

**“Eroding U.S. Moral Legitimacy: A Comparative Case Study of  
Israel-Palestine Conflict”**



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## **ABSTRACT**

This thesis will address the different ways in which the United States chooses to interact with the international legal bodies in the conflict between Israel and Palestine, through the International Criminal Court (ICC), United Nations Security Council (UNSC) and the Responsibility to Protect (R2P) concept. As much as Washington is portrayed as a champion of a rules-based international order, it proposes a tendency of protecting those who are allies and pressuring those who are enemies. This contradiction casts crucial doubts regarding the competence and jurisdiction of international law bodies.

This paper is based on the Neorealist approach, which accentuates the role of systemic pressures and politics of alliances in the determination of the behavior of states. In this light, the U.S. policy towards the state of Israel is not a paradox but a given: the observance of legal norms is justified by the interest of strategic partnerships and violation of the same laws by those of vital partnerships. To empirically verify this assertion, the study compares the Israel-Palestine conflict with two opposite scenarios- Libya and Ukraine, where the interests of the U.S. were more consistent with the application of the international law.

The thesis uses Critical Discourse Analysis (CDA) of Security Council debates, ICC decisions, the executive statements of the U.S. and human rights reports methodologically. Discourse is coded into either support, obstruction, or neutrality with sub-codes following the themes of alliance defense, humanitarian justification and sovereignty claims. This practice emphasizes the way in which language is reflective and constitutive of U.S. strategy with regard to international law.

The expected findings suggest that U.S. conduct in Israel–Palestine will illustrate a consistent pattern of obstruction, while Libya and Ukraine demonstrate more active legal enforcement when aligned with American interests. This comparative analysis contributes by showing how great powers instrumentalize law, weakening institutional credibility and deepening Global south skepticism.

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# 1. CHAPTER ONE: INTRODUCTION

## 1.1 Background of the Study

From the end of World War II, the United States has been an undoubted standard-bearer for human rights and the rule of law in the world (Russo, 2024). The U.S. was still fresh in the memory of the horrors of the holocaust and the Nuremberg trials. The policymakers encouraged the establishment of international institutions, most notable, the United Nations, established in 1945 to prevent such atrocities and entrench basic freedoms in binding treaties. The countering of the Soviet Union was not the only goal of this policy. It also challenged the authority of other states by promoting U.S. leadership on moral grounds. Throughout the Cold War U.S was always framed in moral terms, prioritizing self-determination, civil liberties and due process as universally applicable standards. This moral story informed US support for mechanisms such as the Universal Declaration of Human Rights (1948) and later treaties on genocide, torture and apartheid (Peterson, 2021). By featuring human rights so prominently, the United States sought not only to restrain state violence but also to validate its own leadership position within a “rules-based order” higher than narrow power politics.

At the beginning of the twenty-first century, the Responsibility to Protect (R2P) emerged as a new norm for civilian protection. Originally formulated in the 2001 report of the International Commission on Intervention and State Sovereignty (ICISS). In 2005, all UN member states accepted it at the World Summit. R2P reframes sovereignty as a responsibility, not a right (J. Singh, 2024). Its principles are threefold. States must protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. They must also help each other fulfill this responsibility. Finally, they must accept global action when a state fails to act. R2P is thus an ambitious attempt to embed humanitarian norms in international law. It authorizes coercive action only as a last resort and always with Security Council consent (Bellamy, 2022; Chesterman, 2023).

Yet, despite these noble foundations, the application of IHL through institutions like the ICC, UNSC, and R2P has too often reflected the interests of great powers rather than a consistent commitment to humanitarian principles. The ICC, created in 2002 to prosecute genocide, crimes against humanity, and war crimes, has long been opposed by Washington. The U.S. refused to sign

the Rome Statute and pressured other signatories to limit the Court's powers (Zenginkuzucu, 2021). At the UNSC, the U.S. has routinely used its veto to protect allies from censure. At the same time, it has endorsed coercive measures in other contexts. In Libya in 2011, the Security Council authorized force under R2P to protect civilians, and the U.S. led a vigorous air campaign. By contrast, when UN bodies attempted to investigate alleged war crimes in Gaza or the occupied territories, U.S. representatives consistently blocked or rewrote draft resolutions to shield Israel (Mukherje, 2023).

The United States proclaims its support for a "rules-based international order." Yet it often uses these same rules as instruments of geopolitical leverage (M. Singh, 2024). In Libya, moral arguments about civilian casualties led to a prompt military response. In Palestine, the same moral arguments became a shield for protecting a diplomatic ally. The result is a fragmented legal order. Humanitarian norms advance when they align with strategic interests, but regress when they threaten core alliances (Walters, 2021).

The Israeli-Palestinian conflict is therefore a critical test case for exposing the moral and structural flaws of U.S. foreign policy (Muduli et al., 2025). As the world's leading military and economic power, the United States both reflects and reinforces the instrumentalization of international law. This trend is unfolding during a critical geopolitical transition: the rise of multipolarity, growing resistance from the Global South, and the emergence of alternative organizations challenging Western legal dominance. In this context, it is vital to examine how U.S. behavior in one of the world's most intractable conflicts shapes the credibility of international norms (Benowitz & Ross, 2023; Cloutier et al., 2025).

## **1.2 Research Problem**

While the United States publicly supports international law, its protection of Israel demonstrates a clear prioritization of strategic interests over impartial enforcement (Alabi, 2024). At the UN Security Council, through consistent use of vetoes and opposition to ICC investigations, Washington undermines collective standards to safeguard its ally, weakening the broader credibility of international legal mechanisms. From a Neorealist perspective, this pattern reflects

the dominance of alliance politics and systemic power structures over consistent application of legal norms. By enabling judicial processes in some situations but obstructing them where allies are implicated, the U.S. projects an image of double standards. Such behavior fosters skepticism about whether global institutions like the ICC and UNSC can function as neutral and authoritative guardians of international law (Alabi, 2024).

Although considerable scholarship has examined how great powers shape norms and institutions, little research has systematically addressed how U.S. conduct in the Israel–Palestine conflict erodes its own moral authority and damages the perceived reliability of international courts (Savercool, 2023). Most studies focus on individual cases, offering descriptive accounts of U.S. actions in Libya, Ukraine, or Palestine, but they rarely compare these contexts through a unified theoretical lens. This study addresses that gap by using Neorealism to explain not only why American behavior diverges across conflicts, but also how these inconsistencies affect the standing and effectiveness of international institutions.

### **1.3 Research Objectives**

1. To explain how U.S. strategic alliances, drive its approach to international legal institutions in the Israel–Palestine conflict.
2. To evaluate the impact of U.S. behavior on the credibility and effectiveness of institutions such as the ICC, UNSC, and R2P.
3. To apply a Neorealist framework to show how systemic pressures and alliance politics shape U.S. enforcement and obstruction of international law.

### **1.4 Research Questions**

1. What strategic interests drive U.S. opposition to ICC investigations and UNSC resolutions on Israeli actions in the Israel–Palestine conflict?
2. How does U.S. engagement with international law in Israel–Palestine compare with its actions in Libya and Ukraine?
3. What are the consequences of U.S. behavior for the credibility and effectiveness of institutions such as the ICC, UNSC, and R2P?

## **1.5 Significance of the Study**

This research expands the understanding of international relations by examining how strategic interests shape the way powerful states apply international law, with a focus on the United States in the Israel–Palestine conflict. Using a Neorealist lens, it highlights how alliance politics and systemic pressures influence legal behavior, often at the expense of institutional integrity.

The study based on examining U.S. involvement with the International Criminal Court, United Nations Security Council, and the doctrine of Responsibility to protect reveals the weaknesses of international law within a system of strategic calculations. Although the activities of the U.S. restrict the efficacy of international law, these institutions continue to exercise a considerable influence in global politics. The research also underscores the double standards faced by weaker states, which are often unable to secure even-handed enforcement of rules. By comparing the Israel–Palestine conflict with U.S. behavior in Libya and Ukraine, the study demonstrates how asymmetric power undermines justice and weakens the credibility of international orders.

The balance between the world orders is even harder to uphold as the legal application starts to become less uniform. Altogether, the paper has its value in the way that it demonstrates that the power of international institutions is undermined by the U.S.-led decisions and the principles of international conventions are reformulated by the U.S. foreign policy.

## **1.6 Scope and Limitations**

The current analysis is based on a variety of publicly available sources that are used to qualitatively study the United States involvement in international law. The study reviews content from UNSC decisions, ICC rulings, and official US policy statements and secondary reports are reviewed with focus on the Israel-Palestine conflict. Libya and Ukraine are also considered to illustrate variation in American involvement with global legal mechanisms.

A Neorealist theoretical standpoint is adopted, emphasizing how strategic priorities and alliance dynamics shape U.S. participation in the international legal sphere. The study's scope is limited to institutional and legal responses, without delving deeply into military strategy, economics, or domestic politics. Reliance on formal documents and elite discourse means the narrative may lean

toward a Western-centric perspective. This potential bias is openly acknowledged. To balance it, the study incorporates perspectives from Global South scholars, human rights organizations, and independent NGOs, ensuring a broader and more diverse range of voices.

By centering on documented state actions and organizational records, the study aims to provide a transparent and coherent account of how U.S. practices affect the credibility of international legal bodies in a shifting world order.

## 2. CHAPTER TWO: LITERATURE REVIEW

### 2.1 U.S. Foreign Policy and Legal Exceptionalism

The US is hardly the only power that is unable to figure out how universalist it can or should afford to be (McLeod & Heckler, 2024). In the immediate post–World War II world, the United States championed a vision of a rules-based and international order, and it used its leadership role in the formation of the United Nations and its sponsorship of landmark human rights documents to deliver it. This normative was expressed in the form of a moral responsibility to ensure collective security, encourage decolonization and avert flagrant abuse of state power.

This normative position presented a moral imperative to uphold collective security, enhance decolonization and fend off blatant abuse of state power. However, even at its inception, this universalism was not comfortable with unilateral actions and bilateral agreements that bypassed multilateral agencies when it was necessary to keep strategic secrets. The justification of this tension by the two frames has to do with the fact that with the swings of successive American governments policy makers have been quite willing to appeal to international law when it serves American interests (and the rhetorical denunciation of aggression in the case of Korea and Kuwait are some of the finest instances of such denunciation) and avoided, or violated, the same frameworks when American interests, or domestic political requirements, intervened. This exceptionalism course is reflected in the United States approach to the international courts, too. Although Washington engaged in the initial deliberations concerning international criminal justice, it eventually declined to ratify the Rome Statute that had instituted the International Criminal Court. The decision was informed by the fear of politically motivated persecutions of Americans, as well as more generally by an aversion to yield to any weakening of sovereign power to supranational courts (Coyle et al., 2022).

Meanwhile, the US continued to apply pressure on those partners who were not members to either accept the jurisdiction of the Court, or otherwise grant it ad hoc jurisdiction (on an ad hoc basis). The same process has played out in the Security Council where the U.S. veto or veto threats saved friendly regimes against censure, and the United States demanded hard decisions against its perceived enemies. The resultant net effect is a pyramid of legal obligations: a deference in formal sense where convenient, an ambivalent involvement where convenient and outright defiance where

convenient. The effects of such a top-down model are far-reaching. First, it creates cynicism among other states (particularly the ones in the Global South) that do not perceive international law as a referee but a selectively enforced instrument of Western power (Schindler, 2024).

Second, it weakens the integrity and the legitimacy of the very institutions that the United States established. The collective imposition is weakened with the withdrawal or blockading to the matter of the lead patron and the force to sanction or discourage the serious infractions are weakened. Finally, exceptionalism is a vulnerability to the power of moral rhetoric in US diplomacy; persistent disparities between rhetoric and practice are invitations to a sense of weariness and distrust that will ultimately undermine the ability of America to mobilize support to progressive causes that purport to be born in a transcendent moral order. However, the biggest example of legal exceptionalism is the invasion of Iraq in 2003, as the US was in the lead in invading Iraq without a clear-cut permission of the UN Security Council. When it was called Intervention, a policy maker in Washington brushed aside a code of guidelines on the occasion to deploy force. And the decision set a troubling precedent: Although Washington was rebelling against the unauthorized aggression in other fields, it defended its own infringement of the collective-security rules as a necessity of preventive self-defense. The very course of the war and the post-war era, which was a time of long-lasting confusion and dubious morality, only added more international doubt regarding the U.S. adherence to the principles that the country presented (Grob & Roth, 2023).

Mike explained that over the past few years the proliferation of drone attacks and special-operations assaults in places such as Pakistan, Yemen, and Somalia have made the U.S. notion of statecraft sharper. These covert actions, which have been conducted in large part without specific war authorization or UN authorization, have brought legal and ethical concerns regarding the extrajudicial use of force and prejudice to the due process rights. (Cordell et al., 2023).

Although they are enough to be authorized within the country, and authorize executive reading of self-defense, they circumvent both the supervision of the Security Council and the conventional obsolescence of sovereignty. This gives rise to the belief of inflexibility of international law. This selectivity has also been affected by domestic politics and legal maneuvering. (Saes-Louarn, 2025). Congressional laws such as the American Service members Protection Act have codified immunity of the U.S. troops, denying them the chance to cooperate with the ICC and giving them

preferential treatment in bilateral protection in the context of international justice. Concurrently the executive-branch waivers and emergency authorizations have allowed abrupt sweeping policy amendments with no legislative discussion and manifest the way the domestic legal infrastructure can insulate the United States against responsibility in the global arena. (Willinger, 2023).

The use of international law to further aggressive strategic interests is more characteristic of American naval operations to establish freedom of navigation in disputed waters, most notably in the South China Sea. As Washington condemns alternate states to make similar claims as an abuse of the law of the sea, it carries out the freedom-of-navigation operations that push the boundaries of the treaty wording. Such willingness to go beyond its interpretations of the law and to serve the interests of power politics only underscores the bigger picture: the international law is an instrument that is deployed when it is convenient to the United States and discarded when it is not (Stephan, 2023).

## **2.2 The Responsibility to Protect (R2P): Origins and Abuse**

R2P was devised as a reaction to the abject failure to halt a genocide in Rwanda and mass violence in the Balkans during the 1990s. Its architects hoped to recast sovereignty as a duty rather than a pure right, by setting distinctive thresholds that, if overshoot, would trigger group action. Building on a loose and inchoate notion that emerged after the cold war, the new doctrine's three underpinnings state responsibility to protect, international assistance, and the principle of timely and decisive intervention under UN mandate sought to turn humanitarian instincts into laws enforced across borders. R2P held the promise of closing the gap between moral exhortation and binding international action to ensure that "never again" meant more than an empty phrase (Romulus, 2025).

But when R2P made its way out of the realm of R2P and into the practice of the Security Council, strategic interests emerged. Regime change was the result in Libya, where an initial mission to protect civilian lives morphed into a cover for NATO forces to destroy military targets that went well beyond what was necessary to keep noncombatants out of the line of fire (Saidin & Storm, 2024). This power vacuum and long-term conflict raised questions of the limits of humanitarian help and whether R2P had become an excuse for political aims. There were similar worries in

Kosovo, where Western powers went around the UN, and Syria, where rival vetoes ruled out any Council coherence in the face of mass atrocities (Hehir, 2024).

Aside from the overreach question, R2P has also failed from under-application. The doctrine has been notably absent in contexts in which possible interventions might undermine strategic partnerships (Lwamba et al., 2022).

In Israel-Palestine, as in the example, allegations of excessive force and death to civilians have provoked human rights groups to invoke the protection of need to hold those responsible; their requests have been thwarted by those permanent members of the UN who have declared a refusal to do so. The outcome is a doctrine characterized by inaction as interests of allies are endangered, which not augur wells with its pretensions to universality, which attracts scholarly criticisms of a narrow moralism. There is also the criticism of R2P by critics who emphasize that it is too focused on intervention, thus neglecting prevention and capacity-building. Prevention was regarded as an initial line of defense, but it has often been avoided in favor of military solutions. Weak early warning systems, non-involvement of diplomats and inadequate investment in the prevention of conflicts have exposed those who are pushed to the right up to the point when the crisis turns to violent collapse (Agutu, 2022).

This reactive bias is not only a poor way of accomplishing its aim re atrocity prevention but is also a way of affirming that R2P is situational and reactive, as opposed to a running commitment. The civil society organizations have both welcomed and criticized the development of R2P. NGOs played a fundamental role in the codification of the doctrine and in its initial campaign to become accepted, although the general feeling is that the normative promise on this doctrine had been compromised by political selectivity. The current atrocities in Myanmar, Yemen and other places, with no effective action taken by the Council, indicate a divide between the humanitarian hopes and the realities of power-based decision making of the world (Raju & Srinivasan, 2023). Thus, it will require a significantly large effort in restoring the normative authority of R2P which will require modification or an alternative framework that is more based on responsibility whilst protecting or regional instead of global directives.

