

WHY THE LAND OF ISRAEL BELONGS TO ISRAEL

A Rejection of U N Security Council Resolution 2334

The debate over the Palestinian-Israeli conflict has recently been revived by United Nations Security Council Resolution 2334 (UNSC Res.2334). This is a resolution which outlaws Israeli settlement on the West Bank (Judea & Samaria) and East Jerusalem. The first three clauses of UNSC Res. 2334 read:

The Security Council...

1. Reaffirms that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace;
2. Reiterates its demand that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard;
3. Underlines that it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations;

There are major problems with the resolution itself.

Clause (3) is ambiguous. On the one hand it sets the lines at the 4 June 1967, and on the other it states that only negotiations will determine those lines. Why would the Palestinians negotiate for anything less when the Security Council has declared “that it will not recognise any changes to the 4 June 1967 lines”? This makes the resolution one sided and very unfair to the State of Israel.

In clause (2) it refers to the disputed territory as “occupied Palestinian territory”. Again the lines have already been set by the Security Council and left no room for Israel to negotiate.

It is stated in clause (1) that Israeli settlements “have no legal validity and constitutes a flagrant violation under international law”. This is in contradiction to another international law issued by the forerunner of the United Nations—the League of Nations in 1922. Their Mandate for Palestine was codified into international law having been adopted and sanctioned by all 51 member states of the League at that time. The preamble leading up to the articles of the Mandate for Palestine stated:

Whereas the Principal Allied Powers have also agreed that the Mandatory (Great Britain) should be responsible for putting into effect the declaration originally made on November 2nd, 1917, (the Balfour Declaration) by the Government of His Britannic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country; and, Whereas recognition has thereby been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country....

The Balfour Declaration was a cornerstone of the Mandate for Palestine. Arthur James Balfour had been a Prime Minister of Britain, and at the time of the Declaration in 1917 nearing the end of World War One, was the Foreign Secretary. His declaration wasn't his alone. It came about with consultation with other World powers and then, having been submitted to the British Cabinet was approved for publication. The cornerstone having been laid, the Mandate for Palestine followed. Relevant Articles in the Mandate for Palestine which followed its preamble are:

ART. 2.

The Mandatory (Great Britain) shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home, as laid down in the preamble,

ART. 4.

An appropriate Jewish agency shall be recognised as a public body for the purpose of advising and co-operating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration to assist and take part in the development of the country.

The Zionist organization, so long as its organization and constitution are in the opinion of the Mandatory appropriate, shall be recognised as such agency. It shall take steps in consultation with His Britannic Majesty's Government to secure the co-operation of all Jews who are willing to assist in the establishment of the Jewish national home.

ART. 6.

The Administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions and shall encourage, in co-operation with the Jewish agency referred to in Article 4, close settlement by Jews on the land, including State lands and waste lands not required for public purposes.

ART. 7.

The Administration of Palestine shall be responsible for enacting a nationality law. There shall be included in this law provisions framed so as to facilitate the acquisition of Palestinian citizenship by Jews who take up their permanent residence in Palestine.

Both the spirit and the letter of the Mandate made it very clear that the land being referred to as "Palestine" for the Jewish national home was all the land between the Mediterranean Sea and the Jordan River. Up until this time the Zionists had hoped for their National home to be on both sides of the Jordan River. However, due to a promise the British had made to the Arabs during the First World War—to give them independence in the region—that promise being subsequently kept in 1921 at the Cairo Conference by Winston Churchill (Colonial Secretary at the time), the Mandate for Palestine had Article (25) added to the terms to make allowance for this:

ART. 25.

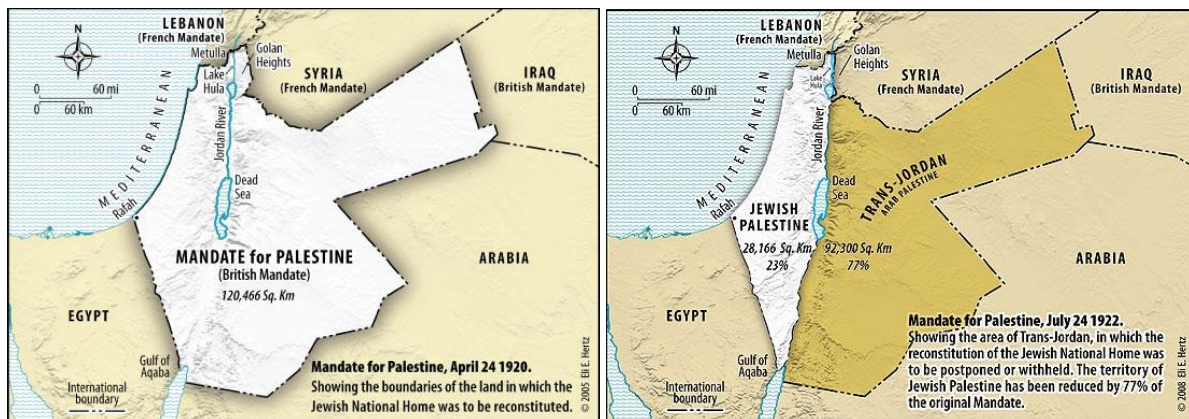
In the territories lying between the Jordan and the eastern boundary of Palestine as ultimately determined, the Mandatory shall be entitled, with the consent of the Council of the League of Nations, to postpone or withhold application of such provisions of this mandate as he may consider inapplicable to the existing local conditions, and to make such provision for the administration of the territories as he may consider suitable to those conditions...

