

How Israel is Using Illegal Means to Deprive Palestinians of Their Historical Legitimate Right to Reclaim Their Occupied Homeland: Historical and Legal Exploratory

Mohammed Houmine*

Former Secretary General of Mohammed V University in Rabat, Morocco

*Corresponding Author E-mail: mhoumine@gmail.com

"Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly affects all indirectly." [King Jr., 1963].

ABSTRACT

Events related to the Palestinian question are accelerating. Before the development of the situation in the United Nations arena, which led to the establishment of an independent Palestinian state, a plethora of solutions were proposed. These included the annexation of the Palestinian territories to the Jordanian confederation and the granting of autonomy to the residential groups. However, certain individuals have proposed highly unconventional and impractical proposals, such as the acquisition of the Gaza Strip for developing it into a tourist resort, the expulsion of its current inhabitants to Egypt and Jordan, and the annexation of the West Bank to Israel. This research aims to show when and how, for over a century, the Zionists have prevented the establishment of an independent homeland for the Palestinians and their right to self-determination, like all formerly colonised peoples. A historic and legal exploratory approach was used to examine and analyse the various data available on the Palestinian question and its evolution, including legal texts of international Law, UN documents, academic references, and other relevant texts. The findings revealed all the irregular measures taken by the Zionists to prevent the Palestinians from achieving self-determination and an independent homeland. Finally, the study recommends that the international legal order assume its historic responsibility to defend the legality of these two fundamental Palestinian rights and secure peace in the Middle East once and for all, in accordance with international law, international humanitarian law, and international covenants.

Keywords: Palestine, Israel, homeland, self-determination, legality

INTRODUCTION

The statements about the intention to buy the Gaza Strip and deport its original Palestinian inhabitants to Egypt and Jordan have provoked strong reactions and great surprise in political, diplomatic, legal, and media circles. This project has for its objective to turn Gaza into a great Middle Eastern tourist resort (Riviera). The Zionists were quick to endorse the project and call for its immediate implementation, suggesting that the Palestinians of Gaza be given a homeland in one of the Arab countries with large areas of land, especially Saudi Arabia.

These statements exposed the intentions of imperialism to promote hegemony and expansion in several regions of the world to control their natural resources, including energy, minerals, agricultural, and other resources, and to prevent their growth, prosperity, and progress so that their societies remain mere human blocs that are consumers of the products of the Western world.

As these statements have demonstrated, the rules of the game have been exposed, as well as the plans to provide support to Israel in its aggression against the Palestinian people. These violations include the infringement of their right to self-determination and to live in peace and security in their original homeland. This is in accordance with the provisions of International Law (IL), International Humanitarian Law (IHL), and international covenants.

This new anomaly leads us to question the historical and legal development of the Palestinian cause and the political and diplomatic solutions it has undergone for almost eighty years in international forums. It also raises the question of the legitimacy and right of the Palestinian people to live on the land they inherited from their ancestors thousands of years ago, within the framework of the two-state solution, which has unfortunately been withdrawn in the last two decades.

This paper sets out to explore the manner in which Israel is employing illicit means to deny the Palestinian people their legitimate right to reclaim their occupied homeland. However, before addressing this issue, it's beneficial to review the academic research that has addressed it, the sources of data on which this research is based, and the methods on which it's conducted.

LITERATURE REVIEW

The issue of the ongoing conflict in Palestine has been the subject of extensive research and analysis by numerous scholars and researchers in the field. The quantity of literature on the subject is substantial, encompassing a wide range of books, articles, studies, and reports. The array of options was extensive.

Thus, Al-Kayyali (1978) studied the rise of nationalism in the Arab provinces of the Ottoman Empire, particularly in Palestine, following the emergence of the Zionist movement between the late nineteenth century and the commencement of the First World War. He described the history of Palestine during this period, citing all the events that took place in the struggle of the Palestinian people against the British occupation and Jewish immigration.

In his 1996 study, Whitelam advanced a critique of numerous assumptions concerning Israel's biblical history. Furthermore, he challenged the prevailing paradigm concerning the historical relationship between Jews and ancient Palestinians, which certain scholars had sought to discredit by remaining silent on the subject of ancient Palestinian history, only mentioning it when it served Zionist interests and claims.

Hamdan (1996) made a historical and anthropological study of the Jews from the eighteenth century BC. His study is based on the divine books, the Koran and the Torah, and on other references as well as anthropological studies by renowned scholars in the field. He concluded that the Samaritans who remained in Palestine were the only group that could be described as purely Jewish. They only lived in Palestine for a total of 6 centuries and were known to be non-agricultural, meaning they only settled in towns. They also fought and lost many wars, which caused them to go into diaspora more than once. The rest of the world's Jews were biologically mixed with the peoples who adopted them. They often abandoned even their Jewish faith. They are no longer related to Palestinian Jewish origin.

Faraj Allah's (2005) study examined the historical context and consequences of the rape of Palestine. His approach to this subject is via an analysis of events indicated in the Qur'an and the Torah. Moreover, he examines the actions of the Zionists in the period preceding the English occupation, extending until the year 2005.

Troen (2007) has tried to impose the interpretation that Jews once existed in the territory of Palestine and have deep and vital historical ties there, giving them the right to return and resettle.

Pappé (2007), using impressive archives, has shown that one of the pillars of Zionist ideology since the creation of Israel has been the violent expulsion of the Palestinian population. He broke the silence surrounding the ethnic cleansing operations that began in 1948. These facts have always been denied by the Israelis. He has definitively debunked the false myth that the Palestinian population left on its own during these events.

Sarjani (2015) began by re-reading history as a whole, the history of Palestine, and the history of all contemporary and past nations and peoples, to draw a number of considerations. His study was based on reliable sources, evidence, and proof. The first consideration is that the issue of Palestine is not regional, but belongs to the Islamic world and humanity as a whole. The second is that it has been governed under the banner of Islam for 14 centuries. Thirdly, Israel's occupation of Palestine is not only a policy of occupation by armies, but an occupation of colonisation, i.e., the occupation of a people, the usurpation of their land, their removal from it, and their replacement by other foreign races. Fourthly, studying the history of Palestine allows one to see all the stages of human history, starting from the era of the Prophet (peace be upon him) and the Rashidun Caliphs, through the Umayyad, Abbasid, Zenkid, Ayyubid, Seljuk, Mamluk, and Ottoman states. It also enables you to learn about the history of earlier nations such as the Persians, Romans, Greeks, Assyrians, Babylonians, and Pharaohs, as well as the history of contemporary countries such as England, France, Russia, and Germany. Fifth, Israel has worked to distort, misrepresent and falsify the history of Palestine, relying on major international media, arts and entertainment outlets that are largely Jewish or Jewish-owned (Reuters, Associated Press, Havas, The Times, Newsweek, Washington Post, Star Magazine, Variety, NBC, CNN ABS, CBS, Metro Goldwyn Mayer, Fox, Warner Bros, Disney).

Anziska's (2018) research recounted the history of the peace process from Camp David to Oslo. It explains how and why a significant number of important governmental and non-governmental bodies have approached the question of Palestinian self-determination in political terms. It also highlighted the interrelationships between the US, Israel, Egypt, and the Palestinians. However, it noted that the latter were often excluded from discussions about their political future.

Bishara (2019) observed that several of the foremost thinkers on anti-Zionism are Jewish intellectuals of diverse political persuasions. He demonstrated that anti-Zionism itself, like Zionism, is a Jewish phenomenon that was originally a Jewish response to Zionism. Consequently, it is challenging to characterise anti-Zionism as anti-Semitic, given the absence of a discernible connection between these two concepts.

Andersen's (2019) study addressed the problem of the definitions of ethnicity and self-determination in IL and their implications for the Israeli-Palestinian conflict. These definitions have enabled Israel and its supporters to promote discourse that characterises the conflict as ethnic rather than one of occupation and colonisation. Consequently, these conceptions have deprived the Palestinians of their right to self-determination and have legitimised the violations of IHL in the Occupied Palestinian Territories (OPT).

In a very interesting book, Kepel (2024) describes the ins and outs of the events of October 2023 and their aftermath, and their impact on all levels: human, political, geopolitical, security, military, economic, academic, electoral, ideological, cultural, social, ethnic, religious, and so on. He placed these events in the historical continuity of the confrontations between ancient civilisations and peoples in epochs long past, without forgetting the political, economic, social, and military events that took place throughout the world in the 20th century. He concluded that these events were shattering the foundations of the world order built on the ruins of Nazism in 1945 and leading to the fracturing of Western societies along fault lines as never before.

