

## CHAPTER THREE

### METHODOLOGY

#### A. Type of Research

The type of research is a normative legal research. Normative legal research is legal research based on literature. The research is conducted by examining the existing literature. Normative legal research is also called as doctrinal legal research.<sup>1</sup> In this research the author will elaborate the idea of terrorism and human rights according to Indonesian Law as national law and international perspective.

#### B. Type of Data

The data used in this research is secondary data. The secondary data consist of primary legal materials, secondary legal materials and tertiary legal materials. The data are collected from the source that classified as follows:

a. Secondary data is data which taken from the library or literature. It is classified into 3:<sup>2</sup>

a) Primary legal materials. The materials which related with this research are:

1. 1945 Constitution;
2. Law No 15 of 2003 as the Enactment of Government Regulation in Lieu of Law No. 1 of 2002 about Terrorism; Law No. 39 of 1999 about Human Rights;

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<sup>1</sup> Amiruddin & Zainal Asikin, 2003, *Pengantar Metode Penelitian Hukum*, Jakarta, RajaGrafindo Persada, p. 163

<sup>2</sup> Bambang Sunggono, 1996, *Metode Penelitian Hukum*, Jakarta, Raja Grafindo Persada, p. 113

3. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
  4. Universal Declaration of Human Rights;
- b) Secondary legal materials consist of Books, Bills, scientific journals, and articles relating to this research
  - c) Tertiary legal materials are the materials that support the primary and secondary legal materials, such as law dictionaries, encyclopedia, and other languages dictionaries.

#### C. Method of Collecting Data

The data in the research were collected through library research. Library research literature learning means data are collected from reading, analyzing and finally making conclusion from related documents with problem as the object of this research.

#### D. Method of Data Analysis

In this research, the method of data analysis that used by the author is juridical qualitative. In juridical qualitative, the data that have been collected can be done some actions as follow:<sup>3</sup>

- a. The data that obtained were not the form as number;
- b. The data cannot be counted by number or;

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<sup>3</sup> Mukti Fajar ND, Yulianto Achmad, 2009, *Dualisme Penelitian Hukum*, Yogyakarta: Pencil Komunika, p. 123

- c. The collecting data is using the method of interview and using the library research.