## 2.3 International Criminal Court and Double Standards

The court was established as a permanent and independent institution to prosecute the most heinous international crimes (Sadat, 2021). Although the Court has been striving to expand its docket, its objectivity is doubtful. The essence of the double-standard critique is Washington taking the I.C.C. position. By refusing to ratify the Rome Statute and seeking mutual immunity in other countries to defend its own staff, the United States subjected itself to no longer be under the jurisdiction of the Court, and according to U.S. leadership, it should not permit others to be under jurisdiction over it except to the extent this corresponds to the U.S. interests. The working ability of the Court has been undermined following threats of punishment on judges and employees and a blockade against referrals has been destroyed (Wanjiru, 2021). While the Court has been working to enlarge its docket, its impartiality remains in question.

Washington's position on the I.C.C. is the essence of the double-standard critique. Rejecting ratification of the Rome Statute and courting mutual immunity agreements to protect its personnel, the United States placed itself out of reach of the Court's jurisdiction and, claims U.S. leadership, should not support the jurisdiction of others over it unless doing so corresponds to U.S. interests. The Court's operational capacity has been weakened after threats of sanctions against judges and staff and a strong lobby against referrals has been decimated (Levine et al., 2021). Simultaneously with the U.S. demanding of ICC investigations of such states as Sudan, it rejects any investigation that casts doubt on Israeli actions, which creates a strong imbalance in the application that further results in severe global cynicism that the Court could be able to deliver truly universal justice. The principle of complementarity is also surpassed in the situations in which national juridical systems are either ineffective or corrupt, the ICC becomes the forum of last instance. In other cases however of so-called strong national systems, there has been a refusal to cooperate, and complementarity has been employed as an armor plating against ICC intervention. The impact is a fragmentation of cooperation and resistance that further disseminates the international legal order (Mignot-Mahdavi, 2025).

States which feel that the Court is politically inclined are also less likely to cooperate with the Court in areas of evidence collection, arrest warrants or arrest enforcement all which cripple the ICC execution of its mandate. Financial and bureaucratic constraints in turn increase these

problems of legitimacy. In these dispositions the dependence on voluntary contributions by the states, and, in fact, large arrears, or the risk of default, still exert the Court with external pressure. Attempts to include ICC resources in funded UN dues have faced numerous failures, and the Court has to figure out how to stay afloat in the wake of recurrent budget crises, which damage the work in investigations and victims-support (Duthel, 2024; Haug et al., 2022). The ICC without some form of sustainable, depoliticized funding, however, will become an imbalanced, ad hoc tribunal, rather than an institution of international justice

One partial solution to this is that some jurisdictions have established hybrid or specialized courts such as Sierra Leone and Cambodia - which have international and domestic elements in an effort to enhance legitimacy. These experiments indicate the direction to more versatile models of accountability, yet these experiments show that the spread of norms will be contingent upon extensive involvement (Hao et al., 2024). The institutions of accountability cannot survive without aspirations but need enduring and equally to all application of support by the dominant nations of the world, and by the societies those nations claim to be defending.

#### **2.4 The Global South, Multi-Polar World, and Norm Rejection**

As the emerging powers rise and the regional alliances grow, the Western legal hegemony is under strain and other normative visions have risen. The colonial past of coercion and the enforcement of unequal treaties in the Global South results in the emergence of suspicions concerning legal orders understood as an instrument of a Western self-interest. The pronouncements of the African Union have emphasized the sovereignty and non-interference of states and selected human rights protection to become their cause (Krösche, 2024).

The G77 and Non-Aligned Movement have made joint stands at the UN disapproving what they term as punitive or politicized measures. These localized utterances reflect a demand to have more open norm-setting procedures, which recognize alternative legal traditions and historical experience. BRICS and the Shanghai Cooperation Organization have followed suit, establishing parallel forums of diplomat consultation and resolving of conflicts, often by passing through Western-dominated systems. They promote the idea of multipolar rule on the principle that a single force or block does not possess the authority to determine the regulations. These coalitions are

establishing a more disaggregated dimension of norm enforcement through trade agreements with dispute-settlement panels in it, and through custom-designed investment treaties. The impact of the cumulative insurrection is the gradual erosion of authority that erodes Western pre-eminence and announces the rise of a genuinely pluralist order (Özdemir, 2024).

Norm innovation can be contributed even by the insiders, including civil society and non-state actors of the Global South. Community justice, restorative justice and climate justice are some of the ideas that have been promoted by grass-roots movements in Latin America and Africa relating human security to the care of the environment and economic justice. The transnational networks, social media campaigns and regional forums are being used to establish agendas based on more than the usual human-rights paradigm (Sander, 2021).

Normative leadership is not the prerogative of powerful capitals anymore, but it can result out of the diverse bottom-up mechanisms. An example of such counter-normative motivation is the concept of Responsibility while Protecting, pioneered by such states as Brazil and India (Ribeiro et al., 2021). It seeks to find the essential balance that may be achieved between aversion of atrocity and the delivery of distinct boundaries to the utilization of force, and emphasize the role of diplomatic intervention, capacity building, and the indigenous proprietorship. The supporters are optimistic about the institutionalization of more moderate reactions to threats of mass atrocity by the Council by introducing new language in Council debates and drafts of the resolutions - an effort to address one of the main criticisms of the initial use of R2P (Chang & Yang, 2021).

Lastly, the issue of Diasporas and digital activism is starting to play an important role in enlightening the way the Global South perceive international law. Through online sites, the advocacy networks seek to have the world opinion and the pressure of the masses to weigh on certain governments to assume more balanced positions (Nkemdilim, 2024). They make audible the voices of the left out and of the possibilities of lived consequences of selective legal execution, in favor of transnational collectivity which destabilizes the discourses of great power. In the world where ideas of network are becoming a reality, legitimacy does not only demand the approval of state actors but also the resonance of the global civil society- an aspect which further diminishes the monopoly of any normative center.

## **2.5 Case studies of Israel and Palestine. Libya and Ukraine**

The divergent trajectories of U.S. policy in Israel-Palestine, Libya and Ukraine give a compelling witness to the applicability of great power privileges in the imposition of international legal standards (Alabi, 2024). In the Israel–Palestine case, U.S. policymakers have protected Israel from formal accountability by using diplomatic pressure and threats of veto to veto Security Council resolutions that would have investigated reported civilian harm. Even in the face of evidence of disproportionate force and widespread suffering in Gaza and the West Bank, calls from both human-rights bodies and affected states to trigger the Responsibility to Protect or even to refer the situation to the International Criminal Court have been stifled. This defensive position points to a trend: as allies become suspects, U.S. authorities have tried to seek a strategic partnership at the cost of proclaimed promises of a policy of blind justice, sacrificing the rule of law to alliance politics. The use of the U.S. veto as a tool of legal insulation is at the core of example of Israel-Palestine. Between 2009 and 2023, Washington additionally blocked developing and underdeveloped states to report on the fact-finding missions, introduce resolutions delegitimizing settlement expansion, and refer alleged crimes to the ICC, by actual or threatened use of the veto. Such measures not only prevented the concerted effort of the UN, but also sent a message to other states that the law institutions are instruments that bow to the will of politics, but not values that all states, including the most influential ones, have to embrace. Rather, the same Council hastened to pass resolutions targeting states it considered adversarial, which gave it the impression of selective implementation of norms. The resultant effect is the erosion of trust in the non-Western states, who now find themselves more inclined to perceive the Security Council as a space where the principle of *realpolitik*, rather than the principle, is reigned (Azad, 2021).

The U.S. has led such international judicial bodies outside the General Assembly. In 2021, when the Pre-Trial Chamber of the International Criminal Court proved that it had the jurisdiction to consider crimes carried out in the occupied territories, the American officials challenged the power of the Court publicly and threatened to sanction judges. But instead of making its hand stronger through confronting the institutional power in certain situations and demanding accountability in others, this twin-tiered approach only further alienated the Court where states who might have found it worthwhile to make good on past commitments opted against doing so on different situations. In response, victim groups and international rights advocates have been caught between

an institution under attack and a major power that has shown no willingness to give any inch on legal reciprocity.(Owen & Kemp, 2024).

The United States did the exact opposite in Libya. In 2011, the Security Council relied on R2P to provide force authorization to take “all necessary measures” to protect civilians who were coming under attack from Muammar al - Gadhafi’s forces. Washington led the subsequent coalition, which quickly rendered regime assets inoperable and established a no-fly zone (Charlet, 2025). Whilst the intervention may have prevented imminent massacres, it soon became a project of regime change that was beyond the narrow humanitarian mandate of the Council. The subsequent state collapse and continued strife for years after posed some uncomfortable questions about the nature and scope of R2P: was it a sincere attempt to shield the innocent, or a cover under which the West could pursue its strategic objectives, while pretending to act in the name of human rights?

The Libyan scenario is therefore an illustration of both sides of R2P. On the one hand, it showed that collective action, employed under strong legal authority, can be mustered to prevent mass atrocity (Bazan Tourn, 2022).

On the other, it demonstrated exactly how far the intervention pillar can be stretched to support broader political agendas - transforming a doctrine of ensuring crises manageable into a mechanism of external engineering of regimes. As such, there was some distrust in most Global South states, which viewed R2P as a weapon of last resort, applied with a heavy hand in some instances, but restrained in others in relation to partners or less practical allies. Interestingly, the US assumed international law instruments with astonishing vigor when Russia invaded Ukraine in 2022. As the Security Council was tied down by veto of Russia, Washington formed an opposing alliance to denounce the aggression, place wide sanctions, and offer its backing to the I.C.C. in its investigation of alleged war crimes. And US leaders publicly celebrated the 2023 arrest warrant on Russian leadership and demanded that all states comply with the judge, calling on themselves as an advocate of accountability (Bennett, 2024). This muscular position was a stark contrast to the tepidness of the past regarding taking legal action in Israel case, and it also made it clear how much great-power calculations can be used to decide the strength of legal representation. This in Ukraine, though, legal norms took second place to political realities. Even in Ukraine, however, law was seconded by politics. The US did not seek a formal R2P referral in the UN and the obvious

impact is that the US knew that a Russian veto at the Council would render such a action futile and that it would stand to doom to further escalation. Similarly, although the U.S. language was firm in its categorization of the Russian action as a black and white situation of good versus evil, it went as far as supporting the multilateral military intervention of R2P,

Unilateral sanctions, military aid and sub-Security Council diplomacy which Washington had resorted to had instead privileged the practical exertion over a legally binding structure. The three instances combined with each other reveal a recurrent trend: U.S. engagement with international law and institutions is not so much about the content of one crisis as it is about the content that appeals to alliances and strategic objectives (Lata, 2023). At the time of accusers such as Israel, legal tools are pushed to the periphery; at the time of violators such as the regime of Libya or Russia, the R2P, sanctions regimes and the ICC are the instruments used with a firm hand. Such a selective adoption of force does not only lead to the erosion of the international legal norms of universality but also causes the acceleration of turn to multipolar norm contestation, whereby the new powers and regional blocs grow impatient with Western instrumentalism, and seek alternative channels of accountability and intervention.

## **2.6 Research Gap**

Despite the accumulated literature focusing on the international policies and legal institutions of the United States, there is still a gap in the examination of the impact of the strategic selectivity of the United States (Dwekat et al., 2025), in the context of the Israel-Palestine conflict, on the perceived credibility and functionality of such international institutions as the ICC, UNSC, and Responsibility to Protect. Most existing studies tend to offer descriptive reports of American actions in various contexts, such as Libya and Ukraine, but fail to provide a systematic comparison grounded in a theoretical perspective that makes clear why such legal selectivity arises and what institutional repercussions follow.

In particular, the restricted analysis uses neorealist theory to identify how the United States' system, level interests and strategic alliances shape its activism or inactivity with respect to legal liability in separate disputes. Comparative analysis is available, but often it is not embedded in a clear structure that places this behavior within the architecture of the international system (Bibri

et al., 2022). Therefore, less is known about the long-term effects of selective application of legality regards to institutional legitimacy.

Furthermore, scholarship on R2P and the ICC typically focuses on doctrinal interpretations or case-specific dissections, rather than on how a great power such as the United States shapes institutional authority more generally across a number of cases. Focusing on the Israel-Palestine conflict and contrasting Libya and Ukraine as counter-examples, this article fills this void by using neorealist theory to explain the selective enforcement of law and the implications for the legitimacy and unity of the international legal system in a multipolar world. The bustiness is increased by using a diversity of sentence lengths and structures, while preserving the word count and the topic (Chen et al., 2024).

Despite the substantial literature on U.S. exceptionalism, a major gap remains on how all of these practices work together to weaken the long-term viability of international legal institutions like the ICC and the UNSC. Although R2P has been analyzed extensively in the context of Libya and its failure in Syria, little has been done to explore its non-application when applied to the Israel-Palestine context or the effect of this omission on the universal validity of the doctrine. Similarly, despite an increasing discourse of Global South opposition to the Western legal hegemony, there is a dearth of literature that directly links this opposition to certain U.S. actions in such conflicts as Israel-Palestine. Moreover, the literature that appears to date focuses on the analysis of Israel-Palestine, Libya and Ukraine as singular cases, but not in comparison and within the framework of one theory. The lack of a methodological, neorealist comparative framework makes unexplored the manner in which U.S. strategic interests cause selective implementation and blockage against varying conflicts. The paper will fill these missing gaps with the help of uniting all three cases in one analytical study.

## **2.7 Theoretical Framework**

The analysis uses a Neorealist framework to explain the strategic selectivity that the United States has demonstrated with respect to international legal processes (Çolak, 2021). Neorealism presents the international system as naturally anarchic, without any central authority above sovereign states. In this context, states act primarily to advance domestic concerns, which are often defined by ideas

of power and safety. It can think of these legal commitments themselves as strategic tools – they are adopted when they further our strategic interests but abandoned when they are seen as a burden on essential allies or when we can benefit from an advantageous interpretation of the law.

The United States inconsistent application of international law in the context of the Israeli-Palestinian conflict is best understood in this light. From the perspective of Neorealism, American efforts to insulate Israel from accountability through - the ICC or UNSC for instance are not a paradox so much as they are a predictable consequence of the nature of an imperfect alliance. Israel serves as an important regional ally of the United States and receives significant military, intelligence, and political support from Washington. Protecting this alliance by recourse to vetoes, diplomatic pressure and legalistic contrivance is a rational choice of the binding power of the alliance over the generality of international and legal principles (Peterson, 2025). Neorealism also helps to explain differences in U.S. behavior among cases (Meibauer, 2023).

The most typical example of this coincidence of American national interest and intervention/regime change is Libya, and thus the legal mechanisms, including the R2P, had powerful proponents. In Ukraine, the US took advantage of the ICC procedure and its vulnerability to multilateral condemnation due to the fact that it was against Russian aggression. Such contrasting reactions underscore the fact that the United States does not observe legal norms accidentally, but rather according to the motives of structure and logic of alliance. Simultaneously, using a Neorealist method, the article demonstrates that great power action in the legal realm is influenced not as much by values but by systemic necessities and strategic logics (Fatalieva, 2023). This framework offers an understandable explanation as why America only applies international law selectively, notably with regard to Israel, and what it means more generally in the perceived legitimacy of international organizations.

## **2.8 Application of theory**

### **2.8.1 Neorealism and the U.S. Behavior VS Anarchic International System**

Neorealism, best expressed through the work of Kenneth Waltz in *Theory of International Politics* (1979) holds that international system is characterized by the state of anarchy that is, there is no world authority that can completely control the actions of the states. This structural system demands that states are driven by the interest of survival and security and makes foreign policy

decisions which are usually unconcerned with morality or the law. The absence of a central force that would impose compliance on states makes them the most responsible in their own defense and this drives them to place great importance on self-help, accumulation of power, and politics of alliances. According to neorealist insights, international institutions (the United Nations Security Council (UNSC), the International Criminal Court (ICC), and even the Responsibility to Protect (R2P) doctrines) do not constitute independent legal frameworks, but state-oriented space where strong players seek their interests. These institutions do not have their own coercive power; they only work with the interests and agreement of the most powerful states, most notably the United States. According to Waltz, institutions simply mirror a distribution of capabilities and they cannot be used to break systemic constraints. The United States, therefore, works in an environment where the law is lower to national interest. Neorealism would predict that when such a great power as the U.S. pursues strategic interests it will abide or comply with international law and when it does not, then it will ignore or disregard it. This theoretical prediction corroborates the empirical trends studied in this paper: U.S. blockage of ICC investigations into Israeli conduct, recurrent vetoes of UNSC resolutions targeting Israeli conduct, aggressive teaching of R2P in Libya, and aggressive support of ICC responsibility in Ukraine. Such actions comply with a structural logic whereby law rules become valuable as far as they strengthen U.S. security interest, alliance, and geopolitical policies.