DATA AND METHODS

As previously stated, due to the protracted nature of the Palestine problem, we found ourselves unable to select from the extant data in the field, which included legal texts of IL, UN documents, academic references, and other relevant texts. Therefore, a meticulous historical and legal exploratory approach was adopted to gather reliable documents for the study. A detailed review and analysis of the relevant data was then conducted, focusing on the subject's evolution and the various data sets selected for this

purpose. This analysis was undertaken to facilitate discussion and the drawing of pertinent conclusions.

RESULTS

For over a century, the Zionists have been engaged in numerous irregular actions to maintain the colonisation of Palestine and prevent the Palestinians from achieving self-determination and an independent homeland. A review of the available literature reveals the following actions to be worthy of note:

Falsifying history

Avineri (1983) argues that a Hebrew-speaking Israelite nation had inhabited the strip of hills and fertile plain at the south-eastern corner of the Mediterranean three thousand years earlier. A kingdom emerged around 1000 BC under David and Solomon, with Jerusalem as its capital. Then, invaded by the Assyrians, Babylonians, Persians, Greeks, and Romans, most of the Jewish population was exiled to Europe and later to America, especially after 66 AD.

Troen (2007) defended the legal and moral right of Jews to re-establish themselves as a modern people in Palestine. He argued that they had a deep and vital historical connection to Palestine and that they had a right to settle there.

According to Troen (2007), Antonius (1938) wrote that Arab Palestinians, both Christians and Muslims, have deep roots and a continuous connection with Palestine. This goes back to the Canaanite period before the Hebrew invasion. And so it goes beyond the Muslim conquests of the seventh century in Palestine. According to him, the Hebrews' connection with the land was subsequently broken or severed after their arrival. As a result, the ancient Hebrews disappeared as a people. The Jews who existed at the time of Arab and Islamic rule in Palestine are members of a religious minority that still practise Judaism, but does not constitute a people.

Faraj Allah (2005) says that the centuries-long Crusader-Zionist alliance eventually led to the establishment of the Zionist entity in Palestine, using various artificial methods such as falsification of history, fabrication of archaeological evidence, etc. The Torah narratives contradicted the archaeological finds in Palestine, and not a single one of the Torah narratives matched the archaeological finds in Palestine. The Torah (Old Testament) was written between the fifth and second centuries BCE, after the time of Moses (PBUH), recounting events that took place in the tenth century BCE.

Al-Abed (2019) reported that the sources used by the Zionists in writing the history of Palestine and Jerusalem were mainly limited to the biblical narrative and Jewish writings. As for other historical sources: Ancient Egyptian, Semitic, Greek, Persian, Roman, and Qur'anic are deliberately omitted by Jewish and Western scholars due to their conflict with the aforementioned sources and their negation of the narratives emanating from them. Despite the endeavours of Jewish and Western historians to align archaeology with the assertions of the Jewish biblical narrative, he was unable to furnish any physical or documentary evidence to scientifically substantiate these claims.

Al-Allami (2011) concludes that the biblical interpretation of archaeological discoveries according to knowledge derived from the Old Testament and the writings of Flavius Josephus and their application to Palestinian positions are not reliable and secure sources of knowledge about the ancient history of Palestine.

Artinom Kirpichinok, a Russian Jewish researcher and historian who immigrated to Israel with his family at the age of 15 but soon returned to live in Russia at the age of 30, says that he studied the agricultural history of Palestine and found that it was not a wasteland built by Jews, as Zionist

narratives claim. The first Jewish immigrants did not know how to farm, as they claimed, but used the Palestinians to take advantage of them [Al Jazeera, 2025a].

However, Al-Ghadiry (2022) confirms, according to the archaeological discoveries, that the initial inhabitants of Palestine were Arabs, who migrated from the Arabian Peninsula in the aftermath of a drought. They inhabited this region once known as “Canaan” for more than two thousand years before the arrival of the Prophet Moses (PBUH) and his disciples. Furthermore, he asserts that even the Hebrew writings recognise the Canaanites as the inaugural inhabitants of the country, and that the Torah also acknowledges them as the Amorite people.

Al-Ghadiry (2022) has tried to inform Westerners of the truth about what is happening in the Middle East and has tackled the most important issues that they should know. He has also tried to convey to them the Arab and Muslim point of view, directly and without the interference of the Zionist censor's scissors.

The Kingdom of David and Solomon (PBUT) endured for a period of only 80 years and encompassed a mere 74 per cent of the territory of Palestine. The Kingdom of the Jews then underwent a division into two parts: the first was the Kingdom of Israel in northern Palestine, which comprised ten tribes of the sons of Jacob (PBUH), and its rule endured for 202 years, until the date of their final destruction and dispersal by the Assyrians in 721 BC. Conversely, the Kingdom of Judah was established in the southern region of Palestine and comprised the remaining two tribes. It endured for a period of 150 years, until its ultimate eradication by the Babylonians in 586 BC. Consequently, the Jews were virtually eradicated from Palestine almost six centuries before the advent of Christ, with only a small number of individuals managing to survive. Following this dispersion, the Torah was transcribed in the land of Iraq, a development that occurred 700 years after its initial revelation to Moses (PBUH). The composition of the Torah was a protracted endeavour, spanning another 400 years, resulting in a text marred by numerous distortions, discrepancies, and variations in verses and narratives. Additionally, the style of the Torah is often critiqued for its perceived deficiencies [Sarjani, 2015].

Whitelam (1996) posits that ancient Jewish history is inextricably linked to ancient Canaanite or Palestinian history. Furthermore, he calls into question the existence of the ancient Kingdom of Israel, considering it to be a fabrication of politically motivated researchers and theorists who serve Zionist and imperialist interests.

Whitelam (2018) concluded that the manner in which conservative evangelical scholars have conveyed biblical history doesn't represent the pinnacle of critical historiographical practice. He argued that, within this paradigm, if it's not dead, then it's, at the very least, moribund. He recommended that it should be replaced by more thorough studies of biblical literature and the history of ancient Palestine.

Finally, Waltz and Isaac (2010) have demonstrated that the establishment of the Jewish state of Israel was the result of political planners leveraging their expertise in the domain of space and imperial strategies of occupation and colonialism. The establishment of this state was synchronised with the interests of the dominant imperial powers in the Middle East and its abundant natural resources. In pursuit of their objective of establishing a Jewish state, these actors employed a multifaceted approach, encompassing the political dynamics of religion, historical interpretation, geography, culture, space, and land.

Denial of anthropological and genetic facts

Zionism vainly claims that Jews have maintained their racial purity and haven't mixed with other races because they've only intermarried with each other. However, scientific anthropological facts

have proven the falsity of these claims, and that Jews in all parts of the world have experienced mixing and assimilation into the societies in which they grew up and lived.

Hamdan (1996) proved that Israeli Jews aren't a homogeneous race, but a mixture of several races. He based his study on well-established anthropological characteristics such as the size of the head, the colour of the hair and skin, the height, the facial features, and the shape of eyebrows, eyelids, eyes, lips, and nose. Most of them are of European and American descent, which makes them compositionally linked to their original societies. This denies that they're related to the ancient Jews who settled in Palestine in the early ages of history and were exiled or expelled from their homeland, as the Zionists claim. The Jews, through their mixing and melting, are no longer Semitic but Aryan. He corroborated his conclusions with a series of findings by Western scientists such as Dalby, Ripley, Renan, Huxley, Haddon, Carr-Saunders, Hutton, Keen, and Montagu.

This remark is also affirmed by Gilgenkrantz (2002), who indicates that analysis of the distribution of blood groups and molecular markers has shown that, over the past few centuries, there has been intermarriage between Jewish communities and the populations of the states in which they lived.

A study of two DNA research studies found that the recipients of these investigations don't believe that Judaism is reducible to genetics and that their traditions are valid, despite what the test results say [Egorova, 2009].

A considerable proportion of genetic research conducted on Ashkenazi Jews has recently concentrated on the analysis of Israelite DNA outcomes. This has led to a diminution in the emphasis placed on the specific contributions of European and Khazarian ancestry. The analysis of a limited component of Jewish ancestry has led to an inadequate and distorted representation of Jewish genetic composition. Also, DNA studies have shown that Jews don't have a purely Khazarian, Israelite, or European genetic heritage, but are a complex and unique blend of all these peoples [Levy-Coffman, 2005].

