the two groups as well as the Israeli occupation triggered the emergence of new movements among the youth in the Occupied Territories of Palestine (Hoigilt, 2013, p. 343). Thus, they not only target the Israeli occupier but also the two political factions, Fatah and Hamas. Since they put the blame of current stalemate in the political arena and the societal division on these two Palestinian groups, they challenge their authority in the West Bank and Gaza. The emergence of these new actors or movements shows that the Palestinian politics is not doomed to the monopoly of Fatah- Hamas competition.

There are different proposals about the comprehensive solution of the Israeli-Palestinian conflict. Although the two-state solution has constituted the common reference point, some other proposals such as different versions of the one-state solution have been asserted in different periods. The proponents of the one-state solution increased in number through time and some influential scholars also supported the idea. It was asserted by some scholars that a binational state will

provide greater benefits for the Palestinians such as political rights, better living standards, and keeping their dignity and identity; thus, it would be a “rational choice” for them (Tutunji & Khaldi, 1997, p. 46). However, one-state solution has not turned into a political movement or an organized force yet. Farsakh (2011) mentions the four core functions that the idea of the Palestinian state fulfilled; namely “becoming a vehicle for asserting Palestinian self-determination, providing the framework for organizing and channeling Palestinian resistance, becoming the means for fulfilling rights, and becoming the price for the Palestinian compromise with Israel” (pp. 58-59). This expression implies that any other alternative to two-state solution or the struggle for an independent Palestinian state should replace these functions with similar or better ones. Additionally, it explains why the struggle for an independent Palestinian state still keeps its dominant motivating status in the eyes of the Palestinian groups despite the former failed attempts.

The Israeli policies on the ground makes the implementation of the two-state solution more difficult day by day so it began to be debated whether a one-state solution is the only viable option depending on the effects of the Israeli occupation (Hoigilt, 2013, p. 356). The Israeli colonization of the West Bank and East Jerusalem led to questioning the logistical possibility of a viable Palestinian state in that territory and made the one-state alternative more attractive despite the absence of a clear roadmap for the implementation of one-state solution (Kharmi, 2011, p. 62). The Israeli occupation not only increased the number of the Jewish settlements but also led to the transfer of the natural resources in the area gradually. The traditional policy of the Israeli governments in terms of expanding the settlements in the occupied territories aimed to make withdrawal from those territories impossible (Tutunji & Khaldi, 1997, pp. 40-41). In addition to this, the proposals for two-state

solution have been far from satisfying the Palestinian aspirations. In sum, the changes and dynamics on the ground may lead to new debates about the final settlement of the Israeli-Palestinian conflict and the unilateral actions of Israel make a future Palestinian state under the framework of two-state solution an unviable option.

#### 5.4 External actors at the ground level

##### 5.4.1 The role of the EU and European states as external actors in the Israeli-Palestinian conflict

The European actors, not only the EU as an institution, have long been a part of the Israeli-Palestinian conflict. Although the positions of the European powers were closer to the Zionist movement and the Israeli state in the beginning due to historical and political reasons, there has been a gradual transformation in the positions of the European actors in the last fifty years. Israel has been regarded as a “vital strategic asset” not only for the US but also for the European states for a long time (Kemp, 2017, p. 21). The close relations between Israel and some European powers and the impact of the Jewish lobby in Europe cannot be denied but they could not prevent the change in the policies of the European actors about the Israeli-Palestinian conflict. While the European states preferred to pursue similar policies with the US in the global affairs, the European actors began to move away from Israel depending on its unilateral actions and asymmetrical use of power against the Palestinians. Farhan Javed (2015) defines this transformation as “Europe’s paradigm shift illustrating a growing sense of sympathy for Palestine coupled with a deepening disconnect with Israel and a more independent attitude toward US foreign policy” (p. 14). The EU has presented itself as a “normative power” based on common values and norms, and

the long term occupation of Israel in the Palestinian territories violated both the European norms and international law. Thus, the new position of the European actors, including the EU, can be interpreted as a normative position reflecting their displeasure with Israel's policies (Gordon & Pardo, 2015, p. 75). There is no doubt that the new position of the European actors in favor of Palestinians was very much welcomed by the Palestinian side while it created criticisms by Israel and the US. However, this normative position did not mean an unconditional support for the Palestinians. The EU kept its close relations with the US but it chose a more independent policy regarding the Israeli-Palestinian conflict.

The transformation of the EU's position in the Israeli-Palestinian conflict was meaningful and it created expectations for the Palestinians and their supporters. The European support could have been an alternative to overcome the power imbalance against the US-Israeli alliance to a certain extent. However, the EU could never satisfy those expectations with concrete and effective policies on the ground and there emerged a huge expectation-performance gap in that sense. The scholars underline the fact that the EU failed to convince both Israel and Palestinians depending on the inability to exert political power and lack of consensus among the members, so Europe has played "second fiddle to the US in the Middle East" (Miller, 2011, p. 8). The problem was mostly related to the absence of the necessary will and capacity to put the policies into actions. Khader (2014) summarizes the role of EU in the last fifty years as follows: "Touted as an economic giant, the EU has not emerged, in the last 50 years, as a decisive political actor in the Arab-Israeli conflict, with the exception of the period extending from 1972 until the Venice Declaration of 1980" (p.359). The EU policies had some fluctuations in that period but the EU could not play an active and decisive role in the political affairs. While the EU

demonstrated its displeasure with Israel's policies against Palestinians, it contributed to the intra-Palestinian conflict by siding with the US on conditions against Hamas. Apart from that, the EU member states could not reach a consensus in the UN sessions about the Israeli-Palestinian conflict in most cases. As a current example of the divisions among the European states, there were 14 favor, 12 abstention and one against vote in the 2012 UN General Assembly vote for upgrading the status of Palestine to non-member observer state among the EU member states in that period. Consensus among the EU members could be an indicator of consolidating legitimacy of the rights of the Palestinians (Reynolds, 2019, p. 3). Because of the negative view of the Obama administration in the US towards the Palestinian bid for statehood, it was considered as "Europe's moment" to assert its normative power but the European actors could not use the opportunity well (Persson, 2020, p. 131). Instead of playing a decisive role in the conflict, the EU preferred to adopt policies as a normative and economic actor but this role ended in losing the credibility of the EU in the eyes of the Arabs to a certain extent. The role of the EU is not only important for the credibility of the EU and its position in the global affairs but also can be an important factor for the destiny of the two-state solution.

The EU policies toward the Israeli-Palestinian conflict faced with strong criticisms because of the expectation-performance gap and their unintended consequences. The EU prioritized the financial and economic strategies instead of the political goals for reaching comprehensive solution. The key European powers made recognition of the Palestinian state conditional to the bilateral negotiations between Palestinians and Israel. This position is, obviously, closer to the US position in general. While the financial and economic strategies of the EU helped the Palestinian leadership overcome at least some of the financial difficulties, they

unintendedly served the maintenance of the status quo and made the Israeli occupation more sustainable. Additionally, the international community was accused of financing not only Israel's occupation but also its expansionist agenda and the process was formulated as such: "The US decides, the World Bank leads, the EU pays, the UN feeds" (Le More, 2005, p. 995). That formula also indicates the relations among actors in the whole process. As a result, the financial role of the EU was one of the reasons that made the unsustainable living conditions on the ground relatively more sustainable.

The failure of the European policies in terms of playing a decisive role in the Middle East was also observed during the Arab Uprisings. According to some scholars, the eruption of the Arab Uprisings not only showed the failure of the EU policies but also showed their triggering effect on the opposition groups (Hollis, 2012, p. 81). Attributing a central role to the EU policies for the emergence of the Arab Uprisings would certainly be an exaggeration but the unintended consequences of the EU policies on the ground should not be ignored in that sense. The financial aid policy of the EU aimed to ease the harsh conditions for the Palestinians but it created a suitable atmosphere for the continuation of the Israeli occupation, and the status quo was beneficial for only Israel.

The position of the EU and the policies of the European states can play an encouraging role for the way towards establishing a Palestinian state. Since the EU could not reach a consensus on that issue, the policies of individual European states came into prominence in that sense. Recognition of the independent states is an important aspect of declaring statehood and establishing diplomatic relations. There are even some approaches that consider recognition as the key element for becoming a state: "Only states make other states" (Brooks, 2013, p. 30). When we compare the

Kosovo and Palestinian cases, the importance of the recognition of key actors can be understood easily. Kosovo functions today as a de facto state and it has been recognized by about 120 states, including the US and 22 EU members. On the other hand, Palestine has already been recognized by 137 states, including eight EU members, but “none of the key Western powers recognized” (Bouris & Huber, 2017, p. 4). Needless to say, Palestine is still far from gaining the status of independent statehood. The high number of recognition does not turn into a concrete result without the support of great powers. The Kosovo case made it more apparent that politics is more important than international law in terms of statehood and it opened more windows of opportunities for the great-power politics (Caspersen, 2015, p. 393). Of course, the special role of the EU in the Kosovo case is understandable because of the priorities of the European states in the territories of Europe. Consequently, the support of the European countries especially the major ones is important for the political process of statehood in the Palestinian case.

In the Palestinian case, the EU or the powerful European states can play an important, if not a leading, role. The military imbalance in favor of Israel and the unconditional support of the US for Israel create a political and diplomatic power differential too (Mansour, 2011, p. 43). It is necessary to get the support of the international community to put political pressure on Israel towards directing it for comprehensive solutions. The only candidates for changing this power imbalance can be global and regional powers which support the Palestinians. The EU and some leading European states, such as France, Germany and the UK, come into prominence as some of the most essential actors to counter balance the American opposition (Twist, 2011, p. 36). The policies of the European member states in the 2010s can be formulated as “more of the member states, less of the EU” in terms of

their role in the Israeli-Palestinian conflict due to the disagreements and policy differences among them (Persson, 2020, p. 148). In sum, the EU and individual European actors can play more active role in the Palestinian case and this role might increase the likelihood of a future Palestinian state.

#### 5.4.2 The role of the US as an external actor in the Israeli-Palestinian conflict

The US has long been one of the key players in the Israeli-Palestinian conflict. During the negotiation process, the US played the role of mediator. Since the security of Israel has been a primary concern for the US foreign policy in the Middle East and there have been close relations between the US and Israel, the US leaders adopted policies that were closer to the Israeli positions so the Arab decision-makers had to question the US policies towards the conflict. It was emphasized by the scholars that “the US will never genuinely accept the idea of a fully sovereign state of Palestine” due to its priorities about creating the necessary conditions for the security of Israel in the region (Falk, 2013, p. 77). Of course, it does not mean that there have not been any changes in the US policies or proposals towards the Israeli-Palestinian conflict but the security of Israel has constituted the backbone of the traditional US policy. Put differently, the security of Israel has been a red line for the US. The close relations between the US and Israel is mostly defined as a special relationship. However, it was also argued that this special relationship did not start with the proclamation of the State of Israel in 1948. Many scholars defend the idea that Israel’s decisive victory against the Arab armies in the 1967 War proved the superiority of the Israel in the region and the position of Israel as a useful strategic asset for the US in the Middle East especially in the Cold War context (Plitnick & Toensing, 1988, p. 19). In the next period, the Islamic Revolution in Iran in 1979



strengthened the strategic importance of Israel in the US foreign policy so the US-Israeli relations were improved gradually. As a result, the security of Israel is one of the top priorities of the US foreign policy towards the Middle East and the special relationship between the US and Israel reflected the converging interests and the US position closer to Israel in terms of the Israeli-Palestinian conflict.

Pro-Israeli sentiment in the US has been defined as a cultural predisposition among the American people. The strategic objectives and interests of the US administration also coincide with the existence of a powerful Israeli state in the Middle East. Furthermore, the influence of the pro-Israel lobby on the US foreign policy towards the region has long been discussed. There has been a common belief that the pro-Israel lobby was so powerful that it could prevent the US from putting more pressure on the Israeli government to reach a settlement for the Israeli-Palestinian conflict. Needless to say, lobbies are effective instruments in the US foreign policy making and their power and influence may change depending on their financial resources, their relations with the political actors and effectiveness of their campaigns on public opinion or decision-makers. The existence of powerful lobbies in the US domestic politics and their influence on the foreign policy decision-making mechanisms make the US an important example in terms of the logic of two-level games. The external actors may improve its relations with the powerful lobbies in order to increase their influence on decision-making process on a particular issue. The pro-Israel lobby has come into prominence among the lobbies with the help of favorable conditions in terms of all the variables. In terms of the influence of the pro-Israel lobby on the institutions of the US foreign policy, it was argued that “Congress is the most susceptible to the influence of the Israeli lobby, while the bureaucracy is the least susceptible; but it is the presidency that holds the key” (Shlaim, 1988, p.

