

THE PHILOSOPHY OF PANCASILA AS THE GRAND THEORY OF LEGAL RESEARCH BASED ON BIBLIOMETRIC ANALYSIS

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ABSTRACT

Grand Theory is a prominent theory in macro to explain social life, history, and human experience. The research purpose is to find a mapping analysis with the VOSviewer application to carry out a bibliometric analysis of research in law. Research data was obtained through Publish or Perish software. The information data collected is the search result for the terms "Pancasila" and "Grand Theory" within the scope of the Crossref platform. From the search results, it's found 1074 articles published between 2018 and 2022. Based on the findings, In 2018, 257 publications were published, decreased to 167 articles in 2019, and increased again to 275 articles in 2020, until slightly reduced to 228 in 2021. In 2022 there were 146 research publications related to Pancasila research as a grand theory published in the Crossref search. The value of bibliometric analysis in providing analytical data about what happened is demonstrated in this work. This research is intended to assist and become a resource for researchers in identifying research themes, especially in law.

1. INTRODUCTION

Legal theory is classified based on the level of abstraction and departs from metatheory or philosophy as the most abstract to practice theory as being more tangible. American sociologist Mills (2000), in *The Sociological Imagination*, refers to a highly abstract form of theory with concepts that take priority over understanding the social world by using the term Grand Theory which separates the realities of everyday life and their variations in space and time. Frønes (2022) grand theory is a prominent theory in macro to explain the whole of social life, history, and human experience. Pancasila, as the basis of the Republic of Indonesia, has many roles and functions in the life of the nation and state (Lebo et al., 2021). As a source of all sources of law, it means that all provisions of laws and regulations established by law-making institutions, both executive and legislative, must be sourced from Pancasila as the legal umbrella (Yuliartini et al., 2022). As a noble agreement and the ideals of the Indonesian nation, Pancasila seems to be a social contract for the nation initiated by the founding fathers where the Indonesian state wants to be taken (Supratikno, 2022). On the other hand, Pancasila is also the basis and philosophy of the state Emilia et al. (2022), which means that all thoughts and ways of working of Indonesian people move from how Pancasila provides guidance (Hutabarat, 2022; Junaidi & Prakoso, 2021).

In mapping publications in the legal field, bibliometric data analysis has recently been carried out (Eryilmaz et al., 2021). This, which can be visualized, is necessary in line with the current research development. Visualizing data is called mapping. Several mapping tools can be used, one of which is VOSviewer. VOSviewer is software that can be used in mapping bibliometric data analysis. Several types of bibliometric mapping can be performed with VOSviewer, including co-authorship maps, citation maps, co-citation maps, bibliographic coupling maps, and co-occurrence maps. Several studies on bibliometric analysis have been carried out in various fields and methodologies, including legal research. Such as the Growth of Open Access Law Research Articles seen through DOAJ: A Bibliometric Analysis (Sahu & Jena, 2021). There are also indexed articles on the Web of Science to investigate ethical issues surrounding Artificial Intelligence (AI) that are of increasing concern to academics and the general public. It was found that the primary affiliations, countries/regions, and research communities that contributed to research on ethical issues around AI through a series of co-occurring analyses of bibliographic information from articles were collected. The findings, which link AI engineering knowledge bases and ethical discussions in public debate, will particularly interest science policy, technology management, and public administration (Zhang et al., 2021).

The trend of e-government research as the primary research field in public administration research has been widely carried out. Findings about the importance of the correlational relationship between basic research activities and practical implications of country e-government using bibliometric analysis methods (Urbanovics & Sasvari, 2021). The study on bibliometric analysis is fundamental in detailing the theoretical literature and developing an integrated theoretical framework for the quality of higher education. This review provides reference points for entry into this interdisciplinary field (Brika et al., 2021).

However, from these previous studies, research has yet to be found that discusses mapping analysis using bibliometrics in the research used Pancasila as a grand theory for the last five years using VOSviewer to obtain information about the development and novelty of legal research that has been out, Therefore, this research was conducted to review the development of research from the field of Law for the last five years (2018 to 2022) using the VOSviewer software mapping tool. It is hoped that it can be a starting point for determining research themes, especially those related to legal research.