Finally, the occupation authorities imposed limitations on the dissemination of DNA analyses to the general public, as well as prohibiting the sale of such analyses in retail outlets. These measures were implemented in response to concerns regarding the implications of scientific findings that challenged the prevailing Zionist theory of the alleged uniqueness of the Jewish race and gene. This control was introduced by Israel's Genetic Information Law of 2000 [Al Jazeera, 2025b].

Trying to realise the dream of Greater Israel

The term 'Greater Israel' is another English translation of the term 'Eretz Yisrael Hashlemah' used by revisionist Zionists to refer to Israel's retention of Judea, Samaria, and Gaza [Pipes, 1994].

It's important to remember that the Zionist ideology regards Palestine as the land of Israel, 'Eretz Israel', with indefinite borders, meaning the realisation of the great Zionist dream of a Greater Israel, from the Euphrates to the Nile, encompassing not only Palestine but other countries in the region such as Lebanon, Syria, Jordan, Iraq and parts of Egypt and Saudi Arabia, and even Turkey, Sudan and Kuwait according to Pipes (1994). This assertion is supported by the findings of Rowley's research in 1989, which included a map that clearly demonstrated this.

This viewpoint is further corroborated by British journalist Patrick Seale, who asserts that certain nationalist Israelis from the Herut party aspire for a Jewish state extending from the Nile to the Euphrates. Similarly, in 1983, the then-French Foreign Minister Claude Cheysson characterised the proposed division of Lebanon into Greater Syria and Greater Israel as a 'nightmare' [Pipes, 1994].

Changing the demographics

From the earliest Zionist meetings in the 19th century, the idea was to establish a Jewish majority in as much of Palestine as possible to create a sovereign Jewish state. In other words, for the Zionists, the demographic factor was very important and had to be linked to the borders that were essential for Israel's survival [de Crousaz, 2005]. Over time, and especially after 1967, the issue of Jewish immigration to Israel rapidly took on a geopolitical dimension, reinforced by many political statements, several conferences held, and the publication of numerous articles and academic studies on the subject [Berthomiere, 2000].

Statistical projections by Israeli sociologists in 2002 concluded that Jews made up between 53% and 78% of the Israeli population, and predicted that this figure would fall to between 26% and 69% by 2050. This has led the Zionist authorities to accelerate the separation of the two peoples by any means necessary [Ghanem, 2007].

Al-Abed (2019) explains that the Israelites were few in number when they left Egypt. This is evidenced by the following Qur'anic verse: *“And We inspired Moses, ‘saying,’ ‘Leave with My servants at night, for you will surely be pursued. Then Pharaoh sent mobilizers to all cities, ‘and said,’ ‘These ‘outcasts’ are just a handful of people”* [The Qur’an, 26:52-54].

Al-Kayyali (1978) states that in 1880, the total population of Palestine, excluding the Bedouin, was estimated at 457,592. The majority of the population was Sunni Muslims, with small numbers of Shia and Druze. About sixteen per cent of the population were Christians, mainly Greek Orthodox, Latin, and Greek Catholics. He estimates that 25,000 Jews were living in Palestine at the time.

The Muslim population was largely rural, living in villages, while others were nomads. As for the Jewish population, most of them lived in the cities of Jerusalem, Tiberias, Safed, and Hebron. The urban population, both Muslim and Christian, worked in trade, artisanry, and simple agricultural industries, and some held state jobs. Jews were mainly involved in crafts such as glass, blacksmithing, watchmaking, tailoring, shoemaking, and bookbinding. They also almost monopolised money lending and limited banking [Al-Kayyali, 1978].

Before 1881, there were a few attempts to settle Jews in Palestine. However, it wasn't until after that year that Jewish immigration to Palestine increased due to the Zionist movement, despite the protestations of the Arab Palestinians. The Jewish population of Palestine stood at 55,000 in 1910. Then, Ormsby-Gore agreed to Zionist leader Weizmann's demands for preferential treatment and state land in Palestine to settle 40,000 to 50,000 Jews a year. By 1935, this number had reached 60,000 [Al-Kayyali, 1978]. By the conclusion of the British Mandate, the number of Jews had increased to 625,000, constituting a third of the country's population [Al-Ghadiry, 2022].

Despite many demonstrations, strikes, and social and political boycotts against the British government (for example, not paying direct taxes) and the boycott of British and Jewish goods by Arab Palestinians to protest against the government's tolerance of Jewish immigration to Palestine, this was later intensified from 1933 onwards [Al-Kayyali, 1978].

Jewish immigration to Palestine persisted following the establishment of the State of Israel in 1948 and the enactment of the Law of Return in 1950, which stipulates that every person of Jewish heritage has the right to repatriate to the State of Israel. Subsequently, the Israeli Nationality Law was promulgated in 1952, stipulating that any Jewish citizen who immigrated to Israel was entitled to obtain Israeli nationality immediately upon entering the country. Since its establishment, the State of Israel has utilised a variety of strategies, including the deployment of incentives, fraudulent practices, and the threat of violence, to encourage Jews residing in various parts of the globe to migrate to Israel [Al-Ghadiry, 2022].

It should be noted that whenever there have been peace talks between the Palestinians and the Israelis, the latter have always opposed the return of Palestinian refugees to their homes, despite the United Nations General Assembly (UNGA) Resolution 194 (III) granting Palestinian refugees this right.

Count Bernadotte, the UN mediator for Palestine, stated in his report: *“It would be an offense against the principles of elemental Justice if these innocent victims of the conflict were denied the right to return to their homes while Jewish immigrants flow into Palestine, and indeed, at least offer the threat of permanent replacement of the Arab refugees who have been rooted in the land for centuries”* [UN, 1978, p. 13].

Artinom Kirpichinok notes that Jewish immigration to Israel was sometimes forced. Jews came to Israel as a temporary home to save money and obtain citizenship in another country. The US played a major role in the displacement of Soviet Jews to Israel when it passed a law in 1980 preventing them from entering its territory, thus forcing them to migrate to the Zionist state, he added [Al Jazeera, 2025a]. Until the early 1970s, the demographic composition of Israel was characterised by a preponderance of Jews born outside the country, constituting the majority of the Jewish population, according to Al-Ghadiry (2022). In this regard, he has presented a table of autobiographical data on 8 presidents of the 26 governments of Israel between 1948 and 1996. These data show that these Zionist leaders were born outside Palestine and entered it between the ages of 11 and 29, in the period between 1905 and 1942.

The Zionist and British policy of completely changing the demographic structure of Palestine can be summed up in what the historian Arnold J. Toynbee wrote in 1968: *“All through those 30 years, Britain (admitted) into Palestine, year by year, a quota of Jewish immigrants that varied according to the strength of the respective pressures of the Arabs and Jews at the time. These immigrants could not have come in if they had not been shielded by a British chevaux-de-frise. If Palestine had remained under Ottoman Turkish rule, or if it had become an independent Arab state in 1918, Jewish immigrants would never have been admitted into Palestine in large enough numbers to enable them to overwhelm the Palestinian Arabs in this Arab people’s own country. The reason why the State of Israel exists today and why today 1,500,000 Palestinian Arabs are refugees is that, for 30 years, Jewish immigration was imposed on the Palestinian Arabs by British military power until the immigrants were sufficiently numerous and sufficiently well-armed to be able to fend for themselves with tanks and planes of their own. The tragedy in Palestine is not just a local one; it is a tragedy for the world, because it is an injustice that is a menace to the world’s peace”* [UN, 1990, p. 72].

Zionist colonisation, settlement expansion, and Palestinian displacement policies

The establishment of the first Jewish colony in Palestine occurred in 1837 under the governance of the Ottoman Empire, with an initial population of 1,500 Jewish inhabitants. Subsequent years witnessed a notable influx of Jewish immigrants, with numbers rising to 10,000 in 1840, 15,000 in 1860, 22,000 in 1881, and reaching 25,000 in 1903. As the Ottoman Empire came to an end in 1913, the number of Jewish settlements had reached 24. During the British colonial period, 253 colonies were established between 1920 and 1948 [Al-Ghadiry, 2022].