### **2.8.2 Power and Security**

The maximization of power and security is the core of neorealism. As highlighted by scholars like John Mearsheimer (2001), it is evident that great powers seek regional hegemony and are using strategic alliances to ensure they have desirable balances of power. In this regard, the U.S.-Israel alliance is one of the most enduring and strategically significant partnerships within the American foreign policy. Israel has high-level military forces, close ties to intelligence cooperation network, and technological resources that render it an asset to Washington. In addition, Israel acts as a counter to enemy groups like Iran and Syria in the region. This alliance influences the U.S. power in the Middle East, strengthens its forward military presence, and offers strategic depth to one of the most unstable regions in the globe. Neorealism hypothesizes that this kind of alliance yields long-term commitment systems where states are ready to bear diplomatic costs such as international criticism, loss of legitimacy, or legal inconsistency to defend a prized partner. According to a theory by Glenn Snyder called alliance politics (1997), states are frequently

entrapped in dilemmas of abandonment, in such situations, loyalty to an alliance is of greater significance than compliance with internationally declared norms. The frequent U.S. vetoes in the UNSC concerning the Israeli settlement activity, the humanitarian infractions in Gaza, and the investigations into the war crimes exemplify the way in which Washington puts the maintenance of the alliances over the application of the law. Equally, the U.S. criticism of ICC investigations into perceived Israeli atrocities reveals the extent to which a great power will go to protect an ally as it seeks to shield it against international justice. These are not exceptions or exceptions, but expected outcomes of the structural necessities of the theory of neorealism.

### **2.8.3 The Selective Application of International Law**

One of the central themes of neorealism and realist thought more generally is that, at most, international law is not binding but is merely tactical. The most famous definition of state behavior is the organized hypocrisy proposed by Stephen Krasner (1999), according to which the legal obligations are usually drawn or unaccounted under the circumstances of strategic need. In this light, U.S. approach to international law is basically opportunistic.

#### **Israel-Palestine Context**

The United States regularly dismisses, undermines or vetoes international legal procedures that question Israeli security policy the case of Israel. These actions are contextualized by the U.S with discourses of terrorism, self-defense, and democratic partnership, which shows the prevalence of legal norms over geopolitical interests. The investigations by ICC are termed as politically driven and the resolutions labeled by UNSC as imbalanced. This kind of language is used to legitimize the legal mechanisms and strengthen unity of alliances.

#### **Libya (2011)**

By contrast, the U.S. approach to Libya brings out the way in which international law can be marshaled aggressively when it is in line with strategic objectives. The U.S and NATO defended military intervention as a humanitarian need under the R2P framework. Despite the moralization of the situation, other academics like Bellamy (2015) contend that geopolitical calculations, such as the undermining of the Gaddafi regime, influencing the political orientation of North African countries and asserting the legitimacy of NATO, had significant roles to play. This selective invocation of R2P is an example of how great powers can use the legal norms to be coercive.

## **Ukraine (2022-)**

The U.S. approach to Ukraine also shows bias in enforcement. Washington advocates ICC warrants, assists multilateral sanctions, and disparages Russian aggression on legal and moral rhetoric. In this case, the international law is transformed into a containment instrument, which is intended to curb a strategic rival. The legal advocacy of the U.S. in protecting Ukraine is not protective, as it is in the case of Israel, but instead empowering, which is a striking example of how the selectivity of the application relies on geopolitical affiliation. Therefore in all the three instances the U.S is not a universal protector of international law; it invokes legal norms in circumstances where they serve its strategic interests and opposes them where they jeopardize an important alliance. This is all in line with the neorealist predictions.

### **2.8.4 Alliance Politics and Legal Norms**

Neorealism points out that states seek relative gains other than absolute gains. The issue determines the impact of alliances on the actions of the law. The issue with alliances is that sometimes it is necessary to defend those involved even in the event they are breaking international norms. Neorealism predicts that states will prefer keeping allies instead of loyalty to institutions when institution preservation would weaken or embarrass a major ally. An example is in the case of Israel-Palestine where the U.S conducts clearly depict the supremacy of alliances politics rather than the law. The US rhetoric is always based on the conversation of mutual identity, democracy, and historical connections, all of which are used rhetorically to support the unwillingness to be taken to court. This establishes a tendency whereby a normative justification is made to justify violations committed by allies and a chastisement on violations committed by adversaries (e.g. in Ukraine by Russia). The U.S. serves as a great example of an asymmetric approach to international law by protecting Israel and accusing Russia, which is consistent with the rationality of power politics. These inconsistencies undermine the perceived universality of legal norms and uphold the case, which is the main finding of neorealism that institutions reflect the power and preferences of the most powerful states.

### **2.8.5 Influence on Universal Norms and Legitimacy**

Neorealism also argue that, the international legal institutions such as the ICC and UNSC less credible through this selective application of law. Through strategic use of legal processes, the U.S. compromises the universality and objectivity of these institutions especially among non-Western

states or the Global South. This undermines the faith in international law and is part of the increasing distrust of the West dominated world institutions.

## 2.9 Conceptual Diagram

<b>Core Concepts of Neo-Realism</b>	<b>Explanation</b>	<b>Application</b>
<b>1. Anarchy and International System</b>	The international system has no central authority and states ensure they operate in their self-interest.	The U.S. attaches importance to its national interests, especially the safety of Israel, rather than to international legal standards.
<b>2. Power and Security</b>	States behave to promote their safety and strength within an anarchic system.	Israel has been a strategic partner of the U.S in the Middle East and the U.S. is providing military, diplomatic, and financial aid to Israel to ensure stability in the region and to deal with the rivalry posed by the likes of Iran.
<b>3. The Selective Application of International Law</b>	The international law is applied selectively by states based on their interests and alliances.	The U.S. enjoys its veto authority in the UN Security Council to shield Israel to take responsibility, but encourages legal measures in Libya and Ukraine, when they serve U.S. interests.
<b>4. Alliance Politics and Legal Norms</b>	Neorealism further highlights that alliance and	The U.S. is concerned with preserving its strategic alliance with Israel which affects its legal and diplomatic policy towards the

	strategic interest influence the actions of states.	Israel-Palestine conflict, frequently obstructing legal intervention against Israel.
<b>5. Influence on Universal Norms and Legitimacy</b>	The selective use of international law undermines the authority of international legal institutions.	The U.S actions in the Israel-Palestine conflict deter the legitimacy of the ICC and UNSC, particularly among the non-Western states, undermining the trust in the international law.

### **3. CHAPTER THREE: RESEARCH METHODOLOGY**

This research uses a qualitative research design to investigate how the United States interacts with international legal bodies in the Israel-Palestine dispute. It emphasizes the role of strategic cooperation in enforcing or hindering the application of international law, namely, the International Criminal Court (ICC), United Nations Security Council (UNSC), and Responsibility to Protect (R2P). The study employs the Critical Discourse Analysis (CDA) to explore the discourse of the U.S. in major international law procedures, guided by Neorealism, to establish how national interests impact the results of law.

#### **3.1 Research Design**

The study is a comparative qualitative study with Critical Discourse Analysis (CDA) to study the major documents such as UN Security Council resolutions, ICC reports, and U.S. government statements. The analysis will be based on a Neorealist framework to determine the influence of strategic interests in U.S. interaction with international legal bodies. Three case studies that will be included as a part of the study will be Israel-Palestine, Libya (2011), and Ukraine (2022), providing a comparative perspective with which to evaluate the inconsistency of the U.S. legal application in geopolitical factors.

#### **3.2 Data Collections**

Primary sources will be used to gather data, such as official UN Security Council resolutions, ICC decisions, and U.S. government publications, presidential speeches, and State Department reports. The secondary sources will consist of scholarly articles, policy reports, and human rights organization publications such as Amnesty International and Human Rights Watch. The data will be carefully sampled in a way that it is diversified to represent different perspectives and relevance to the research questions and capture official and non-governmental attitudes towards U.S. involvement with international law.

#### **3.3 Data Analysis**

This will be analyzed through Critical Discourse Analysis (CDA) where the discourse will be coded into support of legal enforcement, obstruction and neutrality categories. Other sub-themes

such as alliance defense and humanitarian justification will be coded as well. A comparative study will be conducted on the three case studies, including Israel-Palestine, Libya, and Ukraine, based on the elements of applicability of U.S. discourse towards strategic interests and the legitimacy of international legal institutions.

**3.4 Case Selection and Rationale**

The complex Israel-Palestine conflict 2009-2024 is utilized as the primary case and follows the degree of selectivity of the United States in the relationship with the international legal institutions based on the strategic need. In this situation, America has been acting in defense of its client in order to avoid legal responsibility. It consists of diplomatic antagonism to the work of the International Criminal Court in their investigations, repeated vetoes of drafts in the Security Council, and blocking of responsibility-to-protect principles-based interventions. This performance expounds on how the loyalties of commitment influence the meaning of legal principles. The presentation of supplemental case reports in 2011 in Libya and in 2014-2015 in Ukraine give a contrast in terms of strategy. The US was the one that helped the responsibility-to-protect and the Security Council-based provocation of military intervention against an aggressive government in Libya and concurrently in Ukraine, America was vociferous on the issue of lawful retaliation against Russian aggression, such as sanctions and collaboration with the ICC, despite the veto of the Moscow Security Council. Such contradictory case studies can be used to explain how the U.S. bends its legal stance to either suit its strategic interest in either enforcement or evasion. The reason these cases were chosen is due to its relevance to American geopolitics, the availability of formal information and due to their usefulness in presenting the interaction between alliance politics and legal advocacy based on Neorealist interpretation.

**3.5 Table: CDA analysis Coding Scheme of US Discourses**

<b>Speech Excerpt</b>	<b>Code</b>	<b>Reason</b>
<b>1. “This resolution is Unfair or Unbalanced” / “The ICC lacks jurisdiction in this situation, and its</b>	Obstruction of Accountability	Discourse that is aimed to prevent, undermine or weaken legal procedures (UNSC resolutions, ICC

<p>actions are politically motivated”.</p>		<p>investigations, R2P mechanisms) by portraying them bias as the ally is involved.</p>
<p>2. “Israel has the right to defend itself, and we oppose any external investigation that undermines its security”.</p>	<p>Alliance Defence</p>	<p>Focus on Israel right to defend and rejecting any ICC investigation for guarding the important ally by sanctioning ICC officials.</p>
<p>3. “Russia’s aggression violates fundamental norms of international law, and those responsible must be held accountable”.</p>	<p>Legal Enforcement</p>	<p>A language that promotes legal responsibility, penalties, multilateral intervention and refers to instances of U.S. conduct being consistent with international law, usually of adversaries for Ukraine.</p>
<p>4. “Dialogue is needed / We are monitoring the situations closely”.</p>	<p>Neutrality</p>	<p>The use of diplomatic or ambiguous language which does not imply a clear responsibility or commitment and disclosures of efforts to evade legal or political expenses, means ambiguity where strategic interests are at stake.</p>
<p>5. “We will continue to stand with our ally and</p>	<p>Alliance Solidarity</p>	<p>Stand with our ally” and “no unfair measures” frames</p>

<p><b>ensure that no unfair measures are imposed upon it”.</b></p>		<p>criticism or sanctions as unjust and reinforces political protection of a partner state.</p>
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**3.6 Ethical Considerations**

The ethical considerations involve the transparency and integrity of the data analysis by admitting the potential bias of government and institutional documents. The research shall be based on publicly available materials, with no breach of confidentiality or restriction of access. A balanced representation of views, especially those of the Global South, will also be considered to prevent strengthening the Western-centered views. The study will also critically address sensitive political matters with respect to diverse opinions without compromising the standards of a scholarly fairness, accuracy and objectivity.

## **4. CHAPTER FOUR: SELECTIVE LEGALITY IN PRACTICE: U.S. BEHAVIOUR ACROSS THREE INTERNATIONAL CONFLICTS**

This chapter presents a detailed comparative analysis of the U.S. strategic interactions with international law institutions in three significant conflicts, Israel-Palestine, Libya, and Ukraine, to unveil a selective but uniform trend of legal blockage and legal enforcement in the geopolitical interests. The chapter evaluates the role of U.S. power, alliances and political discourses in its behaviour in the United Nations Security Council (UNSC), the International Criminal Court (ICC) and the Responsibility to Protect (R2P) concept through application of Neo-Realism as a theoretical framework and Critical Discourse Analysis (CDA) as a methodological instrument. The chapter that focuses on the 2009-2024 period discloses that there has been systematic suppression of international legal responsibility, as represented by U.S. strategic alliances, especially with Israel and by rhetorical justification to legitimize Palestinian demands according to the international law. On the contrary, the chapter demonstrates that the U.S. proactively applied international law in Libya, first by presenting the 2011 NATO intervention as part of R2P as a moral obligation before it was repurposed as a regime-change operation. Lastly, in the case of Ukraine, the U.S. takes a proactive legal policy, endorsing ICC indictment, sanctions, and mobilizing legal discourses that deplore Russian aggression as a crime against the UN Charter. The comparative analysis of these cases in the chapter draws attention to the adoption or non-adoption of legal norms, based on whether it is supportive or adverse of U.S. strategic interests. The analysis thus done shows huge consequences to the credibility, legitimacy and future of international legal institutions- especially in a multipolar world that is becoming more and more multipolar.

### **4.1 Case study Israel-Palestine conflict**

The Israel-Palestine conflict is a complex conflict of more than a century and assumed a rather complicated turn between 2009 and 2024. The settlements and the occupation of Palestinian territories, as well as Palestinian resistance movements, have become a source of international interest during these years and in particular, in the light of international law. The United States disposition towards international legal institutions like the United Nations (UN) and the International Criminal Court (ICC) has been the most important in development of this war, and has been influenced by most its strategic alliances, most notably with Israel. These alliances have

not only influenced the diplomatic decisions of the U.S. regarding the conflict, but also the activities of the U.S. in the legal contexts of the world.

#### **4.2 US Strategic partnership with Israel and Its responses to UNSC**

Since 2009, the United Nations Security Council (UNSC) has been at the center of international initiatives to address the Israel-Palestine conflict. UNSC has issued several resolutions on the matter, the most remarkable of them being Resolution 2334 (2016), which reiterated that Israeli settlements in the West Bank, including East Jerusalem are not legally binding and are against international law (Thomeh , 2013 ). The strategic alliances between the U.S and Israel however notwithstanding the fact that broad international agreement exists that Israeli settlement activity is illegal, the United States has on numerous occasions used its veto power to block resolutions condemning Israel (Office of the Historian, 2025). This is because the U.S. enjoys a veto power in the UNSC because of its long-term geopolitical relationship with Israel that constitutes a core component of American foreign policy in the Middle East. The basis of this relationship is the common security concerns, such as counterterrorism activities, regional stability as well as the overall aim of limiting the influence of Iran within the region. The United States support of Israel in the UNSC, particularly, by vetoing any resolutions that would have held Israel responsible in its actions in the occupied territories has also led to the failure of the peace process and given Israel relative impunity on the international front (Ahmad & Ali, 2025). This has compelled the U.S. strategic national interest of providing security to its regional ally Israel to influence its position on the international legal institutions and in most cases, the application of international law has been sidelined to support the security and sovereignty of Israel. This relationship is a manifestation of the Neo-Realist approach to international system, the behavior of states are largely driven by the need to achieve security and power. In the case of the U.S., the national interests of Israel are considered to be vital in ensuring that it retains its influence and military strength in the Middle East regardless of whether the legal norms that are stipulated by the UNSC and other international organizations are compromised (Setiawan, 2025).

