

## CHAPTER THREE

### RESEARCH METHOD

#### A. Type of Research

The author of this Undergraduate Thesis will use a normative legal research. Normative legal research is research based on literature. The method is conducted by examining the existing literature; this research applied the research on legal principle and research on legal system.<sup>67</sup> In other word, normative legal research is a scientific research procedure to find truth based on legal scientific logic in term of its normative.<sup>68</sup> Then, the author also applied statute approach which means to elaborate some regulations namely Law No 8 Year 1999 about Consumer Protection, Civil Code, Criminal Code, Law No 37 Year 2004 about Bankruptcy and Suspension of Payment Obligation, and Regulation of the Minister of Religious Affairs of the Republic of Indonesia No. 8 of 2018 on the Implementation of *Umrah*.<sup>69</sup>

---

<sup>67</sup> Soerjono Soekanto and Sri Mamudji, 1985, *Penelitian Hukum Normatif: Suara Tinjauan Singkat*, Jakarta: Rajawali Press, pp. 13-14.

<sup>68</sup> Hardijan Rusli, 2006, "Metode Penelitian Hukum Normatif: Bagaimana?", *Journal of Law Review of Universitas Pelita Harapan*, Vol. 5 No. 3, 2006, P. 40.

<sup>69</sup> Johny Ibrahim, 2006, *Teori dan Metodologi Penelitian Hukum Normatif*, Malang: Boymedia, p. 302.

## **B. Research Approach**

The used research approach is statute approach and case approach. Statute approach is taken from review of all regulation or jurisprudence related with this research. Case approach is taken from review of all cases related with this research.

## **C. Type of Data**

This Undergraduate Thesis used the material taken from literatures. It consists of primary, secondary and tertiary legal material.

- a. Primary legal material, as follows:<sup>70</sup>
  - 1) Consumer Protection Act,
  - 2) Civil Code,
  - 3) Criminal Code,
  - 4) Law No 37 Year 2004 about Bankruptcy and Suspension of Payment Obligation,
  - 5) Regulation of Religion Minister No 8 Year 2018 about Implementation of *Umrah*.
- b. Secondary legal material consists of several documents related to the primary legal material, such as:<sup>71</sup>
  - 1) Abstracts,

---

<sup>70</sup> Bahder Johan Nasution, 2008, *Metode Penelitian Ilmu Hukum*, Bandung: Mandar Maju, p. 86.

<sup>71</sup> *Ibid.*

- 2) Books or textbooks,
  - 3) Bibliographies,
  - 4) Journal, and
  - 5) Review.
- c. Tertiary legal material: legal or non-legal material to support the primary and secondary material.<sup>72</sup>

#### **D. Method of Collecting Data**

The method of collecting data in this Undergraduate Thesis was done through library research and the source of data are substantive legal rules, legal doctrines or legal concepts, and judicial decisions thereon. The specific required documents for doctrinal legal research is provided in law library.<sup>73</sup>

#### **E. Method of Data Analysis**

The data is analyzed systematically using juridical qualitative. It means the author analyzed the data based on the Consumers Law, especially the Consumers Protection Law. It was connected with the principle of law, legal protection of consumers and other related regulation.<sup>74</sup>

---

<sup>72</sup> Soerjono Soekanto and Sri Mamudji, *op. cit.*, p. 33.

<sup>73</sup> Khusbal Vibhute and Filipos Aynalem, 2009, "Legal Research Methods Teaching Material", *Prepared under the Sponsorship of the Justice and Legal System Research Institute*, Vol. 1, 2009, P. 71.

<sup>74</sup> Johnny Ibrahim, *op. cit.*, p. 303.