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Table of Contents

<i>Palestine: The True History of a Name.....</i>	<i>4</i>
<i>Ceasefire Plan: Israel – Palestine</i>	<i>11</i>
<i>International Law in Practice.....</i>	<i>18</i>
<i>Still waiting</i>	<i>23</i>

This journal is a product of the students' hard work and dedication to the discipline of International Relations outside of their classroom endeavors. It is meant to inspire academic excellence and foster critical thinking to their fellow students both from the ACG community and outside of it. I'm more than proud to be part of a hardworking editorial team and I hope the readers of the journal enjoy reading it as much as we enjoy producing it.

Tsaparas Spyros - Editor

Palestine: The True History of a Name

Dispelling the Myth of the ‘Historical Palestinian’

By Foivos Chondrelis

Introduction

Commonplace debates about Palestine and Israel seem to regularly involve the question of the existence of a specific Palestinian identity. Supporters of Israel are keen on discarding the legitimacy of this identity by appealing to the notion that the designation ‘Palestine’ only ever constituted an attempt to wipe out Jewish identification with the region of Judea¹. Conversely, supporters of Palestine will point out the plethora of sources that utilized the name Palestine (or, in Arabic, Filastin) to refer to the region in question, and they appeal to the limited literacy of Arabs at the time to explain why Palestinian identity is not clearly articulated in sources of the time². Both views emphasize historical evidence that complements their respective narratives. I will argue that a closer examination of historical evidence shows that adoptions of the name Palestine always originated in Europe, and that Arab usage primarily concerned references to the given region without producing a directly corresponding identity prior to the late nineteenth century. Therefore, debates should be concerned with how and why an identity named ‘Palestinian’ was formulated from the late 19th century onward, given this history.

Establishment of the Name

The first appearance of the name Palestine comes from the writings of the Greek historian Herodotus (4th century BCE), who apparently referred to the land of the Philistines, according to the most accepted interpretation³.

1. See Louis H. Feldman, “Some Observations on the Name of Palestine,” Hebrew Union College Annual 61 (1990): 1–23, <https://www.jstor.org/stable/23508170>.

2. See Zachary J. Foster, “The Invention of Palestine” (Ph.D. diss., Princeton University, 2017), Chapter 3, <http://arks.princeton.edu/ark:/88435/dsp01g732dc66g>.

3. Feldman, “Observations on Palestine.” Foster, “Invention of Palestine,” 97–102; 107–08.

The Philistines, referenced multiple times by the Egyptians, Assyrians, and the Hebrew Bible, were the people living in the Mediterranean coastal region that included Gaza, Ashkelon, Ashdod, Ekron, and Gath, situated south of the coastal Phoenicia region⁴. Thus, Bernard Lewis and Louis Feldman claim that the appearance of Palestine in classical texts only referred to that limited coastal region until 135 CE, when Roman Emperor Hadrian officially changed the name of Judea to Palestine⁵. As Feldman highlights, “[w]ere it not for Hadrian's deliberate attempt to eliminate all trace of Jewish sovereignty, the name would have remained Judea”⁶. However, this “erasure hypothesis”—the claim that the name change was intended to disenfranchise Jewish identity—is challenged by the fact that many classical texts, including those of Herodotus and Aristotle, appear to have used the name Palestine to refer to the interior of the region and not merely the coast⁷. Accordingly, the name change might simply be attributed to Hadrian’s fascination with Greek nomenclature or a plain bureaucratic decision⁸. Still, this argument sounds rather empire apologist. Whenever a conqueror disregards the indigenous people’s understanding and naming of their region by imposing a foreign-born name, it should be understood as an act of domination to the detriment of the conquered people’s identity. This is especially so when such domination is coupled with relentless efforts to strip the conquered of their cultural and historical connections with their land, as Hadrian was clearly attempting to do⁹.

4. Foster, 97-102; 107-08.

5. Feldman, “Observations on Palestine.” Bernard Lewis, “Palestine: On the History and Geography of a Name,” *The International History Review* 2, no. 1 (1980): 1–12, <https://doi.org/10.1080/07075332.1980.9640202>.

