

CHAPTER III

RESEARCH METHODOLOGY

A. Type of Research

The study conducted by the author use normative legal research/ research literature. Research that uses normative law is a legal research that is descriptive because it aims to describe or explain a problem based on theory as a basis for solving problems.¹

B. Type of Data

1. Primary Legal Material

Primary Legal Material is a legal material consisting of Laws relating to Prohibition of Monopolistic Practices and Unfair Business Competition, court decisions. Legal material will be explained in detail in Law No. 5 of 1999 on Prohibition of Monopolistic Practices and Unfair Business Competition.

2. Secondary Legal Material

Secondary Legal Material is a legal material that provides an explanation. Secondary Legal Material in the form of journals, research results related to the prohibition of monopolistic practices and unfair business competition, and books. Legal materials are detailed as follows:

- a. Books;
- b. scientific journals;
- c. Other legal documents related to this problem;

¹ Soerjono Soekamto, Sri Mumudji, 2006, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Jakarta, Raja Grafindo Persada, page 23.

- d. Trusted internet site; and
- e. Other non-legal documents related to this research.

3. Tertiary Legal Materials

Tertiary Legal Material is a legal material that supports the main legal material and secondary legal materials in order to provide insight and understanding of other legal materials.

C. Data Collection

Data collection used by the author in this research is library research. Library research is research conducted by the author, by collecting data from journals, books, actions, papers, literature related to research.²

D. Research Approach

1. Statute Approach

This approach is carried out by examining studies in cases related to legal issues. The approach of this law, for example do by examining the consistency/ compatibility between the Constitution, or Act with each other Laws, and others.

2. Case Approach

This approach is carried out by conducting research on related cases. The case under study is a case that has found a legally binding court decision. The subject learned in each decision is a proper understanding of the problem.

E. Data Analysis

² Soerjono Soekamto, Sri Mumudji, 2009, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Jakarta, PT Raja Grafindo Persada, page 44.

Data analysis in this research uses descriptive qualitative, which is taking and examining data related to problems/ cases that occur so that they can be described descriptively, qualitatively, and comprehensively, and are still related to applicable legal aspects.

In research using normative legal research, material processing activities to arrange systematize writing materials. In this case the material processing is done by choosing a primary legal material or secondary legal materials then perform the classification based on the classification of materials and compilation of data from this study systematically, of course this is done logically, it means that there is a relationship and linkages between the social reality of the law of material gain results overview research.