



ISRAEL'S VIOLATIONS OF THE INTERNATIONAL AGREEMENT IN *SIYASAH KHARIJIYYAH* (STUDY OF ISRAELI-PALESTINIAN PEACE AGREEMENT 1993-2007)

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Abstract: The implementation of the principle of *Pacta Sunt Servanda* in every international agreement is crucial, considering that the principle necessitates both parties to comply with the agreement. However, in the case of a peace agreement between Israel and Palestine, the fact shows the opposite. This has been due to the violation of the agreement by Israel between 1993-2007. Employing a normative-empirical approach, this study analyzes Israel's violations against the Israeli-Palestinian peace agreement between 1993-2007, which contradict the principle of *Pacta Sunt Servanda* and the *Siyasah Kharijiyya* concept. This study reveals that Israel neglected the principle of *Pacta Sunt Servanda* in the peace agreement with Palestine. The absence of sanctions for Israel shows that the International Court of Justice has not been able to provide legal certainty for the Palestinian people.

Keywords: Principle of *Pacta Sunt Servanda*, Israeli-Palestinian Peace Agreement, *Siyasah Kharijiyyah*

Abstrak: Implementasi asas *Pacta Sunt Servanda* dalam setiap perjanjian internasional mutlak adanya, mengingat asas ini sebagai landasan bahwa perjanjian tersebut wajib dipatuhi oleh kedua belah pihak. Namun faktanya sangatlah bertolak belakang dengan yang diharapkan terhadap perjanjian damai Israel-Palestina, khususnya tentang pelanggaran Israel pada perjanjian damai Israel-Palestina dalam kurun waktu 1993–2007. Pada masa itu telah terjadi rangkaian perjanjian damai antara Israel-Palestina secara hampir berkelanjutan antara tahun 1993-2007, namun pihak Israel yang selalu melanggar hasil kesepakatan perjanjian tersebut. Dengan pendekatan normatif-empiris, studi ini menganalisis pelanggaran Israel pada perjanjian damai Israel-palestina dalam kurun waktu tahun 1993– 2007, yang bertentangan dengan *asas Pacta Sunt Servanda* pada perjanjian internasional dan Konsep *Siyasah Kharijiyah* pada kajian Fikih Siyasah. Studi Ini menemukan bahwa Israel tidak mengindahkan *asas Pacta Sunt Servanda* dalam melakukan perjanjian damai dengan Palestina. Tidak diberlakukannya sanksi bagi pelanggaran Israel memperlihatkan bahwa Mahkamah Internasional belum bisa memberikan kepastian hukum terhadap rakyat Palestina.

Kata kunci: Asas *Pacta Sunt Servanda*, Perjanjian Damai Israel-Palestina, *Siyasah Kharijiyah*

Introduction

The prolonged Israeli-Palestinian conflict has attracted the attention of the world. This has been not only because of Israel's aggression in the Palestinian territories but also because of the Palestinian people's counterattack that continues to rage in order to maintain the pride of a country that wants independence and sovereignty. The struggle of the Palestinian people to regain their rights is not only through the battlefield but also through negotiations and diplomacy, which ultimately has resulted in a peace agreement between Israel and Palestine. Of course, with the hope that the agreement can end the conflict. The Israeli-Palestinian Peace Agreements which as implemented in the period 1993 to 2007 consisting of:

1. Oslo I Agreement on September 13, 1993, in Washington, USA. The negotiating actors were Prime Minister Yitzhak Rabin (Israel), the PLO Leader Yasser Arafat (Palestine), and the US President, Bill Clinton. The outcome was the granting of the limited authority of the Palestinian government over Gaza Strip territory, and Jericho, in Jerusalem, under the jurisdiction of Israel.
2. Cairo Treaty on May 4, 1994, in Cairo, Egypt. The negotiating actors were Israeli Prime Minister Yitzhak Rabin, PLO leader Yasser Arafat, and the US President Bill Clinton. The result was the takeover of civil authority in the Gaza Strip and Jericho by the PLO from Israeli hands.
3. The Oslo II Agreement on September 28, 1995, in Washington, USA. The negotiating actors were Israeli Prime Minister Yitzhak Rabin, PLO leader Yasser Arafat and the US President Bill Clinton. The results were the expansion of the Palestinian autonomous government from Gaza and Jericho to the West Bank and negotiations on the re-arrangement of Israeli occupation in the Hebron.
4. Hebron Agreement on January 15, 1997, in Hebron. The negotiating actors were Israeli Prime Minister Benjamin Netanyahu, PLO leader Yasser Arafat and the US Secretary of State Warren Christopher. The results were the withdrawal of Israeli troops from 80% of the Hebron region; oversight by outsiders; and the rearrangement of the Israeli occupation by the Temporary

International Presence in Hebron represented by Norway.

5. Wye River Agreement on October 23, 1998, in Wye River US. The negotiating actors were PM Benjamin Netanyahu (Israel), Yasser Arafat (Palestine) and President Bill Clinton (US). The results included Israel giving partial control of Palestine to an additional 13.1% of the West Bank region; Israel limiting the construction of Jewish settlements in the West Bank; and Israel freeing 750 Palestinian prisoners.
6. Arab Nations Summit on March 26-27, 2002, in Beirut. At this summit, the Saudi Peace Proposal was set out in the "Beirut Declaration" which consisted of offering normal relations with Israel in return for the willingness of Israel to withdraw from all Arab lands occupied in 1967.
7. The Middle East Peace Conference in Annapolis, Maryland, United S, which took place at the end of November 2007. The Annapolis Conference can be considered failed. This is because the plan to create an independent Palestinian State in 2008, could only be realized on November 29, 2012, in the form of UN recognition of Palestinian membership.

The conflict of Palestine and Israel has become concerning due to the number of casualties from civilians, including women and children. The Islamic world seemed to be unable to do significant acts, nor the UN could do much except making a resolution, which then violated by Israel. Israel will not be as strong as today without the support of Westerners such as the United States and its allies.

In the long history of human civilization, conflicts begin with inter-state disputes. Most have developed to be prolonged disputes, involving violence, armed conflict, and war. One of the protracted conflicts is the conflict between Israel and Palestine. Nevertheless, the conflict in the Middle East is not only between Israel and Palestine. History has witnessed conflicts among Middle Eastern countries. The Middle East is indeed one of the areas where most conflicts occurred between countries. There is a long line of international disputes involving the United Nations (UN) forces to resolve them. A prolonged conflict between Palestine and Israel is one of the longest disputes. This has not only sparked tensions

among Middle Eastern countries but also attracted the attention of the world.