6. Feldman, 23.

7. Foster, “Invention of Palestine,” 107-08.

8. Foster, 108-09.

9. Feldman, “Observations on Palestine,” 19-23.

Use and Disuse of the Name

The name of the region, as changed in 135 CE to Syria-Palestina, remained in used until 390 CE when the Byzantine Empire split the region into Palestina Prima, Palestina Secunda, and later Palestina Salutaris or Tertia, all of which endured until the Arab conquest of the 7th century¹⁰. The name Palestine also survived in the Latin West throughout the 3rd to 9th centuries, though with varying geographic meanings¹¹. Its usage, however, began to decline in the 8th century when Latin Christians came to understand Palestine primarily as the Holy Land and increasingly adopted the latter term to indicate that region¹².

Turning to the Arabs, after their conquest of the land from the Byzantine Empire they mostly retained the administrative boundaries and renamed Palestina Prima to Filastin (an Arabic adaptation of the Latin name) and Palestine Secunda to Urdunn (Jordan), while Palestina Salutaris fell out of use¹³. Arabs preserved the name Palestine in their writings, and stories about the region proliferated within the Muslim world and its texts¹⁴. Indeed, the Qur'anic mention of the Holy Land made mentions of Palestine a helpful reference point especially for stories about the land of Sham (Arabic term for Syria), wherein it was situated¹⁵. Regardless, "Palestine was politically submerged"¹⁶; it was only a subdistrict of the larger region of Sham and constituted simply a helpful reference to a smaller geographical area, whose naming was derived by European sources¹⁷.

10. Foster, "Invention of Palestine," 111. Lewis, "Palestine: History and Geography," 3-4.

11. Foster, 113-116.

12. Foster, 117.

13. Lewis, "Palestine: History and Geography," 4.

14. Foster, "Invention of Palestine," 124; 126.

15. Foster, 130-31. Lewis, "Palestine: History and Geography," 4.

16 Lewis, 5.

17 Lewis, 5.

If it was anything more than that, even short of an identity name, it must have been expected to survive in the Arab and Muslim world. Evidently, it did not. Instead, it required European influence to reinvigorate the name ‘Palestine’. After the Crusaders conquered the region in the 11th to 13th centuries, since the name Palestine was no longer in common use in the Latin west, they called the region the Holy Land and the state the Kingdom of Jerusalem¹⁸. Then, the Arab reconquest did not revive the name Palestine, nor did the Ottomans when they conquered the region in the 16th century¹⁹. Admittedly, the name Palestine fell into disuse among Arabs from the 15th to the mid-19th century²⁰. Hence, when Lewis argues that for Muslims Palestine “had never meant more than an administrative sub-district,” his claim aligns closely with the historical record²¹. More specifically, Palestine seems to have had significance as a reference to a given region but it was nothing as strong and embedded in Muslim culture as to survive almost two centuries of European domination. Ultimately, it was a European term the Arabs had been using, and it was the Europeans that precipitated its erasure.

Let me turn to Europe again. During the Renaissance (16th century), interest in classical texts surged and they returned to prominence in Western Europe²². The name Palestine was rediscovered in these texts, regained popularity, and “[b]y the 18th century, Christians in Europe adopted the term Palestine, alongside the Holy Land.”²³ Consequently, “European influence brought [the name Palestine] to the Arabic-speaking Christians.”²⁴

18. Lewis, 5.

19. Lewis, 5-6.

20. Foster, “Invention of Palestine,” 132.

21. Lewis, “Palestine: History and Geography,” 6.

22. Lewis, 6. Foster, “Invention of Palestine,” 117-120.

23. Foster, 121.

24. Lewis, “Palestine: History and Geography,” 6.

Once again, European influence began to reignite the use of the name Palestine in the Arab world. It originated neither in Arab or Muslim culture and history, nor a rediscovery of past texts of their own, but in Europe. It is therefore unsurprising that “the first Arab to use the term ‘Palestinian’ was Farid Georges Kassab [in his 1909 book], a Beirut-based Orthodox Christian” and that “[t]he second Arabic newspaper to appear in Palestine, published in 1911, was called Filastin and was edited by an Arab Christian of the Orthodox Church.”²⁵

A Crucial Question for the True Debate

Finally, the division of the administrative districts (Palestina Prima-Secunda; Filastin-Urdunn) during the Byzantine and Arab periods “was not, as in modern times, vertical between west and east, but horizontal between north and south, with both districts extending, one above the other, from the Mediterranean across the Jordan River to the eastern desert.”²⁶ Indeed, the Zionists after WWI, having obtained the Balfour Declaration from Britain, argued for immigration to be allowed eastwards of the Jordan River as it was for them an important part of Palestine²⁷. Still, the British Government only reserved 23% of their Mandate for Palestine—west of the Jordan River—for Jewish immigration, designating the remaining 77% as a “semi-autonomous emirate” for Arabs²⁸.