2. METHODS

The article data is based on research and articles from publications registered on crossref. This platform provides DOI data for apparent reference and adds DOI (as URL) to the reference list (Reza & Susanti, 2022). The crossref search database was used in this study because it can be accessed free of charge (Al Husaeni & Nandiyanto, 2022). To collect research data, the Publish or Perish reference manager tools were used (Al Husaeni et al., 2023). Data collection was carried out in November 2022. The data were reviewed and selected according to the proper context by determining keywords that match the search for the theme needed in this research, that is, "Pancasila" and "Grand Theory," to then be backed up into files that will be retrieved via VOSviewer (Nandiyanto et al., 2021).

Each article was checked for this research, and articles related to Pancasila dan grand theory were selected. Using Publish or Perish Harzing (2007) data, search for the keywords "Pancasila" and "Grand Theory" and then filter them by title and abstract. As a result, 1074 articles were collected and evaluated based on the selected topics. The articles used in this study were published between 2018 and 2022. After that, the article is saved in *.ris format. Then, in the form of a map of bibliometric, VOSviewer is utilized to visualize and analyze trends, and filtered terms will be entered in the VOSviewer network mapping visualization. The article data is mapped using the source database that has been generated. There are three forms of data mapping: network visualization, density, and overlay.

3. RESULTS AND DISCUSSION

Several articles and research found that only a few Pancasila philosophy was used as the basis for research theory. It included legal research and ignored Pancasila as the theoretical basis for a study to develop a framework of thinking in social or legal research. Legal research cannot be separated from the philosophy of Pancasila because legal research produces a recommendation for policy-making by state administration institutions, including executive, judicial, legislative, and consultative institutions. Most legal research is soluble in western theories or is too oriented to non-Indonesian doctrines. However, it cannot be denied as long as these doctrines are related and research is also interested in using western and eastern theories.

In this study, a grand theory of urgency was created. In a study, researchers must realize that the grand theory is the substance of research or scientific work Brown (2013), including legal research (Alford, 1986). The spirit in making a journal article means that the grand theory will become the umbrella of thought from research that determines where the research is directed and where the research returns. So, research is a circulation of human thought brought by the researcher from the world of ideals or the imaginary world to the real world within the scientific corridor. Many legal researchers need to make a connection between the grand theory Berring (1987), the middle-range theory Heinze and Jappe (2020), or the applicative theory (Ziegler, 1988). If we mention applicative and middle-range theory, it means that research must have a strong foundation at all levels of thought (Nuraidah & Yumarni, 2021). The level of thought within an ideal is built based on grand theory. The level of thought that describes the theory is also middle range theory. Then the level of thinking related to the real world is applied or applicative theory. So, research with the same flow of grand, applicative, and middle-range theory will answer why the research was conducted. Suppose the research is carried out where the variables are not connected with the grand theory. In that case, it can be ascertained that what is meant by novelty from the research does not hit, even if it does, it just does not touch, even though the applicative theory is used to describe the grand theory.

So, the relationship between levels of theory must be clear. Many law students, in particular, use theoretical foundations solely to fulfill the requirements Arianto (2010), not

born from their thoughts (Erika, 2021). If we use the bibliometric model after students have imagined what they want to write about, they are directed to the biometric model, and their thoughts will be known (Ponomariov & Boardman, 2016). How many people discuss this idea, and several scientific works use the same theories in their approach? This is to facilitate, among other things, the citation of the writing that is done. Why is citation needed? Because it relates to the reciprocal principle of journal managers (Ford, 2006). If someone wants to register an article in a particular journal, then it must ethically cite articles that have been published in the journal (Aksnes, 2003). Reputable journals will often accept submitted articles if the author cites them in the journal. Thus, it should be the concern of the authors that the bibliography compiled must be in line with the number of citations that affect the acceptance of a journal (Lawani, 1981). It often happens that a reputable journal rejects a quality article due to, among other things, inadequate citations (Baumeister & Leary, 1997). So, regarding Pancasila as a grand theory, every researcher is morally bound both in his thoughts and feelings in determining the research topic, starting from what is the hope contained in the values of Pancasila.