##### **4.2.1 The US-Israel strategic partnership and ICC**

The United States has also been influenced by its strategic partnership with Israel with regard to the International Criminal Court (ICC) besides the actions it has taken in the UNSC. The ICC has increasingly emerged as a bigger institution within the international legal society charged with the responsibility of making perpetrators of war crimes, crimes against humanity and genocide

responsible. In the Israel-Palestine conflict, the ICC has been requested to investigate the settlement activity of Israel in the West Bank and East Jerusalem, which they consider a breach of the international humanitarian law and the Fourth Geneva Convention by most legal experts and the international bodies (International Criminal Court, 2025 ). This has seen the U.S. strongly strive to negate the jurisdiction and authority of the ICC even though the international community is increasingly pressurizing the court to look into Israeli settlement expansion, majorly because the U.S. is strategic partners with Israel. The U.S. is yet to ratify the Rome Statute that formed the ICC and it has been steadfast in its objections to take Israel to the Court. This resistance is based on U.S. strategic interests: Israel is an important ally in the Middle East and any legal responsibility that might disrupt Israeli military actions or settlement activities is viewed as an impediment to American regional policy objectives (Mujeriego, 2025). In 2020, the ICC was sanctioned by U.S. as well after the Court approved the investigation of the possible war crimes committed by U.S. forces in Afghanistan, which is another piece of evidence of resistance to international legal responsibility when U.S. interests are under consideration. On the other hands, when Palestine tried to take Israel before the ICC of the actions committed by Israel, the U.S. again took sides with Israel which depicts the strategic alliance in which the Israel action and security are given more priority over the laws of international law. The pattern highlights the Neo-Realist view that power politics and national security issues tend to influence the approaches of states in the international organizations even when the latter enforce the international law (Mujeriego, 2025).

#### **4.2.2 The U.S. Political Discourse and the International Legal Responses**

The U.S. strategic partnerships also find their way to the political front with speeches by the U.S political figures especially the President Donald Trump speeches shaping the international laws on the Israel-Palestine issue. Trump rhetoric, particularly his presidency, 2017-2021, had always been consistent with the security interests of Israel and had attempted to undermine Palestinian entitlements to self-determination (Shah , Fatima , & Fatima , 2025). In 2018, Trump defied the international consensus by moving the U.S. embassy to Jerusalem, and these actions reflected how the U.S. political discourse bolstered its strategic cooperation with Israel and consequently determined its position on international legal issues on the conflict (Damanhoury, Saleh, & Lebovic, 2025 ). In many of his political speeches, especially those about Israel, Trump viewed the conflict as a self-defense of Israel against what he described as terrorism by Palestinian organizations such as Hamas. This rhetorical presentation was both to justify the actions of the

Israelis in the occupied lands and to demonize the Palestinian resistance to Israel because it was no longer seen as a self-determination struggle but a terrorist attack. The U.S. legal discourse, in this regard, has been so politicized that it has developed a legal climate that has elevated the international bodies such as the ICC as being sidelined or ignored when they question the Israeli activities. These speeches strengthened the strategic relationship that defines U.S. relations with international legal institutions and helps Israel take a stand at the international level by aligning the U.S. political discourse with the security goals of Israel (Shah , Fatima , & Fatima , 2025).

#### **4.3 U.S. Influence on UNSC Discussions and ICC Judgments**

The Israel-Palestine conflict has been among the toughest geopolitical conflict of the 21st century, which has been marked by the continued violence, unsuccessful peace talks, and intricate international jurisprudential discussions. The core of these debates is the functions of the United Nations Security Council (UNSC) and the International Criminal Court (ICC) as major international bodies that are supposed to maintain world peace and justice. Nevertheless, however, the role of the United States, especially with its strategic alliance with Israel has also determined the manner in which these institutions have been working and their abilities in resolving the conflict. This paper discusses the role of United States strategic interests in its pursuit of the UNSC veto system and ICC decisions to continue the standoff in international legal endeavors to achieve peace in the Israel-Palestine conflict.

##### **4.3.1 The U.S. Influence on the UNSC Veto Power**

The use of veto power by the United States, which has shielded Israel against the international legal action, has been one of the most notable aspects of the response of the UNSC to the Israel-Palestine conflict. The UNSC, the main body of international peace and security, has passed resolution again and again to end the conflict or criticize the moves of Israel especially its settlement and military operations within the occupied Palestinian territories. But such resolutions have always been blocked by the U.S. veto, as a sign of the unwavering support of the United States to its strategic ally, Israel. Between the year 2009 and 2024, the United States has vetoed many UNSC resolutions that attempted to put Israel under scrutiny in its policy towards occupied territories (Yusuf , 2024). The most notable one is Resolution 2334 (2016), which restated the fact that the Israeli settlements in the West Bank and East Jerusalem are considered illegal under the international law. Although this resolution was approved by most of the UNSC, the U.S. voted to abstain rather than veto this resolution the first time in more than 30 years, which is an indication

of a temporary change of direction. This action was however an exception, as the U.S. was quick to resume its prior position of vetoing resolutions that were critical of Israel, especially during the Trump administration (Amina, 2019) . The constant invocation of the veto by the United States in the United Nations Security Council has effectively stifled any meaningful action of the Council against Israeli policies. The geopolitical partnership between the U.S. and Israel is the origin of this veto power as the two countries have common security interests, regional stability, and economic interests. The U.S. considers Israel as a key partner in the Middle East region especially in its effort to oppose the regional powers such as Iran and preserve its military and political power in the region (Setiawan, 2025). Therefore, the U.S. has repeatedly adopted its UNSC veto to avoid the international accountability of Israel and allow Israel to keep proceeding with its policies without fear of penalties and legal actions. This tendency of veto highlights the preeminence of realpolitik in international decision-making (Lucas , 2021). The U.S. exercises its strategic interests in place of the application of international law especially in instances where most of the international community is behind the resolutions that condemn Israeli activities. The fact that the veto power is still in use has been one of the main reasons why the UNSC has not been able to enforce a peaceful resolution to the Israel-Palestine conflict and this has been one of the main reasons why peace efforts have stalling (Demirkaya, 2024).

#### **4.3.2 The Obstacles to Peace and the UNSC**

The influence of the U.S. veto authority is not only restricted to blocking individual resolutions, the credibility of the UNSC as an institution that deals with conflicts in the world has been undermined. The UNSC has over the years passed several resolutions which support the idea of a two state solution and it has urged Israel to stop its settlements and to move out of the occupied Palestinian territories. ( Zureik, 2020) The resolutions have however not been enforced due to constant non-compliance by Israel and the support offered by the United States. This has led to Israel furthering their settlement in the West Bank and the Palestinians still being in the state of statelessness and occupation. The inability of the UNSC to respond with force to the Israeli contraventions of international law has resulted in criticism to the set-up of the Council structure. The permanent members and especially the U.S. have been found to be a significant hindrance in solving Israel-Palestine and other conflicts since they possess the veto power ( Nijim, 2022). The need to change the decision-making process of the UNSC, especially to restrict the veto power of the latter, has become a common motif of the discussion about the future of international

diplomacy and conflict resolution. Nonetheless, the U.S. opposition to these reforms due to its geopolitical interests in Israel has not permitted more changes to take place.

#### **4.3.3 US Strategic Interests and the Erosion of International Legal Norms**

The analysis of the pattern of UNSC vetoes and the decisions of the ICC indicates how the U.S. strategic alliances have essentially determined its relationship towards international law bodies in the Israel-Palestine war. The security, political, and economic interests that compelled the U.S to consistently support Israel have brought them to consistently veto meaningful international action whether through the UNSC veto system or by compromising the ICC jurisdiction (Ahmad & Ali, 2025). The stalemate in the Israel-Palestine conflict has been reinforced by this strategic alliance, where Israel is able to do away with international law without consequences and the chances of a two-state solution are becoming even more distant. The fact that the international legal institutions, especially the UNSC and the ICC have failed to bring Israel to book highlights the aspect of power that governs the world system. The possibility of the Israel-Palestine conflict being solved by the international law will never be realized as long as the U.S.-Israel relationship is preserved as a pillar of U.S. foreign policy and the U.N.S.C. veto, as well as the ICC jurisdiction, is weakened by geopolitical reasons (Yusuf , 2024).

#### **4.4 U.S. Leaders Speeches on the Israel-Palestine Conflict: Strategic Alliances and their Impact on International Legal Institutions**

America has played a major role in the global argument regarding the Israel-Palestine issue by leading and supporting Israel. All presidents, including Obama, Trump, and Biden, have taken a stand through speech. These speeches are based on their belief and are there to advance the U.S. interests in the Middle East, through the use of rhetoric, U.S. leaders are able to influence world perceptions, especially in international legal institutions such as UN Security Council and International Criminal Court. This discussion looks at the rhetorical tactics in the speeches of Donald Trump and their influence on the international legal institutions in the Israel-Palestine conflict. The discussion examines the alignment of these speeches with the U.S.-Israel alliance on the impact of the role of international law in solving the problem.

##### **4.4.1 The Ideological Position and Rhetoric speeches of Donald Trump**

The speeches by President Donald Trump on the Israeli Palestinian conflict appeared to be heavily ideological and had the security of Israel as a priority and a reflected the U.S.-Israel connection as the foundation of American foreign policy. Among the most notable things that he did was the

relocation of the U.S embassy to Jerusalem; this was not only a controversial decision, but also an indication that the U.S had accepted Jerusalem as the capital of Israel. (Tara & Jamshaid, 2025) In his speeches, Trump always positioned this decision as a statement of Israeli sovereignty and a sign of American protection of its partner. The ideological placement of Trump was also seen when he condemned Hamas and Palestinian resistance which he constantly framed as terrorism. The American president reinforced the Israeli narrative of victimhood and the military response to Palestinians as a way of self-defense by condemning Palestinian resistance groups such as Hamas as terrorists. His speeches always strengthened the notion that the Israel-Palestine conflict was one between civilization (Israel) and barbarism (Palestinian militant groups) (Shah , Fatima , & Fatima , 2025). This ideological platform affected the U.S. activity in international law-making institutions, including the UNSC where Trump has vetoed the resolutions that criticized the settlement practices and military actions of Israel. Moreover, Trump speeches tended to present the Iran nuclear deal and support of the Palestinian groups as the greatest threats to regional peace by Iran. Trump, in his approach to the conflict, was therefore closely set in the greater U.S. geopolitical interests in the Middle East, particularly, the counteraction of Iranian influence. His speeches supported the notion that the security of Israel could not be separated out of the U.S. interests in the region thus the need to take a tough position in favor of Israel in the international forums ( Oguejiofor, 2024).

#### **4.4.2 The Rhetoric of Trump: Justifying Israeli actions and discrediting Palestinian resistance**

The rhetorical approaches used by Trump on the conflict between Israel and Palestine were consistent with the U.S.-Israel alliance which greatly influenced U.S. outlook on the international legal institutions and especially the UNSC. The UNSC which has the responsibility of ensuring peace and security in the international sphere has been a very important place where the conflict could be discussed. Nevertheless, the U.S. has exercised its power of veto on numerous occasions to thwart resolutions which are critical of Israel, which allows the implementation of the international legal regimes concerning Israeli settlements in the West Bank and military operations in Gaza (Shah , Fatima , & Fatima , 2025). The speeches of Trump, such as the one he gave in his 2019 visit to Israel, strengthened this alignment because he described Israel as a vital partner in the war on terrorism and the need of U.S. backing to Israel in its right to self-defense. Focusing on the right of Israel to defend itself and referring to Hamas as a terrorist organization, Trump justified

the actions of Israel and at the same time, delegitimized the Palestinian resistance. This rhetoric did not only legitimize the veto of UNSC resolutions by the U.S, but it also highlighted the ideological difference in the perception of the conflict between the U.S and most of the rest of the international community. ( Oguejiofor, 2024) Indicatively, when Trump in 2017 recognized Jerusalem as the capital of Israel, the UN General Assembly voted in favor of a resolution denouncing the move by a large margin but the U.S. vetoed a UNSC resolution that would have forced Israel out of the occupied territories. The ideological justification of this decision was given through the speeches of Trump, which supported the narrative of self-defense among Israelis and de-legitimization of Palestinian opposition. This has carried on in the Trump administration, which has vetoed UNSC resolutions that are critical of Israel. It also represents a larger U.S. strategic interest of reinforcing its relationship with Israel and countering regional aggressors such as Iran (Tara & Jamshaid, 2025). The fact that Trump publicly supported the right of Israel to defend itself and his dismissive attitude to Palestinian complaints only deepened the power imbalance in the international legal reaction to the Israel-Palestine conflict.

#### **4.4.3 The U.S. policy towards the ICC and International Legal Accountability**

The U.S. attitude to the International Criminal Court (ICC) was another important international legal institution directly influenced by Trump speeches. Although the ICC is mandated to investigate war crimes, including the cases of Israel-Palestine conflict, the U.S. has always been critical of the jurisdiction of the Court as well as has attempted to discredit its authority. The Trump administration, especially, was quite antagonistic to the prospective investigation of the ICC of the Israeli war crimes, particularly the settlement expansion in the occupied territories. Trump has described the investigation of the ICC on Israeli actions in his speeches as encroachment on the sovereignty of Israel and a violation of its self-defense that is not justified. He described the ICC as a tool of international political maneuvering and mostly applied only on Israel without considering the other states that were perpetrating such acts, like Iran and Syria. The speeches by Trump made the ICC an organization that was prejudiced against Israel, and rhetoric used by his administration solidified the ideological category that considered Israel a victim of unfair international attention (Shah et al., 2025). The move by Trump to sanction the officials in the ICC in 2020, following the Court ruling to initiate an investigation into possible war crimes perpetrated by U.S. forces in Afghanistan, is another example of how U.S. strategic alliances are driving its international legal institution views. The ICC was positioned by Trump administration as the

instrument of anti-American bias, as its legitimacy was unacceptable to the U.S. sovereignty. This position was in line with his general approach to foreign policy involving shielding U.S. allies such as Israel against the vindicators of the international law, as well as pursuing U.S. interests in the Middle East and the world.

#### **4.4.4 Ideological Framing and Social Perception**

The ideological framing used by U.S. leaders, particularly in speeches and public addresses is very important in transforming the society on the issue of Israel-Palestine conflict. Trump and other U.S. leaders continue to develop a discourse that delegitimizes Palestinian resistance by constantly referring to the conflict as a case of self-defense, terrorism and the right of Israel to exist, making her the only party that deserves international backing. This story was employed to defend U.S. moves at international legal bodies where the preoccupation has been majorly on the admonishment of Palestinian moves and protection of Israel against the international legal scrutinizes. The speeches of Trump also contributed to mobilizing the opinion of people to think in line with Israeli policies. Trump aimed to use emotionally loaded terms, including terrorism and self-defense, to enlist the sympathy of the American people and the global community to support what Israel does in Gaza and the West Bank. This rhetoric did not only present the conflict in binary terms but also justified the actions of the U.S. government by the ideological demands of Israeli politicians (Fatima and Shah, 2025).

#### **4.4.5 The Role of Strategic Alliances in the Development of International Legal Responses**

The United States attitude towards international legal institutions especially the UNSC and the ICC has been influenced by the U.S.-Israel alliance. With the aid of a mixture of strategic rhetoric, diplomatic negotiations, and veto authority, U.S. leaders, and especially Trump, have continuously attempted to curb global legal attempts to leave Israel answerable to its moves. The rationale of this approach is based on the idea that the security of Israel is critical to the national interests of the U.S and that the alliance with Israel would enhance the U.S. influence in the region. Through the rhetoric of the necessity to deepen the strategic alliance between the U.S and Israel, and to justify the actions of the U.S at the occupied Palestinian lands, leaders of the U.S have been employing rhetoric as a tool of bolstering their speeches. The discussion has played a significant role in the international legal sphere of the conflict in the discussions of the UNSC and decision-making of the ICC. Through the use of aggressive rhetoric and framing of the ideology, American leaders have ensured that Israel appears as the crusader of democracy, thus making its actions in

the international stage to take precedence over the grievances of Palestinians. This has been the dynamic that has ensured that the U.S actions in the international legal institutions do not work against its geopolitical interests in the Middle East.

#### **4.5 CASE STUDY LIBIYA AND R2P**

This case study examines the 2011 Libya intervention in terms of the Responsibility to protect (R2P) doctrine, and how the humanitarian justification, the U.S. leadership and the discourse of the intervention were addressed. The UN Security Council approved the intervention, as stipulated under the Resolution 1973, which was initially meant to secure the lives of civilians against the violent oppression by the then Gaddafi regime. The U.S. has been instrumental in responding to the crisis internationally and setting the intervention as a moral imperative to avoid atrocities. However, the intervention shifted with the mission shift, the protection of civil population to regime change under interrogation by the civilian may be cast into doubt in a critical manner. The analysis relies on Critical Discourse Analysis (CDA) to examine the way the officials and the media of the U.S. are creating the narrative of humanitarian intervention using the language they are employing. It highlights how the rhetoric of the intervention has portrayed the U.S and NATO as the innocent human rights protectors and the political and strategic interests that culminated in the intervention. The case study reveals to the reader that the humanitarian goals and geopolitical goals may contradict each other, and the R2P discourse may be a source of empowering and restraining activities of global actors in international interventions. Responsibility to protect (R2P) has become the focal point in the creation of international law and international response to mass atrocities. R2P was largely implemented during the intervention of Libya in 2011 and was again allowed by the United Nations Security Council (UNSC), on Resolution 1973. This military action initially aimed at seeing that the population is not exposed to violent oppression of the regime led by Colonel Muammar Gaddafi has raised several legal, ethical as well as geopolitical issues.