17). However, it should be kept in mind that there are many other variables that have an influence on the foreign policy decision-making process. Therefore, a lobby cannot fulfill all of its objectives regardless of its strength so its sphere of influence will be limited in any context. The pro-Israel lobby cannot be thought independently of the variables of the decision-making process. The pro-Israel lobby could not play decisive roles in all the cases in the previous periods. The failures of the Middle East peace process and negotiations have been explained through the impact of the pro-Israel lobby in the US and it has been circulated among the scholars. As a result, lobbies are important instruments in the US domestic politics and they have an influence on the decision-making mechanisms with the help of their direct contacts but their influence is also limited due to the existence of other variables at the domestic and international levels.

On the other hand, there are some scholars rejecting the decisive role of the pro-Israel lobby. For example, Rynhold (2010) asserts a different point of view by saying that the main constraint on any US attempt to impose a settlement for the Israeli-Palestinian conflict was the balance of interests between the US and the two sides of the conflict rather than the pro-Israel lobby (p. 30). For him, settlement of the issue is not of vital interest for the US; instead, the US prioritizes conflict management as long as it keeps its central place and dominant power in the international system. Sperber (2015) also explains the US interests as the decisive factor for the US foreign policy and argues that the high correlation between the US policies and the demands of the Israel lobby does not mean causation (p. 10). Parallel to this idea, Morton Kaplan (2008) rejects Mearsheimer and Walt's argument about the decisive influence of the Jewish lobby and claims that "the Jewish lobby has not prevented the United States from moving toward acceptance of a Palestinian state"

(p. 44). He meant that the Jewish lobby did not have such a power or influence on the US foreign policy. Therefore, the consequences or policies of the US administration may not directly stem from the activities of the Jewish (or pro-Israel) lobby despite the high level of overlap between them.

Apart from that, it was also asserted that the “pro-Israel community is neither monolithic nor a unitary actor”; instead, it is composed of three different and competing lobbies that have disagreements over some vital issues (Waxman, 2010, p. 5). Although the centrist lobby has been the dominant one among these lobby groups, the left-wing and right-wing lobbies pursue different policies. Obviously, the existence of three different and competing groups limits their influence. Thus, it will be better to take pro-Israel lobby as a combination of pro-Israel communities rather than a unitary actor. On the other hand, the rise of movements against the US policy favoring Israel led to new developments at least in the discursive level. The movement challenging the US support for Israeli occupation and calling for Palestinian rights, anti-war movements and the increasing impact of the BDS Movement can be regarded as the striking examples of these movements. They could not achieve a policy change in the US yet but the 2016 Presidential campaign, particularly Bernie Sander’s expressions towards the issue, indicated a change about discourse on Palestine by opening the way for questioning the traditional pro-Israel policy and bringing some issues related to the Israeli actions against the Palestinian people up for discussion (Bennis, 2016, pp. 41-42). These developments underline the fact that there are also other factors having an influence on the US policy like the social movements besides the lobbies. As a result, the pro-Israel lobby should be taken into account as one of the factors having an influence on the US foreign policy particularly on the issues related to the Israeli-Palestinian conflict.

The US Presidents traditionally preferred to maintain special and close relations with Israel especially after the 1967 War. Before that, “Eisenhower perceived Israel as a problem” and it was an exception in the history of the US foreign policy (Shlaim, 1988, p. 17). Jimmy Carter had also “the privilege of being the first American president to deal, not with the Labor Zionists, but the right-wing and ultra-nationalist government headed by Mena[c]hem Begin” (Shlaim, 1988, p. 20). George W. Bush period has frequently been mentioned about the change in the US foreign policy because of the fact that Bush was the first US President who declared his support for a Palestinian state (Hollis, 2004, p. 193; Hunter & Jones, 2004, p. 203; Rumley & Tibon, 2015, p. 79). In the beginning of the Bush period, the Bush administration preferred a hands-off approach towards the Middle East instead of an active foreign policy. However, the events of September 11 shifted this policy dramatically and led to more aggressive policies in the region. This foreign policy shift resulted in Afghanistan and Iraq operations. About the Israeli-Palestinian conflict, Bush made the famous declaration for a need of “creation of a peaceful and democratic Palestinian state alongside Israel” and the US supported the Road Map plan adopted by the Quartet, which includes the US. These attempts gave rise to thoughts about changing dynamics in the Israeli-Palestinian conflict and increased the expectations for a Palestinian state and two-state solution. However, the next policies of the US towards the issue could not meet those expectations. Consequently, the shift in the US foreign policy for supporting a Palestinian state remained at the rhetorical level and could not be put into practice in the George W. Bush period because of inconsistencies, double-standard approach in the US policy between Israel and the Palestinians, and domestic political calculations in the US (Mohamad, 2015, p. 81). In other words, the discursive shift in the Bush period did

not create practical results on the ground and another opportunity for a comprehensive solution has been missed.

In the Obama period, the US-Israeli relations were not as good as before. Obama aimed to put pressure on Israel about the Israeli settlements in order to activate the negotiations but he could not achieve his goals related to the Middle East peace process. In the last days of the Obama period, the US preferred to abstain from the UN Security Council Resolution 2334 vote on calling the Israeli settlements as “violation of international law” and “having no legal validity”. Obama has been the first US President who permitted anti-Israeli Security Council resolutions on the Israeli settlements after Jimmy Carter who voted in favor of a UN resolution declaring Israeli settlements as “illegal” (Rosen, 2012, p. 41). The American public opinion mostly supported the veto for one-sided resolutions against Israel and the American presidents generally followed this line of thinking. On the other hand, there were some other people who claimed that the Israeli settlements were the main obstacles for peace and the US government should put pressure on Israel about the settlements. The Obama policy reflecting the second group can be considered as a departure from the traditional US policy in that regard. The Obama administration did not take bold steps against Israel despite the problems between Obama and Netanyahu. In fact, this situation can be considered as the strength of the special relationship between the US and Israel. In sum, the US abstention for UNSC Resolution 2334 was a result of cooling in the US-Israeli relations during the Obama period but it was not a radical transformation in the US foreign policy.

Donald Trump period in the US witnessed one of the historical peak points in terms of the US-Israeli relations unlike the Obama period. Trump administration not only showed its willingness at the discursive level with the “pro-Israel rhetoric”

(Krieg, 2017, p. 152) but also implemented some policies in favor of Israel. Trump appointed some people having close relations with Israel and the Jewish lobby to some key positions in his administration. The strong support of the Evangelical people for Trump in the US elections was also an indicator for the closer relations in the Trump period. The Trump Presidency in the US created a window of opportunity for Israel. The first bold attempt of the Trump administration came with Trump's declaration of Jerusalem as the capital of Israel at the end of 2017. The US also declared to move their embassy from Tel Aviv to Jerusalem. In March 2019, Donald Trump recognized Israel's annexation of the occupied Golan Heights (Turak, 2019, para. 1). Parallel to this decision, the Trump administration declared in November 2019 that the Israeli settlements in the West Bank do not violate international law (Jakes & Halbfinger, 2019, para. 1). These declarations meant a policy shift in the US traditional policy about the Israeli-Palestinian conflict. Trump's policies played a legitimizing role for the Israeli occupation and control on the ground. Furthermore, Netanyahu and the Trump administration aimed to design the relations in the Middle East in accordance with their plan called Deal of the Century. This peace plan maintained the policy shift in favor of Israel during the Trump period.

#### 5.4.3 Chinese foreign policy and the Israeli-Palestinian conflict

China has emerged as a rising economic and political power in the global sense in the last decades and it is a permanent member of the UN Security Council so any analysis about a crucial issue of international relations disregarding the role and position of China would be insufficient. Therefore, I will focus on the role and position of China in the Israeli-Palestinian conflict not only as a part of its foreign policy but also its policies and voting behavior at the UN level in this part. In order

to explain the Chinese foreign policy about the Israeli-Palestinian conflict better, I will put forward the changing role and increasing power of China in the international system, the main parameters and priorities of the Chinese foreign policy towards the Middle East, bilateral relations of China with Israel and the Palestinian actors, and historical background of the Chinese stance in the Israeli-Palestinian conflict. It can be claimed that China aims to turn its enormous economic power into political power and influence by more actively involving in the regional and global affairs including the Middle Eastern issues. Furthermore, China could improve its relations both with Israel and the Arab countries especially in the economic sense. In terms of the Israeli-Palestinian conflict, China has long adopted a pro-Palestinian stance and voted in the UN in accordance with that traditional policy despite its growing relations with Israel. Permanent membership of China in the UN Security Council and its special relations with the Third World countries make the Chinese role and position more important in that regard.

China has one of the two greatest economies in the world along with the US but its political power and influence as a global actor do not overlap with its enormous economic power. Hence, China tried to readjust its foreign policy in order to overcome this discrepancy by getting involved in the issues in other parts of the world and increasing its bilateral and multilateral relations with other actors. Because of the relative change in the global balance of power and the rise of some actors such as China and Russia parallel to the decline of the US power throughout the world, the rising actors have begun to show their displeasure with the existing international system. The decline in the US standing created opportunities for the “extraregional actors” such as China and Russia in that sense (Wehrey, Kaye, Watkins, Martini & Guffey, 2010, p. 49). The US “has degraded from a superpower to a *primus inter*

*paret* not only but particularly in the Middle East” (Krieg, 2017, p. 154). The rising actors have pursued more active policies in the regional and global affairs. The parallel processes of relative retreat of the US and the increasing influence of the rising actors were interpreted as a dynamic and interactive phenomenon and “an intersubjective construction of new roles” (Aoun & Kellner, 2015, p. 215). Thus, more active involvement of China in the Middle East can be considered as a part of evolving international system and changing balance of power in the global sense. China and Russia have been regarded as the prominent revisionist actors that aspire for change in the international system (Ozawa, 2019, p. 1). China’s principle of non-interventionism presented an attractive alternative as an external actor in the region. This principle reflects the idea of “peaceful rise” as a kind of development theory without interfering with the domestic affairs of the other actors (Chen, 2012, p. 11). Fend and He (2017) also expect a peaceful power transition based on “institutional balancing” instead of military means and security challenges with the rise of China in the international order (p. 44). Larson and Shevchenko (2010) define China as a “status seeker” which aims to restore “great power status” (p. 66). In that framework, China adopted a more activist and constructive role that prioritized multilateralism and challenged the US primacy in that regard. As a result, more active involvement of China in the Middle East reflects its goals in the international arena but the transformation of the international system and ascendance of some actors in the global balance of power require more parameters.

Parallel to its increasing economic power, China has grown its bilateral relations with many countries in the world especially in the economic sphere. With the help of increasing interdependence as a result of growing economic relations and mutual benefits for the actors, China could improve its economic relations with the



actors in both sides having clashing interests or even military conflicts. For example, China has growing relations both with Israel and the Palestinian actors at the same time. However, more active involvement in the regional affairs leads to keeping a balance between the two sides of the conflict. Although the clashing interests do not always prevent the actors from improving bilateral economic cooperation, establishing a special relationship with a particular actor and increasing political relations meet more difficulties compared to the economic sphere. Therefore, enormous economic power of China has led to involvement in the regional and global affairs in different parts of the world but deeper involvement and turning into a hegemonic actor or a superpower creates new challenges for China and other claimant actors.

The relations between China and Israel have grown in the last decades with the help of attempts at both sides and the relatively better international context. The increasing and “deepening relationship” after the end of the Cold War led to establishment of the official diplomatic relationship in 1992 (Freedman, 1991, pp. 13-14). After the establishment of diplomatic ties, the economic relations have grown but there were also some developments leading to deterioration of relations like the Phalcon crisis in 1999. However, bilateral relations have risen to a higher level parallel to the rapid advancement of the Chinese economy. Upgrade in the relations requires the involvement of other domestic actors such as business circles and NGOs besides the governmental support. Because of the importance of regional stability and peace, the emergence of the Arab Uprisings created a challenge for the Chinese foreign policy and China had to readjust its relations with the actors in the region by keeping the principle of non-interference. Israel was considered as an island of

stability in the Middle East so the changing context led to rapprochement between Israel and China.

