

## **CHAPTER III**

### **RESEARCH METHODS**

#### A. Type of Research

The type of this research is normative and empirical legal research. Empirical legal research is used to examine the implementation of positive legal provisions and contact factually on every event that occurs in society in achieves the goals. Normative legal research is the legal research that uses law as the foundation. It is related to the principle, norm, and rules from legislation, verdict, treaties, and doctrine.<sup>32</sup> This research is done through field studies and the data were collected from the source of law in the sociological sense as the desire and interests that exist within the community.

#### B. Type of data

This research used primary and secondary data. The primary data were obtained by conducting field research through observation and interview respondent. Then, secondary data were gathered from the library study on legal material. It is anything that can be used or required for the purpose of analyzing the applicable law. Legal materials in this research consist of primary legal materials, secondary legal materials, and tertiary legal materials.

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<sup>32</sup>Zainuddin Ali, 2009, *Metode Penelitian Hukum*, Jakarta, Sinar Grafika, p. 105

1. Primary legal material is a legal material that has legal binding. It consists of:
  - a. Law No. 2 year 2012 on the Land Procurement for Development for Public Interest
  - b. Presidential Regulation No. 71 year 2012 on the Implementation of Land Procurement for Development for Public Interest
  - c. Law No. 23 year 2014 on Local Government
  - d. The Ministry of Agriculture Regulation No. 98 year 2013 on the Guidelines for Licensing of Plantation Businesses
  - e. Basic Agrarian Law No.5 year 1960 on The Basic Provisions concerning the Fundamentals of Agrarian Affair (BAL)
2. Secondary legal material is a legal material that explains about the primary legal materials as given below:
  - a. Books;
  - b. Scientific journals;
  - c. Others legal document related to the issues;
  - d. Trusted site internets; and
  - e. Other non-legal documents related to the issues;
3. Tertiary legal material is legal materials that explain both of primary legal materials and secondary legal materials, like Black's Law Dictionary.

### C. Data Collection

The data were collected through library and interview. This research is conducted by reading, viewing, listening, interview or searching through the internet.<sup>33</sup> In the other words, this research only required the researcher to read, interview, analyze and finally make a conclusion. In this research, the data were collected from the result of interview which was conducted by the researcher. The interview was performed by asking the informant or respondent with guided questions (*interview guide*). The informants or respondents in this research came from Local Government of OKU Timur, the National Land Agency of OKU Timur, Regional House of Representative and PT Laju Perdana Indah (LPI).

### D. Data analysis

The collected data were analyzed by using qualitative descriptive method. Descriptive method is to describe the real situation clearly. Then, qualitative method is the data analysis which expressed by the respondent.

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<sup>33</sup>Muhammad Endriyo Susila *et al.*, 2007, *Buku Pedoman Penulisan Hukum*, Yogyakarta, Laboratorium Hukum Fakultas Hukum Universitas Muhammadiyah Yogyakarta, p. 36