Why is that so important? Because legal researchers will produce recommendations on legal policies used by stakeholders such as the executive, judiciary, and legislature in managing a state, that is, The Republic of Indonesia. The intended recommendation is in the form of novelty results for the benefit of the nation's future; it could also be used as material for correcting state administration practices (Haryanti, 2015). Grand theory and novelty are like one coin with two different sides; novelty produces legal ideals which have the same meaning as Pancasila as the noble agreement and ideals of the nation. The hope built by the founding fathers of the Republic of Indonesia in laying down the ideals of the state and nation is illustrated in the preamble of the state constitution in the fourth paragraph of the preamble to the 1945 Constitution Sumadi (2012), it is stated that the state aims to protect all of Indonesia's bloodshed, educate the nation's life, advance public welfare, participate in implementing world order in justice and peace is an elaboration of the noble values contained in Pancasila as a *filosofische grondslag* (fundamental philosophy) is not just a legal ideal and political ideals Prawiranegara (1984). However, in the academic world, it can become a Grand Theory as a starting reason for what is a concerned topic to researchers and authors.

The author always reminds students that if they are going to start something in legal thought, what should be the ideals and philosophy contained in the constitution of the Republic of Indonesia? As an elaboration of Pancasila, the values contained in the preamble to the 1945 constitution are important Aminullah (2018), very reasonable, reasonable, and logically easy to accept to know where one research and article are headed. After the reformation period in 1998, the study of Pancasila was abandoned by some researchers because they were more inclined toward western ideas such as free markets, liberal democracy, opposition, voting, and practical or pragmatic politics, which have significantly deviated from the essence of the philosophy of national life (Rogers et al., 2020). This is also influenced by the development of social media, which has made information and transactions between countries so easy that the thoughts mentioned above influence the thoughts behind the research and where it leads. It would sound naive if the authors or researchers doubted Pancasila as a source of knowledge and also the source of all sources of law.

Every finding or novelty in legal research can provide legal recommendations in the form of repairs, changes, and replacements and can also subvert existing theories. For example, the theory of Equality Before The Law (Human Right) has been misinterpreted by some groups, which have resulted in deviations in society, even in the results of a doctoral study from UIN Sunan Gunung Djati, which concluded the criminalization of polygamy with unregistered marriages, interfaith marriages, and same-sex marriages. This paper uses the principle of equal rights as if interfaith and same-sex marriage must be protected as long as they are happy and happy. In fact, in the Law of the Republic of Indonesia Number 1 of 1974

concerning Marriage, it is stated that marriage is an inner and outer bond between a man and a woman as husband and wife to form a happy and eternal family (household) based on Belief in the One Supreme God. If the researcher uses Pancasila as a grand theory containing spiritual values, namely religious values, religion must be upheld. For a marriage to be valid, it must be carried out by a man and fellow religious adherents; then, human rights in the second precept of Pancasila must include and be based on the values contained in the first precept, namely Belief in One Almighty God. Therefore, writing as accessible as it is, according to the writer's opinion, must be based on and sourced from the legal ideals contained in Pancasila and defeat liberal thoughts, communism, and socialism, which have recently been growing as a result of democratic freedoms, social and political.

The author makes a lattice of legal ideals, which include order, justice, peace, and welfare, to become the basis for legal research, where the research starts from re-examining whether the object of research is by *das sollen*, which is the ideal of the law. If research is based on a framework built through the principles that form the basis of state thinking, namely Pancasila, then the novelty will be easier to find. The research will be directed to how one article finds the final result, namely improving, optimizing, or developing a condition that researchers in the field find. Suppose the frame of mind is built based on Pancasila as the grand theory. In that case, any inequalities found in society, such as the marriage example above, are the recommendation to return *das sollen* to correct the deviated *das sein*. Legal researchers need to find out exciting material and become the main topic regarding the object of legal research by using the values contained in Pancasila, both written in the preamble to the 1945 constitution, a living culture, and the principle of national, social, and state life; so that they remain focused and have a handle on where the research is going and how to find novelty from research to improve the nation and state system to achieve the goal of maximizing the prosperity of the people.

Introducing more deeply bibliometrics can also develop insights because it makes it easier for researchers to collect research materials carried out by other researchers. Examiners of doctoral programs are often asked, for example, about differences in opinion between research conducted by doctoral candidates and previous research. Because in the bibliometric, the tools used are keywords from the research, comparing the topics sought will be easier, primarily if the research is based on Pancasila. The author can provide evidence that makes Pancasila a grand theory by using bibliometric techniques as a model for tracing article and publication data. Legal research will produce a novelty that is accountable and free from plagiarism and has a scientific value that reputable journals can accept, at least whether journals in Indonesia are indexed by Sinta 3. Hopefully, this paper can provide contributions and ideas so that legal researchers and authors are more focused and avoid confusion in determining the direction of research and finding research results in the form of practical novelties, techniques, and methods of citation by using a bibliometric model to search for grand theory including middle-range theory and applicative theory which will be discussed explicitly in another paper. So it will grow self-confidence and restore common sense, the framework in which research will be carried out.