25. Zachary J. Foster, “What’s a Palestinian?,” *Foreign Affairs*, March 11, 2015, par. 5, <https://www.foreignaffairs.com/articles/middle-east/2015-03-11/whats-palestinian>. Lewis, “Palestine: History and Geography,” 6, (emphasis in original).

26. Lewis, “Palestine: History and Geography,” 4.

27. Margaret Macmillan, *Paris 1919: Six Months That Changed the World* (John Murray, 2001), 424.

28 Alan Dowty, *Israel/Palestine (Polity, 2023)*, 63.

Thus, given the argument advanced in this paper, that the articulation of a Palestinian identity is a late 19th to 20th century development, a crucial question emerges: why did Arab political actors develop a Palestinian identity limited to the small land reserved for Jewish immigration, if history did not dictate any such geographical limitation on the territory to which Palestine refers to—on the contrary history suggested more expansive applications?

Conclusion

One conclusion should now be clear: the specific application and naming of the Palestinian identity is the result of modern processes that cannot appeal to an Arab history since the name Palestine always originated from Europe in its articulation; within the Arab and Muslim world it was never truly seized and internalized by said world's pre-modern texts. That is not to say that an abstract notion of a shared identity cannot have existed throughout parts of an Arab region or that it may have no appeal to history. The argument is that the demarcation and circumscription of a distinct Palestinian identity—not abstract but with a clear specific name and designation—is not warranted by historical evidence. And while I make no claim regarding a superiority of older versus newer identity formations, such determinations are highly important in debates about identity and must be correctly recognized.

I am sure that both sides of the Palestine-Israel debate can produce, and might already have, compelling arguments for the final question I posed as well as others that may develop. The point here was first to set the accurate foundations for the debate, without myths of 'historical Palestinians,' and second to locate the true debate regarding Palestinian identity, namely how and why it was formulated and delineated given those foundations.

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Ceasefire Plan: Israel – Palestine

The Faith of the Ceasefire Plan

By Maria Gkotsi

Introduction

As of late December 2025, the idealism of the 20-point ceasefire plan (Lewis, 2025) has been replaced by a pragmatic need for a framework that can serve both the Palestinian cause and Israel's existential security claims. The initial aim of President Trump's Peace Plan was to become the blueprint for peacebuilding and the maintenance of an interim order (The White House, 2025). Turning Gaza into a "terror-free zone" (United Nations Security Council, 2025) would require a common agreement by both sides, which would immediately end the war, followed by the return of all hostages, those who are alive and the bodies of the dead, the release of prisoners, Israel's withdrawal to the agreed yellow line (Security Council Report, 2025), and the delivery of humanitarian aid. Hamas would have no role in post-ceasefire Palestine, which would be governed by a Palestinian technocratic government, a "Board of Peace," supervised by an international body established in the US in consultation with European and Arab partners (United Nations Security Council, 2025). Approaching the three-month mark since the first phase of the ceasefire plan's formal implementation began, for Palestinians time has stood still, and the war does not feel as though it is over.

Analysis

The current ceasefire deal has caused a chasm between its ambitious supporters, including US envoys, and, on the other end of the spectrum, skeptics from the rest of the globe who, similarly to Palestinians, agree that the plan is implausible (Lewis, 2025). As President Trump stated himself, "the first steps to peace are always the hardest" (Trump, 2025). However, the plan lacks an in-depth understanding of the issue and of the plethora of dichotomies that have deteriorated relations between both sides for centuries.

At the time when the signing of the second phase of the plan should be taking place, both sides accuse the other of violating the terms of the first phase, highlighting the lack of political legitimacy and effective implementation. The pattern repeats, and the conflict has reached yet another dead end. In times of dire conditions such as these, the only remaining resource for many is faith and hope for a pragmatic ceasefire. As this new “Pax Americana” plan for peace emerges (McCann, 2025), it is vital to revisit its core purpose, which is to serve the people and bring peace in a historic conflict.