The Jewish Settlement Fund, a financial body responsible for the purchase of land in Palestine, was founded in 1899 by Theodor Herzl during the Ottoman Empire. The Fund played a major role in the acquisition of land and its subsequent allocation to Jewish farmers.

The first attempts to expel the Palestinian people began in 1931, after the Zionist leader Weizmann visited Jerusalem in an unsuccessful attempt to bring Jews and Palestinians together. The Palestinians boycotted him and refused to meet him. The idea he had in mind was to set aside land in Transjordan

to which the Palestinians would be transferred. This is the area that's now the Kingdom of Jordan [Al-Kayyali, 1978].

Also in the summer of 1933, with the help of British government forces, the Palestinian Arabs of Wadi Hawarith were expelled by the Jews, provoking Arab agitation against Jewish immigration and government policy in the area [Al-Kayyali, 1978].

In the months leading up to the end of the Mandate and the creation of Israel in May 1948, the Jewish forces, formed by the terrorist bands of the Haganah, Palmach, and Irgun, were able to occupy the towns and key areas of the territory designated for the Arab state under the Partition Plan. These operations enabled them to control 77% of Palestine. Only the West Bank and the Gaza Strip were spared [UN, 1990].

From 1948, the Haganah implemented a plan for the ethnic cleansing of Palestine, known as 'Plan D'. It replaced Plans A, B, and C, which had governed the Haganah's strategy in previous years. Armed units began the systematic expulsion of Palestinians from large areas of the country. The methods used included mass intimidation, the siege and shelling of villages and neighbourhoods, the burning of houses, property, and goods, expulsion, demolition, and the laying of mines, poisoning and contamination of water sources, and rape. Until 1949, over 400 Palestinian villages were deliberately destroyed, civilians massacred, and around a million men, women, and children driven from their homes at gunpoint. This was the first major forced exodus of Palestinians, which they called the Nakba [Pappé, 2007].

Between 1984 and 1988, Israel continued its policy of expropriating Palestinian land in the OPT, including the West Bank and Gaza Strip, to build new settlements and expand existing ones. Various techniques were used, including confiscating land and declaring it closed for military training, declaring other land as state land, expropriating areas for Jewish public use or for the establishment of nature reserves, and confiscation of land following usurious debts owed by peasants [UN, 1990].

The justifications of these actions, which entailed the dispossession of the Palestinians from their land, were recognized by the former member of the Knesset, Yash'yho Ben-Fort, in his article entitled 'Blunder, Naivety, and Coloring'. This article was published by the Israeli newspaper Yediot Ahronot on 14/7/1972, and in it he asserted that: *"The truth is that there can never be Zionism without settlement, and there can never be a Zionist state without expelling the Arabs, confiscating their lands, and fencing it"* [Al-Ghadiry, 2022, p. 45].

In June 1967, during the Arab-Israeli war, Israel occupied the West Bank, Gaza Strip, Golan Heights, Sinai Peninsula, and the old city of Jerusalem (East Jerusalem). The OPT far exceeds the area claimed by the World Zionist Organisation in 1919 [UN, 1990].

The number of Palestinian refugees who were expelled in 1948, together with their grandchildren, is almost one-third of the total Palestinian population, more than five million. The estimated number of Palestinian refugees in 1998 was 7,788,185, 54% of whom live in Jordan, Syria, and Lebanon [Al-Ghadiry, 2022]. According to the BADIL Resource Centre for Palestinian Residency and Refugee Rights, there will be an estimated 9.17 million displaced Palestinians in the world in 2021. This figure includes approximately 8.36 million refugees and 812,000 internally displaced persons [IMEU, 2024].

Palestinian refugees are the largest and oldest refugee group in the world. The most important resolution on the issue of Palestinian refugees was adopted by the UNGA in 1948 under Resolution 194. Since then, more than fifty other resolutions have been adopted by this body [Al-Ghadiry, 2022].

With 72 votes recorded in favour of the resolution, alongside 35 votes against, 32 abstentions, and 3 countries absent, the (UNGA) adopted a resolution on 10 November 1975, declaring Zionism to be a

form of racism and racial discrimination. Subsequent to this resolution, a series of condemnations were issued by various agencies and at various UN meetings. Unfortunately, following the collapse of communism and as a result of changing international alliances, this resolution was repealed by the resolution of 16 December 1991 [Bishara, 2019].

Suppressing Resistance to Zionist Infiltration and Occupation

Faced with the Zionist penetration in Palestine since 1881, the Palestinian citizens, Muslims and Christians, especially the educated ones, opposed this penetration from the very beginning. To this end, they used all possible means of communication, meetings, conferences, speeches, associations, press articles, books, petitions, missions, etc. The Zionist movement, of course, with the blessing of the British, also worked to circumvent this opposition by every means at its disposal including intelligence agencies [Al-Kayyali, 1978].

The systematic oppression of the Palestinians escalated after 1920, following armed conflicts involving knives, sticks, and stones between Palestinians and Jews. The uprising of the Palestinian people was intensified between 1933 and 1939 by all possible means, including several strikes, demonstrations, meetings, clashes, fedayeen operations, and other forms of disobedience against the colonial authorities. At every stage of the uprising, the colonial forces used force and brutality to crush the rebels. All weapons were used, including armoured vehicles and aircraft. Sometimes these forces were supported by Jewish units and gangs such as the Hagana and the Special Night Squads. Hundreds of Arabs were killed and wounded. Hundreds of political activists and rebels were arrested. Others were exiled to the Seychelles. All Palestinian associations, councils and national bodies were declared illegal [Al-Kayyali, 1978].

Some other civil and military punitive measures were taken by the British authorities against the Palestinians in retaliation and to contain the uprising (e.g. states of emergency, prolonged curfews, house demolitions, village searches, mass arrests, collective fines, wage discrimination against Arab workers in favour of Jews, etc.) [Al-Kayyali, 1978].

In all the countries that were colonised, demonstrators of independence were regarded as resistance fighters, with the exception of Palestine. *“The sad reality is that the true landowners live under the pressure of the mightiest power in the world, to the extent that anyone who defends his country - Palestine - is labeled as a “Terrorist”* [Al-Ghadiry, 2022, p. 54].

Human and cultural genocide

Faraj Allah (2005) spoke at length about a large number of Zionist operations and attempts to destroy entire Arab neighbourhoods, especially in Jerusalem, and establish Jewish areas in their place, in addition to the destruction or confiscation and Judaization of Arab and Islamic archaeological buildings such as mosques, schools, corners, khans, hadith houses and Qur'anic houses. The Zionists have repeatedly desecrated Al-Aqsa Mosque and prevented its restoration, despite the cracks in its walls as a result of the 2004 earthquake and the excavations carried out under it by the Israeli authorities since 1967. The Zionists even tried to burn it down in 1969, but the Palestinians quickly put out the fire after it destroyed the pulpit. Christian monuments and buildings have also been destroyed.

In 2016, UNESCO voted with 24 voices for a resolution condemning Israel's illegal actions in Jerusalem and Al-Aqsa Mosque (excavation and demolition of ancient structures, entry of right-wing extremists and armed forces into the site, damage to buildings by Israeli forces, obstacles to necessary renovations, Israeli attacks on freedom of worship and Muslims' access to their holy site of Al-Aqsa Mosque/al-Haram al-Sharif, etc.). The US, UK, Germany, Lithuania, Estonia and the Netherlands voted against, while 26 other members abstained [Silver, 2016].

In October 2024, under constant Zionist bombardment, a team of Palestinian researchers risked their lives to excavate under the destroyed headquarters of the Department of Manuscripts and Antiquities in the heart of Old Gaza, in search of precious documents that constitute a priceless legacy left by the scholars of Palestine and Gaza, telling their deep-rooted history, including architectural and artistic monuments, intellectual and scientific life, and depicting a rich life on this land since ancient times [Mousa, 2025].

A programme of cultural appropriation is currently underway in the State of Palestine. This has included the replacement of Arab village and town names with Jewish names, the vandalising of Palestinian institutions (the removal of numerous objects of historical, cultural and archaeological importance), and the destruction of cultural property (for example, the Moroccan Quarter and its four Muslim religious sites.), the theft of archives and libraries (for example, the private collection of the Palestinian educationist Khalil Al Sakakini) and the destruction of Palestinian culture outside Palestine (for example, the destruction of the Palestine Research Centre and the Beirut-based Institute for Palestine Studies during the invasion of Lebanon in 1982) [Abdullah, 2019].