Broto Wardoyo (2008: 3) maintains that the Palestinian conflict has four different levels, namely:

(1) Intra-factional conflicts, especially between Fatah and Hamas

The conflict is related to Palestinian domestic politics; the Palestinian-Israeli conflict; and relations with regional countries. The internal Fatah conflict occurred because historically, this group was built from the diaspora (Tunis group) and local politicians in the occupied territories. Arafat prioritized diaspora groups to play a greater role in central positions. The deteriorating performance of the Palestinian authorities has caused divisions to become more pronounced, especially dissatisfaction from local politicians. Post Arafat, the divisions were inevitable, marked by the appearance of Marwan Barghouti, Muhammad Dahlan's silent coup over Abbas, and failure in the legislative elections.

(2) Conflicts between factions in Palestine, especially between Fatah and Hamas

There are differences regarding resistance and state-building. Resistance by Hamas is understood as acts of violence against Israeli occupation. This strategy positioned Hamas as a spoiler in the peace process. Hamas actions have often discredited Fatah in the public eye.

(3) Palestinian-Israeli conflict

This conflict continues as the peace process stagnates. The parties argued that the stagnation of the peace process was caused by the loss of Israel from the results of the peace talks. Israel is considered unconscientious in responding and reacting to the results of the peace talks.

4). Conflicts between regional countries involving the US

The interests of regional actors, including the US, can be seen from two aspects: 1) defining the policies of each actor, and 2) mapping the constellation of problems in the region. The involvement of the US can be seen from two cases, namely the decision to leave the Israeli-Palestinian peace process, and demands against Palestinian reform.

In the conflict between Israel and Palestine, several agreements have been made to resolve disputes that occur between the two parties. In this case, both declare themselves as an independent state and are entitled to the disputed territory. Although peace efforts have been carried out repeatedly to the level of international agreements with the involvement of the UN, the results have been unable to resolve the problems between both countries directly. Among the results have been the division of territories. Palestinians with their *intifada* forces and Israelis with strong armed forces still attack and defend each other. Therefore, there is a need to re-examine the accountability of international agreements that have been constantly violated.

The Israeli-Palestinian conflict can be positioned as a social conflict considering that it involves political and theological aspects. Social conflict, as Oberschall cites Coser, is interpreted as "... several values or claims to status, power, and resources, in which they are framed, such as social class conflict, racial conflict (ethnics and racial conflicts), conflicts between religious followers (religions conflict), communal conflict, so on." The Israeli-Palestinian conflict can be categorized as racial conflict (in which ethnics and racial conflicts are not only intended to gain desired values but also to neutralize injure or eliminate rivals (Oberschall, 1978: 291-315). This understanding shows that social conflict covers a wide spectrum involving the sharing of conflicts, which in this case is the Arab-Israeli conflicts. History has recorded the occurrence of five very destructive Arab-Israeli wars. Then, the Israeli-Palestinian conflict also included conflicts between religious adherents (religions conflict), namely Muslims in Palestine and Jewish people in Israel.

In some of the negotiations, Israel often failed to implement the contents of the negotiations. Former US Secretary of State James Baker said that peace could arise in the Middle East only if all parties to the conflict want it. However, Israel clearly shows that they have consistently preferred lands over peace. As is said by the first Israeli Prime Minister David Ben Gurion: "peace is important but not to be exchanged for any price". That is the principle that guides every next Israeli leader (Findley, 1995: 283).

International agreements are part of international law sources. In some cases, it has a significant role to harmonize the relationship

between countries. International agreements are essentially species of the genus in the form of agreements in general. In each agreement, there are principles to be used as the basis for its implementation. The most fundamental principle is the principle of *Pacta Sunt Servanda*, meaning that the promise is binding as a law for those who make it. It is fundamental because this principle underlies the birth of international agreements. *Pacta Sunt Servanda* becomes the principle of good faith. The implementation of the *Pacta Sunt Servanda* principle in every international agreement is necessary, considering that this principle becomes the basis for the obedience of both parties to the agreement. The fact was very contrary to what was expected. This article further examines the violations against the Israeli-Palestinian peace agreement in the period 1993 – 2007 by Israel.

The reason is that a series of peace agreements between Israel-Palestine took place almost continuously between 1993-2007, but the Israeli side repeatedly violated the results of the agreement. It is very different from the agreement efforts have been made in 2011 until now. The new status of Palestinian membership in the United Nations in November 2012 has stagnated the Israeli-Palestinian peace agreement. This has been due to Israeli's continuous attempts to build new settlements in the Palestinian territories, even though many countries criticize this. This becomes a prove that Israeli has not obeyed the principle of *Pacta Sunt Servanda*. Furthermore, without any sanctions for Israel's violations, the International Court of Justice seems unable to provide legal certainty, especially for the Palestinian people.

Based on the above observations, the authors are interested in examining the violations committed by Israel in the Israeli-Palestinian peace agreement between 1993-2007, the consequences of the violations, and factors caused the violations. Furthermore, the authors are interested in discussing the relevance between the principle of *Pacta Sunt Servanda*, the International Relations science, and the principles of International Relations (*Siyasah Kharijiyyah*) as a part of the *Siyasah* Jurisprudence.

Islam, as a religion of peace and prosperity, prioritizes peace and cooperation with any country. Quran, in Sura Al-Anbiya 21: 107, mentions that Islam is revealed as a blessing for the universe. Because of this, God does not justify Muslims doing war, let alone expanding

other countries. War is only permitted under very urgent conditions and only in self-defense (defensive) (Al-Hajj, 22: 39-40). The scholars also formulated a method in international relations, namely: “The basis of relations between countries is peace”.

International relations in Islam are based on: first, written normative sources come from the Quran and the Hadith of the Prophet Muhammad. From these two sources, Islamic scholars then poured it into the study of *fiqh al-siyar wa al-jihad* (international law on peace and war). Second, practical sources consist of the application of these normative sources by the government in Islamic countries in dealing with other countries. This can be referred directly to the political policies of the Prophet Muhammad towards friendly countries and enemies, the policies of *al-Khulafa' al-Rasyidun* and their successors (Iqbal, 2001: 215).

The principles of international agreements known in the implementation of international relations are 1. *Pacta Sunt Servanda*, which is the principle in international agreements where all parties should comply with the agreements; 2. *Equality rights*, that the parties involved in the agreement have the same position; 3. *Receprocitas*, this means that when the country involved in the agreement do something to the other involving country, the later can reciprocate or do similar action to the first; 4. *Courtesy*, which is that the parties must respect each other; 5. *Rebus sic stantibus*, which means that all parties are allowed to withdraw from the agreement due to fundamental changes of circumstances.