The foundation of peace in the Israel Palestine conflict must be grounded in legitimacy, enforcement, and credible monitoring bodies (UN Department of Political and Peacebuilding Affairs, 2022 p.55.). For a plan to achieve the desired outcome and mature beyond its opening phase, it must also take into consideration the political behavior of both Israelis and Palestinians (Bar-Simon-Tov., 2010, p.99) A ceasefire plan should not deepen an already significant chasm between the two sides. The current Gaza plan, unfortunately, does so by disregarding the status of Jerusalem and the West Bank and by imposing demilitarization, framed as a tool to preserve the Israeli status quo (Lovatt, et al., 2025). It stands to reason that Palestinians do not perceive themselves as equal participants in this process, given their limited political ownership and fear of displacement (Lovatt, et al., 2025). This peacebuilding process appears to be an imposed arrangement that centers far more on the US and its selective coalitions, leaving limited seats at the negotiating table for Palestinians. Also, international institutions such as the UN, thereby leading to a flawed architecture rather than a fully inclusive regional framework (Beaumont et al., 2025).

The 2025 Gaza Peace Plan might not explicitly call for a two-state solution, yet in the broader context it gestures towards a political horizon that focuses on stability and governance reform followed by self-determination. The ambiguity of this plan cuts both ways, with Palestinians fearing that self-determination might never come, while statehood seems to be imposed on Israelis (Aras et al, 2025).

A two-state solution in this context once again brings Jerusalem, a sacred capital with deep historical and symbolic significance, back to the center of discussion, or perhaps deliberately leaves it unresolved. As in the international sphere, the status of Jerusalem remains disputed, with East Jerusalem as an Israeli occupied territory (Aras et al, 2025), with earlier UN provision wanting to guarantee the protection of holy places (UNGA, 1947). If the Gaza Plan, which is rightfully focused to first terminating the war, continues to be vague around the issue of statehood and Jerusalem's sacred politics of who has the right to be, to pray, to enter and to hold citizenship, it is vulnerable to another dead end.

Coming back to the present day, both Palestinians and Israelis must move from the transactional opening phase of the plan to phase two, an existential roots phase as it regards pragmatic decisions of struggles of power, sovereignty and arms control of the “next day”. But phase two exists only because of phase one, and as far as now, the plan has failed to achieve zero violence. The plan's core purpose to relieve those suffering and therefore contain global public pressure, failed months ago when truce began, as continuous Israeli strikes and Hamas attacks were taking place (Hume & News Agencies, 2025). It is therefore safe to say that the ceasefire plan has not been instrumentalized as a tool of moral and legal duty, nor as a genuine humanitarian assistant. This outcome should not surprise those who followed President Donald Trump's statement in January 2025, when he expressed a desire to “clean out that whole thing,” referring to Gaza and the displacement of its citizens to Arab nations “where they can maybe live in peace for a change” (Miller et al., 2025).

What the US presents as a temporary exit is perceived by Palestinians as a process that will drive them further away from their cause and closer to a “Pax Americana” framework that uses reconstruction to justify ethnic cleansing, leading the process into its next stage, the Gaza Riviera (Beaumont et al., 2025). This approach contradicts UN Security Council Resolution 2735, which rejects demographic change in Gaza unless it guarantees the absence of forced relocation and upholds the right of citizens to return. This approach contradicts UN Security Council Resolution 2735, which rejects demographic change in Gaza unless it guarantees the absence of forced relocation and upholds the right of citizens to return.