The growth curve of legal research based on Pancasila as the fundamental theory from 2018 to 2021 is shown in Figure 1. Based on Figure 1, the number of publications published in social research tends to fluctuate from 257 to 146 in the last five years, from 2018 to 2022—years with the highest number in 2020, reaching 275 publications. In 2019 there were 168 articles, and in 2021 there were 228 articles, quite an increase from the previous year. In 2022 towards the end of the year, the number of articles decreased to 146.

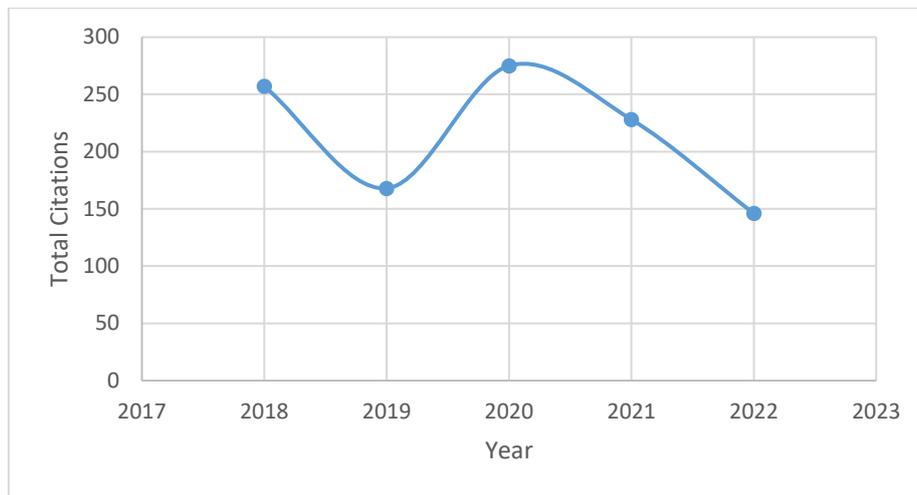


Figure 1 Level of development on Pancasila as Grand Theory.

Mapping analysis was carried out in this study. Mapping analysis was conducted to show the relationship between the terms contained in the research using Pancasila as the grand theory. Each connection is described in the network visualization. Several provisions are applied in the screening of terms in Pancasila research as a grand theory. The number of occurrences of a term is ten times the minimum. Thus, out of 1387 terms found, only 40 were used to visualize publication data. The visualization network shows the relationships between the displayed terms. The interrelationships between concepts are depicted in Figure 2. In network visualization, relationships are represented by networks or lines connecting terms. Clusters of terms in research of Pancasila and Grand Theory are depicted in Figure 2.

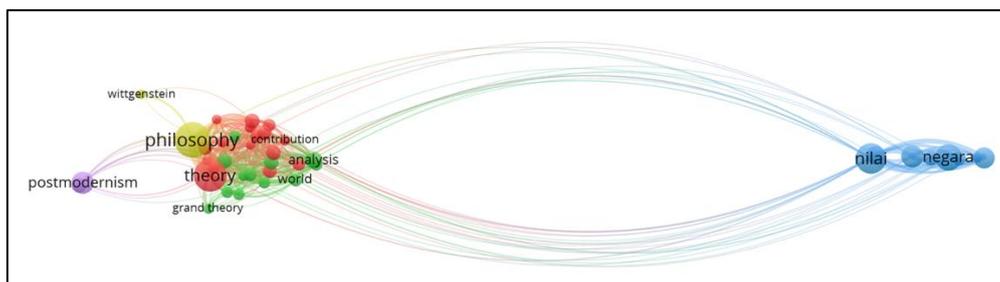


Figure 2 Network visualization of Pancasila as Grand Theory

This study's network visualization is separated into several clusters: Cluster 1 has 16 items, these items are article, article, Challenge, Chapter, Concept, Contribution, Field, Identity, Indonesian Nation, Indonesian Person, Meaning, Order, Problem, School, Term, Theory, and Way; cluster 2 has 12 items, the items are Analysis, Book, Grand Theory, History, Literature, Paper, Science, Society, Time, View, Work, and World; cluster 3 has eight items, the items are Agama, Bangsa Indonesia, Dasar Negara, Ideology, Ideology Negara, Negara, Nilai, and Pendidikan Pancasila; cluster 4 has two items, both items are Philosophy and Wittgenstein; cluster 5 has two items, both items are Educational Theory and Postmodernism.