Looking at the other side of the coin, Sino-Israeli relations cannot be examined thoroughly without taking into account the US influence. There is no doubt that there has been a special relationship between the US and Israel. Because of the clashing interests between the US and China and global competition especially in the economic arena, the US has expressed its displeasure about the improving relations between Israel and China. Israel aimed to find a middle way in order to keep the balance in the relations particularly focusing on the economic relations. Despite the attempts for growing Sino-Israeli relations, it was emphasized that “the internal and external factors were not ripe for the development of an independent China policy for Israel” (Evron, 2016, p. 395). In other words, there were limits for the improving Sino-Israeli relations like the US influence. Despite the relative decline of the US power and influence in the Middle East, the US still keeps its primacy in the region with the help of its close strategic partnerships and the regional alliances such as Saudi Arabia and Israel (Freedman, 2020, p. 7). In sum, the bilateral relations between China and Israel have been improved but the US influence and some clashing interests put a limit on the level of relationship.

On the other hand, the relations between China and the Palestinians have also been good starting with the 1960s. China was the first non-Arab state which established diplomatic relations with the PLO as early as 1965 (Yellinek, 2018, p. 1). Although Chinese support for the Palestinian issue declined in some periods, China has maintained its material support as well as its support for the Palestinians’ demand for statehood. In 1988, China declared its recognition for the State of Palestine and it established diplomatic ties with it. The good relations between China and the

Palestinians can also be observed in the Chinese policy about Hamas. While the Western actors pursued West Bank First strategy and aimed to isolate Hamas even after its electoral victory, China refrained from calling Hamas a terrorist organization; on the contrary, it considered Hamas as a representative of the Palestinian people. In general, China has paid attention to keep good relations with the Arab countries in the Middle East. In sum, China could improve its relations with both sides of the Israeli-Palestinian conflict as well as the Arab states.

Chinese foreign policy about the Israeli-Palestinian conflict cannot be analyzed without taking into account the priorities and policies of China towards the Middle East. First of all, the Middle East as a region does not take place at the top of Chinese foreign policy agenda. However, China has crucial interests regarding the political and economic affairs in the Middle East. Moreover, turning into an influential- if not decisive- actor in the Middle East is of great importance for the rise of Chinese power in the international system. Put differently, the Middle East is a significant region for the strategic goals of China as a global actor despite its relatively lower place at the Chinese foreign policy. Among the main priorities of the Chinese foreign policy in the region, energy security is of crucial importance and China pays attention to keeping regional stability for achieving that goal (Tzogopoulos, 2017, pp. 18-19). Maintenance of peace and stability is really significant for the Chinese interests in the region. Guofu (2013) categorizes the Chinese interests in the Middle East under four groups: “Energy security; developing economic interests with the regional actors; security interests against three sources of threat, namely terrorism, separatism and extremism; and the strategic economic reform and development program called the Westward policy” (p. 11). Because of the feeling of security threat stemming from the “Muslim Uighur separatists”, the

rise of extremism in the Middle East was one of the crucial concerns for China (Medeiros, 2009, p. 166). China aims to maintain balance and positive relations with both Shia and Sunni states as well as both sides of the Israeli-Palestinian conflict for keeping regional stability in that sense. Furthermore, “promotion of an alternative international order and norms, the economic prowess of China, and Chinese effort to establish and strengthen multilateral arenas that compete with the Western-dominated system” were mentioned among the reasons for China’s increasing assertiveness in the Middle East (Aoun & Kellner, 2015, pp. 218-221). Cooperation and multilateralism constitute important elements of the Chinese foreign policy in the region (Medeiros, 2009, p. 169). China attributes a significant role to the UN in terms of multilateralism. It should be underlined that China still has a limited influence in the Middle East compared to the US so it should go a long way in order to become a real alternative for the regional actors.

In terms of the Chinese position in the Israeli-Palestinian conflict, China has long adopted a pro-Palestinian stance or has been a supporter of the Palestinian claims parallel to the former UN resolutions (Tzogopoulos, 2017, p. 17). China supported the establishment of a Palestinian state in the West Bank and Gaza in an early period (Freedman, 1991, p. 14). China’s main position about the issue was based on advocating the UN Security Council resolutions 242 and 338. China has presented itself as an impartial actor in the Middle East, and the Chinese foreign policy towards the Israeli-Palestinian conflict has been determined on some principles such as “a peaceful resolution of the conflict, a two-state solution, and a ‘land for peace’ approach” (Aoun & Kellner, 2015, p. 204). In addition to this, China showed its consistent pattern in terms of its pro-Palestinian stance in the UN votes. Due to Chinese support for the Palestinian cause, more active role of China at the

UN can be considered as an important advantage for the Palestinians in both the Security Council and the General Assembly. Apart from that, China has begun to pursue more proactive policies regarding the Israeli-Palestinian conflict under the leadership of Xi Jinping. The first Chinese plan was declared in 2013 and it reflected the China's aspiration for expanding role in the Middle East (Haddad-Fonda, 2014, p. 24). This plan mostly reflected the former principles adopted in the peace process and "did not bring new things in substance, it indicated China's new activism and growing assertiveness in the region" (Aoun & Kellner, 2015, p. 210). Similar to that plan, the Chinese President declared a four-stage plan in 2017. The Chinese "four-stage plan" included "promoting two-state solution, strengthening the idea of security cooperation and ensuring Israel's security on condition with ceasing to build settlements, and some confidence-building measures leading to economic cooperation" (Yellinek, 2018, p. 2). It also called for establishment of a Palestinian state with East Jerusalem as its capital in peaceful relations with Israel. China declared its support for a Palestinian state in 1979 for the first time (Shichor, 1981, p. 46). After that period, the traditional Chinese policy has been very clear about the Palestinians' demand for statehood and China has long supported the establishment of an independent Palestinian state with full sovereignty with East Jerusalem as its capital on the pre-1967 borders so that the rights of Palestinian people can be guaranteed (Guofu, 2013, p. 16). As a result, China has long adopted a pro-Palestinian stance in the Israeli-Palestinian conflict and its growing assertiveness towards the regional affairs began to show the first signs of more active role of China in the Middle East.

#### 5.4.4 Russia as an external actor for the Israeli-Palestinian conflict and an important player in the Middle East

Russia, as one of the four members of the Middle East Quartet and a permanent member of the UN Security Council, has been one of the key players not only for the Israeli-Palestinian conflict but also for the Middle East in general. Whereas the Middle East was of secondary importance for the Russian foreign policy after the end of the Cold War and the dissolution of the Soviet Union, it has turned into the main arena of struggle to reassert its former great power status especially after Putin's consolidation of power in the Russian politics. The support of the political elite and richest economic and financial circles to Putin's "semi-authoritarian system of rule" provided a more suitable atmosphere for pursuing more aggressive foreign policy in the Putin period (Friedman, 2015, p. 100; Trenin, 2005, pp. 443-445). Furthermore, the decline of the US standing in the global balance of power and the partial retreat of the US from the Middle East created new windows of opportunity for the rising powers such as China and Russia. Because of geographical proximity, historical ties and military capability, Russia was more advantageous in the Middle Eastern context. The existence of political will and economic power also helped Putin administration on the way to put their policies into practice. The emergence of the Arab Uprisings led to new challenges as well as opportunities for Russia. Although the developments created economic difficulties for Russia, the process particularly in Syria ended in further direct involvement of Russia in the Middle Eastern context. As a result, Russia under the leadership of Putin has become one of the key players in the Middle East and the increasing influence and involvement of Russia in the region certainly has implications for the Israeli-Palestinian conflict.

The Middle East is a significant region for the Russian foreign policy agenda. On the one hand, Russia pursues its political and economic interests with the regional actors. On the other hand, the struggles in the region provide opportunities for reassertion of Russian great power in the international politics. In other words, the Middle East is of crucial importance for the Russian foreign policy in terms of its regional and global purposes, and becoming a significant player in the Middle East is a part of global competition with the Western actors. Russia was defined as “a would-be great power” in that regard (Freedman, 2020, p. 8). Therefore, Putin’s Russia has not refrained from directly involving the Middle Eastern issues especially in the context of the Arab Uprisings. The Syrian civil war became one of the most apparent examples of the Russian foreign policy in the region. Starting with the second term of Putin presidency, Russia adopted a more critical and competitive position against the Western dominance in the region. Russia was depicted as “a calculating, expansionist opportunist in the Middle East” especially after Putin’s second term (2004-2008) (Friedman, 2015, p. 104). Under the framework of Putin’s vision, the Russian foreign policy preferred to focus on improving relations with non-European countries in Eurasia, including the Middle East, in order to create a multi-polar world and to increase the Russian sphere of influence in the Middle East and other neighbor territories of Russia (Kozhanov, 2016, p. 27). Kozhanov (2016) claims that Putin’s new term (starting in 2012) was even different compared to his previous terms, 2000 and 2004, in the sense that Putin was “more authoritarian, more decisive and more anti-Western” in the new period (p. 28). Putin’s goal can be regarded as “restoring both Russia’s status as a global power, and its position as a regional superpower” (Larson & Shevchenko, 2010, p. 93). Russia pursued its economic, political and security interests more aggressively in the region in the new

period. Sanctions of the West increased the tension between Russia and the Western powers, and led to Russia's search for improving its relations with the non-Western regional and global actors. Moreover, the erosion of the US influence in the region created a window of opportunity for Russia, and it aimed to reassert its great power status and to rebrand itself as "a more sympathetic, pro-Arab alternative to the US" for the Middle Eastern people (Wehrey et al., 2010, pp. 67-69). Russia created the most serious challenge to the US primacy in the Middle East with the help of its military capability, political and economic power as well as its historical and current positive relations with the regional actors. This interpretation certainly refers to the struggle in other parts of the world as well. Interestingly, Putin's Russia could establish good relations even with the US allies, including Israel, in the Middle East and these relations were considered as an opportunity to resolve the conflicts in the region (Katz, 2019, pp. 2-4). In sum, the Middle East has been one of the significant regions in the Russian foreign policy agenda and Russia began to pursue more active policies for its regional and global objectives especially with the Putin period.

Russia has political, economic and security interests in the Middle East besides its competition in the global arena. The Middle East energy resources are of crucial importance like all other actors involving in the region. For Russia, the distribution of the energy resources and control of the oil and gas market are as important as production because of its own large oil, natural gas and coal reserves. In addition to status-seeking as a global power and protection of economic interests especially on energy, "the prevention of regional instability that might influence the people in the Russian borders, and supply of arms to the actors in the region for the Russian military-industrial complex" take place at the top priorities of the Russian foreign policy in the Middle East (Zyvagelskaya, 2013, p. 33). Although the context



of the Arab Uprisings seemed “a disaster for which it was unprepared” for Russia in the beginning, Russia could adapt its foreign policy with more involvement and intensification of its activities in the region after the emergence of the Arab Uprisings (Malashenko, 2013, p. 21). The initial Russian reaction to the Arab Uprisings was “a mixture of skepticism, caution and mistrust” but this conservative position became more meaningful in the context of later developments (Vysotsky, 2014, p. 41). Domestic considerations also played an important role in shaping the Russian foreign policy during the Arab Uprisings, in particular, and in all the Middle Eastern issues Russia got involved, in general (Suchkov, 2015, p. 19). As a result, there have been diverse interests of Russia in the Middle East and the emergence of the Arab Uprisings led to more intensification in the Russian activities in the region.

Russia has maintained good relations, and a neutral balanced stance with both sides of the Israeli-Palestinian conflict. It is possible to talk about a continuation of good relations with the Arab countries starting with the Soviet Union. Russia “inherited a positive image” from the Soviet Union in the eyes of the Middle Eastern people (Kozhanov, 2016, p. 12). Moreover, it has acquired observer status at the OIC with the help of its close ties with the Arab countries and its special role in the Middle East peace process (Bakhtin, 2013, p. 3). Although the dissolution of the Soviet Union and the hands-off approach of the Russian governments for a short period have lessened the degree of Russian influence on the regional actors, Putin’s Russia could reconsolidate its sphere of influence in the later period. In addition to close relations with the PA under the leadership of Mahmoud Abbas, Russia could maintain positive relations with Hamas as an important actor of the Palestinian politics, and Hamas preferred to approach Russia in some critical moments (Magen & Bagno-Moldavsky, 2014, p. 1). Russia was “the only non-Muslim country to

recognize Hamas” after the parliamentary elections in 2006 (Magen, 2013, p. 52). It was part of the Russian strategy which is based on establishing relations and keeping dialogue with all the actors including the non-state ones in the Middle East. Russia also contributed to the reconciliation talks between the PA and Hamas in the later periods. On the other hand, there was gradual improvement in the Israel-Russia relationship in the same period. Russia views Israel both “as an actor which has common cultural, spiritual and moral bonds, and as a technological, economic, and political partner having an international influence” (Magen, 2013, p. 47). Russia and Israel established diplomatic relationship in 1991. The rapprochement between Russia and Israel was considered as “the most important development in Russia’s foreign policy towards the Middle East since the end of the Cold War” (Rumer, 2019, p. 12). The good relationship between Sharon and Putin became the starting point of improvement in relations and the positive trend reached its climax in the Netanyahu period despite the clashing interests of Israel and Russia in the region particularly on the Iranian relations and the Syrian civil war. Because of the existence of political will to maintain good relations on both sides, they could overcome some difficulties in some problematic issues. At the positive side of bilateral relations, they had converging interests and the high number of Jewish immigrants coming from Russia created common concerns for bilateral relations. Therefore, they aimed to establish “a realistic and pragmatic relationship” based on immigration, security, trade relations and energy as the driving forces of the relationship (Razoux, 2008, pp. 1-3). The military cooperation and high technologies were the main sectors of growing bilateral relations.