The principle of *Pacta Sunt Servanda*

Pacta Sunt Servanda comes from Latin words, which means “promises must be kept”. *Pacta Sunt Servanda* is a basic principle in the civil law legal system and adopted in international law. This principle is related to contracts or agreements that are carried out between individuals, which implies that: (Purwanto, 2009: 162) a) the agreement is a law for the parties that made it; b) it implies that the negligence of the obligations in the agreement is an act of violation.

According to Aziz T. Saliba (Purwanto, 2009: 165), the principle of *Pacta Sunt Servanda* is the sacralization of an agreement, in which

the focal point of the treaty law is freedom of contract, or known as the principle of autonomy. The principle of *Pacta Sunt Servanda* also has also the roots in Islamic law, especially in the Quran Surah Al- Maidah and Al-Isra'. Both verses essentially call humans to keep their promises to their Lord and their neighbors.

In the Quran Surah [Al-Maidah verse (1) "*O ye who believe, fill the aqad-aqad. It is permissible for you cattle, except those that will be read to you. (That is so) By not justifying hunting when you are doing the Hajj. Indeed, Allah establishes the laws according to His will*", and in Surah Al Isra' verse (34) "*And do not approach the property of the orphan, except in a way that is better (beneficial) until he grows up and fulfils the promise; in fact the promise must be held accountable.*"

The embodiment of the principle of *Pacta Sunt Servanda* is in Article 2 paragraph (2) of the United Nations Charter. This principle states that the UN member countries are bound to fulfil their obligations as a consequence of their membership, and due to benefits by being a member of the UN. This also appears in the third chapter of the opening of the 1969 and 1986 Vienna conventions. The principle of *Pacta Sunt Servanda* pairs with the principle of good faith in article 26 of the Vienna conventions of 1969 and 1986. This latest principle states that parties in an agreement are bound to implement the agreement in good faith.

The realization of the principle of *Pacta Sunt Servanda* in Indonesian national law is stipulated in article 1338 paragraph (1) of the Civil Code (Badruzaman, 2006: 107), stating that all agreements made in accordance with the law are applied as laws for those who make them. (2) The agreement cannot be withdrawn other than by an agreement of both parties, or for by reasons determined by law. Then, Article 4 paragraph (1) of Law No. 24 of 2000 states: the government of the Republic of Indonesia makes international agreements with one or more countries, international organizations, or other international legal subjects based on agreement; and the parties are obliged to implement the agreement in good faith.

The presence of diplomatic relations between the two countries begins with the signing of a pact. Before the formulation of the Vienna Convention on the 1969 Peace Pact, the Prophet Muhammad and his

companions had already practiced the notion that *dar al-Islam* must submit to and obey the treaty pact made with other countries. The first peace agreement made by the Prophet Muhammad with the infidels of Mecca Quraysh in the Sixth Hijriyya, which was called the Hudaibiyya Treaty.

This treaty consisted of five points, namely: 1) The Quraysh people and Muslims agreed that they would not fight each other or carry out aggression for ten years; 2) If the Quraysh left Mecca without the permission from their leader and embraced Islam and joined the Muslims, then Muhammad should order them to return to Mecca (extradited), but if Muslims joined the Quraysh in Mecca, there was no obligation for the Quraysh to return them to Muhammad; 3) Anyone was allowed to make agreements with both Muhammad and the Quraysh; 4) During the year, Muhammad and Muslims should not enter Mecca to perform Hajj; 5) After the year, Muslims were allowed to go on a pilgrimage for no longer than three days and should not carry any weapons, excepts usual goods carried by travelers.

At a glance, this agreement is lame and detrimental to Muslims, especially Article two, which required extradition unilaterally. However, the Prophet Muhammad, as a signing party, had no choice but to obey and implement it. Shortly after the ratification of this agreement, Abu Jandal, who was the son of Suhail and the delegation of the Quraysh, converted to Islam. He came and kneeled to the Prophet with his hands shackled to seek protection from the harsh treatment and torture of the Quraysh against him. Suhail insisted that his son be handed back to Mecca, as was determined by the agreement. Umar, one of the Prophet's companions, begged the Prophet to protect Abu Jandal. However, the Prophet remained in his position to respect the agreement. Finally, Abu Jandal was extradited to Mecca (Iqbal, 2001: 243)

From the perspective of international law, this act of the Prophet shows how the agreement must be obeyed and not betrayed. The obligation to fulfil an agreement is stipulated in several verses of the Quran, such as Al-Maida: 53 ("O believers, fulfil the agreement that you have promised") and Al-Maida 91-92 ("Perfect the agreement with God if you have promised. You must not violate your vows after you have pledged them and after you have appointed Allah as your guarantor. Do not be like a woman who breaks down a thread that has been spun

strong, so that it is scattered ...”). In Islam, Allah places Himself as the third party in every agreement made by Muslims. Therefore, God is very angry with those who break an agreement.

In the case of the Israeli-Palestinian agreement, Israel often fails to obey the negotiations. Former US Minister of International Affairs, James Baker, said that peace could arise in the Middle East only if all parties involved in the conflict want it. Instead, Israel has shown their preference for land over peace. As said by the first Israeli Prime Minister David Ben Gurion that “peace is important but not to be exchanged for any price”. That is the principle that guides every future Israeli leader (Findley, 1995: 283).

The peace treaty between Israel and Egypt in 1979 did not deal with the Palestinian question, and that issue became the main struggle of the Palestine Liberation Organization (PLO). It maintains that the intervention evidences three primary ways of contributing to the evolution of the peace process that laid the foundation for the Oslo Accord. *First*, the development of cadres experienced in respectful and analytical communication enabled their movement into official roles in the negotiations that led to the Oslo breakthrough. *Second*, the information-sharing and formulation of new -ideas on the analysis and resolution of the conflict yielded important substantive inputs into the political discourse and negotiations. *Third*, the workshops helped foster a political atmosphere that was conducive to negotiations and to a new relationship between the parties, including a sense of mutual reassurance and the realization of the possibility of a way out (Fisher, 2007: 9)

Kelman's intervention involved multiple targets (political leaders, negotiators, governmental-bureaucratic constituencies, public-political constituencies) and multiple mechanisms (personal contacts, briefings, writings, speeches, interviews). Also, the intervention yielded transfer effects in most categories, including cognitive changes in the view of the conflict and the other party; cognitive products such as new directions or options; relationship changes among participants that have an influence on wider relationship; and structural connections wherein numerous participants moved into highly influential roles (Fisher, 2007: 10).