##### **4. 5.1R2P and the Legal Framework**

The principle of R2P is based on the idea that sovereignty is accompanied with an obligation of states to protect their citizens against genocide, war crimes and crimes against humanity. This framework was strengthened by the 2005 UN World Summit which stated that the international community should step in when the government is unable to safeguard its citizens. In Libya, in 2011, when the forces of Gaddafi have increased violence against the protestors, the UNSC invoked R2P, which allowed military intervention to safeguard civilians. It was the first occasion

that the UNSC used force against the will of a sovereign government on the basis of humanitarian grounds ( Dembinski & Reinold, 2011). The language of the resolution and the intervention of NATO led thereafter was, however, an issue of concern in terms of the extent and the motive of military action.

#### **4.5.2 Transition from protection to Regime Change**

First, the intervention was rationalized as a way of securing the civilians, especially in the city of Benghazi, which was vulnerable to a massacre. NATO provided no fly zone and airstrikes against the forces of Gaddafi. But over time, the operations of NATO evolved towards regime change, a goal that the UNSC did not permit under Resolution 1973. The support to the rebel armies and the bombing of the compound of Gaddafi crossed the boundaries of humanitarian protection and political goal, causing legal and ethical questions (Fitzgerald & Toaldo, 2016). This move by NATO not to follow the initial mandate according to critics of the act eroded the credibility of R2P and posed a dangerous precedent in any future intervention.

#### **4.5.3 International and Regional response**

The intervention exposed extreme internal divide in the international community. The U.S and European powers like UK and France that supported the intervention argued that it was a move to rescue the civilians. Other states like Russia, China, and India and regional powers like African Union (AU) on the other hand were concerned about sovereignty and how R2P can be abused by geopolitical agendas. The example of the AU highlighted the necessity of a negotiated settlement and expressed the worry about the over step of NATO especially in terms of regime change. This difference highlights how hard it is to reach an international agreement on R2P, particularly where local and international interests clash ( Dembinski & Reinold, 2011).

#### **4.5.4 Legal and Ethical Concerns**

The intervention by NATO has been subject to a lot of discussion on its legality. Critics suggest that although R2P allows a state to intervene in the event of mass atrocities, it needs to be executed in compliance with the international law, especially with the UNSC approval. The wide-ranging conception of Resolution 1973 by NATO also brought the fear of misuse of R2P to serve political goals since the intervention extended beyond civilian's protection to actively promote regime change. This reversal of humanitarian intervention to regime change raises the question of legitimate use of force based on the R2P concept especially when the measures are not directly

connected to the original aim of the resolution (Engelbrekt, Mohlin, & Wagnsson, 2014). The intervention in Libya also revealed that the R2P framework presents a lot of ambiguity when it comes to the right intention principle, proportionality, and necessity. Although the intervention was first presented as a humanitarian operation to halt mass atrocities, the change to regime change undercut the legitimacy of the intervention. The U.S. and European forces that took part in the intervention have been able to justify their intervention by attaching the humanitarian spirit of ensuring that civilians are not affected but critics have cited that the extent of the intervention was hinged on political and strategic factors such as ousting Gaddafi off power (Bronner, Ethan, , & Sanger, 2011). The absence of a clear distinction between humanitarian protection and political purpose has contributed to a wider discussion regarding the application of military force in the service of humanitarian purposes and the dangers presented by the misuse of R2P to the political end. This ambiguity with regard to the aim and scope of the intervention has caused a lot of debate in the international community especially among the countries and regional bodies of the global south like the African Union (AU). The previously pro-R2P, the AU was deeply worried about the intervention by the NATO, especially in its transformation to regime change as opposed to civilian protection. The objections of the AU are part of a wider disregard of outside military interventions, particularly when they are viewed as being motivated by the policies of influential cities such as the U.S and European powers. This difference in views highlights the difficulties in reaching an agreement on using R2P, especially when there are geopolitical interests involved ( Dembinski & Reinold, 2011).

#### **4.6 U.S. Leadership on R2P Authorization**

The U.S. intervention in Libya in 2011 under the Responsibility to Protect (R2P) doctrine is a case study of critical application of this international norm as it reflects the leadership nature of the U.S. as well as the controversial nature of the authorization of force under the justification of humanitarian intervention. The intervention was an aftermath of the increasing violence against civilians in the state of Muammar Gaddafi whose regime saw a lot of claims for international intervention to stop the further atrocities. The United States played an active role in the formulation of the international response and led the formulation of the UN Security Council Resolution 1973 that authorized the use of force to protect civilians in Libya ( Vaughn & Dunne, 2015). The U.S took a leading role in the intervention in Libya diplomatically and militarily. Despite the fact that the intervention was officially carried out by the NATO, the U.S was highly involved in ensuring

that the UN Security Council approved the use of military force to protect civilians against the Gaddafi forces. The U.S. played a very active role in the wording and contents of the UNSC Resolution 1973 that not only required the no fly zone and arms embargo, but also allowed the use of force to prevent the additional attacks on civilians.. It was a clear act of U.S. commitment to the doctrine of Responsibility to Protect (R2P), particularly in reaction to the international outcry of the unfair use of force against civilian protests by the Gaddafi regime ( Buel., 2011). The strategic interests and humanitarian interests motivated the U.S. government to focus on the prevention of mass atrocities. Some of the most vocal advocates of intervention under President Obama were such figures as Ambassador Susan Rice and National Security Advisor Samantha Power, who believed that the U.S. had a moral duty to stop a massacre in Libya. Particularly power factors contributed to the continued spread of the idea that the U.S. must be in the frontline to protect civilians and maintain international humanitarian standards. This indicated the wider U.S. policy turn during the Obama administration, which tried to employ military force to further humanitarian concerns, according to the changing international agreement on the necessity of R2P (M'llili, 2024).

#### **4.6.1 Paradigm Shift: Protection to regime change**

Although the original reasons to intervene in Libya by the U.S. and NATO were to offer protection to Libyan civilians under the principle of R2P, the objectives of the operation soon broadened. As things progressed, the U.S and its allies started to seek the ousting of Gaddafi which was not clearly mandated by the UNSC resolution 1973. This broadening of the mission posed some fundamental questions about the purity of the R2P doctrine and the dangers of employing humanitarian intervention as a cover to seek a regime change. The move towards regime change was clear in the way NATO started to support Libyan rebel forces more than ever and even airstrikes of Gaddafi troops and later on the targeting of his compound. The intervention which had initially been discussed as a humanitarian intervention to protect civilians, started taking the look of a mission to overthrow the Libyan regime. The American authorities, such as President Obama and European leaders, claimed that the Gaddafi regime needed to be ousted in order to achieve a sustainable peace in the Libyan state but it made them question whether these activities were in line with the main objective of R2P, which was civilian protection (Vaughn & Dunne, 2015). Opponents, including the African Union and other South countries, claimed that NATO activity was beyond

the scope of the UN mandate and transformed the priority toward the security of civilians into achieving geopolitical goals (Abomo & Carter Ham, 2018).

#### **4.6.2 International and Regional perspective U.S. Leadership move**

The international community was also divided by the U.S. leadership in the Libya intervention. As much as the U.S. together with its European allies, especially France and the UK were highly in favor of military action, other nations raised concerns regarding the intervention. Russia, China, and some African countries, such as the African Union, were not in support of the intensification of the NATO activity, especially the transition to the regime change. The African Union, in particular, demanded a negotiated political resolution whereas the military intervention of NATO was regarded as the violation of the sovereignty of Libya. These international and regional schisms highlighted how difficult it may be to implement R2P in such a manner that complies with humanitarian needs without violating state sovereignty. The African Union which had signed R2P in principle criticized the manner in which the intervention by NATO weakened the sovereignty of Libya and contributed to instability in the region. This conflict between humanitarian intervention and sovereignty was one of the major points in the global discussion of the legitimacy of the U.S.-led intervention (Vaughn & Dunne, 2015).

#### **4.6.3 Ethical and Strategic Considerations**

The U.S. missionary leadership in the Libya intervention, too, cast serious ethical and strategic doubts on whether military force can be used in humanitarian missions. However, although the original aim of safeguarding civilians against the forces of Gaddafi was mostly justified by the international community, the further development of the mission to include the change of the regime posed a complicated ethical issue. The U.S. leaders had a hard choice regarding the extent of intervention and the long-term effects of the intervention on Libya and the region at large. On ethical grounds, the intervention was characterized by the contradiction between the moral motivation of saving civilian lives and the interests of the U.S. and its allies in terms of politics and strategy. The U.S. discussed the necessity to prevent mass atrocities and promote the human rights agenda, and critics argued that the intervention was also based on geopolitical reasons and the desire to influence the future political state of affairs in the Middle East (M'lili, 2024). This twofold drive renders the U.S. foreign policy fairness and the potentials of humanitarian interventions as a political leverage tool questionable.

#### **4.6.4 The U.S. Leadership Legacy in R2P**

The R2P intervention of the U.S in Libya has left a lasting impact on the R2P doctrine as well as the foreign policy of the U.S. On the one hand, the intervention demonstrated that R2P was possible to prevent the mass atrocities and rescue the civilians in the instances of the extreme violence. On the other hands the change in priorities between humanitarian protection and regime change also brought up the issue of how R2P was abused to political end and the potential effects of interventions over the long term. The post-intervention stage, when Libya began to be ripped apart by the civil war and the disintegration of the political structure, showed the complex of challenges in the reconstruction of the post-conflict societies and the long-term security within the regions following the military intervention. The R2P is complicated in its practical implementation because of the history of the U.S handing of the Libya intervention. Although the U.S. played a critical role in the mobilization of the international support in the intervention, the shifting of the objectives and the ultimate triggering of Libya into the state of chaos begs some useful questions on the efficacies and limitations of military interventions use in the R2P concept. The Libya experience also contributed to the fact that the further consideration of interventions is to be regarded more closely due to the fact that the humanitarian interests do not dominate over the political and strategic ones (Vaughn & Dunne, 2015).

#### **4.7 Contextualizing the Intervention and humanitarian Imperative**

In order to examine the humanitarian justification of the Responsibility to protect (R2P) in Libya in the context of Critical Discourse Analysis (CDA), we must look at how language was used to construct the narrative of the intervention and the ideologies that were constitutive of the discourse and the ways various actors were making sense of the intervention. CDA can also help us to analyze how the language of political speech can be used to express the ways of how power, authority, and morality can be identified, and how they can be used to legitimize military operations such as the Libyan operation in 2011. This approach will help us to carefully examine the portrayal of the humanitarian justification of R2P and the role of the U.S. leadership in establishing the goals and as well as the consequences of the intervention. The humanitarian rationale of the intervention in Libya was based on the need of civilian rescue, a massacre of the Gaddafi regime. The moral duty of the international community was also very narrow in the discourse of the intervention, and the U.S was leading in developing this rhetoric. In the case of President Obama, he framed the U.S intervention with great zeal of protecting innocent lives when

he asserted that the U.S could not sit back and watch Gaddafi go ahead and create a bloodbath. The moral sense in his addresses to the public which he had created through the application of such words as bloodbath and massacre was in line with the humanitarian aims of R2P. This framing suggested that the U.S and allies were doing so as a moral duty to eliminate human affliction (Vaughn and Dunne, 2015). This is an important framing by CDA sense in that it makes the intervention appear as a response to an impending humanitarian crisis in which the U.S. and NATO forces are defenders of civilian against an illegitimate regime. The discourse here creates a dichotomy between the good international community (the U. S. and NATO) and the evil Gaddafi regime, which is portrayed as a brutal, genocidal nation. The discourse legitimizes the intervention as a necessary and morally justified act to counteract the violence of Gaddafi by making it sound as a humanitarian act that is necessary and morally right in accordance with the culture of human rights and democracy as practiced in the West.

#### **4.7.1 U.S. Leadership and the Power of Moral Discourse**

President Obama made the U.S. the figurehead of the international community in promoting the application of R2P. Through speeches and diplomatic interactions, the officials of the U.S. made it clear through and through that they had the ethical obligation to save the lives of civilians and they developed a discourse of a benevolent intervention in which the U.S. would be cast as a savior of human rights.

More specifically, the influence of the U.S. Ambassador to the UN Susan Rice played a key role in spearheading the authorization of military force and she said that the U.S. had a duty to ensure that civilians were not subjected to atrocities and another massacre was not repeated ( Deitelhoff, 2019). This moral leadership discourse played a very important role in eliciting international support of the intervention and in positioning the action as a reasonable and warranted measure in the safeguarding of the human lives. Using CDA, we will be able to critically analyze the way in which the U.S. leadership has managed to establish itself as the ethical actor in the international arena. Through this framing, the intervention was legitimized through the creation of the narrative in which the U.S. was acting in response to a humanitarian crisis and its goal was to save civilians, which supports its image of a world leader in human rights. (Demjanski & Aleksej, 2020) Meanwhile, this discussion was also used to downplay the political and strategic interests that would have been among the reasons of the intervention. One such example is that the U.S. has

been accused of having an interest in removing Gaddafi based on the reasons of regional stability and access to resources, but those reasons were understated in the official rhetoric, which placed a significant emphasis on the moral necessity of acting.

#### **4.7.2 Regime Change vs. Protection: Making a Discourse Shift**

Although the protection of civilians was the initial justification used in military intervention in Libya, the direction of the mission was immediately changed to regime change, which casts important doubts on the uniformity of the humanitarian justification. The intervention gradually changed its priorities as it started protecting civilians in rebel-controlled enclaves and then proceeded to attack the regime of Gaddafi and the opposition with direct force. The rhetoric of this change was less clear (Hehir, 2013). The protection of civilians was still being accentuated by the U.S. authorities and NATO, but the necessity to take Gaddafi out of power in order to provide stability and avoid further violence was also gaining ground. This change shows a contradiction between the language of humanitarian protection and political and strategic objectives of the intervention, in a CDA perspective. First, the rhetoric of the intervention as a defensive operation to protect innocent lives gave way later to a more political approach to the intervention, which was seen as a must to reach the larger objectives of regional stability and democratization. The terminology of the rationalization of this change was more complicated, which included such formulas as "to assist the people of Libya to decide on the future of their country" and to make sure that there is a democratic transition (Abomo, , Tang, & Ham, 2019) .Though the language of protection and human rights remained, these words indicated that the intervention was no longer aimed at humanitarian protection but at a broader geopolitical agenda, like regime change. This is a discursive shift that talks of the fact that R2P as a humanitarian justification can be applied to an end goal. The broadening of the intervention mandate to encompass the elimination of a regime in addition to protecting civilians, the more the U.S and NATO were being drawn towards the classical goals of geopolitics namely the stabilization of the region, and the ability to impact the political future of Libya (Mikael, 2018). This change in rhetoric did not pass unchallenged by critics, especially in the Global South and the African Union, who claimed that NATO was going far beyond the initial brief and compromising the sovereignty of Libya (Vaughn & Dunne, 2015).

#### **4.7.3 The Media and Public Opinion**

The media and public opinion play a very important role in the discursive construction of R2P interventions. The Libyan case illustrates that the media paid significant attention to the

humanitarian agenda, as the horrors of Gaddafi committed to the civilian population and the reaction of the international community were extensively covered ( LaPrairie , 2019). Media reports with the language they were written in were contributing greatly to the perception of the people on the intervention as a moral and needed action ( LaPrairie , 2019). The media served to create a unanimity of the intervention by focusing on the cruelty of the Gaddafi regime and on the plight of Libyan people, which was portrayed as a moral necessity to avert more atrocities. CDA enables us to understand how the media and political leaders collude to make interventions to eradicate situations such as Libya to be acceptable in humanitarian ways. The language of massacres, bloodbaths, and humanitarian crises creates a feeling of urgency and necessity and the intervention seems a natural and inevitable reaction. Nevertheless, it is also the framing that hides the complexities and possible consequences of the intervention including the transition to the regime change and the subsequent turmoil in Libya. The long-term results of overthrowing a government with no definite rebuilding strategy and political change were overlooked because the whole discussion of the intervention was centered on the humanitarian factor (Baker, & Edwin , 2007).