The terms of the Mandate for Palestine herein mentioned were accepted and adopted by the League of Nations on 24th July 1922. Article (25) was among those terms adopted. In September 1923 the British issued a memorandum stating their intention to implement Article (25). In other words, the "as he may consider" in that article became more or less a "yes, we have considered it and we are going to withhold the territories between the Jordan and the eastern boundary of Palestine from being part of the Jewish National home". The result was the Hashemite Kingdom of Jordan directly east of the Jordan River, which began taking over administrative responsibilities for governing in 1923 and by 1946 was fully independent. The Mandate for Palestine with its terms became operational on 29 September 1923.

So when we talk about “international law” we have to ask the question, “Which international law?” This writer and those he represents are saying that UNSC Resolution 2334 in regard to the Mandate for Palestine **has no legal validity and constitutes a flagrant violation of 1922 international law.**

As cited in the preamble of the Mandate for Palestine the Jewish People have an unquestionable connection historically with this land. Their history is not only connected to the “West Bank” of the Jordan River but also to the East Bank. Their historical connection began 4000 years ago when their great patriarchal ancestor Abraham settled in the Land. His tomb today can be found in Hebron (in the “West Bank”). 3000 years ago the first Jewish Kingdom which had Jerusalem as its capital was established under King David. Archaeological evidence proves both the city of David and the subsequent Temple he commissioned are there in East Jerusalem. 2000 years ago during the time of Christ the Jews were still living in their land after a series of wars, expulsions and returns. At that time the Land of Israel was known as Judea (literally the Land of the Jews) and Samaria (a Hebrew name relating to the area adjoining Judea to the north). The areas of Judea and Samaria are now what is referred to as the West Bank.

Then came the Romans in the first and second centuries who ruthlessly slaughtered the Jews of this land and expelled the remainder who survived as slaves to the far reaches of the Roman Empire. In order to erase all Jewish connection to the Land of Israel the Romans renamed it Syria Palestina. They nearly got their way—the name Palestine instead of Judea (the Land of the Jews) survived into the twentieth century. So when the International Community in 1922 were offering all the land between the Jordan River and the Mediterranean Sea for a National home for the Jewish People it was based on intelligent truth according to the historical narrative. And it seemed to be a very good deal for the Arabs of Palestine: The Palestinian Arabs would get the much bigger slice of Palestine—77% (Trans-Jordan), while Palestinian Jews would get 23% (between the River and the Sea).



1920 - Original area designated for a Jewish National Home 1922 - Area of the Jewish National Home reduced to 23%

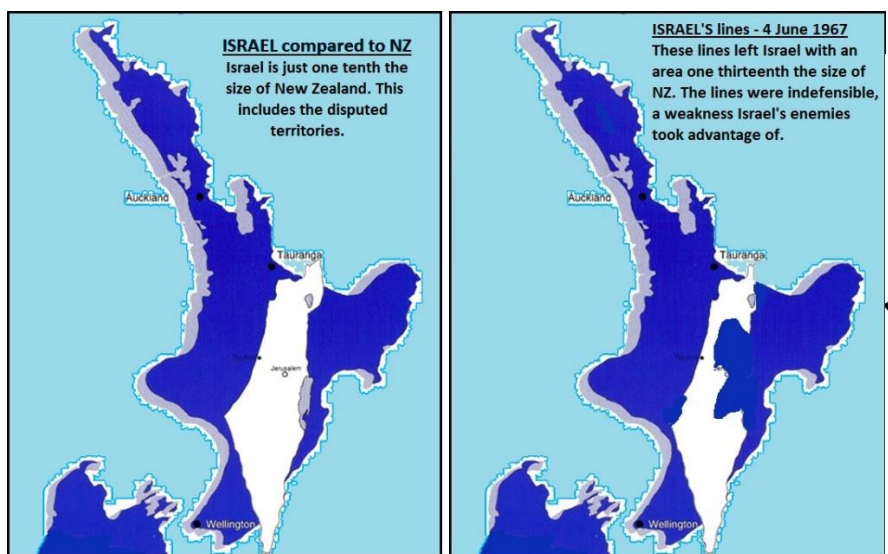
This is why a prominent New Zealander who is well versed in law and history said to me recently, “The Palestinians already have their state—the Hashemite Kingdom of Jordan”. King Hussein of Jordan himself said in 1981, "The truth is that Jordan is Palestine and Palestine is Jordan."