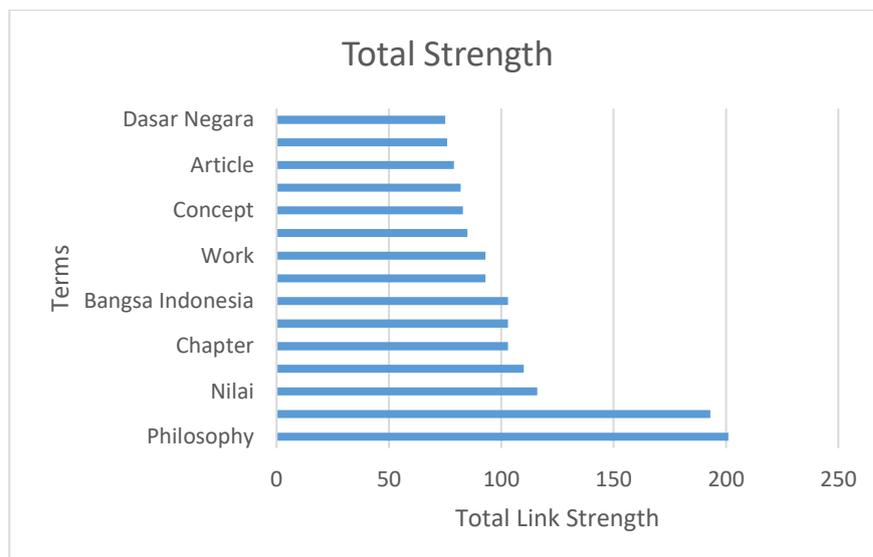


Figure 3 Total link strength term Pancasila and the other terms.

From the network visualization data, it is known that Pancasila is related to many terms. The total of 415 links and a total link strength of 1387. Figure 4 shows the 15 highest terms connected to the article publications for Pancasila as the grand theory, namely Philosophy, the highest relationship with Pancasila as a grand theory with a total link strength of 201, Theory term has a total link strength of 193, Nilai (value) term has a total link strength of 116, Negara (state) term has a total link strength of 110, Chapter term has a total link strength of 103, Way term has a total link strength of 103, Indonesian Nation term has a total link strength of 103, Analysis term has a total link strength of 93, Work term has a total link strength of 93, Time term has a total link strength of 85, Concept term has a total link strength of 83, Society term has a total link strength of 82, Article term has a total link strength of 79, the paper term has a total link strength of 76, and national principle term has a total link strength of 75.

4. CONCLUSION

This study discusses the bibliometric analysis of research in legal publications on the Crossref platform using mapping and visualization analysis. Reference management tools are used to collect data research. The data is compiled using search results for the phrases "Pancasila" and "Grand Theory." The results identified that 1074 articles were found published between 2018 and 2022. According to the publish or perish application findings, the number of studies in 2018 was 257, decreased to 167 in 2019, then increased again to 275 in 2020, until slightly decreased to 228 in 2021. Legal research using Pancasila as a grand theory is divided into 5 clusters, and the Grand theory is included in cluster 2. Pancasila is related to many terms, with 415 links and a total link strength of 1387. Several terms related to Pancasila, namely Philosophy, Theory, Values, Negara (state), Chapter, Way of life, Indonesian Nation (Indonesian Nation), Analysis, Work, Time, Concept, Society, Article, Paper, and Basic State. The full term with Pancasila research as a Grand theory is "Philosophy."

The recommendation from this article is that legal researchers are required to make Pancasila a grand theory. This is related to the novelty of any research that will impact legal policy in the form of legislation, substance, structure, and process. Therefore, in Indonesia, supervisors and academicians in legal studies should reject all legal research that does not make Pancasila a grand theory.

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