Forms of Israeli Violations in the Israeli-Palestinian Peace Agreement (1993-2007)

From 1993 to 2007, there were seven Israeli-Palestinian peace agreements. However, at the stage of its implementation, Israel violated the results of the agreement. The violations include:

1. The Oslo Accords 1 (September 13, 1993)

Israel has permanently closed the West Bank and Gaza Strip and prohibited the movement of goods and Palestinian people by limiting the licensing system. This effectively strangled the economy of the Palestinian people. Israel failed to end its occupation of the Palestinian territories, and withdraw its troops from the territories. Moreover, Israel did not release political prisoners, failed to open the northern region, which is a safe route between the Gaza Strip and the West Bank, and closed the southern region. Israel rejected the implementation of Resolution 242 issued by the UN Security Council on November 22, 1967, requiring Israel to withdraw from occupied territories in the War. Israel postponed the withdrawal of Israeli troops from the Gaza Strip and the city of Jericho, which was scheduled for December 13, 1993, until May 4, 1994.

2. Cairo Agreement (May 4, 1994)

Israel did not keep its promise to release 52 square kilometer lands of Jericho to the Palestinians as their autonomous and only gave 25 square kilometers. (Husaini, 2004: 52).

3. The Oslo II Agreement (September 28, 1995),

Israel took over the sources of income of the Palestinian people and caused severe socio-economic losses. The absence of the institutionalization of the Palestinian economy has caused Palestine's dependency on Israel. Furthermore, the closure has caused Palestinian communities to be confined within the isolated cities. Israel violated the agreement by issuing a policy to build Jewish settlements in the West Bank, especially in the Har Homa hills in East Jerusalem (violation of Article V of the Transitional Period and permanent status negotiations on settlements). Also, Israel did not withdraw its troops from the Gaza Strip and Jericho area (included in the additional Article II Protocol: the Withdrawal of Israeli Military Power from the Gaza Strip), Israel did not release

around 3,000 Palestinians in Israeli prisons (violation of Article VIII of public order and security).

4. The Hebron Agreement (January 15, 1997)

The form of violation is the postponement of the signing of the supposed Hebron agreement, which should be signed after the Israeli election of May 1996. This agreement was delayed until January 1997. Israel slowed its military withdrawal from the Palestinian autonomous region. Based on the 1993 Agreement, Israel must put the military back outside Palestinian settlements before the Palestinian autonomous council election. Israel was stalling for an Israeli military withdrawal under the pretext of security for Jewish settlers. Israel closed the Palestinian territory, the West Bank of the Jordan River, following several attacks on Jewish people.

5. The Wye River Agreement (October 23, 1998)

The form of its violation is the delay in the immediate implementation of the Wye River Agreement by Israel; instead, Israel tended to buy time because there were fears there would be 15 Jewish settlements surrounded by Palestinian territories. Besides, Palestinians would control 40 per cent of the West Bank. Israel initially refused to withdraw from 13.1% of the West Bank, but eventually proposed security conditions and agreed to withdraw.

6. Arab State Summit (March 26-27 2002)

The form of violation was that Israel did not show serious intention to create a normal relationship with Arabs by refusing to withdraw from all Arab lands occupied in 1967.

7. The Middle East Peace Conference in Annapolis Maryland (November 2007)

The form of violation was that Israel had no good will to realize an independent Palestinian state targeted by the conference.

Based on the above explanations, it is clear that from 1993 to 2007, there were ongoing peace agreements between Israel-Palestine, with the main goal of realizing an independent Palestinian state. However, the agreement seemed to be unsuccessfully implemented due to several violations, which often committed by Israel.

Factors and Sanctions for Israel's Violations of the Peace Agreement

A country's foreign policy is formulated for domestic political interests. Israel is a country that very much integrates the domestic political policy and its foreign policy by placing internal security factors as its main interest.

As explained earlier, the output of a country's foreign policy is produced through the process of foreign policy decision making. As explained by John T Rourke, the characteristics of a country with a democratic political system are a) a widely open political participation; b) a large number of rights to oppose government policy or conduct political competition lead to the foreign policy that is more influenced by sub-national (domestic) factors. Rourke mentions six domestic factors, namely: 1) political leadership, 2) bureaucracy, 3) legislature, 4) political opposition, 5) interest groups, 6) value and public opinion.

The state of Israel is a country with a democratic political system as characterized by Rourke. In an open political system with a high level of political competence, as in Israel, the political decision-making process tends to follow the "political-bureaucratic" model as formulated by Graham T. Allison. This "political-bureaucratic" model strongly emphasizes on the "bargaining games" factor as the determinant in foreign political behavior. According to this model, the process of making foreign policy is not seen as a result of intellectual processes that connect goals and means rationally, but foreign policy is the result of processes of interaction, adjustment and politics among various actors and organizations. This involves various bargaining games among players in the bureaucracy and the national political arena. In other words, foreign policy decisions are "social processes", not "intellectual processes", or "bureaucratic processes" (Husaini, 2004: 87)

Formulating Israeli foreign policy as a system, Brecher (1973: 124) mentions five components that determine a foreign policy, namely (1) the operational environment, (2) the communication network, (3) the elite decision making, (4) the psychological environment of elite, (5) the process of formulation and implementation.

In the Israeli political system—also in various countries—the main actors in foreign policy making are the heads of government and foreign ministers. In Israel, the prime minister and cabinet are the holders of

executive power, even though its power is limited by the parliament (Knesset), as the holder of highest supremacy in the Israeli political system. In accordance with Israel's "Basic Law", the prime minister is designated as the "head of the government". Meanwhile, the prime minister's real power depends on personal abilities and performance within the government. Factors that influence the occurrence of Israeli violations of the peace agreement are:

The Condition of the Main Policy-Making Actors

At the Oslo I and II Agreements and the Cairo Agreement, the negotiating actor from the Israeli side were Prime Minister Yitzhak Rabin. Yitzhak Rabin, who was awarded the Nobel Peace Prize in 1994 for making peace with Palestine in 1993, is also known for his dark past where his hands were "covered with blood". In 1948, he was involved in acts of terror and expulsion of tens of thousands of Palestinians—where the majority of them were women and children—in the City of Lydda and Ramle. Both were Arab cities in the 1947 UN Division Plan. Rabin was also a true Zionist, who rejected the implementation of Resolution 242. When he served as Israeli PM in 1979, Rabin stated that Resolution 242 required both parties' negotiations. In 1992, Rabin also issued a policy allowing the settlement of around 11,000 unfinished Jewish housing units in the West Bank and would not limit the construction of new Jewish housing in East Jerusalem (Peretz & Doron, 1997: 1-2).