It was only because of fierce and violent Arab resistance to the idea of a Jewish State in Palestine, and the British reluctance to implement the terms of the Mandate for Palestine that those lines became blurred. And the same problem seems to exist to this very day. The Palestinian Authority still refuses to recognise Israel as a Jewish State.

We believe it is a travesty of justice to expect the Jewish State to relinquish major parts of its historical land to satisfy the demands of the international community. Of the three major Faiths who claim a stake in the Holy Land, the Jewish people have the greater of the title-deeds to the land. Their claim pre-dates the Christian claim by 2000 years, and the Muslim claim by 2600 years. On the one hand the Palestinian Authority is demanding something that historically is not entirely theirs, and the United Nations are trying to give them something that it is not in their power to give. It is historically the Land of Israel and it is only the Israelis who have the right and the power to hand over any of its land to the Palestinians in order to make terms of peace. And they have shown in the

past that they are willing to do this. The Palestinian-Israeli conflict can only be resolved by negotiation and not by international resolution and decree. However the interference of the United Nations, and in this case especially the New Zealand Government, are driving the prospect of a negotiated peace further away.

For New Zealanders to appreciate the sort of land area involved in this conflict we have to compare it to the size of our own country. The Land of Israel, including that stated in the Mandate for Palestine as that set aside for a National Jewish home (from the Jordan River to the Mediterranean Sea) is one tenth the size of New Zealand. And this includes the disputed territories. When you take away the disputed territories Israel is left with a nation one thirteenth the size of New Zealand, and in that area there are around eight million Israelis living.



Israel including the disputed territories
Is just one tenth the size of NZ

Israel's approximate lines on 4 June 1967

The "1967" lines are actually the cease-fire lines from the War of Independence fought in 1948-49

There are around eight million Jewish & Arab Israelis living in this area.

We believe that the State of Israel has been dealt a very unreasonable and unjust blow by United Nations Security Council Resolution 2334. This is one more in a long line of unjust blows against the State of Israel dealt through different agencies of the U N. The only way ahead is a negotiated settlement between Israel and the Palestinians. Up until now the Palestinian Authority refuses to come to the negotiating table. And now why should they? They have found that the U N is happy to pass unjust and unfair resolutions against the State of Israel on their behalf. UNSC Res. 2334 was a gang up on the State of Israel. It is simply anti-Israel. If someone asks, "But why was the Security Council vote 14 to 0 with the U S abstaining?" I will answer that question with another: "Why was it that the United States Congress (the greatest democracy in the world) voted overwhelmingly against this resolution by 342 to 80. Included in this vote was a rejection of the abstention made by President Obama.

We are aggrieved at the pressure and offense our Government caused to the State of Israel through their part in sponsoring this very one-sided and unfair UNSC Resolution. It leaves no room for negotiation. The New Zealand Government ditched the only true democracy in the Middle East in order to join hands with nations like Malaysia, who refuses to have diplomatic relations with the State of Israel. It was certainly not even handed nor balanced, terms the N Z Ministry of Foreign Affairs has previously used regarding its approach to this conflict. This article does not leave any room for more on that discussion here. Nor have we room to speak of the deliberate campaign by the Palestinian Authority to incite its people to violence and hatred against the Jewish people—in their media, in their school text books and in their falsification of the true narrative. And secure borders is another issue. The "1967 lines" leave Israel at one point with a waist-line of only 9 miles—an indefensible border with no buffer to repel a serious threat. Because she has had to fight numerous defensive wars since independence in 1948 there are no people on earth more conscious

of the need for security than the Israelis. And this is justifiably so. UNSC Res. 2334 gave no respect to this at all.

The U N in this resolution has in effect set the fence posts in tons of concrete and then turned to the Israelis and said, "Bet you can't move those things". We do not have room to add the Biblical argument which adds much more weight to that already presented. The bottom line is that for peace to be achieved between the Israelis and the Palestinians it must be through **NEGOTIATION** and **NOT RESOLUTION**. We call upon the New Zealand Government to withdraw its support for UNSC Resolution 2334.

Pastor Nigel Woodley

Spokesman for the Flaxmere Christian Fellowship Church in Hastings,

And for its many supporters, including 11,685 people who signed the Petition to Parliament in 2015, calling on the NZ Government to cease pressuring the State of Israel to give up its rightful and God given land.