

CHAPTER III

RESEARCH METHODOLOGY

A. Type of Research

The type of this research is a normative legal research which means that this research shows how the law regulates such condition and how the application of it. In this research CEDAW and Law number 23 years 2004 are used to examine the legal protection of women as victims of Domestic Violence.

B. Type of Data

The data used in this research is secondary data. This research used some materials taken from various literatures consisting of primary legal material, secondary legal material, and tertiary legal material.

1. Primary legal material consists of regulation as follow:
 - a. Convention on the Elimination of All Forms of Discrimination against Women.
 - b. Law Number 23 year 2004
2. Secondary legal material consists of several documents that related to the primary legal material as follows:
 - a. Books
 - b. Scientific journals
 - c. Other legal documents related the issue
 - d. Black laws dictionary
 - e. Trusted sited internet
 - f. Other non-legal documents related to this research.

3. Tertiary legal material

This legal material provides further explanation of the primary and secondary legal materials and doesn't add the matter directly empirically.

C. Method of Collecting Data

The data were collected through library research by reading, note taking, and drawing conclusion from related documents such as convention, books, scientific journals, and others which related to the main problem as the object of this research.

D. Method of Data Analysis

The data were analyzed by using the methods applied in the science of law such as the interpretation and construction of law, association and comparison with rules, norms, principles, the provisions of the law, the legal theories as well as the opinion of legal experts. Those data that were collected from primary law, secondary law materials and comparative study, were studied and classified or re-classified in accordance with a formula of issues that are examined.

After that the author concluded with the deductive method, namely the way to withdraw conclusions from the findings i.e. concepts and general theories as well as the legal provisions for the protections of Human Rights, namely the protection of women from domestic violence in Indonesia.