Yitzhak Rabin is the first Israeli PM born in Palestine. He was born in Jerusalem on March 1, 1920, and was the first military volunteer in 1941 to join a new underground military unit named Palmach (herd of attackers). In 1984, he served as Israeli Defense Minister. In 1992, Rabin again occupied the post of Prime Minister. When serving as Israel's second Prime Minister, Rabin expressed his desire and vision of peace. He also stated that the first step towards a permanent (with Palestinian) solution was the implementation of autonomy in the occupied territories. However, in his inaugural address, Rabin refused any discussion, let alone compromise, regarding the status of the City of Jerusalem, and refused Israeli citizenship for Palestinians in the occupied territories.

However, Rabin's pragmatism in his foreign policy, which was the willingness to "compromise" with the Palestinians and gave a part of the territory claimed by Israel as part of Eretz Israel to Palestine and Jordan, finally led to his death. On November 4, 1995, Yigal Amir shot Rabin to death.

Israeli negotiating actor in the Agreement on Hebron and Wye River was PM Benjamin Netanyahu. Since the election of Benjamin Netanyahu as Prime Minister of Israel in June 1996, the conflict between Israel and Palestine had returned to heat up. The Prime Minister from the Likud Party inherited his party's hardline policies. Israel, again, committed violations of the points in Oslo I and Oslo II Agreements and did not heed the UN resolution issued in March 1998 regarding the construction of Jewish settlement projects.

Prime Minister Netanyahu had challenged Washington by continuing Jewish settlement projects in the West Bank and only wanted to withdraw from 8 percent of the West Bank, even though the US insisted that Israeli forces be withdrawn from 12 to 15 percent of the West Bank. Netanyahu even asked for guarantees from the US not to force him to reassign troops promised next year (Suara Karya, 1998: 5) This action caused the pressure from outside and inside the country. The US government was angry about this due to the Israeli's ignorance attitude.

The two leaders of Israel have an important role in regulating the strategy in the peace agreement, but their desire to make peace was not reflected in their consistency in implementing the agreement. The pragmatism of the leaders of the Labor Party in facing the Palestinian problem proved to be unable to resolve the Palestinian problem. Willingness to compromise and release ideological claims from secular Zionist figures has not solved the conflicts.

However, their secular and pragmatic attitude is one of the important factors in deciding pragmatic foreign policy. Some consider this as an important stepping stone in efforts to realize "peace" in the Middle East, even though peace is more pseudo and temporal, amidst the strengthening of the political power of religion both among Jews and among Palestinian Muslims.

Domestic Political Conditions

Based on R. Barry Farrel's category, Israel is a country with an open political system. It has the characteristics such as the existence of regular competitive elections; legalization of two or more organizations aimed at replacing government leadership; a high level of tolerance for autonomous groups in politics; and an agreement on constitutional rules for government authorities. In a stable democratic and open countries, partisan influencers play a limited role in approving or rejecting foreign policy actions. This case has not applied to Israel, because, in Israel, partisan influencers play a significant role in overthrowing the government through a vote, and no confidence in the Knesset. Interest influencers in an open system country usually play a greater role. Coplin exemplified the role of the Zionist's lobby in the United States, which was able to influence US policy towards Israel. In this system also, the climate of opinion is usually more free from direct manipulation of decision makers. Mass influencers in open systems play an important role in elections and public opposition to government policy.

The legacy of ideological and political conflict between Likud and Labor has always determined the politics of Israel in every Election, even though both are Zionists and want safety for Israel. Both are only different in ways and styles in carrying out their mission. It can be concluded that the dispute between Labor and Likud has been only limited to political battles over the influence of the people, or power in the Israeli government.

For example, in the case of Jewish settlement construction in the occupied territories, if the Likud states the development of Jewish settlements openly, the workers usually do it secretly. There is no sanction imposed on Israel, and this became one of the triggers for the Israeli violation of the peace agreement. The principle of *Pacta Sun Servanda* reminded the importance of mutual respect between countries that make agreements. Consequently, public sanctions should be applied to those who violate the agreement.

The Culture of the Jewish Nation in Responding to the Agreement

The Jewish nation has long been known to have an "alternative" character. Chaim Weizman notes: "Jews who are in Russian Motol,

their way of life is the same as that of Jews who live in hundreds of small and large cities throughout the world, like to live in isolation in hundreds of small and large cities throughout the world, love to live secluded in another world of a world inhabited by human beings who live with them.” Charles Kent, in *A History of Hebrew People*, also notes that “self-estrangement “is a trait that cannot be separated from the Jewish people (Syalaby, 1990: 16).

The Jewish nation has a strong influence as a nation that has a bargaining position in addressing all forms of Israeli violations. In the history of Islam, at the beginning of the Prophet Muhammad’s leadership in the State of Medina, he owned a secretary who was of Jewish origin. The Prophet needed his strength because he mastered Hebrew and Syriac. However, after the Banu Nadhir Jews were expelled from Medina due to their betrayal, the Prophet appointed Zaid ibn Thabit as his secretary. The Prophet was worried that if a Jew still held this important position, it could endanger the state of Medina. Therefore, he told Zaid ibn Thabit to study the two languages.

This example shows that the Prophet had a good relationship with the Jews. This good relationship was strengthened again in the Medina Charter. The Prophet did not seem to think at all about setting a strategy to antagonize or get rid of the Jews. He accepted the fact that there were Jews and pagans. The Prophet made a pact with them to coexist and work together. The Medina Charter reflected his desire to create a peaceful life together among all citizens of Medina, while at the same time to mobilize cooperation against those who wish to cause chaos and disasters (Sukardja, 2012: 175)

However, after seeing the significant influence of the Prophet and Muslims position became stronger, a stubborn attitude and defiance of the Jewish tribes arose. One by one the Jewish tribes betrayed the contents of the Medina Charter. They carried out terrorist acts against Muslims, and even tried to kill the Prophet, Muhammad. For example, the terror they carried out was a Jewish provocation against the Aws and Khazraj tribes. When these two tribes, which the Prophet had united them in Islam, gathered together in a friendly atmosphere, suddenly a Jew came and revived hostility between them. The Jew reopened their old wounds by bringing up the war between the two tribes again. Once the Jews intelligence was pitting and provoking, the two tribes were

provoked and involved in a mass “brawl”. Casualties might occur if the Prophet had not been told. After the Prophet came to the scene, he immediately reconciled. This event was the background of the revelation of Surah Ali Imran 4: 103.