During the war waged after the attacks of 7 October 2023, it became very clear that the Israeli army had a completely premeditated war plan for the Gaza Strip, known as 'the Generals plan'. It consisted of deliberately razing the entire area to the ground to make it uninhabitable, exterminating its Palestinian population and driving the survivors into exodus and exile.

The American Jewish scholar Judith Butler of the University of Berkeley condemns Israel's "genocide" in Gaza and qualifies the actions of the Palestinians of 7 October 2023 as acts of resistance [Kepel, 2024].

Control and exploitation of natural and economic resources

Increased Jewish immigration and the poor situation of the Bedouin in 1933 and 1934 led the Zionist authorities to acquire new land to settle the new Jewish arrivals. Sales of Arab land to Jews totalled 673 and 1,178 respectively. By 1935, one-fifth of Arab villagers were landless and the number of unemployed Arabs increased [Al-Kayyali, 1978].

Between 1991 and 1995, the UNGA noted that Israeli settlement construction had a negative impact on the economic and social living conditions and well-being of the Palestinian population in the OPT, including Jerusalem, and of the Arab population in the Occupied Syrian Golan (resolutions 46/199, 47/172, 48/212, 49/133 and 50/129). It disapproved of the policies pursued by Israel, in particular the confiscation of land, the appropriation of water, the depletion of natural and other economic resources, curfews imposed on Palestinians, the expulsion of the population from these territories, reduction in fishing zones, uprooting of fruit trees, confiscation of agricultural land, harassment of Palestinian farmers in the use of water for agriculture, discharging wastewater near springs and farmland and restrictions imposed on Palestinian economic transactions [UN, 2014].

Similarly, the UN Economic and Social Council has adopted resolutions on the economic and social impact of Israeli settlements on the Palestinian population in the OPT, including Jerusalem, and on the Arab population of the Syrian Golan (resolutions 1992/57, 1993/52, 1994/45, 1995/49 and 1996/40 of 26 July 1996) [UN, 2014].

Water resources in the West Bank and Gaza Strip have been completely controlled by Israel since 1967. This control is exercised through special Israeli bodies. This includes both drinking water and water for agricultural irrigation and other uses. For example, in 1980, the annual water consumption per Palestinian inhabitant in the OPT was 35 m³ in towns and 15 m³ in villages. In the Jewish settlements, on the other hand, consumption was set at 90 m³ per inhabitant. These rates clearly illustrate the discrimination suffered by the Palestinian population in this area. This situation has

created serious problems for the Palestinian population (poor sanitation, high levels of pollution, high levels of salinity, lack of public hygiene, spread of infectious diseases, etc.). In agriculture, for example, Jewish settlers in Gaza had the right to drill new wells. Palestinian farmers, on the other hand, were subject to strict water quotas and heavy fines for over-consumption [UN, 1990].

Israel has used every means to control and dominate the Palestinian economy in the OPT. It has erected physical barriers and imposed policies, procedures, commercial practices and sectorial developments that have favoured the dominance of the Israeli economy. The result has been to reduce the ability of Palestinians to compete in the marketplace [UN, 1990].

Cutting off humanitarian aid

Many UN agencies and programmes have been actively involved in providing assistance to the Palestinian people. These include the FAO, the International Atomic Energy Agency, the International Civil Aviation Organization, the International Fund for Agricultural Development, the International Labour Organization, the International Maritime Organization, the International Telecommunication Union, the International Trade Centre, the UN Development Fund for Women, the UNESCO, the UN Environment Programme, the Office of the UN High Commissioner for Human Rights, the UN Industrial Development Organization, the UN Institute for Training and Research, the UN Population Fund, the UN Volunteers, the Universal Postal Union, the World Food Programme and the World Health Organization. Since 1949, UNRWA has also provided humanitarian assistance to Palestinian refugees, including in refugee camps in the OPT [UN, 2014].

In its resolutions, the UNGA rejected Israeli restrictions on foreign economic and social aid to the Palestinian people in the OPT.

During the armed conflict in Gaza that began in October 2023 and continues to the present, humanitarian aid has been suspended and blocked, resulting in a substantial and severe humanitarian famine for Palestinians that's without precedent in the modern era. Furthermore, the operations of the UNRWA in the OPT were suspended, and this action precipitated the closure of all UNRWA agencies in these territories.

Ignoring international laws and conventions

Zionist leaders rejected Britain's offer (1903) to establish an "autonomous Jewish colony" in Uganda and demanded to be established in Palestine [Avineri, 1983]. According to Pipes (1994) and El-Ghadiry (2022), other potential locations were considered by early Zionist leaders, including Cyprus, Sinai, Mesopotamia, East Africa and Argentina. Additionally, there was also the Soviet plan to establish Birobidzhan, a remote region of Siberia, as a homeland for the Jews.

According to Avineri (1983), most of the world's 7.5 million Jews in the mid-nineteenth century were concentrated in Central and Eastern Europe, particularly Russia and Poland.

For more than half a century, Zionism's ongoing predatory activities have largely destabilised the balance of power in the entire Eastern Mediterranean region and beyond [Gilquin, 2000].

On 25 March 1999, at its Berlin Summit, the European Union (EU) reaffirmed the Palestinians' absolute right to self-determination, including the option of statehood, and expressed its willingness to consider the recognition of a Palestinian state [UN, 2014].

Under the terms of the 1995 Interim Agreement, the two parties, Israel and the Palestinians, undertook not to take any measures that would change the status of the West Bank and the Gaza Strip [UN, 2014].

UNGA Resolution 55/55, adopted on 1 December 2000, stresses the need to respect the inalienable rights of the Palestinian people, including the right to self-determination, the withdrawal of Israel from the OPT since 1967, and the resolution of the issue of Palestinian refugees [UN, 2014].

The references in the preamble paragraphs of UNGA Resolutions 181 (II) and 194 (III) to the establishment of Israel and the right of Palestinian refugees to return to their homes imply Israel's recognition of the continued existence of a Palestinian Arab entity constituting the independent state of Palestine according to the UN partition plan. However, the Zionist entity has never recognised this and considers the part of Palestine it occupied in 1948 as an integral part of the Jewish state [UN, 2014].

Andersen (2019) noted that Israel has benefited from the specification of the Israeli-Palestinian conflict as 'ethnic' to continue its expansionist barbarity in the OPT, using IL, which is merely a tool of Western imperialism. Thus, he pointed out that IL has retained the same concepts of ethnicity and self-determination in its colonial reasoning and role, especially in relation to the law of armed conflict.

Anghie (2006) posits that the colonial and postcolonial realities of IL have been demonstrated by academic studies. The foundational concept of this law, namely sovereignty, has been profoundly influenced by the historical phenomena of colonialism and imperialism. The underlying purpose of IL has been substantiated by the civilising mission to govern and transform non-European peoples.

Europe's determination to apply the UN resolutions in the case of Iraq isn't the same in the cases of Cyprus, Lebanon and Palestine. In application of the principles of IL, the EU, in the context of its security, should have exerted decisive pressure on the parties involved in the conflicts in the Mediterranean region with a view to stabilising it. Such interventions should have ensured the development of the societies of the region and the intensification of cooperative relations between them. Atlantic tendencies, old guilt, electoral concerns, and Israel's desire to keep Europe out of any negotiations have combined to produce a certain collective impotence [Serravalle, 1992].

Thwarting the peace process

Intensive international diplomatic efforts were made during the 1990s to resolve the problem of Palestine. These efforts took the form of bilateral and multilateral negotiations, both at the UN and elsewhere. First, a conference on peace in the Middle East was held in Madrid in 1991. It brought together for the first time all the parties to the Arab-Israeli conflict to discuss the question of Palestine. The aim of the negotiations was to find a comprehensive solution based on Security Council (SC) resolutions 242 (1967) and 338 (1973) and on the principle of 'land for peace' [UN, 2014].

This was followed in 1993 by private talks in Norway and elsewhere between the Israelis and the Palestine Liberation Organisation (PLO). These talks led to the signing of the Oslo Accord I in Washington, which included the Declaration of Principles on Interim Self-Government Arrangements [UN, 2014].

