

Article

Legal Certainty and Justice in Palestinian Independence from the Perspective of the 1945 Constitution

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Abstract

This article aims to analyze the legal certainty regarding the future of Palestinian independence from the perspective of the 1945 Constitution. On the other hand, it also aims to analyze the legal justice concerning the future of Palestinian independence from the same perspective. This article employs qualitative research, conducting a historical study of the Palestine-Israel conflict phenomenon, using a normative approach. It provides legal certainty through the theory of legal norms proposed by Gustav Radbruch, where moral norms can meet the demands of legal reality. Currently, there is no legal certainty for the Palestinian people, resulting in continued occupation and increased casualties. Legal justice for the Palestinian people cannot be felt due to the lack of legal standing, which hinders the realization of justice. The first paragraph of the Preamble to the 1945 Constitution implies that independence is the right of all nations and rejects all forms of colonialism and oppression. Therefore, based on this principle, Palestine must assert its independence, as it has been colonized and oppressed by Israel.

Keywords

Legal Certainty, Legal Justice, Palestinian Independence, 1945 Constitution

INTRODUCTION

The conflict between Israel and Palestine has been a humanitarian tragedy, resulting in thousands of casualties. Despite this, airstrikes and rocket fire continue unabated. The Zionist regime's interest in controlling Palestinian land, often perceived as colonialism, has been documented extensively through both academic journals and social media, highlighting the regime's brutality in displacing Palestinians



Recent data from the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) indicates that from 2008 to 2020, the conflict between Palestine and Israel has claimed the lives of approximately 5,600 Palestinians and injured another 115,000 people. This data underscores the lack of legal certainty and justice for the Palestinian people from authoritative bodies, including the UN (Niall McCarthy, 2021).

This situation can be explained through the theory of legal certainty, particularly the basic norm or *grundnorm* introduced by Hans Kelsen, which refers to the fundamental norms that underpin a legal system. The UN Council has been unable to provide legal legitimacy to the parties involved in the Palestine-Israel conflict, resulting in ongoing casualties (Swarup, 2011).

John Stuart Mill, in his works "On Liberty" and "Utilitarianism," views justice as a legal theory that should result in the greatest happiness for the greatest number of people. For him, justice is not only about fair distribution but also about creating favorable social conditions for all individuals. According to Mill's theory of justice, there is no legal justice for the Palestinian people, as it does not bring happiness to them (Saepullah, 2020).

To date, there has been almost no research on the Palestine-Israel conflict from the perspective of legal certainty and justice in the context of the 1945 Constitution. Most studies have focused on the warfare aspect, such as the study by Herts Taunamang et al. titled "The Israel-Palestine Armed Conflict According to International Law," which concludes that armed conflicts must adhere to international law (Umboh et al., 2023).

Another similar study was conducted by Hengky Ho, titled "The Application of International Humanitarian Law in the Armed Conflict Between Palestine and Israel," which concludes that Israel's violations of humanitarian law constitute human rights abuses, while Palestinian groups such as Hamas have violated protocols by using civilian residences in Gaza for military operations (Ho, 2019).

However, if authoritative bodies like the UN were to follow the principles of justice and legal certainty as outlined in the 1945 Constitution of the Republic of Indonesia, which states that "independence is the right of all nations, and therefore, colonialism in the world must be abolished, as it is not in accordance with humanity and justice," then this article aims to provide an alternative solution for establishing legal certainty and justice for the Palestinian people who are victims of the Palestine-Israel conflict.

Based on these objectives, this article employs a normative approach with qualitative research methods, analyzing the Palestine-Israel conflict through the lens of the theories of legal certainty and justice found in the 1945 Constitution.

HISTORY ANDA CONFLICT BETWEEN PALESTINA AND ISRAEL.

