

CHAPTER THREE

RESEARCH METHODS

A. Type of Research

The type of the research is normative legal research. Normative legal research is a research based on the library research, focusing on reading and analysis of the primary and secondary materials.¹ Here the researcher collected the data from library in order to finding the regulation and theory related to the object of research. In order to find another information needed, the researcher collected the data from the articles, news, magazines, and other supporting media.

B. Type of Data

The data used in this research consist of primary data, secondary data and tertiary data. According to Peter Mahmud Marzuki as quoted by Suratman, Philips Dillah in his book “*Metode Penelitian Hukum*” primary legal data is the legal data which are authoritative in nature. This means the data have an authoritativeness. The secondary data refer to all publications related to the law except for official documents.² The primary data of normative legal research are legal materials not the data of social facts, because in normative legal researches the focus is on the legal materials which contain regulations. These legal materials consist of:³

¹ Johnny Ibrahim, 2006, *Teori dan Metodologi Penelitian Hukum Normatif*, Second Edition, Malang, Bayu Media, p.46.

² Suratman, Philips Dillah, 2014, *Metode Penelitian Hukum*, ISBN 978-602-7825-39-0, Bandung, Alfabeta, p. 67.

³ Bahder Johan Nasution, 2008, *Metode Penelitian Ilmu Hukum*, ISBN 979-583-335-3, Bandung, CV Mandar Maju, p. 86.

- a. Primary legal data covering
 - 1) Legislation
 - 2) Jurisprudence
 - 3) Treaties, ratified convention
 - 4) Agreement/Contract
 - 5) Etc.
- b. Secondary legal data including
 - 1) Book
 - 2) Journal
 - 3) Research report
 - 4) Scientific article
 - 5) Material of seminar or conference
- c. Tertiary data; the researcher also uses tertiary data which consists of legal or non-legal materials related to the research to support and easier the understanding of the primary and secondary legal data.

C. Technique of Collecting Data

The method of collecting data in this research used library research. This method was utilized to collect the data from reading, analyzing, and trying to make conclusion from related documents namely convention, books, law, legal journals, and others documents which were related to the main problem as the object of this research.

D. Data Analysis

The data were analyzed through descriptive qualitative. This means that the researcher analyzed the data by describing all collected data and relate all the data to the related legislation.

The data also were analyzed through reduction of data. The researcher classified, directed, disposed of unnecessary data and organized the data so that the final conclusion could be drawn.