

CHAPTER III

RESEARCH METHOD

A. The type of research

This research uses empirical legal research and normative legal research. In the empirical legal research, the data of research are collected through interview namely the the head of village and the miners.

Then the normative legal research refers the library research, comparing the data with the regulations issued for karst protection, such as The Regulation of Ministry of Energy and Mineral Resources No. 17 of 2012 on The Determination of Karst Landform Area and The Decision of Minister of Energy and Mineral Resources No.3045 k/40/MEM/2014 on The Determination of Gunungsewu Karst Landform Area as the main regulation of karst conservation. Then comparing to the Governor Regulation No. 31 of 2015 on The Procedure for Giving Regional Permit as the legal basis of karst mining permit on Gunungkidul, Yogyakarta, and related information from books, journal, and other legal documents.

B. Types of data and Legal Material

In this research the primary data were collected through interview (local authorities, mining managers and workers, head of the village, and people living around the mining zone) then the findings were compared with secondary data or legal material. A legal material as research material was taken from the literature in the form of primary legal material, secondary legal material, and tertiary legal material.

1. Source of data:

- a. Primary Data: Interview the head of village and groups of people, mining manager, and mining workers who are closely bound with mining regulations in karst mining area.
- b. Secondary Data, consist of:
 - 1) Primary legal materials: legislation, ministry decree, and ministerial regulation:
 - a) The decision of Minister of Energy and Mineral Resources No. 1456 of 2000 on Guidelines for Management of Karst
 - b) Government Regulation No. 26 of 2008 on the National Spatial Plan
 - c) Regulation of the Minister of Energy and Mineral Resources of the Republic of Indonesia Number 17 Of 2012 on Designation of Karst zone

- d) The decision of Minister of Energy and Mineral Resources no. 3045 K/ 40/ MEM/ 2014 on The Determination of Gunungsewu Karst Landform Area
 - e) Governor Regulation of Special Region of Yogyakarta No. 31 of 2015 on The Procedures for Giving Regional Mining Permit Mineral Metal, non-metal and Rocks
- 2) Secondary legal materials :
- a) The scientific books
 - b) Journals and related literature
 - c) The results of related studies
 - d) The doctrine, opinions and testimony from legal experts both written and unwritten
- 3) Tertiary legal Material: legal dictionary

C. Research Location and Informant/Respondent

This research was conducted at Gunungkidul, Yogyakarta. Gunungkidul has very widely potential karst zone. More than a half of Gunungkidul total area consists of Karst zone. In some area, there are so many massively mining activities. This research discusses the obstacle of the conservation effort made by the government, especially the challenge from the miners.

D. The legal research approaches

The research used statute approach that requires the researcher to investigate all regulations issued by central or local authorities. Within the statute approach, the researcher will examine not only the form of legislation but also cross check its material content. Researcher studied the ontological basis, the philosophical reason, the ratio legis for the issuing the rules and regulations. In the method of statute approach, the researcher should have the skill and thorough understanding on the hierarchy, and principles of the legislation.

E. Technique of Collecting Data

The data were collected through interview of local authorities, mining managers and workers, and people living around the mining zone, including the head of village. Library research was also used for data collecting related to the issue of rules and regulation of the mining, conservation, and the obstacles encountered during the implementation of the minister degrees or governor decisions.

F. Method of Data Analysis

The data were analyzed by using qualitative descriptive analysis namely: the collected data were classified and elaborated through descriptive qualitative analysis with the applicable law comprehensively. The qualitative descriptive is the research method based on the descriptive data either in verbal or written documents. In the qualitative method, the researcher role is very important as he/she involves directly

with the source of the data. His interpretations on the interview results or what was stated by the respondent in written should be cross examined with other data. In this method, the researcher is responsible not only to reveal and interpret the truth but also to explain the background of the problems.¹

G. Outline

In this undergraduate thesis, the author elaborates the topic systematically by divided it into five chapters. Chapter one: introduction where the author elaborates pertinent information prelude to the topic such as background, problem formulation, research objective, research benefits, also an overview of the chapters.

Chapter two is a literature review. In this chapter the author presents library reviews. The definition of karst, function of karst, the definition of conservation, the definition of geodiversity, the definition of mining, and characteristic of mining are among the details given.

The next chapter is about research method. In this chapter, the author explains about type of research, types of data and material law, source of data, legal research approach, data collection, and data analysis.

Chapter four shows the result and discussion. The author first presents the results of the research then continues to the analysis of karst management regulation in Gunungkidul together with its obstacles

¹ Soerjono Soekanto, 2014 *Pengantar Penelitian Hukum*, Jakarta, Penerbit Universitas Indonesia, p250.

The last chapter is chapter five which contains the conclusion and suggestion for improvement of regulation application and for further research.