

CHAPTER THREE

RESEARCH METHOD

A. Type of Research

The type of this research is a normative legal research method.⁴¹ This research uses secondary data and normative methods combined to case and statute approach in analyzing the issue of bilateral agreement on mandatory consular notification.

The statute approach is conducted by highlighting some regulations related to the issues while the case approach is conducted by reviewing the case related to the issues.⁴² The author collected the data from the library, focusing on a reading and analysis of the primary and secondary materials (such as legal dictionaries, textbooks, journal articles, case digests, and legal encyclopedias).⁴³

B. Type of Data

This research used the material taken from literature. It consists of primary, secondary, and tertiary legal materials.

1. Primary Legal Materials, as follows:

⁴¹ Soerjono Soekanto & Sri Mamudji, 2007, *Penelitian Hukum Normatif, Suatu Tinjauan Singkat*, Jakarta, Rajawali, p. 12.

⁴² Peter Mahmud Marzuki, 2011, *Penelitian Hukum*, Jakarta, Kencana Prenada Media Group, p. 24.

⁴³ Mike McConville & Wing Hong Chui, 2012, *Research Methods for Law*, Edinburgh, Edinburgh University Press, p. 47.

- a. The Vienna Convention on Consular Relations 1963
 - b. The Vienna Convention on Diplomatic Relations 1961
 - c. Criminal Code Procedure Number 8 of 1981
 - d. Law No. 1 of 1982 on Ratification of Vienna Convention on Diplomatic and Consular Relations.
2. Secondary Legal Materials consisting of several documents related to the primary legal materials, such as:
- a. Books and Scientific Journals;
 - b. Other legal documents and non-legal documents related to the issue;
 - c. Trusted sites internets;
3. Tertiary Legal Materials consisting of legal or non-legal material to support the primary and secondary material, such as:⁴⁴
- a. Dictionary;
 - b. Encyclopedia.

C. Method of Data Collection

Method of data collection in this research was library research by literature learning. Using this method data were collected by reading and trying to conclude related documents such as a conventions, books, scientific journals, and others which related to the main problem as the object of this research.

⁴⁴ Soerjono Soekanto & Sri Mamudji, *Op. Cit*, p. 33.

D. Method of Data Analysis

The data were analyzed systematically through a juridical qualitative approach. Systematically means the data related to the issues to be researched were taken.⁴⁵ Juridical qualitative means that it would be connected with the principle of law, convention, and other regulation. So, it can be systematic, qualitative, and comprehensive, illustrating the facts that are valid and related to prevailing law.

⁴⁵ Johnny Ibrahim, 2006, *Teori dan Metodologi Penelitian Hukum Normatif*, Malang, Bayu Media, p. 303.