In terms of the Russian position in the Israeli-Palestinian conflict, Russia has traditionally had a pro-Palestinian stance especially at the UN level while trying to

keep good relations with both sides in the bilateral relations. It should be kept in mind that Russia has a crucial place for the Middle East peace process as a member of the Middle East Quartet and as a permanent member of the UN Security Council. Russia recognized the principle of a Palestinian state after the first declaration of independence in 1988 (Magen, 2013, p. 52). Russia has kept its position on supporting the establishment of a Palestinian state. It was one of the supporters for the Palestinian application to UN membership in 2011. In addition to passive support of Russia in the international arena, it did not avoid taking more active roles about the peace process. Consequently, Russia adopted a pro-Palestinian stance while keeping good relations with both sides in the Israeli-Palestinian conflict and its involvement will likely to increase parallel to its more active role in the Middle Eastern and global affairs.

#### 5.4.5 The role and position of Turkey in the Israeli-Palestinian conflict

Turkey has a long historical relationship with the territories on which the State of Israel and the Palestinian groups inhabit today. This region had remained under the rule of the Ottoman Empire for four centuries. At the societal level, Turkey established good relations with both the Palestinian Arabs and the Jewish people. The Turkish Republic was one of the first states and the first Muslim-majority state which recognized the State of Israel. On the other hand, Turkey has been one of the leading states which have supported the Palestinian cause in the international arena, particularly at the UN level. Turkey represents a unique case because of keeping its good relations with both sides of the Israeli-Palestinian conflict. Kut defines Turkey as “the only pro-Palestinian actor without being anti-Israeli”.<sup>49</sup> This expression best

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<sup>49</sup> The original expression belongs to Assoc. Prof. Dr. Gün KUT who used it in the Thesis Progress Committee at Bogazici University on December 18, 2019.

describes the position of Turkey in the Israeli-Palestinian conflict. In fact, it has been really difficult to keep this sentimental position for Turkey. It can be claimed that Turkey's pro-Palestinian stance has never changed but the Turkish-Israeli relations encountered some challenges and had some fluctuations. The problems about the Turkish-Israeli relations mostly stemmed from the Israel's unilateral actions against the Palestinian groups in the occupied territories and its asymmetrical use of power. Although rapprochement between Israel and Turkey was achieved in different periods, the policies of the Israeli governments against the Palestinians led to deterioration of relations each time and those policies were responded harshly by the Turkish decision-makers especially at the discursive level. It can be claimed that despite Turkey's independent relations with both sides, the zero-sum logic of the Israeli-Palestinian conflict affected the Turkish-Israeli relations negatively. At the UN level, Turkey adopted a pro-Palestinian stance in its preferences for the votes. In sum, the Palestinian Issue has been one of the priorities of the Turkish foreign policy agenda and Turkey had a unique position with its "pro-Palestinian stance without being anti-Israeli" in the Israeli-Palestinian conflict. Turkey's voting behavior in the General Assembly reflected this position.

In terms of the Israeli-Palestinian conflict, Turkey adopted a pro-Palestinian stance especially after the 1967 War (Aral, 2004, p. 142; Sayari, 1997, p. 45). Aral (2004) puts forwards the reasons for the policy shift in favor of Palestinians as "growing public pressure, its foreign policy interests, and its historical and cultural identity as a Muslim and Middle Eastern country" (p. 142). On the other hand, Turkey did not leave aside the bilateral relations with both sides regardless of its position in the Israeli-Palestinian conflict. During the Middle East peace process, Turkey has been a supporter of the peace attempts due to its concern for regional

stability and regional economic cooperation (Sayari, 1997, p. 50). Moreover, Turkey aimed to keep a balance in its relations with Israel and the Palestinian groups.

Turkish-Israeli relations experienced some fluctuations in the previous periods due to important challenges regarding the Israeli-Palestinian conflict and Turkey's relations with the Arab states in the Middle East. Though Turkey was one of the first states and the first Muslim-majority state which recognized Israel, the bilateral relations were not improved in the following period. Because of the military struggles between Israel and the Arab states, Turkey adopted a cautious approach in its relations with Israel not to alienate the Arab regimes in the region. Therefore, the end of military struggle and the emergence of negotiation process under the framework of the Middle East peace process created a chance for improving Turkish-Israeli relations as well. Turkey could raise its diplomatic relations with Israel to the ambassadorial level in 1992 only after the Madrid Peace Conference (Kanat, 2012, p. 235). Furthermore, Turkey decided to raise its diplomatic relations with the PA to ambassadorial level as well in order to keep the balance on its relations with both sides. 1990s became the period in which Turkish-Israeli relations were improved dramatically especially in the fields of high-tech military industry, intelligence, tourism and trade relations despite the existence of some difficulties. The cooperation between two democratic, secular and pro-Western countries was also important for the US foreign policy in the Middle East. Interestingly, even the short-lived coalition government under the leadership of Erbakan, who had an Islamist ideological and political stance and used harsh rhetoric against Zionism, preferred to make agreement with Israel besides its closer relations with some Arab countries in that period. The failure of the Oslo process and the eruption of the al-Aqsa Intifada

constituted the main challenges not only for Turkish-Israeli relations but also for the peace process in the 1990s and the beginning of the 2000s.

After the Justice and Development Party (JDP) government in Turkey, Turkish-Israeli cooperation in terms of military and security continued in the first years. However, Israel's unilateral actions and asymmetric use of power against the Palestinian groups led to strains in the Turkish-Israeli relations. Israel's operation against Gaza called Operation Cast Lead in 2008 during the mediation attempts of Turkey between Syria and Israel, the extraordinary polemic between Erdogan and Shimon Peres in the Davos meeting in 2009 and the chair crisis created significant problems between the two sides and deteriorated the relations, and lastly, the Mavi Marmara Incident became the real breaking point in that sense (Kanat, 2012, p. 246). The Prime Minister of Turkey, Recep Tayyip Erdogan, underlined the asymmetric use of power by Israel during the Operation Cast Lead in an interview and mentioned that "Palestine today is an open-air prison" ("Turkish PM", 2009, p. 349). Ovali explains Turkey's gradual distancing itself from Israel through the national role conception of Turkey under the JDP rule. For him, "Turkey's attempts to adopt simultaneously the roles of regional leader, regional protector and defender of Islam culminated in a confrontation with Israel" (Ovali, 2013, p. 15). The impact of the Arab Uprisings in the region and the evolution of the Turkish foreign policy in different cases of the Arab Uprisings should also be taken into account while analyzing the relations of Turkey with Israel and the Arab states in the Middle East.

Turkey's pro-Palestinian stance can be observed in its roles and voting behavior in the UN votes focused on in this dissertation. First of all, Turkey voted in favor of the resolution on the proclamation of the State of Palestine in 1988. Turkey became one of the first countries and the first NATO member which extended

diplomatic recognition to the Palestinians in 1988 (Sayari, 1997, p. 50). Furthermore, Turkey preferred to upgrade its relations with both the PLO and Israel to ambassadorial level at the same time. Turkey has long been one of the most enthusiastic supporters of the pro-Palestinian resolutions at the UN level. Turkey's improving relations with Israel in the 1990s did not change its pro-Palestinian voting behavior at the UN level. In sum, Turkey could improve its bilateral relations both with Israel and the Palestinian groups in the 1990s and the first years of the 2000s. The following years led to significant transformations in the Middle East and Turkey's relations with the actors in the region.

Israel's operation, called Operation Cast Lead, against the Palestinian groups in Gaza, which was under the control of Hamas, and its asymmetric use of power in that operation drew reaction of the Turkish government in 2008. Because the timing of the operation coincided with Turkey's mediation attempts between Syria and Israel, the JDP government in Turkey declared its disappointments and reactions in that context. This operation became the starting point for a series of events leading to further deterioration of Turkish-Israeli relations. The Turkish Prime Minister, Recep Tayyip Erdogan, declared Turkey's displeasure about Israel's policy against the Palestinian groups directly to the Israeli President, Shimon Peres, in the Davos meeting in 2009. While Erdogan's speech increased its popularity among the Arab societies, it became a symbol of straining relations between Turkey and Israel. The chair crisis between the Turkish ambassador and the Israeli Foreign Minister constituted another symbolic event of the worsening Turkish-Israeli relations in January 2010. The real turning point which affected the relations deeply came with the Mavi Marmara Incident in May 2010. Therefore, the Mavi Marmara Incident brought the negative trend in Turkish-Israeli relations to a really higher level. While

the economic relations were maintained in the following period despite some fluctuations, the diplomatic and political relations were at one of the historical lowest points in that period. In spite of Netanyahu's apology in 2013 and the acceptance of the Israeli government for paying concessions due to the Mavi Marmara Incident, the bilateral relations could not be recovered. As a result, the eruption of the Arab Uprisings and the attempt of the Palestinian leader, Mahmoud Abbas, for the UN membership and the Palestinian statehood coincided with the period in which Turkish-Israeli relations were really bad. Turkish foreign policy and its voting behavior at the UN level in the 2010s reflected the traditional pro-Palestinian policy in that sense and Turkey adopted a critical position against Israel.

The Palestinian leader, Mahmoud Abbas, applied to the UN for full membership in 2011. Since the period of Turkey's elective membership was expired by 2010, Turkey could not take part in the Security Council process. Palestinian application was not put to the vote in the Security Council. After that, a draft resolution on upgrading the status of Palestine to non-member observer state was prepared in the UN General Assembly and put to the vote in 2012. Turkey was among the 138 member states which voted in favor of the resolution. In fact, Turkey not only voted in favor of the resolution but also lobbied for enhancement of the status of Palestine before the UN General Assembly session about the issue. For Turkey, upgrading the status of Palestine can only be a step forward towards the Palestinian statehood rather than a satisfying result. Turkey has declared its support for a comprehensive solution based on two-state solution. Apart from that, Turkey maintained its good relations with both the Fatah, and the PA, and Hamas in Gaza. In an interview, Erdogan underlined the Turkish view by saying that Hamas is a legitimate player despite its mistakes in the previous periods ("Turkish PM", 2009, p.



349). Therefore, Turkey not only supported the Palestinian initiatives at the UN level but also maintained its relations with other Palestinian groups as well.

Apart from the Turkish support for the Palestinian cause at the governmental level, there is strong public support among the Turkish people about the Palestinian Issue in almost all segments of the society. Thus, Turkey's pro-Palestinian stance has turned into a kind of state policy rather than being limited to some governments. The ideological background of the pro-Palestinian stance differed among the political groups but there was a consensus on Turkey's position in the Israeli-Palestinian conflict. Whereas the leftist political groups and governments attributed importance to the living conditions of the Palestinians who were deprived of their basic needs and rights, the Islamist groups and governments paid attention to the need for Islamic solidarity between the two peoples as well as providing humanitarian and political support for the Palestinian people. This strong support in the society enabled the governments to keep their pro-Palestinian stance in the international arena. This public sentiment continued regardless of the fluctuations in the Turkish-Israeli relations. Consequently, Turkey's pro-Palestinian stance has turned into a permanent policy in the long term and the strong public support for the Palestinian people contributed to the maintenance of that policy regardless of the ideological orientation of the governments.