As it currently stands, in a grand symbolic endorsement, the “Declaration for Enduring Peace and Prosperity” agreement was signed at the Sharm el-Sheikh Peace Summit, only by mediator countries (U.S., Egypt, Qatar and Türkiye), in a vague attempt to unite the West and the Rest and embrace the American President as a “peacemaker” (Dunn, 2025). With neither Israel nor Hamas being direct signatories, the declaration undermines legitimacy. The presence of, more than 20, world leaders in the Peace Summit, capable to understand the domestic political cost that comes with such praise to President Trump on such a momentum, seems to shed light to an underlying goal which is to embrace a legacy conscious leader in further acts of international leadership, especially in Europe (Dunn, 2025). The Ceasefire Plan reflects an initiative aimed at broadening the American sphere of interests through security guarantees, pressure deals, and promises that limit the roles of Palestinians, international organisations, and the wider Middle East region. While mediation as a dispute resolution method has theoretically been implemented, it indicates low confidence levels across the international sphere. With Israel not having returned to the agreed redeployment line outlined in the 20-point plan, retaining approximately 53 percent of Gaza (BBC News, 2025), and Hamas still having failed to release all Israeli hostages (Agencies and ToI Staff, 2025), the ever-lasting cycle of violence and reciprocal blame continues. These developments carry further implications for neighbouring Middle Eastern states, many of which view the ceasefire plan as an instrument that ultimately empowers Israel (Gowayed et al., 2025).

It would be hypocritical to claim that a pragmatic ceasefire has occurred since the plan first took effect in October 2025, as such a claim would disregard the hundreds of lives lost since then (Full text of Oct. 9 Israel-Hamas deal on Trump’s plan for ‘comprehensive end’ to Gaza war, 2025). Phase two requires the disarmament of Hamas, which would lead to a transition towards Palestinian technocratic governance under external supervision, secured and stabilised by international bodies, ideally through a UN Gaza force mandate, aimed at achieving a comprehensive end to the Gaza war within weeks rather than months (United Nations Security Council, 2025). Yet the question remains whether the UN, as an institution weakened by hostility, erosion, and decline, can still represent one of the world’s primary hopes for ending the horror in Gaza.

The UN reflects the world's complexity and the divergent beliefs of its member states ; this does not mean , however, that it should not rethink its structure , much like the current ceasefire plan itself (Kinsman, 2025).

Conclusion

If the Ceasefire Plan is to bring a real end to the war, and not a “pause” as Qatar's PM stated (2025), it must rethink its sole purpose which is to protect the wellbeing of those in need; providing sufficient humanitarian aid and a framework that has its principles rooted in political inclusion and legitimacy. This framework should aim to reduce the division between the Israeli security demands and Palestinian Cause, especially in a deeply polarised and radicalised world fuelled by the rising echo of antisemitism and anti-Muslim hatred, which have risen after the war.

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International Law in Practice: The Israel-Palestine case

By Efraimia Zolota and
Eirini Pozapalidi

Introduction

International law defines the legal responsibilities of states in their relations with one another and in their treatment of individuals, encompassing areas such as human rights, the use of force, international crime, and the conduct of war, while also regulating global commons including the environment, international waters, outer space, and world trade (United Nations Information Service Vienna). The Israel-Palestine conflict exhibits these concepts as a long-running case study in which both parties invoke legal rules during continual violence, such as Hamas' October 2023 bombings and Israel's military response in Gaza. Key guarantees of international law include the protection of noncombatants under International Humanitarian Law (IHL), the prohibition of genocide under the 1948 Genocide Convention, and the limitation of force under the UN Charter, including Article 51 on self-defence. However, the persistent gap between the formal existence of international legal norms and their uneven enforcement in practice raises fundamental questions about their capacity to constrain behaviour in protracted conflicts such as Israel–Palestine. This paper examines how international law frames the conflict and Israel's and Palestine's strategic use of it for justification. While international law offers tools for restraint and justice, its selective invocation without universal enforcement undermines credibility, perpetuating impunity in the Israel-Palestine arena.

Section 1: International Law and the Israel–Palestine Conflict

International Humanitarian Law (IHL), based on the 1949 Geneva Conventions and customary principles, guides conduct in conflicts such as Israel-Palestine by requiring the difference between combatants and civilians, proportionality in attacks, and precautions to minimise harm (ICRC, 2014)

The Genocide Convention defines genocide as acts of killing or imposing life circumstances with the intent of eradicating a group in whole or in part, with nations required to prevent and punish it (UN, 1948); South Africa's ICJ case against Israel highlighted potential concerns in Gaza. Article 2(4) of the UN Charter prohibits the use of force, but Article 51 allows for self-defence against armed attacks, even those by non-state actors such as Hamas, as long as necessity and proportionality are met (United Nations, 1945). Courts and bodies play critical roles: the UN General Assembly and Security Council vote on resolutions (United Nations, 1945), while the International Court of Justice delivers binding advisory rulings, such as on Israel's occupation, and temporary measures (United Nations, 1945). The International Criminal Court (ICC) prosecutes individuals for war crimes (United Nations Information Service Vienna), although Israel rejects its authority over nationals and continues to investigate the Gaza events.