Long before the modern state of Israel, the nation of Israel existed in classical times, first conceived and developed by Saul, who is referred to as Talut in the Qur'an, around 1025 BCE. Historically, the terms Israel or Bani Israel are also known as Hebrews and Jews. They were called Hebrews because they were

descended from the Prophet Abraham (AS), and the term Jews emerged when they repented from worshipping the golden calf, as mentioned in Surah Al-A'raf, verse 156 (Muchsin, 2015).

In their collective memory, the origin of their ancestors as descendants of a prophet, Ya'qub (AS), is a source of pride and prestige when interacting with others. Therefore, the arrogance often exhibited by modern Israelis appears to be somewhat connected to their historical consciousness and awareness of their noble lineage.

After the death of Prophet Dawud (AS), the leadership of the Israelites was passed on to his son, Sulaiman (AS), who successfully married the daughter of Pharaoh. During this period, the Israelites reached the peak of their peace and prosperity. This was largely due to the groundwork laid by Prophet Dawud (AS), which eliminated any political obstacles. During his reign, Prophet Sulaiman (AS) achieved remarkable advancements in industry and technology for his time, constructing magnificent buildings, grand palaces, numerous and splendid cities, strong fortresses, and an army consisting of jinn, humans, and birds.

During the reign of Prophet Sulaiman (AS), the kingdom was divided into two parts. The first part was the Kingdom of Judah in the south, with its capital in Jerusalem (Al-Quds). This kingdom was led by Rehoboam, the son of Sulaiman. He was appointed and supported by two tribes of Bani Israel, Judah and Benjamin, who lived in the southern region around Jerusalem. However, other areas, such as Shechem and Shiloh, refused to appoint him as the king of Bani Israel due to his harshness and intimidation of the people. As a result, ten tribes of Bani Israel rejected his leadership and formed a new state, which they called "Israel" (Muchsin, 2015).

Following these events, the year 586 BCE marked the first destruction and disappearance of the kingdoms of Bani Israel in Palestine at the hands of Nebuchadnezzar. Afterward, Palestine was controlled by several foreign empires: the Babylonian Empire between 586-538 BCE, the Persian Empire between 538-330 BCE, the Greek Empire between 330-200 BCE, the Seleucid dynasty between 200-167 BCE, the Seleucid and Maccabee dynasties between 167-63 BCE, and the Roman Empire between 63 BCE and 638 CE. The last Islamic power to rule Palestine was the Ottoman Empire, which governed the region for approximately three centuries (1517-1917) (Muchsin, 2015).

The transfer of power was influenced by Palestine's geographical location at the crossroads of three continents: Europe, Asia, and Africa. This land is home to three major religions: Judaism, Christianity, and Islam. The conflict between Jews and the Palestinian people began on November 2, 1917, during World War I, when Arthur Balfour, the British Foreign Secretary, issued a declaration stating that Britain would support the establishment of a national home for the Jewish people in Palestine. This led the Jewish people to strongly pursue the acquisition of land in Palestine, bolstered by the promise of legal support from the British government (Zhafira, 2023).

The conflict continued during the era of the Ottoman Empire, which

collapsed in 1918 as a result of World War I, creating a nightmare scenario for Palestine. This collapse provided an opportunity for countries that had long coveted the Holy Land, such as Britain, France, Italy, and Greece. During this period, Britain took control, establishing what became known as "Mandatory Palestine." Britain's detrimental motives became evident as they divided the three major religions, including Islam, in Palestine, facilitating access for Jews expelled from Europe to enter Palestine in accordance with the Balfour Declaration. Consequently, the Jewish population in Palestine dramatically increased from 6 percent to 30 percent by 1935 (Zhafira, 2023).

The conflict persisted with the emergence of a movement by the Jewish people in Palestine known as Zionism. They described this movement as a nationalist colonial movement, driven by the violation of their social, economic, political, cultural, and religious rights due to forced diaspora in several European countries. This movement also arose in response to the Holocaust, the massacre of six million Jews in Europe by Hitler's regime during World War II. In essence, Zionism is an ideology seeking a homeland for the Jewish people in Palestine.