Trump administration in the US decided to recognize Jerusalem as the capital of Israel in December 2017. This decision created a strong reaction in the Islamic world. Turkey was the chairman of the OIC when the US declared that decision. Turkey's chairmanship in that period enabled Turkey to trigger a collective reaction against the attempt to change the status of Jerusalem by the US. After the call of Turkey, the members of the OIC convened in an immediate meeting. At the end of

the meeting, the US decision to recognize Jerusalem as the capital of Israel was condemned and East Jerusalem was declared as the capital of Palestine. Because of Turkey's chairmanship of the OIC, Turkey could play a much more active role about the issue. Furthermore, the initiatives against the US decision were maintained at the UN level. The attempt of the Trump administration to change the status quo was brought to the Security Council which is responsible for maintaining international peace and security. A draft resolution calling the states for rejecting the decision of the Trump administration and not moving their embassies to Jerusalem was prepared and put to the vote. Despite the fourteen votes in favor of the resolution, it was not adopted by the Security Council because of the US veto. Then, the General Assembly became the next platform for showing another reaction to the US attempt. Turkey, as the Chair of the OIC, was one of the two co-sponsors of the draft resolution together with Yemen, which was the Chair of the Arab League in that period. Thus, the resolution presented to the General Assembly reflected the support of the Arab states and the Islamic world. The resolution was adopted with the help of 128 votes in favor. As a result, Turkey played a leading and active role in the General Assembly resolution against the decision of Trump administration to recognize Jerusalem as the capital of Israel and its chairmanship of the OIC provided an opportunity for playing that role through the international institutions. The high number of supporters revealed the huge reaction against the attempts to change the status quo over the status of Jerusalem.

In the last vote about the status of Palestine in the UN General Assembly in 2018, Turkey again voted in favor of the resolution. This resolution enhanced the rights of Palestine and opened the way for its chairmanship for the Group of 77 for 2019. It should be kept in mind that Turkey has supported the establishment of the

State of Palestine and its UN membership. Thus, Turkey has seen the attempts for upgrading the status of Palestine as one step forward for the realization of the Palestinian statehood. Put differently, Turkey will continue to support similar initiatives and play an active, if not leading, role at the UN level. Turkey has been an active member especially about the issues related to the Israeli-Palestinian conflict. The high number of supporting states in the UN strengthened the pro-Palestinian stance of Turkey and provided a suitable atmosphere for further attempts. Consequently, Turkey's pro-Palestinian stance and the strong support from the member states opened the way for enhancing the rights and status of Palestine at the UN General Assembly.

On the other hand, Turkey has not played an active role in the 2014, 2016 and 2017 votes of the Security Council about the issues related to Israeli-Palestinian conflict because of the structure of the Council. However, it has been one of the most critical voices against the structure of the UN Security Council especially in the last decade. There is no doubt that the right to veto for the permanent five members of the UN Security Council prevents other actors from overcoming the deadlock over some critical issues. Furthermore, even the possibility of using the right to veto, or veto threat, blocks some attempts in the preparation process. The disagreements and the clash of interests among the permanent members lead to deadlock on some significant issues. This structure and voting system of the Security Council have been criticized by many actors in the previous periods. The Turkish President, Recep Tayyip Erdogan, has been one of the leading figures about criticizing the UN system and the structure of the Security Council. Erdogan formulated his criticism as "The world is bigger than five" by referring to the privileged positions of the five permanent members of the UN Security Council. Erdogan used this rhetoric for

criticizing not only the UN system but also for the inequalities and unfair treatments in the global system. In other words, Erdogan addresses the global problems stemming from the policies of the great powers and the global economic system.

Erdogan thinks of the UN as a global parliament so he prefers to send his messages to the other actors in the UN General Assembly sessions. In the 2014 annual debate of the UN General Assembly, he first declared his demand for reform in the UN Security Council with the slogan of “The world is bigger (more) than five” due to the inability to stop violence in Syria and terrorist activities, and he mentioned that “this situation based on the veto power blocking the entire UN body is unacceptable” (“In address to UN Assembly”, 2014, para. 3). Erdogan used this platform repeatedly to address the inequalities in the world system. Therefore, his speech in the annual debates created a chance for attracting attention of the other actors to the global problems such as crimes against humanity and terrorism. Once again, he criticized the UN inaction in the crises in some countries such as Iraq, Afghanistan, Egypt, Libya, Palestine, Syria, Ukraine and Yemen and claimed that “UN inaction gives rise to terrorism” (“Erdogan: UN inaction”, 2015, para. 1). Erdogan continued to remind the responsibilities of the UN about maintaining peace and security in the global affairs and called for reform in the structure of the UN Security Council with his famous slogan in the following years (“Turkey’s Erdogan”, 2016, para. 8-9). Additionally, he called the international community “to support the Palestinian struggle for an independent and geographically unified Palestinian state in East Jerusalem, the West Bank and Gaza” in his speech in 2017 (“At UN Assembly”, 2017, para. 4). In sum, Turkey could not play an active role in the votes in the Security Council but it has become one of the most critical actors against the structure and voting system of the UN Security Council, in the period in which the

UN level was reactivated after the Palestinian application in 2011. Therefore, it is possible to say that Turkey expressed its demands for reform in the UN system and kept its activism at the discursive level for the Security Council besides its activism for the resolutions in the General Assembly.

#### 5.4.6 Other external actors

I have analyzed the roles and policies of the prominent external actors especially in terms of their important positions in the international system. However, there are other significant regional actors having an influence on the regional and international dynamics. Iran and Saudi Arabia can be regarded as the prominent examples of this group. Their roles and sphere of influence especially on the regional issues and relations cannot be dismissed. Since the scope of this dissertation is not sufficient to analyze the policies and positions of all the actors, I preferred to focus on the role of global actors rather than the regional ones except for the role of Turkey. Therefore, it is necessary to make further research by adding the roles and policies of the influential regional actors in order to reach more comprehensive analyses. Our focus and preferences should not be considered as neglecting their roles in the Israeli-Palestinian conflict in that sense. On the contrary, their roles make the two-level game more complex than I have depicted.

### 5.5 Regional context

#### 5.5.1 The Arab uprisings and the Israeli-Palestinian conflict

The Palestinian application for UN membership emerged in the context of the Arab Uprisings. The Palestinians aimed to get benefits from the rise of the influence and power of the Muslim Brotherhood in the region especially in the initial period of the

Arab Uprisings. The evolution and the destiny of the Uprisings also led to changes in terms of the dynamics of the Israeli-Palestinian conflict. Therefore, I will analyze the Arab Uprisings as the decisive factor about the regional context in the dissertation.

The emergence of the Arab Uprisings changed the dynamics on the ground and the policies of different actors in the Middle East. This context was essential for the application of Palestine for UN membership because it was possible to get the huge support of the regional actors against the Israeli-American coalition. The increasing role and power of the Muslim Brotherhood in the region was welcomed by the Palestinians because the Muslim Brothers with their increasing sphere of influence would be a great partner for them in the region. Morsi, the newly elected President of Egypt, showed some examples of this expectation by playing active role in the ceasefire attempts against Israeli assaults on Gaza and opening the Rafah border between Gaza and Egypt. Looking at the other side of the coin, Mahmoud Abbas was anxious about the position due to his close relations with the status quo leaders like Mubarak in the former period (Elgindy, 2011, p. 105). Therefore, it can be claimed that Mahmoud Abbas tried to turn the context into advantage not only for the Palestinians in general but also for himself. The policies of regional actors are crucial because the regional actors do not avoid taking active roles in the regional crises. In Nelson's words, "Regional actors tend to have a stronger interest in developments within their region and, therefore, have more incentive to take greater measures to effect a desirable outcome" (Nelson, 2016, p. 19). However, the changes in the regional actors may create negative effects as well. The ouster of Morsi as a result of military intervention in Egypt in 2013 changed the context dramatically. The Arab Uprisings could not create the desired outcomes for the Palestinians and the new conditions were very much unfavorable for them. The domestic problems in

the Arab countries provided a better room to maneuver for Israel. The Palestinians lost the expected regional support of the Arab states and they were left alone in their struggle. When Trump came to power and established better relations with some Arab countries such as Saudi Arabia, Egypt and the United Arab Emirates, the Palestinians faced the cold facet of harsh reality. They seemed to be on the verge of losing some of the limited things in their hands instead of pursuing statehood.

The eruption of the Arab Uprisings led to changes in the regional dynamics and transformations of the policies of the external powers towards the Middle East. The socioeconomic problems in the Arab countries, their high level of displeasure with their long term dictatorship regimes and increasing mobility among different groups of societies with the help of the technological developments all constituted the domestic reasons for the uprisings. Despite the importance of the domestic factors, the regional and global actors got involved in the process and they tried to direct the evolution of the revolts in accordance with their long-term strategies in the Middle East. The involvement of the external actors changed the directions of the opposition movements in each case. It can be said that the eruption of the revolts created a big surprise for the external actors but they managed to adapt themselves to the new conjuncture and played decisive roles in the rest of the process. All the actors had to recalculate their interests and adopt new policies and engagements towards the region.

Among the external actors, the US has long been the key player especially after the end of the Cold War. The US established close relations with the regimes in the former period and there were some crucial interests of the US about the region. In some cases, the US had to change their regional alliances and establish new partnerships. The key strategic interests for the US administration in the new context

were “energy security, freedom navigation, non-proliferation, countering violent extremism, and maintaining Israeli security” (Larocco & Goodyear, 2013, p.9). The Israeli security was one of the main concerns for the US strategy in the Middle East for decades but the changing dynamics highlighted the importance of the issue. This concern was defined as “a moral commitment going beyond interests”. Therefore, the US had to take initiative and design the region as much as possible in accordance with its long-term strategies. In other words, the US embarked upon a process of “political engineering” (Selim, 2013, p. 269). The interpretation of the US policies can be more meaningful by looking at them through the US strategies towards the region. The changing dynamics in favor of Israel with the involvement of the US cannot be seen as a coincidence in that sense.

Israel was one of the most alert actors in the region after the eruption of the Arab Uprisings in the Middle East. Since the revolts created uncertainties in the whole region and led to change in leadership of some countries, Israel had to adapt its foreign policy to the new environment and to keep its security. Put differently, the Arab Uprisings changed the status quo, which was beneficial for Israel, and heightened the security concerns of Israel. Israel reacted to the uprisings with a “defensive Realist” approach and Israelis called the phenomenon as “the biggest erosion of its strategic environment since the founding of the state” (Jones & Milton-Edwards, 2013, p. 399). The changing balance of power and regional instability and volatility led to a relatively disadvantageous and uncertain position for Israel so it led to the questioning of whether the “Arab Spring” would be “Israel’s winter” in the region (Panayiotides, 2012, p. 21). The Arab Uprisings created a big surprise for the Netanyahu government in that sense. Looking at the other side of the coin, the Arab Uprisings could have been a window of opportunity for the Palestinians in order to



get the support of the regional and global powers in the Israeli-Palestinian conflict. “The popular protests were not primarily anti-American or anti-Israeli but there were pro-Palestinian sentiments and slogans as well” (Shlaim, 2014, pp. 382-383). The rise of new Arab nationalism and the support for the Palestinians during the protests created a new sense of hope among the Palestinians. The influence of this context on the unilateral action of the Palestinian leader, Mahmoud Abbas, regarding his application to the UN for full membership cannot be denied. The Arab Uprisings not only heightened Israel’s security concerns but also created some risks for the future of the Israeli-Palestinian conflict. However, the developments starting with the military intervention in Egypt reversed the impacts of the Arab Uprisings. As a result, “the fallout from the Arab Uprisings led to detract attention away from the Palestinian issue” and the turmoil in the Middle East in the following period increased the power differential between Israel and its Arab neighbors (Inbar, 2015, The view from Jerusalem, para. 3). Therefore, the post-Arab Uprisings context created a more favorable atmosphere for Israel in the regional affairs.

The Arab Uprisings not only created a window of opportunity for the Palestinians but also affected the domestic politics and triggered some groups to voice their demands through popular protests. Among them, the March 15<sup>th</sup> movement, which was composed of students who were affected by the mass demonstrations in the other Arab countries, emerged as a non-partisan and non-violent opposition movement (Palmer, 2011, p. 31). These groups confirmed the fact that there were displeased individuals among the Palestinians because of the internal rift between Hamas and Fatah and they were against the policies of both groups. As a result, the Arab Uprisings led to important changes in the Palestinian domestic

politics and the regional context so these changes on the ground opened the way for a Palestinian initiative at the UN level.

