

CHAPTER THREE

RESEARCH METHOD

A. Type of Research

This research is categorized into empirical research. The empirical research method is a legal research which obtains its data from a primary source.²¹

B. Type of Data

There were two types of data sources used in this research, namely:

a. Primary Data

Primary data were data obtained through direct research in the field in order to obtain data related to the problem of the research.²² The data were obtained through interviews using interview guidelines to the manager hotel of Namira Hotel Syariah Yogyakarta and General Secretary of MUI DIY, and Deputy Chairperson of PHRI DIY.

²¹ Depri Liber Sonata, "Metode Penelitian Hukum Normatif dan Empiris: Karakteristik Khas dari Metode Meneliti Hukum", *Jurnal Ilmu Hukum*, Vol.8 No 1, ISSN: 1978-5186 (January, 2014), Page 27.

²² Muhammad Iqbal Hasan, 2002, "*Pokok-Pokok Materi Metodologi Penelitian dan Aplikasinya*", Jakarta: Ghalia Indonesia, Page 82-83.

b. Secondary Data

Secondary data were data obtained through other parties or indirectly obtained by the researcher from the research subjects.²³ In legal research, secondary data were also based on the binding strength of their content. It can be distinguished as primary, secondary and tertiary as described below:

1) Primary Data

Primary material is a material whose contents are binding because it is released by government such as various laws and regulations, decisions court, and treaty. Primary legal material consists of several treaty and regulations as follows:

- a) Law Number 3 of 2006 concerning Amendments to Law Number 7 of 1989 concerning Religious Courts.
- b) Fatwa of National Sharia Council-Indonesia Ulema Council (DSN-MUI) Number 108/DSN-MUI/X/2016 on The Guidelines for Organizing Sharia based Tourism.
- c) Law Number 10 of 2009 concerning Tourism.

²³ *Ibid*, Page 82.

- d) The Minister of Tourism and Creative Economy Regulation of the Republic of Indonesia No. 2 of 2014 Concerning Guidelines for Implementing Sharia Hotel Business.
- e) The Minister of Tourism Regulation of the Republic Indonesia No. 11 of 2016 Concerning “Revocation of the Regulation of the Minister of Tourism and Creative Economy No. 2 of 2014 Concerning “Guidelines for Implementing Sharia Hotel Business.
- f) The Minister Tourism of Regulation No. 1 of 2016 about “ The Implementation of Tourism Business Certification.”
- g) The Minister of Tourism Regulation of the Republic Indonesia No. 12 of 2016 Concerning Amendment to the Ministerial Regulation Number 1 of 2016 on the Implementation of Tourism Business Certification.
- h) The Regulation of Minister of Tourism and creative economy Number 53 of 2013 concerning hotel business standards.

2) Secondary Data

Secondary material consists of several documents related to the primary legal material such as:

- a) Scientific journals;
- b) Books related to the issue;
- c) Others related document
- d) Trusted internet sites and;
- e) Other non-legal documents related to this research

The use of secondary legal material is to provide the researcher a kind of clue in the direction in which the researcher will step.

3) Tertiary material

Tertiary materials are materials that support primary ingredients and secondary materials such as legal dictionaries that help translating existing legal terms. This material is obtained in order obtain the latest information and are closely related to the problem under study.

- a) Encyclopedia
- b) English dictionary
- c) Indonesian dictionary

C. Data collection

In this research, the data were collected by the researcher using several methods as follows:

a. Interview Method

Interviews are ways used to obtain information verbally in order to achieve certain goals.²⁴ Goals can vary among others to diagnose and to treat. Interviews are a technique of gathering information/data that is done by submitting questions in direct contact.²⁵ In this research, the researcher looked for sources of information such as people who are experts in a certain field. Then, the researcher immediately asked questions to sources of information. The interviews were conducted to the manager and staff of the Namira Hotel Syariah located Yogyakarta in order to find the desired data or information in accordance with the topic of this research. The researcher used an interview guide as a reference for interviewing managers who use guidelines in implementing sharia hotel business.

²⁴ Suharsimi Arikunto, 2013, *Manajemen Penelitian*, Jakarta: RinekaCipta, Page 181.

²⁵ Moh. Nazir, 2013, *Metode Penelitian*, Bogor: Ghalia Indonesia, Page 71.

b. Documentation Method

Documentation is a method of collecting data in form of a document such as notes, books, newspapers, magazines, internet, agenda, and so on related to the subject of the research.²⁶

c. Library Study

The author uses library study for searching various sources of media that have been published and used as a theoretical foundation for writing a research.

D. Data Analysis

After the data from the field were completely collected, the next step was managing and analyzing. In this research, the data were analyzed using the descriptive qualitative method in form of data presentation in written form and data explanation in accordance with the data obtained from the research. Usually, the data were analyzed manually.²⁷ Therefore, the author described everything related to sharia business law including the principles in this sharia hotel business in applying to sharia-compliant hotels.

²⁶ Sugiyono, 2013, *Metode Penelitian Pendidikan*, Bandung: Alfabeta, Page 240

²⁷ Haris Herdiansyah, 2010, *Metodologi Penelitian Kualitatif*, Jakarta: Salemba Humanika, Page 48.