In 1994, following bilateral negotiations between Israel and the PLO on the implementation of the said Declaration of Principles, an agreement was reached in Cairo concerning the Gaza Strip and the Jericho region. It marked the beginning of a five-year transition period that was supposed to lead to a permanent settlement agreement. It was also intended to lead to the first withdrawals of Israeli troops and the transfer of powers to the Palestinians. In the same year, a protocol on economic relations between the government of Israel and the PLO was signed in Paris. Another agreement was signed in 1994 on the preparatory transfer of powers and responsibilities, aimed at extending the Palestinian Authority's (PA) control over Palestinian civil affairs to the West Bank [UN, 2014].

In 1995, the Oslo II Interim Agreement on the West Bank and Gaza Strip was signed in Washington by the Israeli and Palestinian parties. Under the terms of this agreement, Israel and the PLO *'reaffirmed that the interim self-government arrangements provided therein were an integral part of the whole peace process and that the negotiations on permanent status, to start as soon as possible but not later than 4 May 1996, would lead to the implementation of Security Council resolutions 242 (1967) and 338 (1973)'* [UN, 2014, p. 52]. However, the UN has noted flagrant violations by Israel of the spirit of the signed agreements. The illegal confiscation of land for settlements, particularly in and around occupied East Jerusalem, is one example [UN, 2014].

Nevertheless, following elections in 1996, a new coalition government came to power in Israel, led by Prime Minister Benjamin Netanyahu of the Likud party. From the outset, Netanyahu's opposition to seeking a peace settlement in exchange for land as part of the peace process with the PLO was clear [UN, 2014].

Despite the signing of the Hebron Accord in 1997, the peace process since then has seen many Israeli backtracks on what was agreed in previous agreements (colonial settlement policies, proposition of a new Israeli plan 'Allon Plus', blocking Palestinian tax transfers, internal closures in the West Bank and Gaza, freeze on negotiations on the permanent status of Palestine, rejection of redeployment of Israeli troops, refusal to release Palestinian prisoners, etc.). These Israeli practices were the beginning of the stalemate in the Middle East peace process [UN, 2014].

Another chance for peace came when the Israeli and Palestinian parties signed the Wye River Memorandum in Washington in October 1998. But once again it was a lost cause. In December of that year, the Israeli government decided unilaterally to suspend implementation of the memorandum [UN, 2014].

In 1999, the Israeli and Palestinian parties signed the Sharm el-Sheikh Memorandum. The aim was to end the freeze on the timetable for fulfilling outstanding obligations under previously signed agreements and to resume permanent status negotiations [UN, 2014].

But suddenly the United States (US) has turned its back on the entire peace process in the Middle East initiated by President Jimmy Carter. In a message to outgoing President Barack Obama in 2016, Carter wrote: *'I fear for the spirit of Camp David'*. Before leaving office, Carter told Obama that the US should grant diplomatic recognition to the state of Palestine. He was the first and last American president to speak openly of a Palestinian "homeland". In his view, this action would thwart the reality of a single state that Israel is imposing on itself and the Palestinian people. It was also the first time since 1948 that American officials had acknowledged the issue of Palestinian political rights. Previously, they had only granted them humanitarian rights [Anziska, 2018].

In the final year of President Obama's second presidential term, the US government caused frustration by withdrawing from diplomatic leadership. During this period, the US opted not to participate in a vote aimed at expressing disapproval of Israeli settlements, while also endorsing an accord that led to a substantial augmentation for military assistance provided to Israel by the US. This sequence of events undoubtedly encouraged Israel to develop a status quo in relations with the Palestinians on the peace issue [Leech-Ngo, 2019].

Shlaim (2016) posits that the primary factor contributing to the failure of the Oslo Accords to successfully address the on-going conflict is the non-compliance of Israel with the terms of the agreement. This is evidenced by the continuation of Israel's policy of expanding settlements in the West Bank. This has resulted in a loss of confidence on the part of the Palestinians in the peace process, leading to a resumption of their resistance. This dynamic has consequently impeded the formation of a viable Palestinian state, a pivotal solution for the resolution of the conflict.

According to Ha'aretz of 15/10/2004, Israeli lawyer Dov Weissglass, Sharon's advisor and architect of the disengagement plan and the Israeli-American positions on the plan, stated that the objectives were to counter and stop the alternative political plans proposed by the peace process, especially the road map, and to ensure that terrorism was the main problem and that there was no Palestinian partner [Ghanem, 2007].

From 1948 until March 2024, the SC passed 229 resolutions concerning three primary issues related to Palestine: Israeli colonisation, the status of Jerusalem, and the repatriation of Palestinian refugees. However, these resolutions, which are normally binding, have remained ineffective due to Israel's non-compliance.

Building a new regional order to face a new world

The statements regarding the plan to remove the 2 million inhabitants of Gaza and establish an American-owned 'Côte d'Azur' region unequivocally substantiate the notion that Israel has already become a 51st state, and it is anticipated that Gaza will imminently become the 52nd [MacArthur, 2025]. Nes (1971) already formulated this conclusion based on the privileged status granted by the US to Israel (volume of economic and military assistance, possession of nuclear weapons, and exchange of political, economic and military intelligence, etc.).

The political strategy adopted after 2001 by the Israeli-American alliance in the conflict over Palestine, with the aim of replacing the dynamic of "territories for peace" with "peace for peace", led to an impasse in the creation of the Palestinian state and consequently provoked unrest and violence in the region. The events of October 2023 undermined the foundations of the world order established since 1945 [Kepel, 2024].

The Israeli-Palestinian conflict and the intervention of other parties (Hezbollah in Lebanon, the Houthis in Yemen, some military factions in Iraq, Iran, the US Navy and the British Navy) almost triggered the Third World War. Israel's mercilessness has gone too far. 45,000 tonnes of American bombs have been dropped on Gaza and its 2.2 million inhabitants. The enclave is only 365 km². In other words, 120 tonnes of bombs per km². In economic and commercial terms, the war has had a significant impact on international maritime trade [Kepel, 2024].

Many manifestations were held in many capitals and cities of the world, and many sit-ins were organised in many university campuses, including in Europe and the US, to manifest the hecatomb in Gaza. This new situation has made it necessary to rethink the Palestinian cause [Kepel, 2024].

But the recognition of Palestine as a member of the UN in May 2024 by many countries (148 out of 193) and the recognition of the State of Palestine by Spain, Ireland, Norway and Slovenia, as well as the intention of France to take the same decision, have led to the counteraction of the above-mentioned Israeli-American strategy [Kepel, 2024].

DISCUSSION

As demonstrated above, Israel has utilised a variety of irregular actions to establish a *fait accompli* in Palestine. It disregarded all matters pertaining to IL and IHL, thereby effectively thwarting all endeavours aimed at facilitating the peace process.

Also, Israel continues to disregard the tenets of the law of treaties, as codified primarily in the 1969 Vienna Convention on the Law of Treaties. This includes the principle of *pacta sunt servanda*, which stipulates that treaties must be honoured and that, upon entering into force, States are bound to implement their provisions in good faith. Israel didn't honour its commitments when it gained access to the United Nations (UN) in 1948. This was evidenced by its subsequent colonisation of the

Palestinian territories in 1949 and 1967. Furthermore, it hasn't honoured all of its obligations to the various UN agencies.

The Zionists categorically deny the Palestinian people's right to exist. Yet the historical documents are there. The UN documents reveals that a special message from the British government dated 4 January 1918, carried personally by Commander David George Hogarth to Sherif Hussain, states that "*the Entente Powers are determined that the Arab race shall be given full opportunity of once again forming a nation in the world ... So far as Palestine is concerned, we are determined that no people shall be subject to another*" [UN, 1990, p. 4].

The Zionists posit that Palestine was a land devoid of population, civilisation or governance: "A land with no people, to people with no land". However, these assertions are demonstrably false when considered from a historical perspective. Indeed, it's an irrefutable fact that the region was the place of descent of religions and messengers, and therefore represented a spiritual and religious value for the many visitors to religious sites. Furthermore, it was a pivotal hub for trade, serving as a crucial nexus for caravan routes, connecting the three major continents of the era: Europe, Africa, and Asia. The region was also distinguished by its fertility, its water resources, its seas which facilitated the establishment of agricultural and fishing communities, and the trade of some raw materials, like tar and salt. Consequently, Palestine was inhabited by its original population, the Palestinians since the Antiquity. Also, the Arab regions and the Middle East were governed by a succession of Islamic governments and states from 632 to 1924 AD. The last Islamic state to rule the Arab region, from 1516 to 1918 AD, was the Ottoman Empire [Al-Ghadiry, 2022].