The local Palestinian resistance since 1936-1939 was driven by the mistreatment of the Palestinian people by Jewish immigrants who began to oppress them arbitrarily. These Jewish immigrants received support from foreign nations, giving them economic superiority over the local population and acting akin to colonizers. However, the strength of this resistance was not comparable to the weaponry of the British forces. At least 5,000 Palestinians were killed, 15,000 wounded, and 5,600 were detained during this period of conflict.

As the conflict between Palestinian Arabs and Zionist Israelis escalated, in 1947 Britain withdrew from Palestine and handed over the issue to the United Nations (UN). The UN proposed a policy dividing the territory, allocating 45 percent to Palestinian Arabs and the remainder to Zionist Israelis. This allocation was poorly received by Palestinian Arabs who deemed it unfair; the portion allocated to Israel was more productive land and included many of their families who would be displaced from their homes.

The policy resulted in a bloody event known as the Nakba, which occurred on May 13, 1948. At least 30 massacres took place during this event against Palestinian civilians, approximately 530 villages were emptied and destroyed, and 750,000 people were forcibly displaced due to the land grab. Most of them sought refuge in neighboring countries such as Lebanon, Egypt, Syria, and Jordan.

As a result of the Zionist movement's ideology, the Jewish people achieved their aspirations by declaring the state of Israel on May 14, 1948. This declaration was recognized by the United States and the Soviet Union, leading to the establishment of the Jewish state of Israel. From then on, Palestine lost sovereignty over its ancestral land, and any actions by Palestinians attempting to reclaim their sovereignty were labeled as rebellion under international law.

The Zionist movement used pressure and force to expel Palestine from

its homeland, so that now only Gaza and the West Bank remain. As a result of the cruelty of torture and attacks given by Israel, the Palestinians fought back by carrying out the Infadha movement. This movement is synonymous with resistance using stones against the military. From this movement emerged a more serious and organized resistance movement called HAMAS (Zhafira, 2023).

THE THEORY OF LEGAL CERTAINTY AND THE FUTURE OF PALESTINIAN INDEPENDENCE FROM ISRAELI OCCUPATION

The theory of legal certainty is a crucial concept in jurisprudence, defined as the assurance that the law will be applied consistently, predictably, and fairly. Legal certainty ensures that legal subjects experience genuine justice that is universally perceivable.

The conflict between Palestine and Israel has had profoundly detrimental effects on individuals and group relations. Warfare has never been a trivial matter, and we must learn from the establishment of the United Nations, which was formed with the hope of ending world wars. The casualties of those global conflicts were devastating, underscoring the necessity of an institution capable of mitigating and even halting such wars.

When considering legal certainty from an ideological perspective, modern legal research proposed by Gustav Radbruch attempts to combine three classical views (philosophical, normative, and empirical) into a unified legal approach with fundamental legal values. One of these values is legal certainty (juridical certainty).

According to him, legal norms are oriented towards the ideal world (morality) and reality (customs). Thus, to fulfill the ideal element, the law must accommodate philosophical values, and to meet the demands of reality, the law must incorporate sociological elements. In its development, society not only seeks justice (idealism) and the satisfaction of its interests by the law (sociological), but also requires regulations that ensure certainty in their mutual relationships (Muslih, 2017).

Jan M. Otto also provides an explanation regarding legal certainty in various situations and sets forth the following conditions;(Nur, 2023)

1. Clear, consistent, and easily accessible legal rules are available, issued by state authority.
2. Government institutions consistently apply these legal rules and also comply with them.
3. The majority of citizens, in principle, agree with the content and thus adjust their behavior according to these rules.
4. Independent and impartial judges consistently apply these legal rules when resolving legal disputes.
5. Judicial decisions are concretely implemented.

From these five conditions, he concludes that legal certainty can be achieved if the substance of the law meets the needs of society. This type of

legal certainty is referred to as realistic legal certainty, which requires harmony between the state and the people in orienting and understanding the legal system.

