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**Israel and Palestine conflict : whose actions are legal ?**

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*“It's not just about land, but it's about having the right to self-determination”**– Dr. Serpil Atamaz<sup>1</sup>***ABSTRACT :**

The conflict between Israel and Palestine is a very talkative issue throughout the world. So, before we start talking about it first, we try to understand something more about Israel and Palestine like their geographical areas and backgrounds. So firstly, we are going to talk about Israel it is a country in western Asia that is situated on the South Eastern shore of the Mediterranean Sea. It defined itself as a state of Jewish and democratic people. People kept the country name Israel from ancient Egyptian encryption which was about 1200 BCE and which has first appeared in the Merneptah Stele. People of Israel spoke a language known as the Hebrew language which is the Archaic form of the Hebrew language. The capital of Israel is Jerusalem.

The country Palestine, which is officially known as the state of Palestine is basically located in western Asia. It is officially governed by the PLO. Since the sixth day war of 1967 Israel has occupied the claimed territory (West Bank and Gaza Strip) of Palestine as a result, they both are divided into 165 Palestinian enclaves that or controlled by Palestinian National Authority, and the rest including 200 Israeli settlements are fully controlled by Israel. Hamas, the militant Islamic group has the control of Gaza Strip. Jerusalem is also the capital of Palestine.

**Historical background behind the conflict :**

The conflict between Israel and Palestine is not of today it is of very old times which can be traced back to the late 19th century. Before the 19th century from 1516 to 1917, the land of the middle east along with the Eastern Mediterranean portion was being ruled by Ottoman Turkish Empire under this Empire's rule by three different religions. People lived together which were Jews, Muslims, and Christians and they shared the same part of the land of the Middle East. The Old Ottoman empire was removed when in world war I in 1918. After some

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<sup>1</sup> He was the history professor at Sacramento state.

discussion, it was decided in 1922 to have Great Britain act as Palestine Administrator. This was done only for a temporary time until the Palestine was recognized as a fully independent nation but it was never reached. The British government also had given assurance about creating a Jewish state in Palestine to the Zionist organization<sup>2</sup>. In eastern Europe Jews constituted a nation where they were an ethnic group and deserve their own state. As with the rise of religious and racist sentiments, it led to the massacring or mass killing of people in Russia and eastern Europe in the 19th century. In Europe Jews were also discriminated, harassed, and persecuted these all reasons led to the immigration of Jews to Palestine (Which day all feel safe and the British government also promised a separate nation.) from Yemen, Morocco, Iraq, and Turkey. That was the age of nationalism so the same was done by Jews to create a separate nation. But the main problem was where they wanted to establish their state in Palestine. It was inhabited by an Arab majority who had been living there for more than a thousand years. Local leaders of Palestine were against Zionism and wanted to merge with other big Arab countries. Jews at the same time started to think that they should increase their number so that they can claim Palestine. But there was a turning point in this conflict when Great Britain announced the Balfour Declaration of 1917 during World War I.

This declaration allowed to use to create a Jewish state in Palestine this also has not provided Palestinian Arabs their political and national right which over time provoked them to disapprove of the mandate and rebel against it. The British government allowed the Jews to migrate to Palestine, purchase land in it, and got a chance to settle in it properly. Due to this reason of Britain, many Palestinian lost their homes and jobs which created a lot of tension between both groups Britain tried to satisfy both sides but it was next to impossible because both communities have different ideas and versions of this territory.

The British attempt failed which led to the Arab revolt of 1936. In which Arabs rising was sustained. The British government sent Peel Commission in 1937 to investigate a solution which was to divide 15 into 3 zones –

- Arab state.
- the Jewish state.
- Neutral territory containing the holy places.

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<sup>2</sup> It is an non- governmental organization that promotes zeonism..