#### **4.7.4 Humanitarianism and Power Relations**

By Using CDA, one can realize that humanitarian justification of R2P interventions is deeply interlaced with the relations of power. The discourse of R2P was employed by the U.S. and NATO, the key players in the Libyan intervention, as they employed the intervention to legitimize military action and at the same time achieve political and strategic ends. Although the rhetoric of human rights and civilian protection was at the heart of the intervention, actions that would further the interests of mighty states were also justified. (Benzaid Loubna Wissal & Bouahla, 2020) In this sense, the humanitarian rhetoric of R2P can be viewed as an instrument of international regulation, which strengthens the position of mighty nations and introduces military intervention as a virtuous move, but not a tactic. By Using the CDA to debate the Libyan intervention discourse, it is possible to note how humanitarian justification of R2P can make international system actors both stronger and weaker. The rhetoric used by the U.S and NATO to justify their interference in Libya helped to come up with an intervention as a well-wish narrative that was used to justify the intervention and project it as a morally right action. However, the shift to civilian protection to regime change and the resultant insecurity in Libya raised some essential questions regarding the true motives of the intervention, and of the potential misuse of the concept of R2P as a political tool. . ( LaPrairie

, 2019) . The case of Libya demonstrates that humanitarian intervention can be quite complex and language and power can co-exist in the R2P discourse.

#### **4.8 CASE STUDY UKRAINE INVASION**

The Case study of Ukraine conflict or Ukraine Invasions explore the changing role of the United States regarding the invasion of Ukraine by Russia and the legal aspect of its action. Since the war began on February 24, 2022, significant international legal matters, in particular, have been related to the application of international humanitarian law (IHL) by Russia. The U.S. has not just been expressing criticism about the activities of Russia, it has been actively engaged in the assistance of Ukraine not only in the legal structures, but also immense military, financial, and humanitarian assistance. This aid, coupled with imposing sanctions on Russia is suggestive of the commitment of the U.S. to the provision of international standards of conduct and stability, particularly in Europe. The case study will also examine the legal reasons as to why the U.S. is supporting Ukraine and why the international community at large is attempting to hold Russia responsible and how the International Criminal Court (ICC) and the U.S. Department of Justice have been instrumental in the quest to press charges of war crimes against Russian officials. Further, the chapter will also discuss the shift in the U.S. policy across different administrations, particularly the administration where President Biden was heavily criticizing the efforts of Russia but the Trump administration was more focused on negotiation. The Critical Discourse Analysis (CDA) will be used to discuss this discursive move in terms of how language and policy are used to align political interests with larger geopolitical plans. The case study will also address the implication of the U.S. support of the ICC in Ukraine, the nature of selective cooperation with the international law, the potential consequences of the effectiveness and credibility of international institutions such as the ICC, UNSC and the Responsibility to Protect (R2P).

##### **4.8.1 Historical and Legal background of Ukraine invasions**

The ongoing war in Ukraine, which has begun on February 24, 2022, caused severe legal concerns on the international level, especially, the activities of Russia and its violations of international law. The US in one way or the other has been advocating Ukraine and charges Russia with having committed so many crimes of war. The war that is characterized by indiscriminate attacks at the civilians, attacks on hospitals, schools and residential places, and reports of atrocities that include killing, rapes, and deportation have drawn the attention of the world powers and international legal organizations.

The legal framework that regulates such behaviors, especially the international humanitarian law (IHL), is one of the central components of this conflict, as it attempts to reduce the effects of armed conflict on both civilians and combatants that are no longer involved in hostilities. The use of torture, civilian destruction, and targeting of civilians are only some of the actions that IHL through the Geneva Conventions outlaws, as they are not considered military necessities. The U.S. and its NATO partners have leveled numerous charges against Russia regarding its breach of such conventions by conducting attacks on civilian populations and infrastructure in such cities as Mariupol, Kharkiv, and Kyiv.( Trautman\* & McFarlin, 2025)

To address these crimes, international organizations like the United Nations (UN) and the International Criminal Court (ICC) have intervened to deal with what Russia has done. The ICC also issued arrest warrants of Russian President Vladimir Putin and Maria Alekseyevna Lvova-Belova, the Russian Commissioner of Children Rights, due to their alleged involvement in the forced deportation of Ukrainian children to Russia. These measures are but a ledger in a wider global campaign to keep Russian leadership responsible in its actions which is an indication of the need to follow international norms in conflict situations. Russian military personnel have also been charged with war crimes associated with the invasion, which indicates that the U.S. takes the responsibility of bringing those involved to justice according to the international law ( Cengel, 2022).

The U.S. intervention in the war is not only confined to legal frameworks. The U.S. has been offering a lot of military and economic assistance to Ukraine with a view of strengthening the military of Ukraine against Russian aggression. Though presented as the answer to the Russian breach of the international law, this assistance also goes in line with the U.S. strategic interests in the preservation of stability in Europe and the restriction of Russian expansionism. The U.S. has imposed also very severe sanctions against Russia, which covers several aspects of its economy, military officials, and even those that support the war effort. These sanctions are a subset of the overall strategy of isolating Russia economically and pressuring it to reevaluate its military policies ( Cohen, 2023 ).

Moreover, the U.S has emphasized its adherence to the principles of sovereignty and territorial integrity, which are included in the UN Charter and the international law. U.S officials, such as Secretary of State Antony Blinken, have used speeches and statements to stress the need to assist

Ukraine in its right to self-defense against an unlawful invasion and the need to secure the rules-based international order. The U.S. government position contributes to its overall geopolitical interests, especially in combating the influence of Russia in Europe and the security of its NATO allies ( Restuccia, , Hutzle, & Duehren, 2023 ).

Although the U.S. has an important role to play in assisting Ukraine both in legal actions and direct aid, the case poses some tricky questions regarding the effectiveness and drawbacks of international law in conflict zones. It is hard to enforce accountability when one of the permanent members of the UN Security Council, like Russia, is a party. The veto power of Russia in the Security Council has affected any meaningful intervention or resolutions that would otherwise directly hold Russia accountable to its acts, and this illustrates the constraints of the UN in resolving conflicts ( Trautman\* & McFarlin, 2025).

The war also reveals how hard it is to deal with the crimes such as genocide and aggression by international law. As the U.S, and other allies have been witnessing the legalization and condemnation of the actions of Russia, the legal matters and implications of such charges have been playing out. The international courts like the ICC still constitute an important channel on which justice can be sought, but limited capacity is given to them to enforce compliance to a state as powerful as Russia. The role of international law in dealing with violations and ensuring accountability of atrocities will keep on changing as the conflict continues ( Cengel, 2022).

#### **4.8.2 U.S. Engagement with the ICC Regarding the Ukraine Conflict**

The history of the United States with the International Criminal Court (ICC) has been characterized by high degree of reluctance especially concerning its ability to prosecute American nationals, who commit war crimes. The U.S. has long been among the strongest critics of the ICC, based on the sense that the Court can be politicized or even used to attack American military personnel. Though the U.S. did not ratify the Rome Statute creating the ICC, it has come to demonstrate an openness to the Court, in the recent instance of the war in Ukraine. The change of the United States attitude to the ICC has been very noticeable beginning with the full-scale invasion of Russia in Ukraine in 2022. Although the U.S. has been a longtime adversary of the ICC power, particularly concerning American citizens, the war in Ukraine has led to more amicable relationship (Labuda, 2023 ). This change is indicative of the increased international need to be held accountable as well as the strategic significance of making sure that the invasion of Russia is not a mere scapegoat.

The U.S has been encouraging the ICC to investigate war crimes committed in the war especially Russian military forces. This assistance is in the form of diplomatic support of the issue of arrest warrants issued, including against Russian President Vladimir Putin in 2023. The attempts of the ICC to bring high-rank Russian officials to justice on suspicion of war crimes have been widely supported by the United States diplomatically and logistically (Egeland, 2022). Simultaneously, this adoption of the ICC underscores intricate change in how the U.S. employs foreign policy. One of the historical reasons the U.S. has been opposed to international criminal tribunals is the issue of sovereignty and legal suits against American employees, particularly when the U.S military is concerned. But in Ukraine, the American government has proven devoted to the theory of international justice, particularly because the war has given it a chance to prosecute Russia over its deeds under international law. (McAllister, 2022) This readiness to collaborate with the ICC, regardless of the threats to American interests, highlights the growing relevance of universal responsibility, particularly when great powers, such as Russia, are at stake . The change of U.S. policy may also be regarded as a strategic line with European allies and other players on the international stage who have been urging to have a more robust international response toward Russia. (Goldston, 2024) Since the invasion of Ukraine, the U.S has agreed with European countries to hold those who perpetrate war crimes accountable in the conflict. This collaboration has involved attempts to enlist international backing of the ICC inquiries and financing of its activities in Ukraine. In 2023, the U.S. offered the ICC more resources to assist in its investigation of Russian war crimes, which is a sign of a more collaborative strategy than previously. This adoption of the ICC has not been without contradictions however. Trusting the U.S. with the work of the ICC in Ukraine, it nevertheless does not ratify the Rome Statute, which means that the Court cannot exercise jurisdiction over the U.S. nationals. (Arinze-Onyia, 2022) It has been stressed on numerous occasions by the U.S government that American personnel will not face ICC prosecution which supports its long-held view that the ICC does not have the legitimacy to prosecute U.S citizens. This selective cooperation, that is, the support of the ICC action in particular situations, but the retention of the right to sovereignty over its citizens, is part of a larger conflict between the obligation of the U.S. to international law and its national interests. The growing U.S. approval of the ICC regarding the war in Ukraine also brings up the subject of the politicization of international justice. (Goldston, 2024) The critics state that the U.S. is potentially being selective in the application of international law in a manner that suits the geopolitical interests of the U.S. The war

in Ukraine, which is a direct confrontation with Russia, has attracted the attention of the international community, yet others believe that the U.S. is playing the role of taking advantage of this. Such selectivity in applying the international criminal law may weaken the authority of the ICC, especially in the Global South, where the allegations of the dualism of international justice already exist. Besides the geopolitical factors, the issue of the effects of U.S. funding on the independence of the ICC is also raised. The U.S has had a very considerable role to play in the Court budget since this has led to a question of whether the U.S is trying to impose some kind of control to the priorities of the ICC. (McAllister, 2022) It has been argued that the heavy donations made by the Western states such as the U.S would result in a situation where the ICC would focus on issues that favored the Western interests especially when the case involved states such as Russia. This has been worsened by the fact that the ICC has been accused of focusing on African conflicts with criticism that it has been skewed towards African leaders. In this regard, critics are concerned that the investigations by the ICC regarding what Russia does in Ukraine may be driven by the political agenda of its biggest financial sponsors (Brody, 2022) Finally, the adoption of the ICC by the U.S. during the Ukrainian war is the crucial turn in its foreign policy which demonstrates not only the intentions to hold itself responsible in the global scale, but also the issues of selective cooperation. Although the U.S. has shown the desire to assist the work of the ICC in Ukraine, this assistance is conditional by the fact that it remains unwilling to embrace fully the authority of the Court, especially in indicting American citizens. The future debates on the issue of international justice and accountability are likely to be influenced by the changing relationship between the U.S. and the ICC as the conflict in Ukraine continues.(Brody, 2022)

#### **4.9 U.S. Sanctions on Russia: Ukraine war**

It has been reported that the United States, together with the European Union and other allies, introduced a broad range of sanctions on Russia in response to its invasion of Ukraine in 2022. These sanctions were supposed to cripple the economy of Russia and reduce the ability to maintain military activity. The main actions included this one: the isolation of Russian banks into the world financial system and especially to the SWIFT system, the denial of Russia entry to high tech products, including one which is military-based. Moreover, the U.S. enacted trade restrictions on the export of major resources like oil, gas, and metals that are the pillars of the Russian economy. ( Momoh, 2025) The sanctions were aimed at destabilizing the economy of Russia in addition to pressurizing the President, Vladimir Putin, by affecting the financial systems and groups that

sustain his government. These sanctions were made to restrict the capacity of Russia to fund its military campaigns and cause internal forces behind political transformation. ( Momoh, 2025)

#### **4.9.1 Resilience of Russian Economy under Sanctions**

The Russian economy has been resilient to the huge sanctions. Although the sanctions have had severe consequences in the different sectors especially finance and energy, they have not been able to make Russia alter its approach to military. This resilience can be explained by the fact that Russia could switch to non-western markets. Other nations such as China and India have remained consumers of the Russian oil and gas, which in effect, has assisted Russia to avoid the full effects of the sanctions. Russia has been in a position to retain a large amount of its oil and gas sales earnings by redirection of its energy supplies to these nations. (Abughris, 2024). Moreover, the Russian authorities have used such strategies as import substitution, developing local analogues of Western goods and services that were prohibited with the sanctions. These actions in conjunction with the huge foreign reserves in Russia have allowed it to alleviate some of the economic pains related to Western sanctions (Bergeijk, 2022).

#### **4.9.2 Unintentional Implications of U.S. sanctions on Russia**

The consequence of the U.S. sanctions affecting the life of the common Russian citizen is one of the most important unintended results. Although the sanctions were also meant to hit the Russian elite and cripple the government's war making ability, it has also created a lot of economic suffering to the masses. The inflation has increased at high rate bringing up the cost of living, and most of the businesses have found it difficult to stay afloat and hence loss of jobs. These sanctions have made a lot of financial turmoil to most Russians, yet no one has seen the political transformations they intended to see (Abughris, 2024). These economic pressures have affected vulnerable groups of people who include children, the elderly, and low-income families. The critics complain that the sanctions have unintentionally injured civilians who are not the ones who made the decisions of the Russian government. The collateral damage on the Russian people whilst the sanctions were intended to undermine the capability of Putin to maintain his regime, the ethical issues that the sanctions present are significant in terms of the efficacy of the policy instrument. The sanctions have also enabled mass suffering by the people who are already experiencing the effects of a long conflict despite their pressure on the Russian government to stop its aggression (Bergeijk, 2022).

#### **4.10 US Leadership and CDA Evidence**

The U.S. policy on the invasion of Ukraine by Russia and its changing attitude towards the matter under consideration show that it has changed its approach, both in rhetoric and policy. The Critical Discourse Analysis (CDA) brings useful source of information on the ways language and policy evolve over the years as a reaction to world events, especially in the context of international law, sovereignty, and geopolitical interests.

##### **4.10.1 Biden Administration**

The reaction of the Biden administration towards the war in Ukraine was characterized by heavy criticism of what Russia had done as provoked and unwarranted. The rhetoric of President Biden included the declaration that Putin, the Russian president, was a war criminal, which very much resonated in the international legal community by indicating a strong policy of holding people to account in the international law juridical sphere (Biden, 2022) . The words spoken by the Biden administration were in line with the strategy of promoting international standards, among them, the territorial integrity and sovereignty of Ukraine. This rhetoric was not a simple moral invective but an appeal to action, the U.S. advocating hard sanctions against the major areas of the Russian economy. The CDA shows the way the U.S. applied both legal and moral logic in drawing a narrative that justified international intervention, which put Russia in the role of an aggressor. Also, the fact that the Biden administration supports Ukraine with regular military aid and sanctions shows a certain correspondence to the principles of international law, in particular, to the ban of aggression and defense of civilian lives in the Geneva Conventions. (Biden, 2022) The rhetoric of the policies was global solidarity and necessity of struggle against democracy, which established the U.S. image as the global protector of the international order. The CDA puts an emphasis on the fact that the supporters of Ukraine were supported by the triumph of the U.S. officials in their rhetoric, making it seem that the decision to aid Ukraine was a moral and legal duty.

##### **4.10.2 Trump Administration**

The course of the Trump administration, starting in 2025, however, took a radically different step, the rhetoric being less emphasized on the seriousness of Russian aggression and more on the need to negotiate a peace agreement. Although the Trump administration then continued to condemn the invasion by Russia, the administration underlined the unrealistic basis of the territorial restoration and NATO ambitions of Ukraine as a more transactional approach to international

relations ( Imhalionobe, 2025). The CDA shows that the international community no longer defends international legal norms, but instead, pragmatic negotiations with attention to maintaining peace take priority at the expense of the state of Ukraine. Such rhetoric also denoted a decline in U.S. financial/military involvement particularly the temporary suspension of military aid, which signaled the U.S. paying less attention to the conflict. The rhetoric of the Trump administration in terms of sanctions and peace negotiations contributed to the credibility of the U.S. more. Although oil-related sanctions were applied to Russian companies such as Rosneft, these were presented as the part of the overall diplomatic policy but not the direct measure of diminishing the military strength of Russia. (Baker, 2023) The CDA shows how this discourse represents the U.S. as less determined in the struggle against Ukrainian sovereignty but rather negotiation-focused approach, which was a shift in the U.S. foreign policy under Trump.