In groups, the Jews also violated the contents of the Medina Charter. The first Jewish tribe to do this was Bani Qainuqa. They harassed a Muslim and killed a Muslim. This incident, occurring in Shawwal the second year of the Hijrah, was the evidence of the violation of the Jews of Bani Qainuqa against the Medina Charter, especially article 25. They had disturbed a person’s freedom to practice his religion. Seeing this, the Prophet Muhammad immediately ordered the Muslims to attack them. For fifteen days they were blocked, so they finally gave up. They were also expelled from Medina to Syria.

After the case, the Jews of the Bani Nadhir tried to kill the Prophet by smashing a large stone towards the Prophet. The Prophet immediately evaded and managed to escape death. This case can be said as treason because they attempted to murder the head of state.

The last Jewish group to commit treason against the Medina Charter was Banu Quraizah. They did a conspiracy and cooperated with the allied forces (Ahzab) who attacked Medina. In this case, the Bani Quraizah Jews violated the Medina Charter, especially article 37, which emphasized that Jews and Muslims must work together to face external enemies. The explanation above shows clearly that since the time of the Prophet Muhammad, the Jews often violated collective agreements. Even today, it becomes unsurprising that the Israeli side often violates the Israeli-Palestinian peace agreement.

One important thing that needs to be considered by the *dar al-Islam* government is that treaty pacts made with other countries must benefit the people. The government is a representative or servant for the interests of its citizens who have given part of their rights to be managed and regulated. Therefore, if the people’s regulation by the government is not in accordance with the purpose of the benefit, including in matters of diplomatic relations, it means that the government has betrayed the trust that the people have given them.

In this case, the government must understand and pay attention to the psychology of its people. For the Indonesian context, for example,

the government must take more time to think about the opening relationship with this Jewish state. This is because the Muslims will likely to react negatively towards the idea of developing cooperation with the Zionist state. In the view of Indonesian Muslims, as the majority of the Indonesian population, Israel is identical to a terrorist due to their action of annexing Palestinian land which, most of the time, involves violence. There will be not many benefits for Indonesia in opening diplomatic relations with Israel.

On the contrary, this might only strengthen Israel's position in international diplomacy. Israel can use Indonesia, as the largest Muslim country in the world, to smooth lobbies for their interests (Iqbal, 2001: 245. According to Taher Hamad (in an interview with Vice Ambassador of Palestine in 2018), Indonesia and Palestine have very close diplomatic relations since the beginning of Indonesian independence. Palestine expresses its highest appreciation to the government and the people of Indonesia that have fully supported the struggle of Palestinian people, in terms of politics, humanity, education, infrastructure, capacity building and others. According to Hamad, currently, Palestinians need access to education so that Palestinian children can continue their education as high as possible, and later can build a Palestinian state into an independent and sovereign state. Hamad also added that the process of peace negotiations has stagnated and the violence of the Israeli army has again occurred in the Gaza border and the West Bank. The support from all countries in the world is needed for peace in Palestine.

Diplomacy in Realizing Peace Negotiations

The effort to realize peace in the Middle East is a very important and urgent matter for the life of the Palestinian people. Arab countries and the state of Israel aware of this, but the Arab-Israeli war and the Arab-Arab war have been hard to be solved. The situation in the past has made the current situation more complicated and dangerous for Palestine and Israel. Until the last decade of the 20th century, all power and efforts to return to the negotiation table have continuously been carried out by involving other countries as mediators and facilitators. (Dimont, 2018: 559)

At present, Palestine is starting to rebuild the diplomatic process in order to ask support from the world community. This is to maintain that

Palestine is a sovereign country, despite the occupation of Israel. Israel attacks against Palestinian has become a backfire for Israel due to the world criticism. The world will isolate them due to its image as a human rights violator. (Interview with Ambassador Fariz Mehdawi, 2014)

The basis of diplomacy is communication, namely thoughts and ideas from various countries. The main goal of a country to establish diplomatic relations is to get more benefits from other countries, maintain relations with other countries, and maintain harmony between countries. In high-level diplomacy, stages are usually carried out by state actors represented by heads of state which are carried out directly in a discussion forum with activities in the form of exchanging ideas/opinions. But along with the complexity of the problems faced in its development, generally diplomatic relations are currently carried out indirectly through the stages of sending envoys in the form of ambassadors or representatives sent by their countries.

According to L. Carl Brown (2004: 2), the Middle East political elites have a pattern of diplomacy that balances domestic, regional and international relations. The alignments of the Middle East's foreign policy are multipolar processes involving many different countries in the Middle East and beyond. Suryokusumo (2004: 1) argues that diplomacy is an important part in dealing with international issues to realize world peace. One aspect of diplomacy is multilateral diplomacy, which means diplomacy between three or more countries. This is also called conference diplomacy because it takes place during conferences between countries. This is in line with G. R. Berridge's point of view (2002: 146), stating that multilateral diplomacy is one model in diplomacy. International organizations always carry out multilateral diplomacy as a means to create an agreement on international issues. The United Nations use multilateral diplomacy as the institution's permanent diplomacy.

There is also multi-track diplomacy, which is an effort to maintain and create world peace. This type of diplomacy is focused on the positive force, namely long-term peace for long-term positive impacts (permanent) (Permadi, 2009: 143). Furthermore, according to Louise Diamond and John Mc. Donald (The Institute for Multi-Track Diplomacy, 2013: 119), multi-track diplomacy is a concept in a whole world peace process as a living system; and there is a notion that

a country can succeed diplomacy not only by involving government actors but also by the supports from actors outside the government. Therefore, all parties, both government and community institutions, can involve in such diplomacy.

At the stage of diplomacy, there are several main factors. The first is matters to be fought so that other parties understand and support them. Second, it is related to ways to strive for understandings and supports in the form of tactics and techniques of implementing diplomacy. Third, there is an ability to convince other parties to convey views, accompanied by knowledge of the appropriate language and adapted to the international situation. The Indonesian Foreign Minister, Retno Marsudi, was considered quite proactive in responding to US President Donald Trump's statement about Jerusalem's recognition as the capital of Israel. Marsudi lobbied ASEAN member countries and the European Union not to support Trump's policies.

