

Who Owns the Land?

Covenant, Inheritance, and the Twelve Tribes of Yisra'el

A Tanakh Study on Land Rights, National Identity, and the Covenant Standard
for All Peoples Who Claim the Heritage of Avraham

Miqdash Bethel — The Sanctuary of the House of Yahweh

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Wars have been fought over this land since 1948. The conflict is presented to the world as a dispute between two peoples over territory — a border question to be resolved by negotiation, partition, and international law. But this framing misses the root of the matter entirely. **The conflict at its core is a covenant question, and it cannot be resolved by any framework that ignores the covenant law that governs the land in question.**

This study examines three foundational questions from the Tanakh alone:

First: Who actually owns the land the world calls Israel and Palestine?

Second: Who are the legitimate covenant heirs of that land — and by what standard is that determined?

Third: How does the current political State of Israel, as established in 1948, relate to — or depart from — the covenant nation of Yisra'el described in the Torah?

The answers the Tanakh gives to these three questions are precise, consistent, and have never been refuted. They have simply been ignored — by every government, every peace process, and every diplomatic framework that has attempted to resolve this conflict without consulting the only document that has governed this land for three thousand years.

PART I — WHO OWNS THE LAND? THE TANAKH'S FOUNDATIONAL ANSWER

Before any question of national identity, tribal inheritance, or political legitimacy can be addressed, the Tanakh answers a more fundamental question: who is the ultimate owner of the land called Kena'an, Eretz Yisra'el, Palestine, or Israel?

"The land shall not be sold permanently, for the land is Mine; for you are strangers and sojourners with Me." — Vayikra (Leviticus) 25:23

The Hebrew is unambiguous: *ki li ha'aretz* — "for the land is Mine." **Yahweh** declares Himself the sole and permanent owner of the land. Not Israel. Not any government. Not any ethnic group. Not any religious institution.

The land belongs to Yahweh alone. Every occupant — Hebrew, Canaanite, Philistine, Roman, Arab, Ottoman, British, Israeli, Palestinian — has been a tenant. The terms of tenancy are established in the covenant. Those terms have never changed.

The Covenant Terms of Tenancy

Yahweh established specific conditions under which occupants may remain on His land. These conditions are recorded throughout the Torah and the Prophets and apply without exception to every people who have ever lived on or claimed that land:

- **Justice for the vulnerable** — the widow, the orphan, the stranger — Shemot (Exodus) 22:21-24; Devarim (Deuteronomy) 10:18-19.
- **No shedding of innocent blood** — Bemidbar (Numbers) 35:33: 'Blood defiles the land, and no atonement can be made for the land for the blood that is shed in it, except by the blood of the one who shed it.'
- **No oppression of the stranger** — Vayikra (Leviticus) 19:33-34: 'The stranger who sojourns with you shall be to you as the native among you, and you shall love him as yourself.'
- **Covenant faithfulness** — Vayikra (Leviticus) 26:33: violation of the covenant terms results in dispossession and scattering — applied to Yisra'el itself, not only to other nations.

The land is **Yahweh's** property. Occupants are tenants. The right of tenancy is conditional on covenant faithfulness. **The land has a covenant right to expel those who defile it** — and the Torah names the specific defilements that trigger expulsion: bloodshed, injustice, oppression of the vulnerable, and the abominations of the nations. This standard applies equally to every occupant, without exception.

The Case of Navot's Vineyard — 1 Melachim 21

The clearest case study of Yahweh's ownership of the land appears in the account of Navot's vineyard in Melachim Alef (1 Kings) 21. King Ahav offered to buy or trade for Navot's vineyard. Navot refused: "*Far be it from me, by Yahweh, that I should give you the inheritance of my fathers.*" The land was not merely Navot's property — it was covenant inheritance, held in trust under **Yahweh's** ownership. Queen Izevel arranged Navot's murder and Ahav seized the vineyard. **Yahweh's** response through **Eliyahu (Elijah)** was immediate and total: the entire house of Ahav was condemned for this act. The seizure of covenant land through murder is not merely a civil crime under the Tanakh — it is a direct offense against **Yahweh** as the land's owner.

The principle established here governs every land seizure in the covenant territory: land taken by force, deception, or the murder of its inhabitants is not legitimately held — regardless of which government or people holds it.

PART II — WHO ARE THE COVENANT HEIRS? DNA, TRIBAL IDENTITY, AND THE RECORD

The question of who the covenant heirs of the land are is not settled by religion, by political declaration, or by international law. It is settled by two standards the Tanakh itself establishes: tribal lineage and covenant faithfulness.