Section 2: Israel's Use of International Law

Following Hamas' armed attacks, Israel claims self-defence rights under Article 51 of the UN Charter, interpreting them as justification for using force against a terrorist non-state entity operating from Gaza (1945). It emphasises military necessity and proportionality, suggesting that attacks should target Hamas infrastructure while minimising civilian casualties, as affirmed by High Court rulings on the balance of security and aid commitments. Israel denies ICC jurisdiction, citing a lack of authority over its citizens in the absence of agreement, and contests ICJ procedures such as genocide claims as politically motivated overreach (Reuters, 2024). These perspectives use international law as a tool for legal defence, diverting allegations during arguments over Gaza aid limits and occupied status.

Section 3: Palestine's Use of International Law

Palestinian authorities and representatives increasingly rely on international law as a central strategy to frame the conflict as one involving grave violations of international norms and to seek accountability through legal institutions. As The Guardian reports Palestinian human rights organizations (e.g., Al-Haq, Palestinian Centre for Human Rights, and Al Mezan) have petitioned the ICC to investigate alleged war crimes and genocide in Gaza (2025),

A core component of this strategy is the invocation of the Convention on the Prevention and Punishment of the Crime of Genocide, which prohibits specific acts committed with the intent to destroy, in whole or in part, a protected group (United Nations, 1948). While acts such as killing members of a group or inflicting conditions of life calculated to bring about physical destruction are explicitly prohibited, establishing genocide under international law requires proof of specific intent, a high evidentiary point that makes legal determinations particularly complex. Palestine has also turned to the International Court of Justice (ICJ), most notably through proceedings initiated by South Africa in 2023–2024. The ICJ’s provisional measures ordered Israel to take steps to prevent acts falling within the scope of the Genocide Convention and to facilitate humanitarian assistance (International Court of Justice [ICJ], 2024). However, such measures are preventive rather than determinative because they do not constitute a final ruling on whether genocide has occurred and lack direct enforcement mechanisms. In parallel, Palestine supports International Criminal Court (ICC) investigations into alleged crimes committed in the occupied Palestinian territory. The ICC has asserted jurisdiction on the basis that Palestine is a State Party to the Rome Statute, though this remains contested by Israel (International Criminal Court, 2021). These legal efforts are further framed around the right to self-determination and the obligation under international humanitarian law to protect civilians during armed conflict (United Nations, 1945; ICRC, 2014).

Section 4: Institutional Limits — Why Enforcement Fails

These legal arguments, however, do not operate in a vacuum; their outcomes are shaped by the institutional capacity and political constraints of international enforcement bodies. As a result, the enforcement of international law in the Israel–Palestine conflict remains constrained by the structural design of key international institutions. At the United Nations, the Security Council’s veto power, granted to the five permanent members (United States, United Kingdom, France, Russia, and China) under the UN Charter, was originally intended to secure the participation of major powers in the post–World War II international order (United Nations, 1945).

While this design aimed to prevent direct confrontation between great powers, it has also enabled geopolitical interests to override collective legal action. For example, the United States has repeatedly used its veto power to block Security Council resolutions calling for an immediate ceasefire or stronger accountability measures in Gaza, despite broad international support for such actions (United Nations, 2025). In practice, repeated use of the veto has prevented the adoption of binding ceasefire resolutions or accountability measures related to the conflict, limiting the UN's ability to act decisively even in the face of widespread humanitarian harm.

Similarly, the International Court of Justice (ICJ) faces inherent enforcement limitations. Although ICJ rulings and provisional measures are legally binding, the Court lacks independent enforcement mechanisms and relies on voluntary state compliance or Security Council action, a road often blocked by vetoes (International Court of Justice, 2024). As a result, judicial findings may carry normative and symbolic weight without producing immediate material consequences. The International Criminal Court (ICC) encounters parallel obstacles. While the Court has asserted jurisdiction over crimes committed in the occupied Palestinian territory, political resistance from non-member states and challenges related to arrests and cooperation significantly constrain its effectiveness (Amnesty International, 2025). Together, these institutional limits illustrate a broader pattern: international law is actively invoked by both Israel and Palestine, yet enforcement remains selective and uneven, reinforcing skepticism about the capacity of global institutions to deliver accountability in deeply politicized conflicts.