In 1939, the British government issued a white paper that rejected the Peel commission's plan for not ending. This document stated that Palestine would neither be a Jewish state nor an Arab state but rather it will be an independent state. This also stopped the immigration of Jews in Palestine but they still were desperately trying to skip from Nazi-dominated Europe during World War 2. In 1947 as violence increased U.N. decided to form a special committee on Palestine UNSCOP which talked to a citizen of Palestine and made some investigation and came up with a plan to create two states in Palestine for both communities. But still, this plan was not accepted by Arabs as Jews owned almost about 10% of land in Palestine and now, they were getting 55% of the land, and Arabs who were in majority were only getting 45% of the land. In 1948, Britain gave up its mandate and let Jews and Arab decide to fight whatever they wanted. On May 14, 1948, Israel has officially declared an independent state near Arab countries tried to stop Israel from becoming independent but it ended in the defeat of Arabs.

Due to its separate agreement between Israel and the neighboring states of Egypt, Lebanon, Transjordan, and Syria. They agreed to form armistice lines around it. During this war of independence Israel also gained some territory that was formally given to Palestine. Egypt and Jordan had taken control of the Gaza Strip and the west bank. Almost about 1 million Palestinians were forced to leave because suddenly their land of living become Israel. Palestinians remembered this war as 'Nakba' which led to the displacement of Palestinians. There were many other wars between Arab countries and Israel but the war of 1967 was the most important one after which Israel gained its size and captured the remaining Palestinian territory but this occupation was temporary as it was regarded as illegal by U.N. But the West Bank, East Jerusalem, and the Gaza Strip are still under Israel control.<sup>3</sup>

#### **Recent cause of conflict :**

The conflict between Israel and Palestine was given a blow and again it started from the month of April at the beginning of Ramzan of 2021. It triggered the conflict when Israel put a limitation on the number of people entering in Al Aqsa Mosque. This conflict was also triggered on 6 May when in East Jerusalem protests by Palestinian begin on a decision of the Supreme Court of Israel. On 7 May as according to the media channel of Israel 12 Palestinians threw some stones at the police force of Israel. Then they ran away to the Al

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<sup>3</sup> <https://www.un.org/unispal/document-source/united-nations-special-committee-on-palestine-unscom/>

Aqsa Mosque, police in order to catch them stormed the Al Aqsa Mosque compound using bullets, tear gas, and stun grenades. This promoted protests around the world. Then the people started doing violence against each other, firstly on Qadr night on 8 May which was observed by Muslims, then on Jerusalem day on 9 to 10 May. On this Jerusalem Day Parade (Known as the dance of flag) was going on and it was canceled after a few moments because of heavy violence more than about 600 people were injured which were mostly Palestinians which drew attention to International Condemnation. On the afternoon of 10 May a warning to remove security from the Temple Mount complex and of Shaikh Jarrah by 6 PM was given by Hamas. But this was not followed by Israel. So as a result, both Hamas and PIJ (Palestinian Islamic Jihad) launched rockets at Israel but only a few of them were able to hit Israel residents and a school due to the Iron Dome technology of Israel. Then Israel started an air strike as a result of which on 16 May – 950 targets have struck and damaged about 18 buildings which include 4 height towers, 40 schools, 4 hospitals, and 19 medical facilities were damaged. By 17 May U.N. calculated the air strike by Israel destroyed a lot of buildings and as a result of which 256 Palestinians including 66 children were killed.

In Israel, 13 people and two children were killed. On 13 May Hamas called for a ceasefire but it was rejected by Israel's PM Benjamin Netanyahu. On 21 May Egypt mediated a ceasefire between both which ended 11 days of fight after which both claimed victory. Again, on 16 June 2021 bomb balloon was launched from Gaza to hurt Israel, but the airstrike of Israel responded again and continued the fight.<sup>4</sup>

### CONCLUSION :

As the most recommended solution is the two-state solution suggested by the European Union, the United Nations, the United State of America, and Russia. On the other hand, the democratization of Palestinian people through new leadership is important. The issue must be treated as the Israel-Arab conflict rather than Israel Palestine conflict. Both Israel and Palestine should try to adopt legal ways recognized by the UN General assembly and Security Council. The issue can only be solved by the international community. As both, sides have violated human rights listed by UNHRC (United Nations human right commission) so both should not try to adopt legal ways only and try to resolve the conflict.

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<sup>4</sup> <https://news.un.org/en/story/2021/05/1092482>