#### 5.5.2 The changing context after the initial period of the Arab uprisings and the Deal of the Century

The period starting with the 2013 military intervention in Egypt changed the regional context, and the favorable conditions for the Muslim Brotherhood and the Palestinians turned upside down. The military struggle in some Middle Eastern countries led to civil wars and the general atmosphere in the regional affairs was chaotic. The regional transformation after the Arab Uprisings created a suitable atmosphere for Israel. Donald Trump's election as the US President and its support for the Israeli policies in the region strengthened the Israeli position. The Trump administration prepared a plan called the Deal of the Century in that context and aimed to put this plan into practice with the involvement of some regional actors such as Saudi Arabia, Egypt and the United Arab Emirates. As a result, the changes in the regional context and increasing support of the US in the Trump period led to favorable conditions for Israel, and the US and its allies in the region have made an initiative called the Deal of the Century in order to reach a comprehensive solution for the Israeli-Palestinian conflict. The dynamic character of the regional context played a significant role in the policies and preferences of the actors and it has influenced the activation of the UN level and the dynamics of the complex two-level game of the Israeli-Palestinian conflict.

The Deal of the Century plan, which is officially named as "Peace to Prosperity: A Vision to Improve the Lives of Palestinian and Israeli People" (The White House, 2020, para. 1), is a proposal prepared and declared by the Trump

administration in order to resolve the Israeli-Palestinian conflict. First of all, it can be claimed that any kind of deal leading to a comprehensive settlement of the Israeli-Palestinian conflict with the consent of two sides deserves to be titled as Deal of the Century because of the central and historical importance of the Israeli-Palestinian conflict not only for the Middle Eastern societies but also for many people living in other parts of the world and affiliated with different religions, ethnic backgrounds and political orientations. This deal may preferably be a result of bilateral negotiations such that it more or less reflects the claims and political considerations of both sides and it can be accepted by the domestic representative bodies as the other part of the two-level game. However, stalemate in the former negotiations and negotiation strategies leading to deadlock have already proved the difficulty of that option. Therefore, a unilateral plan or initiative can also be regarded as another option for resolving the conflict as long as it is recognized and confirmed by the other side. For example, the Arab Peace Initiative in 2002 was an important proposal prepared by the Arab states and offered Israel normalization of Arab-Israeli relations in exchange for full withdrawal of the Israeli forces and establishment of an independent Palestinian state with East Jerusalem as its capital. Since Israel did not respond it positively and it was not strengthened by further steps through negotiations, the proposal could not turn into a deal. Put differently, the so-called Deal of the Century is not a deal for now because a deal requires the consent of both sides but the Palestinian side rejected it. The Palestinians were not involved in the negotiations for the peace plan; obviously, this attitude increased the possibility of rejecting the proposal for the Palestinians. The PA not only rejected the peace plan but also declared to cut its ties with the US and Israel (Fahmy & Laessing, 2020, para. 1).

Trump's peace plan, Deal of the Century, included economic and political aspects with the purpose of achieving a comprehensive solution. The exclusion of the Palestinian actors from the preparation process led to conditions very much favorable for Israel. Nevertheless, the Trump administration aimed to increase the support base for the plan among the leaders of other Arab states such as Saudi Arabia, Egypt and the United Arab Emirates. Three Gulf states, Oman, Bahrain, and the United Arab Emirates, attended the press conference in which the peace plan was released (Fahmy & Laessing, 2020, Palestinian rights, para. 6). It was one of the striking aspects of the new peace proposal.

The peace plan rejected East Jerusalem as the capital of Palestine; instead it proposed a Palestinian capital at the outskirts of the city of Jerusalem. Interestingly, the Israeli settlers in the West Bank also rejected the plan because of their feelings of threat and security concerns from a future Palestinian state (Kershner, 2020, para. 4, Magid, 2020, para. 3). According to the plan, the US would recognize the Israeli sovereignty over the West Bank territories on which the Israeli settlements located and the Jordan Valley. The Israeli leader, Netanyahu, expressed their demand for immediate annexation of the Jordan Valley and the West Bank territories during the press conference declaring the peace plan.

The Plan included very few characteristics attributed to the concept of state and it has nothing to do with implementation of the right to self-determination. It was, correctly, defined as an attempt for "creating a discontinuous Palestinian archipelago state, surrounded by a sea of Israeli territory" (Thrall, 2020, para. 1). Obviously, the entity depicted by the peace plan as Palestinian state cannot be considered as an independent and sovereign state demanded by the Palestinians and this proposal was far from a genuine two-state solution. On the contrary, it meant to

validate the Israeli claims in terms of the status of Jerusalem, the status of the Israeli settlements in the West Bank, territorial debates and the rights of the Palestinian refugees. Therefore, it was considered as non-negotiable by the Palestinian actors. As a result, the Deal of the Century plan strengthened the legitimizing role of the US policies for the Israeli actions and control on the ground in the Trump period.

In sum, the changes in the regional context as the dynamic factor on the ground compared to other variables played a decisive role on the evolution of the Israeli-Palestinian conflict in the last decade. While the initial period of the Arab Uprisings created a window of opportunity for the Palestinians and they preferred to internationalize the issue by making application to the UN, the following developments led to more favorable conditions for Israel and Israel and its allies aimed to turn this advantage into a permanent gain through a peace plan called Deal of the Century. Therefore, the changes on the ground determine the policies of the actors and the preferences and policies of the actors reflect the dynamics of the complex two-level game of the Israeli-Palestinian conflict.

In conclusion, the ground level constitutes one of the two levels of the complex two-level game of the Israeli-Palestinian conflict. It refers to dynamics on the ground and reflects the reality instead of symbolic or discursive issues. Because of the ongoing Israeli occupation and the absence of an independent and sovereign Palestinian state, the ground level differentiates the Palestinian case from other two-level games. The domestic-international distinction is not so clear for the Palestinian case. Moreover, there is an asymmetrical power relationship between Israel and the Palestinian actors and this relationship provides complete control and significant advantage for Israel on the ground. The relations on the ground mean deterioration of the living conditions of the Palestinian people rather than maintenance of status quo.

Therefore, the cost of no agreement has always been higher for the Palestinians. On the other hand, the Israeli decision-makers used their favorable position as a negotiation strategy and aimed to turn this advantage into a permanent settlement through a peace agreement without making concessions. While the unilateral actions of Israel and its asymmetric use of power against the Palestinian groups led to new anti-Israeli resolutions and increased the support for Palestinians at the UN level, they created new problems for the Palestinian people on the ground. The only way for overcoming the asymmetric relations on the ground for the Palestinian actors was internationalization of the issue. Thus, they tried to improve their relations with the external actors and made new initiatives at the UN level with the help of their allies. Consequently, the ground level reflects some of the essential characteristics of complex two-level game of the Israeli-Palestinian conflict and it has direct and indirect ways of interactions with the UN level and the international arena.

The dynamics on the ground are shaped around the military and political superiority of Israel and lack of independent and sovereign statehood on the Palestinian side. There is a struggle over sovereignty on the ground. Moreover, two-state solution has been the formula for negotiations and peace attempts. Therefore, a possible (or future) Palestinian state is considered as the final result of this struggle. Since the Israeli leaders also accepted the need for a Palestinian state, the question about Palestinian statehood turned into a what kind of a Palestinian state would be instead of whether or not question. The relations and dynamics on the ground will determine the features of a future Palestinian state. It means that a possible (or future) Palestinian state is dependent variable of the ground level in the Israeli-Palestinian conflict. The factors having an influence on the dynamics on the ground can be regarded as the Israeli elites and domestic politics, the Palestinian actors and

domestic politics, the external actors and the regional context. These factors are the independent variables at the ground level. These variables also have some interactions and relations with the dynamics at the UN level and developments in the international arena. As a result, the struggle over sovereignty is based on the features of a possible Palestinian state on the ground so the factors affecting the Palestinian statehood will constitute the dynamics of the complex two-level game together with the variables at the UN level.

The principle of two-state solution and a Palestinian state do not mean the same thing for all the actors. Whereas the Palestinians expect a completely sovereign and independent state having all legal and political characteristics of a state in the international arena, the proposals and plans of the Israeli actors could not go beyond a demilitarized state with very limited sovereignty. Because of the asymmetric power relations and the Israeli superiority on the ground, the Israeli governments had chance to put their policies into practice. Therefore, Israel preferred to make new fait accompli cases through unilateral actions and they used their comparative advantage as a negotiation strategy. On the other hand, the First and Second Intifadas emerged as challenges to the failure of peace attempts and difficulties of the Palestinian groups. Furthermore, the internal geographical and political division of the Palestinian groups, Fatah and Hamas, created new problems for the establishment of a Palestinian state. In sum, the domestic factors, the role of elites and political parties, and social movements constituted important developments on the ground. These factors affected the possibility and features of a Palestinian state.

The external actors played an important role in the Israeli-Palestinian conflict depending on the internationalization of the issue. The US comes into prominence in that sense. Israel was considered as a strategically significant ally for the US.

Therefore, the US preferred to act together with Israel at the UN level and it did not put pressure on Israel during the Israeli operations and unilateral actions on the ground. While there were problems in the US-Israeli relations in the Obama period, the Trump Presidency brought the relations to one of the historically highest points. The close relations in the Trump period and the favorable regional context provided a suitable atmosphere for making a new peace plan, called Deal of the Century. The US, Israel and some Gulf monarchies supported the plan despite the rejection of the Palestinians. In sum, the US has been the primary external actor for the Israeli-Palestinian conflict and its mediation role during the negotiations was replaced by policies in favor of Israel in the last decades.

Besides the US, the EU and the individual European actors have important external actors for the Israeli-Palestinian conflict. Although the EU played an important financial role especially for the living conditions and institution-building efforts of the Palestinians, it could not turn this financial role into a political asset and it has never been a primary actor and alternative to the US in the political issues. There has been performance-expectation gap for the European actors and they could not meet expectations in that sense. In addition to this, there were disagreements among the individual European actors on the policies about the Israeli-Palestinian conflict and these disagreements reverberated to their voting behaviors at the UN level. Apart from that, Russia and China were other external actors that have potential to influence the dynamics on the ground as the rising powers in the last decades. They both adopted a pro-Palestinian stance in the UN votes while keeping their good relations both with Israel and the Palestinian actors. Their assertiveness in the Middle Eastern affairs reflect not only their agendas and policies towards the region but also their aspiration for upgrading their status to great power in the



international arena parallel to the relative decline in the US standing and changing balance of power in the global sense. They began to play more active role in the region and in the Israeli-Palestinian conflict but their challenge has not achieved their goals yet and the US is still the most influential player in the region with the help of its allies. As a result, the external actors played a crucial role for the interactions and relations between the two main levels of the complex two-level game and the US primacy and Western dominance were challenged by the rising actors such as Russia and China depending on their increasing power and influence in the regional and global affairs.

In terms of Turkey's role in the resolutions about the Israeli-Palestinian conflict at the UN level and its voting behavior, the first thing that should be underlined is the fact that Turkey has been an active member about the issue. Turkey's voting behavior reflected its traditional pro-Palestinian stance in the conflict. However, Turkey pursued its bilateral relations with both sides regardless of the attempts at the UN level. Turkey aimed to keep the balance by "keeping its pro-Palestinian stance without being anti-Israeli" and managed to do this for a long time. While the 1990s were the period in which Turkish-Israeli relations were improved and continued as such in the first years of the JDP government, some crucial developments such as Israel's operation against Gaza in 2008, called Operation Cast Lead, Erdogan's challenge to Shimon Peres at Davos meeting in 2009, the chair crisis, and lastly the Mavi Marmara Incident led to deterioration of the Turkish-Israeli relations. On the other hand, Turkey maintained its good relations with the Palestinian actors including both Hamas and Fatah. In addition to Turkey's pro-Palestinian voting behavior in the UN General Assembly, Turkey, as the Chair of the OIC in that period, played an active role in the preparation of the resolution against

the decision of the Trump administration to recognize Jerusalem as the capital of Israel in December 2017. Apart from that, Turkey lobbied among the member states in favor of the Palestinians. Turkey could not play a role in the Security Council process. However, Turkey, under the leadership of Erdogan, expressed its demands for reform in the structure of the Security Council in that period. Erdogan formulated its criticisms as “The world is bigger than five”, and he used this slogan not only for the problems in the UN system but also for the inequalities and problems in the global economic and political system. In sum, Turkey pursued an active foreign policy about the Israeli-Palestinian conflict at the UN level and its pro-Palestinian position was strengthened under the influence of the regional context and displeasure with the Israeli unilateral actions against the Palestinians.