Conclusion

International law is not absent from the Israel–Palestine conflict; rather, it is actively invoked by both parties to advance competing legal narratives. Israel relies on doctrines of self-defence, military necessity, and proportionality to justify its actions, while Palestine appeals to international humanitarian law, the Genocide Convention, and principles of self-determination to seek protection and accountability. However, as this case demonstrates, international law remains deeply politicized and constrained by institutional limits. When enforcement mechanisms are weakened by veto power, jurisdictional barriers, and political resistance, law can legitimize opposing claims without resolving the underlying conflict.

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Still Waiting: A Palestinian Perspective on Dispossession and Return

By Joelle Qumsieh

Introduction

The Palestinian perspective begins from what many Palestinian scholars argue is a consistently marginalized claim: that Palestinians constitute a people with inalienable rights whose political agency has often been denied or overlooked in dominant narratives. For decades, Palestinian voices struggled for recognition in international discourse. As Walid Khalidi observes, “Until recently, the US mass media considered axiomatic the fact that there was only one point of view on the Palestine problem” (Khalidi, 1985, p. 35). This imbalance matters because it shapes how the global arena has come to define the “problem” itself. What is commonly described as the Arab Israeli conflict is framed by Khalidi as “derivative of the Palestinian problem,” suggesting that its roots lie in dispossession rather than in an abstract or timeless feud (Khalidi, 1985, p. 36).

In 1974, this framing appeared in institutional language at the United Nations. General Assembly Resolution 3236 affirmed what it termed “the inalienable rights of the Palestinian people in Palestine,” including “the right to self-determination without external interference,” “the right to national independence and sovereignty,” and the “inalienable right...to return to their homes and property from which they have been displaced and uprooted” (UNGA, 1974). The resolution also recognized the Palestinian people as “a principal party in the establishment of a just and lasting peace in the Middle East” (UNGA, 1974).

At the same time, UN documentation reflects that Palestinians were not initially addressed as a political people within the international system. A UN briefing on the Question of Palestine states that the Palestinian refugee problem “has arisen from the denial of their inalienable rights” (UN, 1979, p. 8). This characterization frames displacement not merely as a byproduct of war, but as linked to the absence of political recognition. From this perspective, Palestinian experiences are often described not as a conventional conflict between equal parties, but as a prolonged struggle for recognition, in which rights are acknowledged rhetorically while remaining unrealized in practice.

This sense of suspended political existence is frequently illustrated through cultural symbolism, most notably in Handala, the cartoon figure described as “a young Palestinian refugee, tattered and back turned, refusing to grow up until he can return to his homeland” (Macphee, 2014). This paper argues that from a Palestinian perspective, international recognition has repeatedly affirmed Palestinian rights while simultaneously enabling their deferral, transforming displacement into a permanent condition governed through law, occupation, and narrative control.

International Recognition and the Unimplemented Right of Return

By late 1948, the United Nations had already acknowledged that the mass displacement of Palestinians was neither voluntary nor incidental. In his official report to the General Assembly, UN mediator Count Folke Bernadotte stated that “the right of the Arab refugees to return to their homes in Jewish-controlled territory should be affirmed” (UN, 1948, V). This was written while expulsions were still ongoing, and the report demonstrates that the refugee crisis was recognized at the time as the product of forced displacement, demanding political resolution rather than a temporary humanitarian emergency.

Weeks later, this understanding was formalized in the UN General Assembly Resolution 194 (III). This resolution stated that “refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date,” and that the compensation should be paid for property lost or damaged as a result of displacement (UNRWA, 1948). Through identifying the responsible “governments or authorities,” the resolution situated the Palestinian refugee question within the framework of international law.

Israeli historian Ilan Pappé argues that Resolution 194 emerged in response to large-scale displacement during the 1948 war. In international humanitarian law, practices associated with ethnic cleansing include the forcible removal of a civilian population, destruction of homes, and the prevention of return, all of which are prohibited under the Geneva Conventions’ protections against forced transfer and collective punishment of civilians (Geneva Convention IV, 1949).