The Twelve Tribes — The Covenant Inheritance Structure

The Tanakh is explicit: the covenant inheritance of the land was assigned by **Yahweh** to the twelve tribes of Yisra'el — identified by name, counted by clan, and assigned specific territorial portions in **Yehoshua (Joshua) 13-21** and confirmed in the vision of **Yechezkel (Ezekiel) 47-48**. The covenant heirs are not an ethnicity, a religion, or a political movement. They are twelve identified tribal families with specific patrilineal descent from the sons of Ya'akov (Israel).

Until the twelve tribes are identified, gathered, and constituted in covenant relationship with Yahweh, no government can make a binding covenant land claim on behalf of all twelve tribes. The State of Israel can make a political claim based on national self-determination. It cannot make a binding Torah covenant claim until it can identify the twelve tribes and their members — something no current government, rabbinic institution, or political party has done.

What Israel's Own Founders Admitted — The DNA Question

The genetic record of who has lived on this land continuously for four thousand years is not in dispute among serious scholars — including Israel's own founding generation.

David Ben-Gurion and Yitzhak Ben-Zvi — Israel's first Prime Minister and second President — co-authored a 1918 work titled *Eretz Yisrael in the Past and Present*, in which they argued that the Palestinian Arab peasant farmers — the *fellahin* — were in fact the descendants of the ancient Hebrew agricultural population who had converted to Islam under Arab rule but had never left the land. Ben-Gurion and Ben-Zvi wrote explicitly that these farmers were "*the most ancient of the ancient inhabitants of this land.*"

This position is corroborated by modern genetic studies. Research published in peer-reviewed journals — including work by Harry Ostrer at Albert Einstein College of Medicine and genetic studies utilizing Y-chromosome analysis — consistently shows that Palestinian Arab populations and Jewish populations share a common Levantine genetic ancestry, with Palestinian populations showing some of the closest genetic proximity to ancient Levantine populations of any group in the region.

The conclusion is unavoidable: the Palestinian people are not foreign invaders on Hebrew land. They are, by the best available scientific and historical evidence, descendants of the ancient Hebrew and Canaanite population of that land — many of whom converted to

Christianity under Byzantine rule and later to Islam under Arab rule, but who never left the land of their ancestors.

The Matrilineal vs. Patrilineal Question

The Tanakh establishes tribal identity through the patrilineal line — the father's lineage. The modern rabbinic definition of Jewish identity as matrilineal — determined by the mother — is a post-biblical development that does not appear in the Torah itself. **Bemidbar (Numbers) 1:1-4** is explicit: the census of the tribes was taken 'by their families, by their fathers' houses.' The Tanakh records tribal identity, inheritance rights, and covenant standing through the father's line throughout.

The significance of this distinction is substantial. A community that defines its covenant identity by a standard the Torah itself does not use cannot simultaneously claim that its political decisions are governed by Torah. The patrilineal standard the Tanakh establishes does not automatically validate or invalidate any group's claim — but it does establish that any covenant claim must be grounded in the Torah's own standards, not post-biblical rabbinic development.

PART III — THE STATE VS. THE NATION: A CRITICAL DISTINCTION

One of the most consequential confusions in the modern conflict is the equation of the political State of Israel with the covenant Nation of Yisra'el described in the Tanakh. These are not the same thing, and conflating them has produced theological error, political manipulation, and enormous human suffering.

What the Covenant Nation of Yisra'el Actually Was

The covenant Nation of Yisra'el in the Tanakh was a theocratic covenant community — a people constituted by their relationship with Yahweh through the covenant given at Sinai. Its identity was defined not by ethnicity alone but by covenant faithfulness. Its governance was the Torah. Its king — when the people demanded one — was subordinate to the Torah standard of **Devarim (Deuteronomy) 17:14-20**, which required the king to write a copy of the Torah, read it all the days of his life, and not consider himself above his brothers. Its priests were held to the standard of impartiality in **Devarim (Deuteronomy) 1:17**: 'You shall not be partial in judgment. You shall hear the small and the great alike.'

The covenant nation included, from the beginning, a *mixed multitude* — **Shemot (Exodus) 12:38** records that a great mixed multitude came out of Mitsrayim (Egypt) with the children of Yisra'el. Covenant membership was never purely ethnic. The stranger who attached himself to **Yahweh** and kept the covenant had full standing — as **Yeshayahu (Isaiah) 56:3-7** makes explicit: 'the foreigners who join themselves to Yahweh... I will bring to My holy mountain.'