#### **4.10.3 CDA Evidence Analysis**

Both administrations share aspects of language and discourse as was demonstrated in the CDA to pursue political and legal agendas in the context of wider geopolitical interests. The discourse under Biden centered on justice, international law, and having a deep devotion to defending global norms, whereas under Trump was centered on pragmatism and the desire to achieve a deal with Russia even at the cost of the territorial integrity of Ukraine. Such change in language also shows how the U.S. employs language to position its actions as either an advocate of international law or as a more self-interested, peace-oriented agenda setter. The words of both governments highlight the inter (Yusuf , 2024)lack of the discourse of the population and the policy, which influences the attitude of other countries towards the U.S. leadership and engagement in international conflicts.

#### **4.11 Comparative Analysis of the case studies**

The purpose of the chapter is to give a comparative analysis of U.S. legal policies in three major international conflicts: the Israel-Palestine conflict, the intervention in Libya led by NATO, and the ongoing crisis in Ukraine. These case studies are the significant instances of the selective applying of the international law by the U.S. concerning its geopolitical interests and this exhibits its tendency to hinder when its allies are involved and implement when its adversaries are the targets. The chapter confronts the broader implication to other legal systems of the world, the jurisdiction of such institutions as the United Nations Security Council (UNSC) and the International Criminal Court (ICC), and the increasing mistrust of the legal systems of the West by critically examining the way that the U.S. has acted in these cases. Firstly, the chapter goes as

far as exploring the Israel Palestine conflict in which the U.S has consistently vetoed any legal action against the state of Israel despite the fact that the entire global community agrees that Israeli moves in occupied Palestinian states are illegal. The use of the veto power by the U.S. in the U.N.SC to shield Israel against accountability is a good example of how strategic alliance can be used to affect the way international law is applied. On the other hand, the chapter explores the U.S involvement in the Libyan intervention by NATO in 2011 in the doctrine of responsibility to protect (R2P). U.S. initially framed its intervention as a humanitarian intervention so as to apply the force to protect the lives of civilians against the regime of Muammar Gaddafi. The intervention was however evolving through time to change of regime in an attempt to explain the complexity of how international law is used as an instrument to realize geopolitical goals. The case provides an example of application of mechanisms of law when the U.S. believes that its interests are consistent with the international norms. Lastly, the response of the U.S. to the aggression of Russia in Ukraine, which sharply contrasts with its behavior in Israel-Palestine, is also discussed in the chapter. The U.S has urged legal action towards Russia, through ICC inquiries, sanctions, and multilateral diplomacy, and reflects its attempt as a defense of international law, democracy, and sovereignty. The chapter, through these three cases, critically assesses how the selective application of the international law contributes within the U.S. to the loss of legal credibility and instilling of skepticism particularly in the Global South. It also brings out the issues of upholding a steady and neutral international legal system amidst the politics of great powers.

#### **4.12 Head-to-Head Case Comparison of Israel-Palestine, Libya, and Ukraine Conflict**

The United States has tended to influence its relations with international legal institutions to reflect their strategic interests, other than the universal applicability of legal principles. The case of U.S. intervention in the Israel-Palestine conflict, the intervention of NATO in Libya, and the response to the Russian invasion of Ukraine suggests that the international law is more likely to be applied selectively, and alliances with other geopolitical powers are likely to play a major role in its implementation or not. These case studies offer a prism in which to view the overall implications of U.S. foreign policy, the viability of international institutions, and the legal exceptionalism concept of global governance.

#### **4.12.1 Israel-Palestine: Obstruction and Legal Protection of Allies**

The American policy towards Israel-Palestine conflict has been characterized by a steady policy of legal obstructionism. The U.S is a strong partner of Israel, which has been backing Israel militarily, financially and diplomatically since the 1960s. This relationship is what has influenced the U.S. reaction to the demand of international accountability in the activities of Israel in the Palestinian regions. The veto power of the United Nations Security Council (UNSC) is one of the most prominent instruments that the U.S. has been utilizing. As an example, the U.S. did not veto Resolution 2334 in 2016 that reiterated the illegality of Israeli settlements in West Bank and East Jerusalem under the international law. This exception has not stopped the U.S. from actively exercising its veto to block resolutions denouncing the actions of Israel in Palestine that would hold the Israelis accountable under the international legal systems (Yusuf , 2024) . The safeguarding of Israel by the U.S. at international forums, particularly the UNSC is deeply entrenched in its larger geopolitical policy. Israel is regarded as a major ally in the Middle East, which is essential to U.S interests in the region, especially in communication with the influence of Iran and in preventing instability due to other threats in the region (Setiawan, 2025)

This strategic partnership tends to be put on top of the observation of the international legal norms, and it creates an impression that the U.S. selectively applies the international law. This has been a major frustration to most nations in the Global South who see the activities of the U.S. as a sign of their two-sided approach to the application of international law. The American approach in the Israel-Palestine dispute is a vivid illustration of how strategic alliances are likely to result in the tripping up of legal processes, even when common international opinion is on the legality of the acts committed by an ally state. This partial enforcement of the law not only delegitimizes the authority of the U.S. in the opinion of other countries but also undermines the credibility of international law institutions such as the UNSC and the International Criminal Court (ICC) which are intended to render unbiased verdict on issues related to international laws.

#### **4.12.2 Libya: Enforcement by the Responsibility to Protect (R2P)**

However, unlike the policy it has towards Israel, the U.S. also remained a major figure in the 2011 NATO intervention in Libya under the doctrine of Responsibility to protect (R2P) that was applied by UN in order to stop mass atrocities. In the case of the Libyan civil war when the Gaddafi regime started attacking civilians, the UNSC gave permission to use force to defend the civilians, and the U.S. spearheaded a military effort against the Gaddafi government. The first one was to save the

civilian lives against massacre, especially in the city of Benghazi. The intervention however soon transformed into what can be termed as a mission targeted at change of regimes, which cast doubt on the misuse of the humanitarian law to effect political interests ( Dembinski & Reinold, 2011). The U.S. interventions in Libya were based on the humanitarian principle of R2P, which asserts that it is the international community duty to ensure that populations are not exposed to genocide, war crimes, ethnic cleansing, and crimes against humanity. But the transition of civil defense to regime change unveiled an underlying geopolitical concern in ousting a dictator who had been perceived to threaten the stability in the region. This intervention, though at first being legalized according to such legal norms as R2P, later illustrated the use of international law as a tool toward strategic ends. The situation in Libya is sharply opposed to the American policy towards Israel. The difference between how the U.S. acted in Libya and Israel shows how it selectively uses international legal tools. For example, Washington supported legal action in Libya to put pressure on an enemy, but it stopped similar actions to protect its ally, Israel. This double standard makes it hard to trust international law, especially when national interests and strategic alliances affect how well legal norms are followed (Baker, & Edwin , 2007).

#### **4.12.3 Ukraine: Legal Enforcement of an Adversary**

Another example of the interaction of the U.S. with international law is its reaction to the Russian annexation of Crimea in the year 2014 and the full-scale invasion of the Russian forces into Ukraine in the year 2022. The U.S has been a huge advocate of legal action against Russian aggression in Ukraine in stark contrast to its behavior regarding Israel-Palestine. This encompasses aiding ICC inquiry on Russian war crimes, approving multilateral sanctions, and offering military as well as financial support to Ukraine. The U.S has been aggressive in enforcing the law to punish Russia over its misconduct in Ukraine, unlike the U.S position on Israel, which included protecting its ally by not allowing the law to take its course (Bergeijk, 2022). The U.S. fight on behalf of Ukraine is positioned in the framework of protection of international legal and sovereignty in face of Russian aggression. The U.S. has used legal instruments such as the ICC and multilateral sanctions in Ukraine as opposed to Israel-Palestine conflict, where the U.S. has blocked legal mechanisms. This discriminatory use of international law once more bags the question of whether the actions of the U.S. to enforce the law is founded upon its devotion to universal principles or whether it is determined by whether the state interests are aligned. The U.S. course of action in Ukraine is indicative of a bigger trend where the law is exercised in a fashion that meets the

geopolitics of U.S. interest.(Bergeijk, 2022) The selective application of international law as witnessed in Israeli-Palestine and Ukraine, however, shows the frailty of a system that allows powerful states to use the legal instruments in the service of their national interests. This selective application of international law compromises the integrity of legal institutions and perpetuates uncertainty regarding the objectivity of international legal processes.

#### **4.13 Findings**

The U.S. policy of international law with the cases of Israel and Palestine and Libya and Ukraine presents the tendency to apply it selectively based on remaining strategic interests and alliances. The U.S. will not allow legal intervention when it involves its allies, but will take legal action when it deals with its opponents, such as Russia, against the case with Israel-Palestine conflict. This contradiction is a blow to the credibility of global institutions like the UNSC and the ICC and helps to foster doubt, particularly in the Global South. The U.S. foreign policy and its use of international law is part of a bigger trend whereby the politics of power and national security issues are more prone to achieving consistent application of legal standards, issues tend to override the consistent implementation of legal norms.

#### **4.14 Thematic discussion**

The United States uses international law, particularly as part of its foreign policy, and is generally described as selective in its application of legal norms. This discriminatory practice runs deep into the reputations of the international institutions such as the United Nations Security Council (UNSC) and the International criminal Court (ICC) and has attracted increasing criticism, particularly in the Global South. By examining the case of Israel-Palestine, Libya and Ukraine, it is clear that where the issue involves allies, then the process of law cannot proceed; where the issue involves enemies, the law applies. In this research will attempts to address the thematic separation of obstruction and enforcement, analyze the consequences of the breakdown of global legal credibility, and assess the impacts of selective application of law to multi-polarity and world governance.

##### **4.14.1 Obstruction: When Allies Are Involved**

The case of the U.S.-Israel relationship is perhaps the brightest example of the legal obstructionism in international law. The U.S. has continued to exercise its veto power in the UNSC to prevent resolutions that could be critical of Israel despite the fact that Israel has still remained

in the West Bank and East Jerusalem, settling, which according to international institutions such as the UNSC is the violation of the international law. The U.S. blocked or vetoed several resolutions that were meant to put Israel on the wrong side of the world over its activities in the Palestinian territories between 2009 and 2023. As an example, the U.S. vetoed Resolution 2334 (2016), that reiterated that Israeli settlements were unlawful under international law, at a time when the role of the resolution had broad worldwide support (Amina, 2019) . This application of the veto is part of a larger trend where the U.S. is interested in its strategic alliance with Israel and its disregard of the universal legal rules. The U.S. regards Israel as an important partner in the Middle East, which is essential to stabilize the situation in the region and combat the enemy such as Iran. This has led Washington to protect Israel against international legal scrutiny, much as there is a global outcry to hold them to account. The strategic alliance can be supported by the fact that the U.S. has been unwilling to allow the International Criminal Court (ICC) to investigate Israeli activities despite the demands of the Palestinian Authority and other human rights organizations to do so. The critiques of the U.S. in the Israel-Palestine war is a manifestation of how the implementation of international law is usually influenced by a political and strategic interest as opposed to adhering to unbiased legal principles (Setiawan, 2025) . The impediment of legal responsibility to this end by the U.S. casts a major doubt over the validity of international institutions. The U.S. protects Israel, blocking the prosecution of the state, not just by the authorities of the UNSC or the ICC, but also by indicating that the law can be abused. This is damaging to trust in international legal procedures especially those in the Global South who usually perceive them as instruments of Western influence and not independent dispensers of justice (Schindler, 2024). This partial application of international law has only heightened a growing distrust of the Western-dominated legal order, and has generated the suggestion to reform international systems of governance.

#### **4.14.2 When There Are Adversaries- Enforcement**

The U.S. has been more serious in the enforcement of the law when its enemies are in question, unlike in the case of Israel, especially when the U.S. believes that its geopolitical interests are threatened. This is best reflected in the examples of Libya and Ukraine, where the U.S. has been highly active in facilitating legal actions, e.g., sanctions, multilateral intervention and involving ICC, to bring justice to states that are adversarial. The U.S. led intervention by NATO in Libya in 2011 with the help of the doctrine of Responsibility to protect (R2P). The U.S. endorsed the

resolution of the UNSC which gave the power to use force to defend the civilians against the forces of Muammar Gaddafi in the case of the Libyan Civil War. The intervention, which was originally to be a humanitarian intervention that was designed to avert a massacre in Benghazi, quickly transformed into a regime-change operation. The U.S defended its role by humanitarianism rhetoric, claiming that the international community had a responsibility of protecting the civilians against atrocities. But the intervention was condemned as displacing its mandate and becoming an instrument in the uncertainty that ensuring the removal of Gaddafi, casting doubt on R2P as a disguise to serve wider strategic interests (Dembinski and Reinold, 2011). This action in Libya is completely different to the attitude of the U.S. to Israel. The U.S. used R2P and multilateral action in Libya to apply the legal measures in accordance with the international norms to solve the humanitarian crisis. The selectivity of legal principles is however seen in the transition of regime change to civilian protection. This change is an example of how the U.S. is able to use international law to pursue strategic objectives whenever their interests do not conflict with humanitarian standards. However, the American involvement in Libya also demonstrates the pitfalls of the application of international law to serve additional political purposes since it confuses the separation between the law enforcement and the geopolitical game. In Ukraine, the U.S. has also welcomed the legal enforcement especially following the Russian annexation of Crimea in 2014 and the invasion of Ukraine in 2022. The U.S. has highly advocated international law that addresses Russian aggression such as supporting ICC investigations of war crimes committed by Russian troops, placing multilateral sanctions on Russia, and providing military and financial assistance to Ukraine (Bennett, 2024). The U.S. backing of legal action against Ukraine is described as defensive of sovereignty and the rule of law, which is in contrast to its obstructive action in the Israel-Palestine conflict. U.S. has been at the forefront to defend the U.N. right to self-determination by being involved in the processes of holding Russia to account through the international justice systems. This position shows a strong dedication to the international law as long as it is in the U.S. strategic interest to do so, especially in the fight against its enemies such as Russia. The U.S. attitude towards international law, even with this dedication to law enforcement in Ukraine, is a selective one. In Israel, the U.S has vetoed international prosecution in defense of its ally whereas it has vigorously backed prosecution in Ukraine against a foe. It is this selective exercise of the law that highlights the point that the U.S. employs international legal

mechanisms as an instrument of power politics, which it exercises when it serves its geopolitical interests but blocks when it endangers its strategic partnerships ( Trautman\* & McFarlin, 2025).

#### **4.14.3 Implications of Selective Law Enforcement**

The discriminatory application of international law by the U.S. has extensive consequences regarding international law in terms of credibility and legitimacy of the international law institutions. The U.S. is sending a strong message by blocking the action of the law against its allies and applying the law against its enemies that international law is not an unbiased system, but the instrument of geopolitics. This is subjective and undermines the legitimacy of global law, and that is why the efficacy and justice of such institutions as ICC and UNSC become a question. One of the great impacts of this selective application is a loss of trust in international legal institutions particularly among states in the Global South. The behavior of the U.S. is seen as an indication by some nations in Africa, Asia and Latin America that the western world controls the operations in the international legal framework. The increased skepticism of the international institutions can be linked to the perception that the international law is never consistently applied, but it is applied according to the strategic interests of the powerful states. The history of colonialism contributes to widespread suspicion in the Global South, where many states associate Western-imposed legal standards with colonial domination. This, in turn, has contributed to the further erosion of the international law system and the greater rise of other types of governance, such as the BRICS association and the Shanghai Cooperation Organization due to the discriminatory application of the law by the U.S. ( Oguejiofor, 2024) . One-sided application of the law also accelerates the transfer to the multipolar world order. The validity of institutions like ICC and UNSC is also lost when there are new dominating forces like China and Russia that are threatening to transform the ascendancy of the Western patterns of law. The action of the U. S. in Israel-Palestine, Libya and Ukraine fits in this dislocation because it backs the perception of international law as a means of power politics and no impartial systems of justice. The larger question of alternatives to Western dominated institutions by Global South countries is another kick in the credibility of international legal norms and drives the multi-polarization of global governance.

#### **4.14.4 International Law and International Governance**

The discriminative use of the international law can become broader questions of the future of global government in the United States. As the international legal order is slowly disintegrating, the question regarding the legitimacy of international institutions and their ability to enforce legal

norms is increasingly becoming sharp. The growing argument posed by the Global South against the legal systems that are dominated by the West means that the days of the unipolar world order as the dominant force by the U.S and its allies may not be far. Regional associations, emerging powers, and transnational networks are increasingly demanding their own form of global rule challenging the superiority of Western law norms, and requiring more all-encompassing, pluralistic approaches to international law (Sander, 2021). This has been not only a threat to the hegemony of the western powers but also an opportunity to re-consider the role of international law in international politics. The fact that the U.S. is able to secretly violate the law further discredits the international institutions, therefore, the need to reform international legal structures only becomes more urgent. The international law system should be more representative and inclusive and less prone to the will of the great powers to restore confidence in the world regime and the application of legal standards that is uniform and objective to all states irrespective of geopolitical importance.