Drawing on Israeli military archives, Pappé concludes that “from planning stage to final execution, what occurred in Palestine in 1948 forms a clear-cut case...of ethnic cleansing” (Pappé, 2006, ch. 1). Central to this process was Plan Dalet, which Pappé describes as a plan in which “seizing” territory entailed “the massive expulsion of the Palestinians living there from their homes, businesses and land” (Pappé, 2006, ch. 5). By the time Resolution 194 was adopted, hundreds of thousands of Palestinians had already been displaced.

The failure to implement Resolution 194 transformed mass displacement into a permanent political condition. Pappé notes that the expulsions were followed by the destruction of depopulated villages, the renaming of landscapes, and the prevention of return, a process he terms the “memocide of the Nakba” (Pappé, 2006, ch.10). Decades later, the General Assembly reaffirmed this unresolved injustice in Resolution 3236, which reaffirmed “the inalienable rights of the Palestinian people,” including the right to self-determination and the right of return (UN General Assembly Resolution 3236, 1974). As Walid Khalidi observed, “the victors in war get away with both the loot and the version of events” (Pappé, 2006, ch.10). This means that military victory enables the winning side not only to retain territorial gains but also to impose its narrative of events while the experiences of the displaced are marginalized.

Occupation as Everyday Governance (1967-Present)

After 1967, Palestinian life became shaped not only by conflict but by rules, permits, and control over space. UN Security Council Resolution 242 set the baseline by stressing the “inadmissibility of the acquisition of territory by war” and calling for “withdrawal of Israeli armed forces from territories occupied in the recent conflict,” while also affirming the need for “a just settlement of the refugee problem” (UNSC, 1967). In practice, this “refugee problem” and the question of territory became lived realities that are managed through daily governance. After 1967, displacement did not disappear; it was managed through permits, borders, and force.

B’Tselem describes how settlement policies created “a dualist, and highly discriminatory legal and administrative system” in the occupied territories, where identity determines access to rights (B’Tselem, 1998).

Governance of the territories during the decades after 1967, including periods of conflict such as the Yom Kippur War, the Lebanese wars, and the First and Second Intifadas, shaped the development of control measures. Control over movement is a central feature of an occupation, as restrictions on the movement of people and goods to and from Gaza have “undermined the living conditions of Gaza’s residents for years,” and restrictions on movements “were intensified in June 2007” and “intensified again” after October 2023 (OCHA, n.d.). Amnesty argues these controls form a system designed to privilege one group: “This is apartheid” (Amnesty International, 2022).

Being Seen, Spoken For, and Silenced

Palestinian dispossession has been accompanied by a struggle over how Palestinian actions are explained. Walid Khalidi notes that “Palestinian and Arab reactions to Zionism and Israel are often presented as so bizarre as to lie beyond the domain of human reason” (Khalidi, 1985, p. 37). This framing aims to detach Palestinian responses from the condition that produced them. Consequently, displacement, denial of return, and military rule are removed from the picture, while the Palestinian response is treated as the original problem.

Khalidi argues that this distortion relies on “historical amnesia,” allowing Palestinian resistance to be interpreted as irrational rather than political (Khalidi, 1985, p. 37). In this way, Palestinians are treated as problems, not as actors shaped by history. Edward Said describes the way these narratives are produced. In *Orientalism*, he explains that representation is shaped by “exteriority,” where authority speaks from outside and “makes the Orient Speak” on its behalf (Said, 1978, p. 21). Others define the meaning, while Palestinians are denied the ability to define it themselves.

When applied to the Palestinian case, it explains how they can be recognized in law yet excluded in discourse. Their experiences are filtered through security and psychology, not history. Thus, what is denied is not recognition but rather agency. Silencing, in this case, is not incidental but rather built into how Palestine has been narrated.

Conclusion

From a Palestinian perspective, this is not a conflict between equal sides but a sustained condition of dispossession and control. The Nakba did not end; it continued through denied return, occupation, and ignored UN resolutions. Rights were acknowledged but never delivered. Like Handala, Palestinians remain waiting, not out of nostalgia, but because return, justice, and political voice have yet to be realized.

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