According to Frankel, diplomacy can be used as the main instrument in a country's political policy, which is the main body that carries out the behavior of the international community. Diplomacy is usually carried out in the form of negotiations between countries and becomes an easy way to resolve competing interests. It can be said that diplomacy is an easy way for a peaceful conflict resolution. In line with Frankel, Roy argues that diplomacy can be run through the Ministry of Foreign Affairs, large groups, legations, consulates and special missions throughout the world. They carry out the mission and task of diplomacy, starting from the bilateral relations to wider world problems, such as war and peace. Both of these matters require diplomatic efforts in finding solutions to avoid the danger of war (Roy, 1995: 2).

At first, the struggle for Palestinian independence focused only on armed struggles. However, as time went on, the struggle has been shifted through diplomatic efforts. In this case, Arab countries, such as Egypt, have represented Palestine. After that, the Camp David peace negotiation was formed, and followed by the Oslo I agreement in 1991; the Oslo II Agreement in 1995; the Wye River Agreement, and others. However, these numbers of peace negotiations have not resolved the conflict. Moreover, there has also been a conflict of opinions with Hamas that consider diplomacy is unable to suppress Israel to free Palestine (Aslamiah, 2015: 6).

According to Azzar (1986: 401), there was a debate in seeking alternative approaches to external interventions, in order to improve protracted conflict situations and to create peace consensus. These approaches are (1) breakthrough facilities for conflict situations through problem-solving workshops and (2) independent structural development through the application of development diplomacy designed to meet the basic needs of victims and restore regional, sectoral, and ultimately communal balance and harmony.

According to *al-siyasah al-kharijiyyah*, which are sourced from the Qur'an, the principles of international relations, include:

a. Good and fair cooperation relations

“God does not forbid you to do good and be fair to those who do not fight and drive you out of your land. Indeed, Allah loves those who are just.” (Sura Al-Mumtahanah, 8)

“O people, indeed We created you consisting of men and women and made you tribes and nations so that you would know each other. Surely the noblest of you is the most fearful. Verily Allah is Knower, Knower.” (Sura Al-Hujurat, 49:13)

These verses suggest the importance of establishing cooperative relations with other countries. These cooperative relations aim at benefiting Muslims in the fields of economics, politics, social affairs, national security, law and others. Likewise, fellow Muslim countries formed the OIC (Organization of Islamic Cooperation) and the Organization of the Petroleum Exporting Countries. Organizations formed with non-Muslim countries include the United Nations and ASEAN. In *siyasa kharijiya*, the establishment of cooperative relations with other countries should be based on the Quran.

b. Prioritizing peace

“If they tend to peace, then make peace. And trust God. Lo! He is Hearer, Knower.” (Surah Al-Hujurat: 13)

In the terminology of international law, peace means stopping the conflict between two or more countries. The existence of the Israeli state from the beginning necessitated the removal of the Palestinian people. Before Israel was founded on Palestinian land, Jews, Christians and Muslims had been living side by side peacefully from the start. Bloody massacres and mass expulsion of the Palestinian

population occurred after Israel robbed Palestinian land by declaring the establishment of Israel on May 14, 1948, in Tel Aviv.

This principle is in line with the objectives of the United Nations (United Nations) written in UN Charter article 1, namely to maintain international peace and security. In order to achieve the objectives, it is necessary to take collective steps to prevent and eliminate threats to peace and suppress acts of aggression and other violations. It is also important to seek them with peaceful means, in accordance with the principles of justice and international law.

Similarly, this principle is in line with the principles that bind UN organizations and their members. Article 2 of the UN Charter mentions that all members should resolve their international disputes peacefully so that international peace, security and justice are not threatened (An-Naim, 2004: 230)

c. Strengthen alertness in a peaceful atmosphere

“If they want to deceive you, then surely Allah will be your protector. He who strengthens you with His help and with believers (Surah Al-Anfal, 8:62)

In this peaceful atmosphere, Allah also reminds and hints that Muslims should be vigilant and remain alert, in case the peace agreement only became a strategy for the enemy to hit back on Muslim soldiers. This happened when the peace negotiation process was underway, Israel launched its attacks on the Palestinian people, which resulted in many casualties. The Israeli attacks certainly got resistance from the Palestinian people in the form of a martyr bomb, which made Israeli Prime Minister Sharon hold a sudden cabinet meeting. Prime Minister Sharon mentioned that there were pros and cons parties with regards to his decision to free the Palestinian Authority. With this incident, it was recognized that the agreement reached between the PLO and Israel was truly fragile. The battle will continue to rage with or without resolution and agreement. This reality is very well understood by the US; moreover, the phase of the intifada struggle has been no longer just using stones. The Palestinian fighters are currently using missiles against Israel.

- d. Warfare is permissible only in forced circumstances and for defensive, non-aggressive purposes.

“Allowed to those who are attacked (persecuted) to fight (self-defense). Allah is Almighty to help them, (i.e.) those who have been driven out of their homes without cause, except only because they say, “Our Lord is Allah”.” (Surah Al-Hajj, 22: 39-40)

Israel proclaimed the independence of its country on May 14, 1948, a day after the British mandate in Palestine ended. There had been at least four wars occurred: in 1948, 1956, 1967, and 1973. As a result, many Palestinians were driven out. They fled to various countries. The destination was not only to their neighboring countries, but also America and Germany. Then, came the idea of the Land of Peace, which means the exchange of land with peace (Abdurrahman, 2002: 5). This had been agreed upon by most countries. This idea is quite fair. Israel gained recognition from Arab countries and Palestine in obtaining territory to establish a state.

This principle is in line with the principles of the United Nations Article 2, stating that “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or any other manner inconsistent with the Purposes of the United Nations.” In international relations, there are three forms of power: 1) *force* (force of influence), which includes explicit threats, or the use of military, economic, or other kinds of force; 2) *influence* or persuasion (non-violent) methods to ensure that the behavior of one actor is in accordance with the wish of another actor; 3) *authority* or the attitude of submission and voluntary of one actor based on the direction of the other actor, which arises out of respect, solidarity, closeness, etc.

- e. Inviting others to Islam in good and wise ways. If they do evil, respond to their crimes accordingly and should not be excessive.

“Invite them to the way of your Lord in wise ways (wisdom) and good lessons. (If you have to argue) Debate them argumentatively. Verily, your Lord knows more about those who go astray and who get guidance. If you want to take revenge, respond according to what they did to you.” (Surah Al-Nahl, 16: 126)

This was the advice of the Prophet before fighting against the polytheists. First, they must be called into Islam. If they refuse, they

may stick to their beliefs, but must pay *jizyah* as a guarantee of their security. If they also reject this, it means that this is a “call” for war. In such condition, Muslims may fight them. Later, the Prophet also taught that the Islamic army should show respect for humanity. The Prophet forbade killing the enemy with sadistic methods that demean the values of humanity (Zahrah, 1966: 87-89).

