

CHAPTER III

RESEARCH METHOD

A. The Type Of Research

The type of this study is empirical jurisdiction research. One form of empirical legal research is a research of the effectiveness of the law, which discusses how the law operates in society. This research is particularly relevant in developing countries such as Indonesia, this research requires the researcher to understand legal and social sciences.¹ In this research the researcher wanted to know the effectiveness of the BPOM's supervision in central Jakarta on the circulation of halal food products in the society as a Muslim consumer protection efforts. The law factors that affect society are :

1. The rule of law/regulation itself
2. Officials / law enforcement
3. The means or facilities used by law enforcement
4. Public awareness.

B. Approaches

The approach used by the researchers in this research is a socio-juridical approach. Socio juridical approach is legal conceptualized as a

¹ Ali, Zainuddin, *Metode Penelitian Hukum* (Jakarta: SinarGrafika, 2011) p. 31

real social institution that associated with social variables.² Juridicial approach is an approach that examines the views and behavior of legal persons (human and legal entity) and society as well as the effectiveness of the enactment of positive law in society. This approach is used to obtain field data to assess and analyze the effectiveness of oversight B-POM for Halal food products. This is consistent with the purpose of descriptive research is research which aims to describe systematically, factual, and accurate to the object of the subject matter

C. Research Locations

In accordance with the type of juridical empirical research, this research was conducted directly in the field. To strengthen the research data, the researchers will conduct research in government agencies which is responsible for overseeing food labeled halal circulating in society. It is based on the consideration the B-POM In central Jakarta, the center of institutional oversight of food products in Indonesia.

D. Type of data and data Sources

1. Type of data

Type of data collected in this research are:

a. Primary Data

² Aminudin dan Zainal Asikin. *Pengantar Metode Penelitian Huku* (Jakarta: Raja Grafindo Persada, 2011) p. 133

The primary legal materials are materials that have the authority of law.³ Primary data is legal materials which is obtained from field directly.⁴ In this kind of juridical empirical research, the primary data is data obtained directly from the field, namely:

1. Information from the BPOM In central Jakarta

- b. Secondary Data

Secondary data is the data that was not collected by the researcher⁵. Secondary law is a source that does not directly provide information on research, for example through another person or a document that consists of a thesis, journals, law.⁶

The source obtained literature on previous research, scientific papers, thesis, and books related to the B-POM supervision and consumer protection to halal food products

2. Source of Data

- a. Primary Data

The data source is obtained directly from the staff food supervisory institution (BPOM) in central Jakarta and staff of the company that uses halal label on food products.

³ Mahmud, Peter Marzuki, *Penelitian Hukum*. (Jakarta: Kencana Pernada Media Group, 2013) p. 181

⁴ Marzuki, *Metodologi Riset* (BPFE-UII, 1995), p. 55

⁵ Saifullah, *Buku Panduan Metodologi Penelitian* (Malang: UIN, 2006)

⁶ Sugiyono, *Metode Penelitian Kuantitatif Kualitatif dan R&D* (Bsndung: Alfabeta, 2011) p. 225.

b. Secondary Data

Sources of data is obtained from the literature of library literature faculty of Sharia UIN Malang, central library and a library of UIN Malang, and the internet searching for any regulations relating to the discussion of this research.

E. Data Collecting Technique

Data for the research is the material which will be used to answer the research problems. Therefore, the data must always be exist in order to solve the research problem. In this study, the type of data collected consists of data that is primary and secondary data. Primary data is data obtained directly from the source data in the field (field research). The data in this research is obtained by using interviews, observation, and literature of study

a. Primary Data

To obtain primary data using the method of observation and interviews:

1. Observation

Observations in juridical empirical research is needed. In this research using this type of observation forthright and subtle. Researchers collected the data and stated bluntly to the data source, that he was doing research. So the object of study will know all the activities of researchers. But in a time researchers

also do not have to bluntly or covertly in the observation, this is to avoid that the data required is the data that is still a secret.

2. Interview

The interview is a method of data collection that is done by direct communication with the respondents and informants to obtain concrete data for the purposes of obtaining data relevant to the problem.⁷ The interview is a way to obtain the information by asking directly interviewed. The interview technique conducted is structured interviews and unstructured interviews to the informant.

b. Secondary Data

The primary data is obtain using the literary research methods of written assessment information about the law, which comes from various sources and published widely. The literature research includes law, literature, internet search, documents from BPOM and other comprehensive reference.

F. Data analysis technique

The data collected by the data collection activities cannot be concluded in order to achieve the research objectives, because the data was still a raw data and still required an effort to process it. Once the data is collected, it needs to be processed by the researcher. Actually the method of data analysis includes three steps of preparation, tabulation, and

⁷ Suguiyono, *Metode Penelitian Kuantitatif Kualitatif dan R&D* (Bsndung: Alfabeta, 2011) p. 231

application, in accordance with the research approach. The following is description of the three steps:

1. Preparation

Activity in this preparation steps include:

- a. Correcting the completeness of the name and identity concerned in this research.
- b. Correcting the data obtained from BPOM Central Jakarta from the results of interviews and direct observation.
- c. Correcting data obtained from the production and distribution business actors from the results of interviews and direct observation.

2. Classification

The next process is the classification (grouping) in which the interview data will classify based on certain categories. In this context, researchers stratified the data into three namely the findings from interview with the respondent, the findings in the field which carried out directly by the researchers and the findings contained in the books in accordance with the purpose of research to support this research. The purpose of this classification is to provide an ease of quantities of materials obtained from this research field so that the contents can be understood by the reader. In this process, the researchers grouped the

data obtained from these interviews based on the formulation of the problem⁸

3. Data analysis

This research used a qualitative descriptive data analysis techniques through the editing process. The primary data is tabulation and application of data according to the research.⁹ Approach to describe and analyze the data was obtained in the field and then drawn a conclusion in accordance with the problems studied. The analysis focused on the supervision of BPOM In central Jakarta for Halal food products.

⁸ Marzuki, *Metodologi Riset* (BPFE-UII, 1995), p. 58

⁹ Suharsimi, Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktik* (Jakarta: PT. Rineka Cipta, 2010) p. 278