The concept of Judaism is one that encompasses a combination of cultural, religious, ethnic, and lifestyle elements. While it may be considered a form of identity, it doesn't necessarily align with the concept of nationality [Levy-Coffman, 2005].

From the inception of the Zionist movement, its fundamental objective was to alter the demographic composition of Palestine through the implementation of a strategy aimed at creating an imbalance of power and the subsequent imposition of a Jewish predominance. The implementation of this strategy was intended to facilitate the establishment of control over the territory by the Zionists.

In the matter of genocide, we can say that Israel uses all possible actions to reach all the goals identified by Lemkin as dimensions to the objectives of genocide: "*These are the disintegration of political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups*" [Lemkin, 2008, p. 79]. However, the question arises as to why the Genocide Convention has enabled the arrest and punishment of perpetrators of genocide in the former Yugoslavia, Rwanda and Cambodia, but not in Palestine.

A plethora of scholars, intellectuals, historians and religious figures have consistently opposed Israel's and Zionist's policies like Stefan Zweig, Walter Benjamin, Zygmunt Baumann, Hannah Arendt and Claude Montefiore [Bishara, 2019]. The most prominent anti-Zionist figure was Jacob Israel de Haan. His militancy cost him his life at the hands of the Hagana in 1924.

It must be acknowledged that the Palestinians changed their policy during the international peace initiatives from the 1980s onwards. They clearly opted for diplomatic solutions rather than armed resistance in the struggle for self-determination. Unfortunately, the situation turned violent again when Israel violated its previous commitments and tightened the noose around the Palestinians, killing, imprisoning, persecuting, destroying their homes, bulldozing their land, displacing them, and continuation of expanding settlements, etc. Gaza, the West Bank, Jerusalem were the scenes of these cruel operations. This situation has also led to a decline in the policy of certain transnational actors

who have supported the peace process and have been unable to force Israel to honour its commitments, instead supporting it in its constant violations of IL and IHL. Until now, the Palestinian search for self-determination has been incomplete.

Israel has cultivated a defensive posture regarding its foreign policy, often perceiving any criticism as anti-Semitic. However, it's important to acknowledge that Israel's actions and policies have been the subject of criticism on the grounds of anti-Semitism. For instance, in its editorial of 18 May 2023, entitled "Israel's Flag March of Shame", Haaretz draws attention to the fact that, during the annual flag march marking the 56th anniversary of the reunification of Jerusalem, thousands of Israelis chant racist, hateful and violent words such as "death to the Arabs" [Haaretz, 2023]. It's important to note that this perspective overlooks the fact that Arabs are also considered to be Semites.

It's also observed that there has been a shift in the global order, precipitated by the West's withdrawal from the gains achieved by the Palestinian cause in various international forums. These include the UNGA, the SC, the International Court of Justice (ICJ), the International Criminal Court (ICC), the Camp David and Oslo I and II agreements, and numerous others. In support of this new course, the US and some European countries exercised a policy of pressure on the UN and its organs by fabricating a financial crisis for the UN as a result of not fulfilling financial pledges on time or cutting them off altogether.

This objective is declared solemnly by Yinon (1982), who presented a plan for the dismemberment of the Arab states. This constitutes the reference point for the Bush administration's project to 'reshape the Middle East'.

CONCLUSION

More than a century has passed since the British colonialists occupied the land of Palestine and handed it over to the Zionists to establish their state. However, their cause continues to languish in the corridors of the UN and international political circles without any justice being done to them by granting them their right to self-determination and enabling them to establish their own independent state and the persistence of Palestinian statelessness.

Over the years, the fate of the Palestinians has been the subject of various alternatives to an independent state, such as confederation with Jordan, limited autonomy for local entities and now the purchase of Gaza. Through a combination of internal political and diplomatic decisions, Western military, economic and political support, falsification of historical facts, changing demographics, adapting legal notions of settlements, normalising conceptual debates about the meaning of autonomy and self-determination with Zionist ideology, military and non-military interventions, genocidal operations, the eradication of the Palestinian heritage and the obliteration of the Palestinian identity, the hebraising and desecration of landmarks and holy sites, the tightening of the economic, commercial and social blockade, the control of natural resources, the reneging on treaties to which it has committed itself, and the undermining of international efforts to bring peace to the Middle East, Israel has succeeded in preventing Palestine from regaining its sovereignty and statehood.

It has become clear to the whole world that the acts of genocide and forced displacement carried out by Israel against the Palestinian people strike at the heart of IL and IHL and work to undermine it with the help and support of some great countries. The Zionist entity will only be deterred by the unity and collective action of countries of conscience, in order to end impunity and enforce respect for IL and IHL. The issue doesn't concern the fate of the Palestinian people alone, but goes beyond it, because the future of humanity as a whole is systematically threatened if IL and IHL collapse.

The Palestinians, together with the Arabs, responded to the international calls for peace in the region and made concessions on land and other issues, but the Israeli entity, as usual, persisted in its arrogance

and continued to annex Arab lands. It has continued to violate all peace initiatives and the resulting treaties and agreements it has signed, as well as its flagrant violations of the principles of IL and IHL. It's undeniable that after the hope created by the peace process, there has been great disillusionment caused by Israel's unilateral and deliberate disengagement from the Palestinian conflict.

It's lamentable that the recent aggression against Gaza has demonstrated that the global community has become dehumanised. This's evidenced by the world's passive observation of the on-going massacres perpetrated against the people of Gaza and the West Bank for over 21 months. These atrocities have been perpetrated in an overt operation aimed at eradicating an entire population.

Also, the brutal aggression against Gaza has revealed the extent of the falseness of the masks of humanity, human rights, children's rights, women's rights, democracy and the right of peoples to self-determination that the Western countries wear and claim to fight for and work to respect.

A carefully constructed sentence is able to encapsulate both the obsolete vision and conduct of Westerners: *'In a "broken" world, the careless use of force by Westerners backfires, as they are always suspected of a desire to interfere, dominate and humiliate'* [De Villepin, 2016, p. 6].

Finally, without the political will of the major powers to implement the UN resolutions and the outcomes of the peace process for a just solution for the Palestinian people, and as de Crousaz (2005) concluded his article: *"otherwise, there will be no hope of calmer days ahead for the region"*.

REFERENCES

- Abdullah, D. (2019). A century of cultural genocide in Palestine. In *Cultural Genocide* (pp. 227-245). Routledge.
<https://library.oapen.org/bitstream/handle/20.500.12657/52769/1/9781351214094.pdf#page=238>
- Al-Abed, Badi (2019). "Al-masadir at-tarikhiyah wa ar-riwayah al-Qur'aniah al-moghayabah fi tarikh Falastine wa Al-Qods" (Historical Sources and the Absent Qur'anic Narrative in the History of Palestine and Jerusalem, *KAN*, Vol. 12, n° 43, pp. 157-173. DOI: 10.12816/0054917
- Al-Allami, Mohamed (2011). "Ishkaliat tarikh Falastine al-kadim" (Problems of the Ancient History of Palestine), *Magazine General of Union of Arab Archaeologists*, Vol. 12, p. 112. ISSN: 2536-9822
- Al-Ghadiry, Fawzy (2022). *History of Palestine*, Kindle Edition, 69 pp.
<https://www.kalamullah.com/Books/History%20of%20Palestine.pdf>
- Al-Kayyali, A. A. W. (1978). *Palestine: A Modern History*. London: Groom Helm, 192 p. [PMH-libre.pdf](#)
- Al Jazeera (2025a). Historian who served in the occupation army: Israel is a temporary homeland and proved to be a weak thug, Interview published on 17 February 2025.
<https://search.app/s69r6rB2Fxxv4penr9>
- Al Jazeera (2025b). Are DNA tests threatening Israel's 'Jewish statehood'?, published on 12 February 2025. <https://www.aljazeera.net/politics/2025/2/12>
- Andersen, K. P. (2019). Of Jews and Arabs: 'Ethnic' Violence and the Purview of International Law, Canadian Political Science Association. <https://www.cpsa-acsp.ca/documents/conference/2019/11.Andersen.pdf>
- Anghie, A. (2006). The evolution of international law: colonial and postcolonial realities. *Third world quarterly*, 27(5), 739-753. <https://doi.org/10.1080/01436590600780011>