What the Modern State of Israel Actually Is

The modern State of Israel, established in 1948, is a secular democratic republic — not a covenant theocracy. It was founded by primarily secular Zionist leaders, most of whom were not observant of Torah. Its founding document, the Israeli Declaration of Independence, does not appeal to Torah law as its governing standard. It appeals to the UN Partition Plan, the historical connection of the Jewish people to the land, and democratic principles.

This is not a condemnation of the State of Israel's right to exist as a political entity. It is a statement of fact: **a secular democratic state operating under Western legal frameworks is not the covenant nation of Yisra'el.** Conflating the two — treating political decisions of the modern Israeli government as divinely mandated covenant acts — is a theological error that has been used to justify actions the Torah itself explicitly forbids.

The Twelve Tribes Have Not Been Identified

No living institution — not the Chief Rabbinate of Israel, not the Knesset, not any synagogue or yeshiva — can identify the twelve tribes by their full patrilineal genealogies. Ten of the twelve tribes were scattered by the Assyrian conquest in 722 BCE. The whereabouts of the full twelve-tribe community has never been definitively established. **Yechezkel 37:15-22** — the vision of the two sticks — explicitly describes the re-unification of the scattered tribes as a future act of **Yahweh**, not a human political achievement. The ingathering described in the prophets is **Yahweh's** act, accomplished by **Yahweh's** standard, under **Yahweh's** covenant terms — not by a UN resolution or a military campaign.

PART IV — THE COVENANT SOLUTION: YECHEZKEL'S VISION

The Tanakh does not leave the land question without a resolution. The prophet Yechezkel (Ezekiel), writing from Babylonian exile after the destruction of the First Temple, received the most detailed covenant vision of the land's future in all of scripture — covering chapters 40 through 48.

Yechezkel 47:22-23 — The Stranger Receives Inheritance

“You shall allot it as an inheritance for yourselves and for the strangers who sojourn among you and have had children among you. They shall be to you as native-born children of Yisra’el. With you they shall be allotted an inheritance among the tribes of Yisra’el. In whatever tribe the stranger sojourns, there you shall assign his inheritance, declares the Lord Yahweh.” — Yechezkel (Ezekiel) 47:22-23

This is Yahweh's own declared solution to the land question — spoken through His prophet, concerning the future restoration of the covenant community in the land. It does not establish an ethnically exclusive Jewish state. It does not give the Palestinian Authority a

separate sovereign state. It gives both communities covenantal standing within one land, governed by one covenant standard, accountable to the one Owner of the land who declared: *"the land is Mine."*

The stranger who has lived in the land, had children in the land, and sojourned among the covenant community — by **Yahweh's** own word through **Yechezkel** — receives an inheritance equal to the native-born. The Palestinian people, by both genetic record and covenant law, qualify under this standard. They are not strangers in the foreign sense — they are, by the best available evidence, the descendants of the ancient Hebrew farmers who remained on the land through every conquest and never left.

Yechezkel 37:15-22 — One Nation, Not Two States

"I will make them one nation in the land, on the mountains of Israel. And one king shall be king over them all, and they shall be no longer two nations, and no longer divided into two kingdoms." — Yechezkel (Ezekiel) 37:22

Two states is not a covenant solution. Two states is the exact condition the prophets identified as the wound requiring healing — the division of the covenant people into separate political entities, each claiming the covenant while refusing the other's inheritance. The two-state framework proposed by the international community would institutionalize the division that **Yahweh** declared He would reverse. A fence with a passport is not shalom. A managed conflict with an internationally recognized border around it is not shalom. It is the postponement, not the resolution, of the covenant reckoning.

PART V — HOW THOSE IN COVENANT RELATIONSHIP ADDRESS LAND RIGHTS TODAY

Miqdash Bethel does not speak from any political position. It does not endorse any government — not the State of Israel, not the Palestinian Authority, not Hamas, not the United States government. It speaks from one authority: the Tanakh.

Those who claim a covenant relationship with **Yahweh** — whether they identify as Hebrew, Jewish, Muslim, Christian, or by any other name — are bound to one covenant standard regarding this land. That standard is established in the texts examined in this study, and it produces six unambiguous covenant positions:

Covenant Position One: The Land Belongs to Yahweh — Neither Side Owns It

Vayikra (Leviticus) 25:23. No nation, government, ethnic group, or religious institution is the owner of this land. Every claim of ownership — by any party — is a covenant transgression against the actual Owner. The legitimate question is not who owns the land but *who has the covenant right of stewardship under the terms the Owner has established.* Those terms are the

covenant. Covenant people address this issue by refusing to participate in the fiction of human ownership and calling all parties back to the only legitimate framework: **Yahweh's** tenancy law.