In addition to the role of domestic and external actors, the regional context is another important variable having an influence on the dynamics of the ground level. The emergence of the Arab Uprisings led a regional transformation in the Middle East and affected the regional actors in different ways. The overthrow of the long-term dictatorships in Tunisia, Egypt and Libya seemed a kind of domino effect in the initial period. The rise of Muslim Brotherhood was likely to change the balance of power in the region. While the rise of Muslim Brotherhood meant a powerful regional ally for the Palestinians, it was considered as a challenge for Israel and the Gulf monarchies. The Palestinians aimed to turn this change in the regional context into an advantage at the UN level and they applied for full membership. The activities at the UN level continued in the next period. In the regional context, the military intervention in Egypt in 2013 turned the dynamics in the Egyptian and regional politics upside down. The rise of Islamic groups came to a halt in that period. Israel, Iran, and the Gulf monarchies were among the beneficiaries of the

regional turmoil because they could keep their power. Apart from that, Donald Trump's unconditional support for the Israeli policies and its legitimizing bold attempts for the Israeli actions and occupation strengthened the position of Israel on the ground. The Trump administration prepared a peace plan called Deal of the Century and some Arab states also supported this plan. In other words, the favorable regional and international context provided better conditions and a peace plan in accordance with the Israeli policies in the region. In sum, the changes in the regional context influence the policies and actions of the two sides of the conflict and their attempts to use their comparative advantages reflected the dynamics of the complex two-level game. Whereas the Palestinians made an initiative at the UN level and preferred to internationalize the issue, Israel decided to use its advantage at the ground level by imposing a peace plan.

The last chapter of the dissertation will present the consequences of the analyses about the complex two-level game of the Israeli-Palestinian conflict. It will discuss the hypotheses and assumptions put forward in the introduction chapter and compare them with the dynamics at the two main levels. This conclusion chapter will be helpful not only for the analyses about the historical background and current context of the Israeli-Palestinian conflict but also for further research about the issue. There are different dimensions of the Israeli-Palestinian conflict and this dissertation will contribute the literature on the legal and political processes of the Israeli-Palestinian conflict.

## CHAPTER 6

### CONCLUSION

The Israeli-Palestinian conflict has been one of the most significant unresolved conflicts in the international politics not only for the two sides but also for other regional and global actors. This dissertation has analyzed the conflict through the dynamics at two main levels and formulated the mechanism as a complex two-level game. The complex two-level game in the Israeli-Palestinian conflict refers to the ground level, and the UN level. The negotiations also play an important role as the main platform for the resolution of the Israeli-Palestinian conflict and they take place at the interaction area for the domestic and international factors. Because of the power imbalance between Israel and the Palestinian actors, the status quo on the ground works in favor of Israel. Moreover, the unilateral actions of Israel against the Palestinian groups in the occupied territories and in other regions aim to create more advantages for Israel on the ground and to make the control and gains permanent with the help of complementary attempts on the negotiation table. On the other hand, the attempts for enhancing the status of Palestine in the UN or preventing the unilateral actions of Israel and its asymmetric use of power have increased international support for the Palestinian actors and they have played a legitimizing role for the Palestinian claims at the UN level. While the ground level witnessed a struggle over sovereignty and provided a comparative advantage for Israel, struggle over legitimacy at the UN level enabled the Palestinian actors to get a better position on the negotiation table. Despite the existence of different dynamics at these two levels, the negotiations have kept their central place as the main platform for the comprehensive solution of the Israeli-Palestinian conflict. Therefore, it is argued that

the initiatives and developments at the two levels can be considered as ways of creating relatively more advantageous positions in the negotiations in order to make the final resolution of the conflict in accordance with each party's own terms and claims. As a result, the mechanism of complex two-level game and the mutual relations and interactions between the two levels provide the maintenance of the political process.

Robert Putnam's concept of two-level game is based on the idea that the relations between domestic and international levels reflect an interactive and dynamic process rather than two separate areas having mutual effects on each other. In addition to existence of issue linkages on the preferences and policies of the actors, the logic of two-level games provides an opportunity for synergistic linkages as a result of interactions between the domestic and international actors. In other words, the actors adopt different policies by taking into consideration their comparative advantages in the two levels. The complex two-level game of the Israeli-Palestinian conflict includes many classical examples of two-level games within its two main levels. At the UN level, the voting behavior and policies of each actor can be considered as an example of two-level game because of the domestic-international entanglements. Therefore, many examples of two-level games can be seen at just one UN vote. On the other hand, there are examples of two-level games for both sides of the conflict at the ground level especially in the negotiations. The complex two-level game can be considered as a combination of two-level games at both the ground level and the UN level in that sense. In sum, Putnam's theoretical approach based on two-level games provides a useful conceptual tool for the analyzing the relations and interactions between domestic-international levels so I used it as a reference point for the Israeli-Palestinian conflict.

Although the concept of two-level games explains the relationship between domestic and international levels and it has an explanatory power for the Palestinian case in some respects, the Palestinian case does not fit the classical domestic-international distinction fully because of the ongoing Israeli occupation and lack of an independent and sovereign Palestinian state on the ground. Consequently, the domestic-international distinction, which has an important part in the logic of two-level games, is rather blurred in the Palestinian case. Due to the occupation, basic issues on the ground can be internationalized easily with the involvement of the external actors. Furthermore, there are many dimensions and issues of the Israeli-Palestinian conflict. These issues also lead to involvement of different actors and they play changing roles in the conflict. This multi-dimensional and multi-actor aspect of the Israeli-Palestinian conflict is another reason that differentiates it from other two-level games. Consequently, the complex two-level game of the Israeli-Palestinian conflict has some peculiarities so it should be analyzed by taking into account those aspects in addition to the characteristics of classical two-level games.

In terms of the theoretical discussion of the dissertation, the concepts of state and sovereignty are of crucial importance in order to analyze the dynamics of complex two-level game. Although the two-state solution constituted the main principle of the previous negotiations and all sides accepted the necessity of a future Palestinian state, the proposals and expectations of the two sides for a possible Palestinian state have been completely different. Therefore, the form and content of the two-state solution are subject to negotiations. Since there are so many variables and the necessity of satisfying, at least partially, the demands of both sides for a permanent solution, the establishment of a Palestinian state is not an easily achievable goal. However, even the Israeli leaders had to accept the need for a

Palestinian state and they left aside their former position based on autonomy so the question of whether or not has turned into a form of what kind of a Palestinian state. Although this latter is a positive development in terms of reaching a permanent settlement, there is still a long way for the Palestinian statehood of any sort.

Parallel to the changes in the international system, the role of different actors in international relations, policies and perspectives of the influential actors, and international norms, the concepts of state and sovereignty have also changed. The Westphalian conception of state, which refers to a consolidated nation-state based on the principles of domestic authority and non-interference, has been used by the scholars for a long time. The Westphalian state has absolute sovereignty over the territories under its control. But with the rise of non-state actors and increasing global networks and interactions among the different actors, even the central place of states as the main actors in international relations has begun to be questioned. Furthermore, there are different actors claiming statehood in different parts of the world and their features do not overlap with each other. As a result, it can be said that the era of absolute sovereignty, which lies at the heart of Westphalian state, has somewhat passed and there are new forms of states in international system. In addition, the distinction between states and non-state actors is blurred and there emerged a gray zone in terms of statehood. A future Palestinian state, if it can be established, will most probably be in this gray zone instead of carrying the full set of characteristics of a Westphalian state. Thus, the Palestinian case should be analyzed from the perspective of changing meaning of sovereignty and statehood.

Comparing the legal and political aspects of statehood, it can be claimed that fulfilling legal requirements and physical qualities is not sufficient for establishing a state because recognition and statehood is a fundamentally political act. Thus,

political processes, positions and policies of the external actors and opportunity structures are more important than the legal requirements. In the Palestinian case, it is not possible to see all the legal requirements of statehood on the ground because of the Israeli occupation and this situation makes the realization of a Palestinian state more difficult. While the unilateral actions of Israel and its asymmetrical use of power against the Palestinian groups decrease the chances of realization of a Palestinian state in terms of population, territory and sovereignty, they increase the international support for the Palestinian statehood and its international recognition. However, the legal requirements are less significant compared to the political processes. In terms of the theories of statehood, the Palestinian case is closer to the constitutive theory of statehood but the need for negotiations for a comprehensive solution makes it a unique case. In sum, statehood is more a political process rather than a legal one so fulfilling legal requirements cannot guarantee statehood on the ground.

The discrepancy at the two levels reverberates on the policies and discourses of the two sides of the conflict. Since the Palestinians need to overcome the asymmetric power balance on the ground by getting the support of the international actors, they prefer to internationalize the issue and make new attempts at the UN level. On the other hand, the Israeli delegates always point out the facts on the ground and they prefer to delegitimize the initiatives at the UN level. Additionally, Israel creates new *fait accompli* situations on the ground in order to increase its advantage and to strengthen its hands on the negotiation table. The initiatives at the UN level can create only minor changes about the status of Palestine but the Israeli policies deteriorate the conditions for the Palestinians. Thus, the gap between *de facto* and *de jure* statutes widens through time.



The regional context in which the Palestinians applied to the UN for full membership gives information about the influence of the regional context on the dynamics of complex two-level game. The eruption of the Arab Uprisings and spread to different parts of the region led to overthrow of the long-term dictatorships in Tunisia, Egypt and Libya. The regional status quo faced a wave of change throughout the region. The rise of Muslim Brotherhood was of crucial importance for the regional balance of power in the Middle East because of its sphere of influence. While the increasing influence and power of the Muslim Brotherhood meant a powerful regional partner for the Palestinians, it caused worries among the other actors having claims for regional leadership such as Israel, Iran and Saudi Arabia. The Palestinians aimed to turn this favorable regional context into an advantage at the UN level. Therefore, the timing of the Palestinian bid for UN membership was not a coincidence. Through this initiative, the Palestinians aimed to return to the negotiation table on a relatively more equal basis by strengthening their hands at the UN level. Put differently, the Palestinians tried to use their comparative advantage at the UN level in order to change the dynamics of complex two-level game in favor of themselves.

What are the legal and political consequences of upgrading the status of Palestine to non-member observer state and what can be the implications of the new situation for the Palestinian-Israeli conflict in the future? This dissertation assumes that the support of international community and the final or comprehensive solution for the conflict are dependent on successful peace negotiations. Thus, upgrading the status of Palestine to non-member observer state was nothing more than strengthening the Palestinian actors' hands in the next rounds of negotiations. The status of observer state is different from official recognition of statehood. However,

we should also keep in mind that Palestine is still not a full-member state in the UN. Put differently, the Palestinian delegates are not equal actors compared to their Israeli counterparts. In this sense, upgrading the status of Palestine cannot be considered as a determinant step towards a lasting solution. Due to the asymmetrical power relations between Israel and Palestine, the Palestinian side has to maintain or increase, if possible, the strong support of the other states, and the international support is dependent on the maintenance of peace negotiations with Israel. Even if Palestine could meet all the criteria for statehood in terms of international law, recognition is a fundamentally political act. It was argued that “the practice of recognition is motivated by political considerations rather than international law” (Coggins, 2006, p. 44). Therefore, political conditions, positions of external actors and opportunity structures are at least as important as legal issues.

The Palestinians aim to overcome the unfavorable status quo for themselves but it is not an easily achievable goal. The delegates of the opposition camp insisted that this resolution would not change the reality on the ground. In terms of legal aspect, it should be pointed out that “while UN membership implicitly confirms an entity’s statehood, the same cannot be said for the status of an observer state” (Vidmar, 2012, Statehood through the UN?, para. 3). However, there were more expectations on the part of Palestinians going beyond the symbolic meaning of the application.

As the Palestinians expected that this result would be advantageous for the peace talks in the future and it would strengthen their hands on the negotiation table. Despite the legal shortcomings or practical issues, the UN vote will certainly has a snowball effect:

Ultimately, whether or not the General Assembly vote was sufficient to affirm the statehood of Palestine in general or to satisfy statutory requirements in the context of the ICC, it will likely to have a snowball effect. The resolution increases the ability of Palestine to act like a state. The more it does so, the more clearly Palestine will satisfy the criteria for statehood. The train to statehood has clearly left the station (Cerone, 2012, ICC jurisdiction, para. 11).

The UN vote should be seen as just one step and it should not be seen as a decisive victory or defeat. The following words of Abbas in the meeting are of historic importance: “We have not come here seeking to delegitimize a State established decades ago, that is, Israel. Rather, we have come to affirm the legitimacy of a State that must now achieve its independence, namely, Palestine”.<sup>50</sup> The UN vote has opened a new way and showed that it is possible to make certain changes.