In times like these, there are many moral contributions given to the Palestinian people, who have been victims of occupation for nearly a century. However, these contributions will not aid in achieving legal certainty of independence for them, and attacks will undoubtedly continue. Therefore, legal certainty is needed by the Palestinian society from an institution with the authority in this matter, as advocated by Jan M. Otto.

The independence of Palestine from the attacks or occupation by the Zionist Israeli regime must be granted legal certainty. Achieving such legal certainty is, of course, based on the pursuit of justice and social equity, as proposed by Gustav Radbruch. From a positivist perspective, independence from occupation must have fundamental legal values and legal force. To ensure that resistance against the occupation does not occur through warfare, legal certainty must be the foundation that holds legal authority.

THE THEORY OF LEGAL JUSTICE AND THE FUTURE OF PALESTINIAN INDEPENDENCE FROM ISRAELI OCCUPATION

Justice is fundamentally a quality that is possible, but not necessary, in a specific social order that creates reciprocal relationships among fellow humans. Only after this does it become a form of human goodness, as humans can be considered just when their behavior aligns with the norms of a social order that should indeed be just.

Freeing the concept of law from the idea of justice is quite challenging because it is constantly politically intertwined with ideological tendencies to portray law as synonymous with justice. If law and justice are identified as identical, then only rules that are fair are termed as law, thereby a social order referred to as fair and signifying moral justification.

Justice is something beyond reason, making it crucial for human actions, yet it remains not a subject of knowledge. The theory of "the pure theory of law" formulated by Hans Kelsen presents law as it is, without endorsing it, calling it just, or rejecting it by calling it unjust. This theory seeks laws that are real and possible, not necessarily true laws (Rizhan, 2020).

A legal order that can achieve a compromise between conflicting interests and minimize the possibility of friction is crucial. Only such a system of rules will safeguard social peace in specific issues. Justice can be understood as legality, where a rule is deemed fair if it is applied uniformly in all cases where its content dictates its application to achieve justice.

Rationalized justice, derived through knowledge, can manifest as an interest that ultimately leads to conflict. Resolving these conflicting interests can be achieved through an order that satisfies one interest at the expense of another or through technical compromise (Mukhlisin & Sarip, 2020).

The conflict in Palestine, occupied by Israel, has led to public awareness of the inhuman treatment of the Palestinian people. Israel's methods to fully control Palestinian land cannot be considered just or appropriate. This has caused injustice for the Palestinian population regarding Israel's actions.

Palestine needs its independence restored as it was before the Zionist movement attacked their land. Legal justice for the Palestinian people is crucial to achieving this independence. Authorized institutions must be able to stop or minimize conflicts according to the "the pure theory of law," striving for compromise to ensure that each interest does not harm others.

On the other hand, legal justice for the Palestinian people has not been evident or felt, largely due to the absence of legal certainty or legal standing. Consequently, the question arises of how the value of legal justice can be experienced by the Palestinian people. Therefore, for justice to be comprehensively felt, clear legal certainty must exist, as per the theory mentioned above.

PALESTINIAN INDEPENDENCE FROM THE PRESPECTIVE OF THE 1945 CONSTITUTION

The 1945 Constitution plays a central role in shaping Indonesia's foreign policy by affirming core principles that serve as the philosophical and legal foundation of the nation. Sovereignty, autonomy, and the rejection of colonialism are fundamental pillars in Indonesia's view of international relations. These principles not only reflect the constitutional values but also provide direction for its global diplomatic engagements. Nevertheless, Indonesia demonstrates flexibility in responding to evolving global dynamics, such as addressing global health crises and enhancing energy security while combating cyber threats. The 1945 Constitution serves not only as a formal legal guide but also plays a crucial role in shaping Indonesia's foreign strategy, maintaining coherence in domestic policies, and actively promoting regional and global stability (Lukman, 2023).