Covenant Position Two: Tribal Identity Must Be Established Before Inheritance Can Be Claimed

Bemidbar (Numbers) 1:1-4; Yechezkel (Ezekiel) 47:21. The covenant inheritance belongs to the twelve tribes — specifically identified, patrilineally documented, and covenant-faithful. Until the twelve tribes are identified, gathered, and constituted in covenant relationship with **Yahweh**, no government can make a binding covenant land claim on behalf of all twelve tribes.

Covenant Position Three: The Palestinian People Are Covenant Heirs by DNA and by Yechezkel 47

Both the genetic record — corroborated by Ben-Gurion and Ben Zvi in 1918 — and the explicit covenant law of **Yechezkel (Ezekiel) 47:22-23** establish that the Palestinian people have a legitimate covenant standing in the land. They are not foreigners to be expelled or strangers to be subjugated. They are, by the best available scientific evidence, descendants of the ancient Hebrew farmers who never left — and by the explicit word of **Yahweh** through **Yechezkel**, they are to receive an inheritance within the land equal to the native-born. The campaign to displace, dispossess, or destroy the Palestinian people is, under this standard, a campaign against **Yahweh's** own covenant order.

Covenant Position Four: The Covenant Right to Land Is Conditioned on Covenant Obedience

Vayikra (Leviticus) 18:28; Vayikra (Leviticus) 26:33. The land has a covenant right to expel those who defile it through injustice, bloodshed, and oppression of the vulnerable. This applies to every occupant of the land without exception. **The State of Israel cannot simultaneously invoke the covenant to justify its right to the land while violating the covenant conditions that make any occupancy legitimate.** The same standard applies to any Palestinian governing authority that employs terror and targets civilians.

Covenant Position Five: The Ingathering Is Yahweh's Act — Not a Political Achievement

Yechezkel (Ezekiel) 37:1-14; Yeshayahu (Isaiah) 11:11-12. The restoration of the covenant community in the land — the ingathering of the scattered tribes — is **Yahweh's** sovereign act, accomplished in **Yahweh's** timing, by **Yahweh's** standard. It is not accomplished by military conquest, political declaration, or UN resolution. Any movement that claims to be fulfilling biblical prophecy through human military force while violating covenant law is not fulfilling prophecy — it is appropriating prophetic language to cover political ambition.

Covenant Position Six: The Covenant Solution Is One Land, One Standard, Equal Inheritance

Yechezkel (Ezekiel) 47:22-23; Yeshayahu (Isaiah) 19:23-25. The covenant resolution of the land conflict is not partition, not ethnic supremacy, and not the elimination of either community. It is one land governed by one covenant standard — **Yahweh's** standard — under which every resident who keeps the covenant has equal standing, and the stranger who has built his life in the land receives an inheritance alongside the native-born. This is **Yahweh's** own declared solution. It is the only framework that addresses the root of the conflict rather than managing its symptoms.

Closing: What the Covenant Demands of Those Who Read This

The Tanakh has spoken on every dimension of this conflict. The land belongs to Yahweh. The heirs are the twelve tribes — whose full identity has not yet been established. The stranger who has lived among the covenant community receives equal inheritance under Yahweh's law. The covenant right to occupy the land is conditional on justice, not on military dominance.

Those who claim to follow the covenant — in any tradition — are not free to selectively apply these standards. They cannot invoke **Bereishit (Genesis) 12:3** to demand unconditional support for a political state while ignoring **Vayikra (Leviticus) 25:23**, **Bemidbar (Numbers) 35:33**, and **Yechezkel (Ezekiel) 47:22-23**. The covenant is not a buffet. It is a complete standard, and it applies equally to all who claim its inheritance.

The word of Yahweh does not change with the news cycle. It does not adjust to political alliances. It does not exempt any people, any government, or any religious institution from its requirements. The land is His. The terms are His. The resolution is His — and it has been written in the covenant text for those with the courage to read it.

Primary References

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Miqdash Bethel — The Sanctuary of the House of Yahweh

Pearl River, Louisiana

miqdashbethel@gmail.com

All authority rests in the Tanakh — the Torah and the Prophets — as the sole doctrinal standard of this ministry.