One other important point that has potential to influence the evolution of the conflict and the possible solution is the relations of the Palestinian groups. The fractionalization within the Palestinian society, particularly the competition between Fatah and Hamas, makes the realization of two-state solution more difficult. It opened the debates over new alternatives like three-state solution. Obviously, overcoming this internal problem and establishing a unity government would be a bigger step than upgrading the status of Palestine to non-member observer state. It would also strengthen the hands of Palestinians on the negotiation table. On the other hand, the Israeli discourse about Palestinian statehood has always reflected the different versions of autonomy for the Palestinians. This discourse has turned into a state policy with the help of more or less coherent policies of the successive Israeli elites. Although the international pressure and the role of external actors led them to change their discourse and proposals in form (a future Palestinian state), they remained almost the same in content.

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<sup>50</sup> U.N. GAOR, 67th Sess., 44th plen. mtg., U.N. Doc A/67/PV.44 (Nov. 29, 2012), available from <https://digitallibrary.un.org/record/740741?ln=en>

One general result that can be derived from the analyses of the voting behaviors of the member states can be summarized as such: The US did not refrain from using its veto power for the resolutions perceived to be against Israeli positions because of the special relationship between the US and Israel and the strategic importance of the Israel for the US foreign policy towards the Middle East while the resolutions in favor of Palestinians were adopted by a moral majority and the US and Israel remained isolated in their campaigns against the resolutions.

The external actors played a significant role in the dynamics of the complex two-level game of the Israeli-Palestinian conflict because they established different kinds of relations with the two sides of the conflict and their policies led to changes in the asymmetric power relations on the ground to a certain extent. Among the external actors, the US came into prominence due to its primary role in the regional and global affairs. The security of Israel was among the top priorities of the US foreign policy towards the Middle East. The strategic importance of Israel for the US goals in the Middle East became more apparent after the 1967 War and the Iranian Revolution in 1979. The converging interests of the US and Israel led to special relationship and a powerful alliance between the two actors. The US used its right to veto against the anti-Israeli resolutions at the UN Security Council for several times and it advocated Israel in the resolutions at the UN level.

Apart from the US, the EU and individual European states were other Western actors having an influence on the issues related to the Israeli-Palestinian conflict. The EU was expected to be an alternative power base for the Palestinians and their regional allies; however, the EU could not turn into a primary or decisive player in the political affairs despite its crucial financial role in the Israeli-Palestinian conflict. There has always been a performance-expectation gap in the EU policies in

so far as the EU could not meet the expectations in that regard. The European actors had disagreements about the Israeli-Palestinian conflict and they reverberated on their voting behaviors in the UN.

The relative decline of the US standing and changes in the global balance of power in the last decade paved the way for the rising powers such as Russia and China. Russia was more advantageous in the Middle Eastern context because of its geographical proximity, and cultural, historical and political ties with the regional actors. Russia and China both aimed to play more active roles in the Middle East in order to fill the power vacuum stemming from the partial retreat of the US from the region. Their assertiveness in the Middle East reflects not only their goals towards the region but also their aspirations for change and great power status in the international system. In other words, their rise meant a challenge to the US primacy in the regional and global affairs. They both adopted a pro-Palestinian stance in the UN votes while improving their relations with Israel in the recent period.

Apart from the rising actors, Turkey has also played an important role in the Israeli-Palestinian conflict. Turkey has long adopted a pro-Palestinian stance in the international arena. It not only voted in favor of the Palestinians at the UN level but also participated in the campaigns for the pro-Palestinian resolutions. On the other hand, Turkey aimed to keep good relations with Israel but the Turkish-Israeli relations had some fluctuations especially because of the Israeli operations against the Palestinian people and some problems in bilateral relations. Turkey's position in the Israeli-Palestinian conflict was defined as a unique case due to its "pro-Palestinian stance without being anti-Israeli".<sup>51</sup> The zero-sum logic of the Israeli-

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<sup>51</sup> The original expression belongs to Assoc. Prof. Dr. Gün KUT who used it in the Thesis Progress Committee at Bogazici University on December 18, 2019.

Palestinian conflict and some problematic issues in the bilateral relations created difficulties for sustaining Turkey's unique position in the conflict.

The changes in the regional context reflect its place in the complex two-level game of the Israeli-Palestinian conflict. In the frozen conflicts or long-term conflicts having more ontological meanings for the people rather than short-term political gains, the positions and interests of the actors do not change unless there emerges a radical change on the ground. In the Israeli-Palestinian conflict, several rounds of negotiations ended in stalemate because of the clashing interests and non-negotiable positions of the actors especially on the basic issues. Put differently, the positions and policies of the two sides have been more or less static on the ground. The external actors also preferred to improve relations with the dictatorship regimes and to maintain regional stability in that context. Thus, the eruption of the Arab Uprisings was a historic moment for the Middle Eastern people.

It was the regional transformation and changes in the regional context that triggered the proactive policy of the Palestinians and their application for the UN membership. In spite of this, the regional developments starting with the military intervention in Egypt and civil wars in different parts of the region created a chaotic atmosphere and ended the favorable context for the Palestinians. Israel was among the actors which benefited from these changes in the region and it acquired more room to maneuver instead of encountering external pressure. Moreover, the election of Donald Trump in 2016 as the US President led to improved relations not only with the US but also with some Gulf states in the region, thus strengthening the hands of the Israeli actors. This new regional and international context paved the way for a new peace plan advocated by the US, Israel and their regional allies. In sum, the regional context played a decisive role at the ground level in the last decade

depending on its more dynamic character compared to other variables. It has also led to activation or passification of the UN level in different periods. Therefore, it can be claimed that the regional context has been the dynamic element of the independent variables and it has played a significant role for the relations and interactions of the complex two-level game in the Israeli-Palestinian conflict.

At the end of the day, did the initiatives at the UN level really strengthen the hands of Palestinians and contribute to the settlement of the Israeli-Palestinian conflict or did the role of the UN in the Israeli-Palestinian conflict confirm the Realist assumptions about the role of institutions in the international relations? In the first place, the votes in the UN General Assembly about the status of Palestine and other issues related to the Israeli-Palestinian conflict increased the international legitimacy of the Palestinian claims and strengthened the hands of the Palestinians in that sense. Upgrading the status of Palestine in the UN lowers the gap between the representatives of the Israeli and Palestinian sides on the negotiation table. Secondly, enhancements in the status of Palestine open new ways for Palestinians to voice their demands in different platforms and to show the unsustainable conditions on the ground because of the Israeli occupation and its asymmetric use power against the Palestinian groups. The existence of such mechanisms is necessary and valuable in order to overcome the dichotomy of negotiations or violence as the two options for the actors. Therefore, the UN process is significant for creating an alternative way of pursuing their goals especially for the Palestinians. Last but not least, upgrading the status of Palestine to non-member observer state in the UN provided more concrete results such as getting membership in different bodies of the UN and becoming a party of the ICC. Palestine became a member of the ICC by 2015 and it was accepted as a member in different UN bodies. Among them, the ICC issue is of crucial

importance because it enabled the Palestinians to pursue their legal claims in the international platforms and it was one of the reservations of the Israeli and American delegates against the attempts for resolutions in the UN. The possibility of applying to the ICC can also be considered as leverage for the Palestinians in the political struggle against Israel. As a result, the initiatives at the UN level for upgrading the status of Palestine strengthened the hands of Palestinians in the international arena and contributed to the settlement of the Israeli-Palestinian conflict by providing some assets for the Palestinians and decrease the huge asymmetry between the two sides to a certain extent.

On the other hand, the initiatives at the UN level cannot play decisive role that will radically change all the dynamics in the Israeli-Palestinian conflict. While the UN General Assembly votes enhanced the status of Palestine with the help of the support of the member states, the US can block the attempts at the Security Council by using its right to veto especially for the critical votes. Thus, achieving the UN membership without convincing the US is impossible due to the structure of the UN. In other words, the existing structure of the UN Security Council reflecting the balance of power in the post-World War II period serves the interests of the major powers in the international arena. This structure generally overlaps with the claims of the Realists about the role of international institutions because they assert the idea that “international institutions are created by more powerful states and they serve the interests of the major powers” (Waltz, 2000, p. 26). The role of the UN supports this view about the role of minimal independent effect for the institutions. However, it should be revised because of the UN General Assembly resolutions that are contrary to the interests and policies of the major powers. Although they do not have binding character, they certainly clash the interests of the major powers especially for the



Israeli-Palestinian conflict. It can be claimed that the international institutions do not have to reflect the interests and policies of the major powers but the attempts challenging their interests are difficult to put into practice depending on the lack of enforcement mechanisms and the existence of other options for the powerful actors. In the case of the UN, the structure of the Security Council supports the Realist arguments and the limited impact of the initiatives in the General Assembly cannot radically change the dynamics on the ground. Moreover, the attempts in the General Assembly in favor of the Palestinians have reached their limits in the last decade. Consequently, the role of the UN should be considered in relation with the other factors and attributing a more decisive role to it does not reflect the reality of the dynamics of the complex two-level game.

A comprehensive settlement of the Israeli-Palestinian conflict should, at least partially, satisfy the demands of both sides. The huge power asymmetry on the ground and the unconditional support of the US create enormous advantages for Israel but the rights and basic demands of the other side cannot be ignored in any case. The initiatives at the UN level and the support of the external actors in favor of the Palestinians in the international arena can be regarded as some balancing mechanisms that have potential to lead to relatively more favorable context in order to reach a comprehensive settlement of the conflict. It should be kept in mind that the Palestinian application for UN membership emerged in the context of the Arab Uprisings and the rise of some regional allies could only create an initiative to overcome the power asymmetry. Furthermore, even the achievement of getting UN membership would have been a positive step towards the resolution of the conflict because the negotiations are still considered as the main mechanism for the final goal. Among the other alternatives, three-state solution which refers to establishing

two separate states on the Palestinian side does not seem a viable option and it has not been a real option for the two sides. A binational democratic state is not preferable for Israel because of the demographic reasons and the societies of the two sides are not ready for other types of binational state and peaceful coexistence. Thus, two-state solution keeps its central importance for a comprehensive solution and all the actors agreed on this principle. As a result, the peace attempts for a comprehensive solution should be based on two-state solution.

A future (possible) Palestinian state and the principle of two-state solution do not mean the same things for all the actors. For a comprehensive solution, the Palestinian state should be viable. In addition, it should live in peaceful coexistence with the State of Israel and the security concerns of Israel should be met with the measures taken by both neighbor states (Israel and the State of Palestine) instead of the unilateral actions of Israel. Above all, the two sides and the external actors should leave the logic of zero-sum game. Normalization of relations with Israel can be considered as an alternative for the Arab states in the region but it does not mean leaving aside the interests and claims of the Palestinians. They should be a part of comprehensive solution instead. Taking all the dynamics of the complex two-level game of the Israeli-Palestinian conflict into account, it should be underlined that all the actors should act responsibly in order to reach a comprehensive settlement of the conflict. The unilateral actions or the support of regional or global actors may create advantages for one of the two sides but they cannot lead to permanent settlement of the conflict. Power still rules in the international relations but peace cannot be imposed. Thus, any kind of peace plan cannot achieve the expected outcome without considering the demands and claims of the other side. A deal may emerge as a result of willing participation of both sides and under relatively more equal conditions.

Apart from that, the UN process and the support of the international actors may strengthen the hands of the Palestinians but they cannot play decisive roles for reaching the final settlement of the conflict. Therefore, attributing exaggerated roles to different variables cannot be realistic. The initiatives at the UN level, the role of regional actors, the involvement of external actors and the changing regional context are all meaningful as long as they serve the comprehensive settlement of the conflict. The complex two-level game of the Israeli-Palestinian conflict includes many variables and dimensions but the political will and determination of both sides in favor of a just and viable resolution of the conflict will be the key for the negotiations. The UN or the negotiation tables can only be considered as different mechanisms for reaching the goal. Upgrading the status of Palestine through the UN General Assembly votes with the help of majority of member states provided some assets for the Palestinians and they can be considered as steps leading to statehood in the long-term but they should be accomplished with the contribution of the regional and global actors under the framework of two-state solution. A Palestinian state living side by side with the State of Israel is a dream for the region and it can only be realized with the help of all the actors so the UN membership will be the result of the negotiations and the political struggle under the framework of complex two-level game.

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