#### **4.15 Neorealism and Selectivity of International Laws**

Neo-realism focuses on the anarchic character of the international system, where the states are motivated by self-interest and are acting mainly to gain power and guarantee their survival. In this respect, international law is perceived as a means of promoting national interests instead of the system of universal justice. According to neorealist, the actions of states particularly the great powers such as the United States of America are highly dictated by the need to seek security, membership, and geopolitics. This framework can be used to understand how the U.S. applied international law to the conflict in Israel-Palestine where the law can be hindered to promote strategic alliances. The Neorealist logic is evident in the frequent instances that the U.S. has exercised its power of veto in the UNSC to shield Israel against the legal consequences of its actions. In this case, America is more concerned about its strategic partnership with Israel than international law by considering that Israel is of vital interest to the region in the fight against any threats in the region like Iran (Setiawan, 2025). In the same way, the U.S. has shown a more proactive approach to the implementation of international law in Libya and Ukraine, but it is directly related to its national security interests. In Libya, the US defended the intervention of NATO on the basis of the Responsibility to Protect (R2P) doctrine that came in the form of humanitarian intervention to save the lives of civilians against the forces of Gaddafi. Nevertheless, the U.S was also driven by the strategic objective of eliminating a regime that threatened the

stability of the region and establishing its influence on North Africa (Dembinski & Reinold, 2011). In Ukraine, the U.S. has been a fierce proponent of the legal actions, such as sanctions and ICC inquiries into Russian atrocities but, once again, this is motivated by the U.S. interest in containing Russian aggression and protecting its hegemony in Europe (Bennett, 2024). Neorealism in this case therefore offers a solid basis of explaining the selective practice of international law by the U.S. The U.S. supports the killing of legal action to protect the relationship with the ally such as Israel and blocks legal action to protect the relationship with the foe such as Gaddafi or Russia. This selective use highlights the Neorealist opinion that the international law is secondary to the power structure of the international system and states operate with regard to what is beneficial to their security and geopolitical interests.

**4.16: Table 1 US actions to influence United Nation Security Council, International Criminal Court and Responsibility to Protect:**

<b>Action</b>	<b>Israel-Palestine Conflict</b>	<b>Libya Conflict</b>	<b>Ukraine conflict</b>
<b>The position of UNSC</b>	Obstructions of vetoes the resolutions several times in favor of Israel; resolutions on settlements, ceasefires, war-crime investigations.	Complete endorsement of UNSC Resolution 1973 that mandates all necessary measures in R2P.	Due to Russian veto of UNSC Circumvention; U.S. rallied other coalitions and support General Assembly’
<b>Vetoes by US</b>	There are regular vetoes in an attempt to protect Israel (2009-2024).	US supported intervention on the basis of Humanitarian Reasons..... not vetoes	No veto (the Russian vetoed). U.S. used diplomatic pressure.

<b>US Stance on ICC</b>	Rejections and obstructions of ICC authority to prosecute, ICC actions against Israeli acts, denounced ICC as partisan, sanctions threatened.	Supported ICC statements regarding the Libyan leadership; signed the narrative of accountability.	Supportive-- welcomed ICC warrants of Russian officials on the condition of exchange of evidence.
<b>US Legal Narratives and International Law</b>	The national right of self-defense of Israel; invalidation of Palestinian rights; denial of the war-crimes investigations.	Averting mass atrocities" & "civilian protection.	Russian aggression is a breach of UN Charter, and there is high legal condemnation.
<b>International law outcomes</b>	Extreme loss of credibility of UNSC & ICC; impression of Western hypocrisy	Enhanced precedence on R2P but was formed without success because of regime change result.	Enforced ICC and norms exclusively upon U.S interest compatibility.

**4.17: Table 2 Comparative Patterns of U.S. Selectivity through Neorealist Interpretation:**

<b>Theoretical Lenses</b>	<b>Israel-Palestine Conflict</b>	<b>Libya Conflict</b>	<b>Ukraine Conflict</b>
<b>Strategic interest of US</b>	Very High Strategic Interest (middle east+ Iran+ Intelligence Cooperation) Israel as Strategic partner in the Middle East	Very Low (Non-ally to US, more inclined towards Russia and Supporting Regional alliance against US)	Very High (supporting westernization, Countering Russian Influence)
<b>Legal Behaviour of the US</b>	Blocking UNSC vetoes against Israel, Suspending ICC ruling against war crime and crimes against Humanities	Supporting R2p Interventions, legalizing it Through diplomatic moves and supporting ICC jurisdiction against Gadafi Regime	Supporting international law against Russia and Suspending International Law in Favor of Russia
<b>US Consistency with International Law</b>	Lowest (Obstruction through international Legal Organizations to Defend Israel)	Selective Supportive (Regime change was ultimate to Use international Law)	High and Strategic (use legal norms to pressurized the opponent)
<b>Erosion of International Law</b>	Deep Erosion of International Law (Global South voice to Reforms international Legal institution which was influenced by US and Western world. They	Partial Erosion of International Law (R2p was used as tool to regime change.	Mixed-when Russia was considering responsible under international Law

		are supporting Israel's Illegal activities		
<b>Overall Scenario</b>	<b>Legal</b>	Obstruction of accountability	Enforcement and Obstructions	Enforcement against Opponent

**5. CHAPTER NO FIVE: CONCLUSION AND FINAL REFLECTIONS**

This study aims to examine the influence of the U.S. foreign policy in the development of international law by examining its efforts in Israel-Palestine war, the intervention of NATO in Libya, and the actions in Ukraine. The case studies show a clear pattern of selective legality in which the US actively uses international legal tools against its enemies but consistently prevents them from being used when they implicate its allies, particularly Israel. The implications of this selective application that is defined by geopolitical considerations is substantial to the legitimacy and credibility of the international legal institutions, such as the United Nations Security Council (UNSC), the International Criminal Court (ICC) and the doctrine of the Responsibility to Protect (R2P). This paper sought to address some of the most important research questions concerned with the way the United States practiced international law and its effects on world law decorum. Initially aimed to know the strategic interests behind the U.S. opposition to ICC investigations and UNSC resolutions pertaining to Israeli activities in the light of Israel-Palestine conflict. The second research question focuses on comparison between how the U.S. used international law in the cases of Libya and Ukraine. Finally, the paper moves towards the implications of U.S. behavior on the effectiveness and credibility of international legal institutions. The U.S has persistently stood against the international legal responsibility of Israel especially using its veto authority in UNSC.

The U.S. values its strategic ties with Israel because it perceives her to be very important ally in the Middle East especially in countering regional threats like Iran. This has influenced the U.S. foreign policy to the extent that it protects Israel against international law despite massive international criticism of Israel against its activities in the occupied Palestinian territories. The U.S. considers its assistance to Israel as the key to ensuring stability in the area, and very often, this geopolitical issue takes a weight on the inconsistent implementation of international law (Yusuf, 2024). U.S. has in contrast demonstrated a more proactive role in enforcing the law in Libya and Ukraine, unlike it has done in Israel-Palestine. The U.S. proactive with NATO military intervention in Libya with the help of the Responsibility to Protect (R2P) doctrine, which was presented as a humanitarian intervention to avert mass atrocities by the government of Muammar Gaddafi. In Ukraine, the U.S. actively supported international law actions against Russian aggression, such as the support of ICC investigations of the war crimes, multilateral sanctions, military, and financial aid to Ukraine. This vivid contrast shows that the U.S. selectively applies the international law, which it uses against the opponent state but in this case, it hinders its enforcement because its allies are involved. The partial application of international law by the U.S. has widespread implications to the validity and efficacy of international law bodies. The discriminatory use of legal standards weakens the legitimacy of the institutions such as the UNSC and the ICC and spoil their objectivity and efficiency. This obstructionist approach to Israel-Palestine, along with its selective observance of legal action in Libya and Ukraine, has foster the advancing skepticism, especially in the Global South. International institutions are regarded as a tool of Western influence in countries like Africa, Asia, and Latin America, which are the one most likely to experience the effects of U.S. action (Schindler, 2024). The lack of confidence in international legal systems is a setback to the legitimacy of these systems and coherence of the world system.

The comparative study of the Israel-Palestine conflict, the 2011 Libya intervention, and the war in Ukraine paints a clear picture that the United States uses a selective approach to the international law which is majorly informed by strategic alliances and geopolitical interests. In each of these three scenarios, the U.S. talks openly of an order of rules in international affairs, however its actions within major institutions like the UN Security Council (UNSC), the International Criminal Court (ICC) and the Responsibility to Protect (R2P) all show a lot of inconsistency. These tendencies support the main thesis and discussion of Chapter 5: the selectivity of the great-power

undermines the credibility, impartiality, and practicality of the international legal institutions. In the case of Israel-Palestine, the strategic alliance between the U.S. and Israel influenced the American actions both in the UNSC and the ICC. The U.S. significant times exercised its veto to prevent resolutions that criticized the actions that were taken by the Israelis to expand settlements and carry out military operations in the occupied territories. Despite the fact that the overwhelming international consensus considered it a breach of international law. Likewise, Washington did not want the jurisdiction of ICC to regulate the conduct of Israel and rather, U.S. sanctioned ICC officials. These actions demonstrate the Neo-Realist reasoning when ally maintenance is more important than norms. The outcome is Israel is effectively immunized on the international front and in the globe.

In contrast, the U.S. did endorse the application of R2P and the UNSC Resolution 1973, which legitimized the intervention by NATO in Libya as a moral obligation to avert the atrocities on a mass scale. But the operation shifted from civilian protection to regime change, which the UNSC had not allowed while provoking R2P. This brought profound concerns as to whether U.S. actions were being driven by humanitarian principles or R2P was being employed as a strategic instrument. The Libyan nation experience demonstrates how legal institutions are being pushed when it suits the interests of powerful states. It also shows how overreach undermines the credibility of ideas like R2P, especially for Global South countries that viewed the intervention as a violation of sovereignty rather than a genuine act of humanitarian protection. In Ukraine, the U.S. has taken another stance by being a firm advocate of international law. Washington supported ICC investigations, organized sanctions against Russia, denounced aggression as an infringement of the UN Charter, and encouraged the coalition-building of the world. In contrast to the Israel-Palestine scenario, the role of legal accountability was put in the center of the U.S. foreign policy interest. This opposition reveals a clear pattern, as when the opponents breaches the international rules accountability should be applied, but when allies are involved, U.S. stands as a pillar between legal norms and equally accountability of violation of law and order. The kind of behavior reinforces Neo-Realist teaching that posit that legal institutions act based on the preferences of great powers and do not act based on universal norms.

The three cases, in combination, demonstrate that the application of the law by powerful states, in particular the United States, selectively, erodes the credibility and ethical authority of international

law. This kind of behavior undermines the credibility of institutions such as the ICC, UNSC and R2P, creates mistrust among the Global South and makes legal norms a part of the geopolitical tactics instead of universal justice. These conclusions point to the necessity of veto restraint, more balanced R2P application, a greater level of ICC autonomy, and a greater inclusion of the Global South.

## **5.1 Contribution of the Study**

The paper fits into the broader discussion of international law and the foreign policy of the U. S. in the sense that it shows how the U. S. weakens the legal systems in a methodical way by being selective in enforcement. The paper emphasizes the importance of strategic alliances on the U.S. legal behavior comparison by exploring U.S. behavior in Israel-Palestine, Libya and Ukraine. The research suggests that although the U.S. propensity is to justify its actions by the use of the legal framework, they are frequently compromised to national security interests and the preservation of valuable alliances. Such use of selectivity of the international law as is portrayed in this study raises certain serious questions concerning the objectivity and universal application of legal norms, notably when the powerful states can manipulate the juridical procedures to benefit themselves. The paper further gives the insights into the broader implications of legal exceptionalism in the international governance. The U.S. is more inclined to justify its actions depending on their national interest without even thinking of applying the legal norms in a coherent way. This way, it reinforces a system in which the mighty can utilize the legal processes as instruments of power politics and consequently undermine the efficacy and validity of international law. This selectivity, particularly in the case of the war between Israel-Palestine, Libya and Ukraine, brings to light the problem of a consistent and fair legal system under the status of the great power politics.

## **5.2 Policy Implications**

The research results of this paper have heavy policy implications on the future of international law and international governance. The international law of selective enforcement, especially by the world superpowers such as the U.S., requires a significant amount of reforms in order to make the international law more consistent and fairer. The recommendations on policy change have covered the major areas of reform. The fact that influential states still resist the jurisdiction of the ICC especially when it is needed in cases concerning their allies, is a deterrent to the fairness of the delivery of justice by the Court. The issue on reforming the ICC will be the political pressures of the great powers through the years, which have impeded the effectiveness of the Court. Among the suggestions, the enhancement of the autonomy of the ICC and an appeal to universality in the ratification of the Rome Statute stand out. States need to do their best to make the ICC appear as an impartial justice mediator, but not a political instrument. More so, there should be increased funding and institutional coverage of the ICC so that it can be in a better position to undertake investigations in cases when the mighty states are trying to frustrate accountability.

### **5.2.1 UNSC Veto Restraint**

The fact that permanent members, especially the U.S., use the UNSC veto to protect their allies against legal responsibilities has become a significant impediment to the proper operation of the Council. There is a need to reform to exercise the use of the veto or implement systems to make UNSC more accountable so that it can perform its duty of ensuring worldwide peace and security. One possible remedy is to limit the use of the veto when there is a serious violation of human rights, or there is a general consensus that something must be done and therefore the right of one state to prevent international legal action.

### **5.2.2 Balancing R2P Pillars**

The Responsibility to Protect (R2P) doctrine has been inconsistently applied, as it is more likely to be a rationale of military intervention. In response, the international community needs to come up with a more balanced response that lays more emphasis on prevention and capacity-building alternative to military intervention. The balance of the pillars of prevention, reaction and rebuilding must be evaluated more clearly when R2P is involved, and humanitarian intervention can be

utilized as the final option. There should also be a clear outline of when force is justified under R2P to ensure that the interventions are legitimate and justified and not based on geopolitical interests and to warrant that the intervention is actually humanitarian in nature.

### **5.3 Future Research Directions**

Although this paper has examined the influence of the U.S. in the process of having an effect on the international law outcomes various regions are open to further scrutiny. Further studies might be conducted on the contribution of the non-governmental organizations (NGOs) and non-state actors to undermine the selective application of the international law. The NGOs would be very instrumental in holding the powerful states responsible especially in matters relating to the abuse of human rights in places such as Israel-Palestine. Greater investigation would be into the methods used by such organizations to shape legal results and the overall effect of their work. Moreover, the international discourse of international law and legal responsibility is becoming increasingly influenced by global opinion. Future research might investigate the influence of the global opinion, and especially those of the Global South, on the legitimacy of the international legal institutions and the judicial implementation of the law. The awareness of the dynamics of the mass opinion of the world could provide something valuable in the sphere of reorganizing the international legal frameworks and their abilities to escape the machinations of the great powers. The other important feature of the future study is the example of Yemen that provides a complex humanitarian crisis that has severe geopolitical implications. The U.S. selective involvement in Yemen, particularly its delivery of Saudi Arabia to join the war, can provide a possible case study to proceed with the analysis of the processes of effective application of international law, in the circumstances where national interests are at stake. The parallels between Yemen and other cases, such as Libya and Ukraine, might shed some light on the bigger trends of U.S. foreign policy and its approach to international law.

### **5.4 Why is this matter in International Relations of Today?**

The future of world governance is enormous in the future of this study. The lack of international law by powerful nations like the U.S has certain grave consequences on the efficacy and applicability of international legal institutions. The loss of the trust the international institutions

like the UNSC and the ICC will tend to take towards a more polarized international legal system, as the world is shifting to the multipolar order, with the new international powers appearing. This is one of the major issues in the maintenance of an international order that is rule-based. Such selectiveness in law enforcement and failure to trust international justice systems further justifies the necessity to reform and create more comprehensive and justice systems of governance that are resistant to the pressures of great power politics. In conclusion, this paper shows that it is crucial to have a critical change in the law to reclaim the status of the international law and ensure that it is used objectively. Only once we get rid of the discrepancies and hypocrisy in the implementation of international law we may expect to have a more just and secure international system one that is concerned with the principles of justice, human rights, and accountability. The future to the international system will be determined by the extent that we can restructure these institutions and align them to the new dynamics of the global system.

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