The emphasis of the 1945 Constitution on autonomy, sovereignty, and broad economic control is reflected in Indonesia's foreign policy, particularly in its stance on issues like colonialism and international law. Autonomy is emphasized in maintaining the country's independence and the right to govern domestic affairs without unwanted external interference. Sovereignty entails the right to determine one's own destiny, including rejecting domination or colonialism from foreign nations. Indonesia asserts its sovereignty in various international forums by supporting principles of national independence and peaceful resolution of international conflicts.

In an economic context, the 1945 Constitution underscores the importance of state control over vital sectors for the welfare of the people, influencing Indonesia's approach to foreign investment, international economic cooperation, and economic dispute resolution. These principles guide Indonesia's stance on international law, promoting peace, justice, and balance on the global stage, while reaffirming its commitment to democracy and human rights values in the international arena (Tiopan et al., 2023).

The Pancasila ideology rooted in the Indonesian Constitution indeed provides a strong cultural foundation for Indonesia's foreign policy. Pancasila, with its principles of Indonesian unity, just and civilized humanity, and democracy guided by the wisdom of deliberation/representation, not only serves as a philosophical basis domestically but also influences Indonesia's interactions on the international stage. Specifically, Pancasila strengthens Indonesia's role in international forums such as the Non-Aligned Movement and the Association of Southeast Asian Nations (ASEAN), as well as in regional and international cooperation. As a founding and active member of the Non-Aligned Movement, Indonesia plays a crucial role in promoting national independence, world peace, and rejecting domination and colonialism. Pancasila also forms the basis for Indonesia's active participation in ASEAN, where principles like consultation and consensus-building are highly valued. The Pancasila ideology not only serves as Indonesia's national identity but also acts as a cultural force supporting Indonesian diplomacy globally. This enhances Indonesia's influence on international policies and contributes to maintaining regional stability and security through inclusive multilateral cooperation and diplomacy (Gunn, 2022).

Indonesia's transition to democracy post-Suharto marked a pivotal period in the evolution of its foreign policy. The concept of "active and independent" (*bebas aktif*) has become a cornerstone in Indonesia's efforts to manage its international relations amidst complex global dynamics. This principle reflects Indonesia's commitment to maintaining independence in foreign decision-making while actively participating in international forums without exclusive ties to the interests of major powers.

In this context, Indonesia has successfully maintained a balance between international pressures and domestic aspirations. For instance, in its relations with the United States, Indonesia has fostered a partnership based on mutual respect for sovereignty and national interests, while advocating for democratic values and human rights. Conversely, in its dealings with China, Indonesia adopts an approach that promotes economic and national security interests while preserving autonomy in strategic decision-making.

The principle of "active and independent" has enabled Indonesia not only to uphold stability in its foreign policy but also to engage constructively in global efforts for peace, justice, and sustainable development. This signifies a significant evolution in Indonesia's diplomacy post-Suharto, expected to continue contributing positively to global resilience and regional security (Xue & He, 2022).

The ideology of "Participating in maintaining world order" found in the preamble of the 1945 Constitution of the Republic of Indonesia (UD 1945) reflects Indonesia's commitment to actively contribute to global peace and security. This ideology portrays Indonesia's belief that every nation has a responsibility to participate in creating a just and civilized world order. The 1945 Constitution asserts that Indonesia's focus extends beyond domestic affairs to include a moral obligation to contribute to the international community.

In the context of international relations, this ideology encourages Indonesia to engage in international forums such as the UN, the Non-Aligned Movement, and ASEAN, aiming to promote international dialogue, resolve conflicts peacefully, and advocate for human rights and democratic values. The significance of the ideology “Participating in maintaining world order” lies in its role as both a moral and legal foundation for Indonesia’s foreign policy. It guides Indonesia’s active role in global efforts to create a better and safer world, emphasizing Indonesia not only as a recipient of global order but also as an actor committed to advancing humanitarian values and justice on the international stage.

The ideology of the Indonesian nation “Participating in maintaining world order” also demonstrates that one of Indonesia’s goals is to contribute to global order and peace. The first paragraph of the preamble states, “That independence is the right of all nations and therefore, colonialism in the world must be eradicated because it is not in accordance with humanity and justice.” This paragraph asserts Indonesia’s rejection of colonialism.