Anziska, S. (2018). *Preventing Palestine: a political history from Camp David to Oslo*. Princeton University Press. <https://doi.org/10.2307/j.ctv346sxm>

Avineri, Shlomo (1983). The Roots of Zionism, *The Wilson Quarterly*, vol. 7, pp. 46-61. http://archive.wilsonquarterly.com/sites/default/files/articles/WQ_VOL7_NY_1983_Article_01.pdf

Berthomiere, William (2000). L'immigration d'ex-URSS et les colonies de Cisjordanie et de Gaza. *Revue Européenne des Migrations Internationales*, 16 (3), pp. 201-218. DOI: 10.3406/remi.2000.1750

Bishara, Azmi (2019). Is Anti-Zionism a Form of Anti-Semitism? Anti-Zionism as a Jewish Phenomenon, *Arab Center for Research and Policy Studies*, Washington, DC., vol. 3. *Anti-Zionism as a Jewish Phenomenon*-libre.pdf

de Crousaz, P. (2005). Le facteur démographique dans la détermination par Israël de ses frontières avec les Palestiniens. *A contrario*, 32(2), 66-098. <https://shs.cairn.info/revue-a-contrario-2005-2-page-66?lang=fr>

De Villepin, D. (2016). *Mémoire de paix pour temps de guerre* (A memoir of peace in a time of war). Eds. Grasset, 672 pp. ISBN: 9782246859710

Egorova, Yulia. "The proof is in the genes? Jewish responses to DNA research." *Culture and Religion* 10.2 (2009): 159-175. <https://doi.org/10.1080/14755610903077554>

Faraj Allah, Ahmed Yousef (2005). "Ightisabo tarikh Falasatine wa atharoha" (The Rape of Palestine's History and Archaeology), *Yearbook of the General Union of Arab Archaeologists*, Article 28, vol. 8, Issue 1, pp. 660-707. DOI: 10.21608/cguuaa.2005.39842

Ghanem, As'ad. (2007). Israel and the danger of demography, p. 48-74, in *Where Now for Palestine?: The Demise of the Two-State Solution*, Ed. by Jamil Hilal, Zed Books, 273 pp., . ISBN: 978 1 84277 839 5

Gilgenkrantz, S. (2002). Les mères juives des origines. *M/S: médecine sciences*, 18(11), 1069–1069. <https://id.erudit.org/iderudit/000461ar>

Gilquin, M. (2000). Mythes et réalités du sionisme. *CEMOTI, Cahiers d'Études sur la Méditerranée Orientale et le monde Turco-Iranien*, 30(1), 334-336. https://www.persee.fr/doc/cemot_0764-9878_2000_num_30_1_1793

Hamdan (1996). "Al-yahud anthroplogian" (Jews anthropologically), *Kitab Al-Hilal*, Dar Al-Hilal, V. 542, ISBN: 977-07-0450-4

Haaretz, (2023). Israel's Flag March of Shame, *Haaretz editorial*, published on 18 May 2023. <https://www.haaretz.com/opinion/editorial/2023-05-18/ty-article-opinion/israels-flag-march-of-shame/00000188-2b58-df65-abfc-eb592d950000>

IMEU, (2024). Quick Facts: Palestinian Refugees, *Institute for Middle East Understanding*, published on 19 June 2024. <https://imeu.org/article/quick-facts-palestinian-refugees>

Kepel, Gilles (2024). *Le Bouleversement du Monde – L'après 7 octobre* (The Upheaval of the World - After 7 October), Ed. Plon, Paris, 102 pp. ISBN: 978-2-259-32089-4

King Jr., Martin Luther (1963). Letter from the Birmingham Jail, *The Christian Century: An Ecumenical Weekly*, pp. 767-773. <https://teachingamericanhistory.org/document/letter-from-birmingham-city-jail-excerpts/>

- Leech-Ngo, P. (2019). Shock absorption: Palestinian–Israel status quo 2009–17. In *Routledge Handbook of International Relations in the Middle East* (pp. 362-375). Routledge. ISBN: 9781315229591
- Lemkin, R. (2008). *Axis rule in occupied Europe: Laws of occupation, analysis of government, proposals for redress*. The Lawbook Exchange, Ltd., 674 pp. ISBN: 9781584779018
- Levy-Coffman, E. (2005). A mosaic of people: the Jewish story and a reassessment of the DNA evidence. *Journal of Genetic Genealogy*, 1, 12-33. <https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=6f35c264b17a6fc623ccdd69f525d3f4df1c6cc7>
- MacArthur, John R. (2025). Israel, the 51st State, *Harper's Magazine*, published on 19 March 2025. <https://harpers.org/2025/03/israel-the-51st-state/>
- Mousa, Raed (2025). Under the bombardment in Gaza. Local team saves history buried under rubble, *Al Jazeera*, published on 1 March 2025. <https://search.app/F11hkPKY2FmAMoUx6>
- Nes, David G. (1971). Israel - The 51st State? *The New York Times*, p. 29, published on 5 June 1971. <https://www.nytimes.com/1971/06/05/archives/israel-the-51ststate.html>
- Pappé, I. (2007). *The Ethnic Cleansing of Palestine*, Oneworld Publications, 336 pp. ISBN-13: 978-1851685554
- Pipes, Daniel (1994). Imperial Israel: The Nile-to-Euphrates Calumny, *Middle East Quarterly*, vol. 1, n^o 2, 22 p. <https://www.meforum.org/middle-east-quarterly/imperial-israel-the-nile-to-euphrates-calumny?gathStatIcon=true>
- Rowley, G (1989). Developing perspectives upon the areal extent of Israel: An outline evaluation. *GeoJournal*, vol. 19, pp. 99–111. <https://doi.org/10.1007/BF00174640>
- Sarjani, Ragheb (2015). “*Khotato Az-Zamane - Kissato Falastine mondo dohouri al-Insan ila Zamanina*” (A Timeline - The Story of Palestine from the Emergence of Man to our Time), Al-Fursan Est. for Publishing and Distributing, Amman, Jordan, 266 pp. ISBN: 9789957606206
- Serravalle, R. (1992). Les Douze au Proche-Orient: deux poids, deux mesures? *Revue d'études palestiniennes*, (1), 173-179. <https://shs.cairn.info/revue-d-etudes-palestiniennes-1992-1-page-173?lang=fr>
- Silver, Charlotte (2016). : Israel's false spin on UNESCO Jerusalem vote, *The Electronic Intifada*, published on 15 October 2016. <https://electronicintifada.net/blogs/charlotte-silver/israels-false-spin-unesco-jerusalem-vote>
- Shlaim, A. (2016). The Rise and Fall of the Oslo Peace Process. International relations of the Middle East, 3rd ed., edited by Louise Fawcett, Oxford University Press, chap. 13, p. 268-285. ISBN 978-0-19-960827-0.
- Troen, S. I. (2007). De-Judaizing the homeland: Academic politics in rewriting the history of Palestine, *Israel Affairs*, vol. 13, n^o. 4, October 2007, pp. 872–884. DOI: 10.1080/13537120701445372.
- United Nations, (1990). *The Origins and Evolution of the Palestine Problem, Part I (1917 - 1988)*, New York, 287 pp. https://digitallibrary.un.org/record/files/ST_SG_SER-F_1_PART_I-IV-E
- United Nations, (2014). *The Origins and Evolution of the Palestine Problem, Part V (1989 - 2000)*, New York, 93 pp. <https://www.un.org/unispal/wp-content/uploads/2017/05/OE-Part-V.pdf>

Waltz, V. & Isaac, J. (Eds.) (2010). *The Fabrication of Israel*. Dortmund, 286 pp. <https://das-palaestina-portal.de/Walz/finalonefile.pdf>

Whitelam, Keith W. (1996). *The Invention of Ancient Israel - The Silencing of Palestinian History*, 1st ed., 296 pp., Routledge, London. <https://doi.org/10.4324/9781315812649>

Whitelam, K. W. (2018). The death of biblical history. In *Revealing the History of Ancient Palestine* (pp. 281-299). Ed. Pfoh, E., Routledge, 1st ed., ISBN: 9781351260404

Yinon, O. (1982). Stratégie pour Israël dans les années 80. *Revue d'études palestiniennes*, vol. 0, n° 5, 73. Beirut, Lebanon.
<https://www.proquest.com/openview/dc5d3cfa61602f2e3608e75d437ee702/1?pq-origsite=gscholar&cbl=1817658>