

## **CHAPTER THREE**

### **RESEARCH METHOD**

#### A. Type of research

This legal research is empirical (sociological) legal research. That is research that uses empirical facts taken from human behavior, both verbal behavior obtained through interviews and behavior as the real thing which is obtained through direct observation<sup>1</sup> from the field about The Management of Street Vendors in Banjarbaru City.

#### B. Data type

The data used by the author in writing this proposal are divided into two types of data sources, namely:

##### 1. Primary data

Primary data were data obtained through direct research in the field in order to collect data related to the problem of the research.<sup>2</sup> This data was obtained through interviews using interview guidelines with the street vendors or *Pedagang Kaki Lima* and Public Order Enforcers or *Satpol PP / Local Government*. Data originated from data sources was collected specifically and directly related to the problem under study.

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<sup>1</sup> Mukti Fajar ND, Yulianto Achmad, *Dualisme Penelitian Hukum Normatif Empiris*, Yogyakarta, Pustaka Pelajar, 2012, Hlm. 44

<sup>2</sup> M.iqbal Hasan, 2002, "*Pokok-pokok Materi Metodologi Penelitian dan Aplikasi*", Jakarta: Ghalia Indonesia, p.g.82-83.

## 2. Secondary data

Secondary data are data obtained from other parties, not directly obtained by researchers from the research subjects.<sup>3</sup> In legal research secondary data are also grouped based on the binding strength of their contents, which can be distinguished as follows:

### 1) Primary Data

Primary legal materials consist of several treaties and regulations as follows:

- a. Primary materials, namely materials whose contents are binding because they are issued by the government, which in this case are Regulations of Mayor No.46 of 2017 concerning Structuring Guidelines for Street Vendors and Decree of Minister of Industry and Trade No.36./M-DAG/PER/9 / 2007, Regulation of Mayor No. 48 of 2017 concerning enactment of market service retribution and retribution of the shopping market, Law Number 20 of 2008 article 1 concerning micro, small, and medium scale businesses, Regulations of Mayor No. 7 of 2015 concerning empowerment micro, small, and medium scale businesses in the city of Banjarbaru, Mayor Regulation Number 13 of 2014 concerning the Banjarbaru City Spatial Plan for 2014-2034.

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<sup>3</sup> *Ibid*, p.g.82

b. Secondary materials, which are materials that discuss primary ingredients such as reading books, articles, research reports and various other scientific papers. The use of secondary legal materials is to give researchers a kind of clue and the direction in which the researcher will move. The books and articles, or scientific magazines that are referred to are those that are relevant to the topic under study.

## 2) Secondary Data

Secondary materials consist of several documents related to the primary legal materials 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.

## 3) Tertiary material

- 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. Observation Method

Observation is the process of collecting data carried out by systematic observation or recording the phenomena under study. This method is used to collect data directly from the field and identify the place to be studied. Researchers use participatory observation, which is the observation in that the researcher directly involved in their activities to get more complete and real research results.

#### b. Interview Method

Interviews are ways used to obtain information verbally in order to achieve certain goals, and this goal can vary, including diagnosis and treatment. Michalak, Yager and Gluey stated that interviews are a technique of gathering information / data that is done through submitting questions in direct contact. In this case, information seekers look for sources of information, usually experts or people who are professional in certain fields, and immediately ask questions to sources of information. In this study, interviews were conducted with Street Vendors in Banjarbaru City and the Regional Government, in order to find the desired data or information according to the title of this study. In this case the researcher used the interview guideline as a reference

for interviewing the Street Vendors in Banjarbaru City in which the guideline for the implementation of trading business in Banjarbaru was used.

c. Documentation Method

Documentation is a method of collecting data when the data is in the form of documents, such as notes, books, newspapers, magazines, internet, agenda and so on related to the study.

d. Library Study

The author uses library study in order for searching from various sources or media that have been published, which are usually used as a theoretical foundation in proposal writing.

D. Data Analysis

After data is collected from the field completely, the next step is organizing and analyzing the data. The analysis that will be used in analyzing the data in this study is descriptive qualitative by presenting the data in written form and explaining what it is according to the data obtained from the results of the research which is then analyzed. Data analysis is usually done manually so the writer will describe everything related to business law including the principles in the trading business. The data analysis tool in this study is descriptive qualitative data analysis. Descriptive qualitative analysis is the presentation of data in written form

which explains what it is in accordance with the data obtained from the results of the study