The meaning of the preamble of the 1945 Indonesian Constitution, particularly the first paragraph, is that independence should be enjoyed by all nations, and colonialism constitutes a violation of human rights and justice. Therefore, the value of this paragraph is that Indonesia, as an independent nation, must abolish all forms of colonization. The paragraph also signifies Indonesia’s role as a sovereign state in actively promoting global peace and justice (Santoso et al., 2023).

Indonesia has expressed its stance on the conflict between Palestine and Israel by providing material assistance to civilian victims. Indonesia has also advocated for human rights and Palestinian independence rights at international negotiation tables (Juntami, 2023).

Indonesia’s stance on the Israel-Palestine conflict is characterized by consistent advocacy for Palestinian independence and support for a two-state solution (Gati & Hafid, 2024). The country’s diplomatic efforts are rooted in historical ties and academic relations between Indonesian and Palestinian scholars, as well as its active role in international diplomacy, notably as a non-permanent member of the UN Security Council opposing measures such as the US recognition of Jerusalem as Israel’s capital (Gati & Hafid, 2024). Interestingly, while Indonesia’s position appears steadfast in supporting Palestinian aspirations, it is crucial to note the complexities of international diplomacy. For instance, the evolving relationship between Russia and Israel, despite both supporting a two-state solution, illustrates how geopolitical interests can lead to shifts in a country’s approach to the conflict (Averre, 2022). Similarly, China’s foreign policy towards the Israel-Palestine conflict is influenced by a blend of ideological support for Palestine and pragmatic relations with Israel (Ran, 2015).

The government’s stance must be reaffirmed by advocating for human rights and the freedom of Palestine. Indonesia’s position automatically aligns with this stance, necessitating a moral and ethical responsibility towards the

oppression endured by the Palestinian people. The independence of Palestine, as outlined in the principles of the first paragraph, must be actively pursued. The right to self-determination for a nation under colonial oppression is inviolable, and Palestine has the right to assert its independence. Actions by Israel that perpetuate such oppression must cease immediately. Therefore, in accordance with the principles of the opening paragraph of the 1945 Constitution, Palestine should regain its independence and return to peace and prosperity for its people.

CONCLUSION

The Israeli occupation of Palestine is a violation of human rights. Legal certainty provides the right to independence for Palestine based on physical and mental oppression. According to Gustav Radbruch's theory, legal norms are oriented towards the ideal world (morality) and reality (customs). Therefore, to meet the ideal element, the law must accommodate philosophical values, and to meet the demands of reality, the law must incorporate sociological elements. Thus, achieving legal certainty requires a clear legal framework, as formulated by Jan M. Otto, known as the "realistic legal certainty" theory.

In seeking legal certainty for Palestine's independence from Israel, it is rooted in justice. The theory of justice "the pure theory of law" formulated by Hans Kelsen presents law as it is without endorsing it, calling it just, or rejecting it by calling it unjust. Justice for the Palestinian people is no longer visible and must be promptly followed up to ensure that justice can be felt and become independence for the Palestinian people.

Through the preamble of the 1945 Constitution, the first paragraph holds the value that independence is the right of all nations and rejects all forms of colonization and oppression. Palestine must promptly assert its independence because the colonization experienced by the Palestinian people violates humanitarian values.