Lately, the UN General Assembly passed a resolution condemning Israeli acts of violence against the Palestinian people in the Gaza Strip. The violence has killed more than 130 people and injured thousands of Palestinians since March **2018**. The UN resolution has also ordered UN secretary general Antonio Gueterres to recommend international protection mechanisms in the Israeli-occupied Palestinian territories. Turkey initiated the vote in the name of the Organization of Islamic Cooperation (OIC) and Algeria on behalf of the Arab League. The result was that 120 countries supported, eight countries refused, 45 abstentions and 20 countries were absent. Human Rights Watch human rights activist group said that Israeli violence in the Gaza Strip was a war crime (CNN Indonesia, 2015).

f. You cannot impose religion on others

There is no compulsion in (entering) religion (Islam), (because) it is clear to them which way is right and which way is astray. Whoever denies Thaghut and believes in Allah, then he has held on to a sturdy rope that will not break. Allah is Hearing, Knower (Surah al-Baqarah, 2: 256).

In Islam, it is not permissible to impose Islam on non-Muslims. Islam is a religion upholding human rights. Islam guarantees the values of freedom (Huriyah) for non-Muslim citizens, including the freedom to embrace their religions. Effort (Ikhtiyar) produces an obligation to achieve meaning and a high value of life. Furthermore, human beings have rights to be protected by law. The two sides of human dignity that imply freedom are his sacred own; the obligation is his reputation. Freedom of choice and self-determination are the most fundamental rights.

g. Respect the signed treaty pacts

“How can there be a covenant (safe) from the side of Allah and His Messenger with the polytheists, except those whom you have made an agreement with near the al-Masjid al-Haram (Hudaibiyah)? So long as

they apply straight to you, let you apply straight to them. Verily Allah loves those who fear.” (Surah al-Tawbah, 9: 7)

In the Israeli-Palestinian peace process, various efforts have been carried out, namely Camp David I (1979), Oslo I Agreement (13 September 1993), Cairo Agreement (1994), Oslo II Agreement (28 September 1995), Hebron Agreement (1997), Wye River Agreement (1998), Sharm el-Sheikh in Egypt (1999), Camp David II (2000), Arab peace initiatives (2002), Peace Roadmap (Road Map) (2003), Annapolis Negotiations (2007), Washington Negotiations (2010), and Paris Summit (2017). In some of the negotiations, it was often Israel that fails to implement the negotiation results. This violation shows Israel's true attitude towards efforts at peace negotiations with the Palestinians.

Conclusion

From 1993-2007, the Israeli-Palestinian peace agreement had been marked by Israeli violations of the results of the agreements. The form of the violation almost covers all aspects, such as the building of Jewish settlements in the Palestinian territories; refusing to withdraw its military forces immediately; and wanting to change the outcome of the agreement because it is less benefiting for the Israeli side. At present, Palestine has started to rebuild the diplomatic process in order to ask support from the world community for their sovereignty, despite the Israeli occupation. The Israeli attack some time ago will likely backfire for Israel due to world criticism. In this case, the world will isolate Israel due to the violations committed. It is through the diplomacy that the Palestinian people get tremendous support from the people of the world, not only from Arab countries or fellow Muslims. Even the Jews also support the struggle of Palestine.

With regards to the aspect of military strength, Palestine is not as strong as Israel's military defense with all the sophisticated military equipment assistance from the US. This resulted in asymmetrical warfare, or unbalance forces between Israel and Palestine in military strength and defense. However, Palestine has a different strategy in facing Israel, namely Public Diplomacy, to gather as much public support for Palestine. Furthermore, multilateral diplomacies initiated by several countries in international forums, including conferences

held by OIC member countries, NAM, and UNESCO, consistently raise the issue of Palestine in their discussions. At the same time, multi-track diplomacy is also often used in voicing the Palestinian issue as a domestic and international issue. Indonesia consistently provides humanitarian assistance to Palestine through government institutions, namely the Ministry of Foreign Affairs, the Ministry of Health and others; besides, there are ACT, MER-C, BSMI, and PPPA Daarul Quran as humanitarian institutions for Palestine.

There are three factors that influence Israel's violation of the peace agreement: the condition of the main actors of policymakers, domestic political conditions, and international factors, which is the United States factor. The struggle of the Palestinian people up to this point has taken a long time and has resulted in many victims, which among them are the *mujahid* of Palestinian independence. The 1993 Oslo agreement became the turning point for the change in the Palestinian strategy. The limitation in the Palestinian Army was shown by the use of rocks by Intifada to fight the Israeli army in 1990. The Palestinian figures and leaders' attempts to use politically democratic approach have gained positive responses from other countries, including the Western countries. This has been shown by their involvement as mediators in several agreements.

One of the positive sides of any peace agreement is that political approach can reduce the number of casualties caused by war. The political approach through diplomacy has become a significant strategy and strength for Palestinians, although they must be patient. Slowly but surely, the Palestinian struggle has produced results, which among them is the increasing world supports for Palestine at regional, national and even international levels. In the regional level, Palestinian people have become more active in developing their country by improving their trade and economic networks; building schools and universities; repairing destroyed infrastructures; developing tourism sectors; establishing Palestine Airways; possessing the country's telephone code, etc. This shows that Palestine can build its country.

Furthermore, more countries in the world start to recognize Palestine and its status at the UN as a monitoring country for non-members that have previously been monitored entities. Palestinians are preparing to submit applications as full members and have pocketed

138 votes. This is proof of the success of Palestinian leaders' diplomatic politics.

Referring to the violation of the Medina Charter by the Jewish people during the time of the Prophet Muhammad, it seems that they have repeated the history. In other words, Israel, as a Jewish state, has often violated the principle of the *Pacta Sunt Servanda*. Without any consequences and sanctions for the violations, Israel applies arbitrarily to the decisions taken. Israel has a strong influence on the US policy regarding Palestine. To force Israel to obey the agreements, minimizing relations with Israel or eliminating diplomatic relations with Israel can be considered. In some countries, diplomatic relations with Israel have not been established as a sign of solidarity and support for the struggle of the Palestinian people. However, even though without formal diplomatic relations, Israel is still able to sell its products widely to the world. Boycotting Israeli products would be one of the sanctions for its violations against the established peace agreements.

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