REFERENCE

- Averre, D. (2022). Russia and the Israel-Palestine Conflict. In *Routledge Companion to the Israeli-Palestinian Conflict*. Routledge.
- Gati, M. I., & Hafid, A. (2024). INDONESIA'S DIPLOMATIC CONTRIBUTION TO THE ISRAEL-PALESTINE CONFLICT SINCE 1948. *JURNAL SULTAN: Riset Hukum Tata Negara*, 1-9. <https://doi.org/10.35905/sultanhtn.v2i2.7919>
- Ho, H. (2019). Penerapan Hukum Humaniter Internasional Dalam Konflik Bersenjata Antara Palestina Dan Israel. *Lex Et Societatis*, 7(2), 394.
- Juntami, A. P. (2023). PANCASILA AND PEACE: PERAN INDONESIA DALAM MEDIASI KONFLIK ISRAEL-PALESTINA; IMPLEMENTASI PANCASILA PADA DIPLOMASI PERDAMAIAN DUNIA. *Jurnal Diplomasi Pertahanan*, 9(3), 26-40.
- Muchsin, M. A. (2015). Palestina dan Israel: Sejarah, konflik dan masa depan. *MIQOT: Jurnal Ilmu-Ilmu Keislaman*, 39(2), 390-406.

- Mukhlishin, M., & Sarip, S. (2020). Keadilan Dan Kepastian Hukum: Menyoal Konsep Keadilan Hukum Hans Kelsen Perspektif “Al-‘Adl” Dalam Al-Qur’an. *Media Keadilan: Jurnal Ilmu Hukum*, 11(1), 55–75.
- Muslih, M. (2017). Negara Hukum Indonesia Dalam Perspektif Teori Hukum Gustav Radbruch (Tiga Nilai Dasar Hukum). *Legalitas: Jurnal Hukum*, 4(1), 130–152.
- Niall McCarthy. (2021). *Kerugian manusia akibat konflik Israil-Palestina*. 12 Mei 2021. <https://www.statista.com/chart/16516/israeli-palestinian-casualties-by-in-gaza-and-the-west-bank/#:~:text=The United Nations Office for the Coordination of,during the same period while 5%2C600 were injured.>
- Nur, Z. (2023). Keadilan Dan Kepastian Hukum (Refleksi Kajian Filsafat Hukum Dalam Pemikiran Hukum Imam Syâtibî). *Misykat Al-Anwar Jurnal Kajian Islam Dan Masyarakat*, 6(2), 247–272.
- Ran, G. (2015). Religion and Realism in International Law: China’s Perspective on the Israeli-Palestinian Conflict. *Review of European Studies*, 7(9), Article 9. <https://doi.org/10.5539/res.v7n9p10>
- Rizhan, A. (2020). Konsep Hukum Dan Ide Keadilan Berdasarkan Teori Hukum Statis (Nomostatics) Hans Kelsen. *Kodifikasi*, 2(1), 61–71.
- Saepullah, A. (2020). Konsep Utilitarianisme John Stuart Mill: Relevansinya terhadap Ilmu-ilmu atau Pemikiran Keislaman. *Aqlania*, 11(2), 243–261.
- Santoso, G., Karim, A. A., & Maftuh, B. (2023). Pengantar Pendidikan Kewarganegaraan di Perguruan Tinggi melalui Kajian Filosofis Pembukaan UUD 1945 Indonesia Abad 21. *Jurnal Pendidikan Transformatif*, 2(1), 297–311.
- Swarup, M. (2011). Kelsen’s theory of grundnorm. *MANUPATRA* [Http://Manupatra. Com/Roundup/330/Articles/Article, 201](http://Manupatra.Com/Roundup/330/Articles/Article,201).
- Umboh, J., Ante, R., Palilingan, J., Paendong, K., & Sumilat, R. R. I. (2023). Konflik Bersenjata Israel Palestina Menurut Hukum Internasional. *Rhapsodi Jurnal Studi Multidisiplin*, 1(3), 112–120.
- Xue, S., & He, K. (2022). Indonesia’s Foreign Policy since the Reformasi. In *The Routledge Handbook of Diplomacy and Statecraft* (2nd ed.). Routledge.
- Zhafira, A. (2023). Berdirinya Negara di atas Negara: Sejarah Perampasan Tanah Palestina oleh Israel yang Membawa pada Pelanggaran Hak Asasi Manusia. *AL-BAHTS: Jurnal Ilmu Sosial, Politik, Dah Hukum*, 1(1), 15–22.