

## CHAPTER THREE

### RESEARCH METHOD

#### A. Type of Research

The type of this research is under normative research method<sup>28</sup> related to the issue of the proliferation of nuclear weapon under international law. Normative Legal Research is a research in the form of prevailing law inventories by seeking principles or the basic philosophy of the legislation, or research for the legal discovery purpose of any particular case.<sup>29</sup>

Moreover, in connection with the normative legal research, the author uses a statutory approach and case approach. The statutory 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. The statutory approach means that the author highlights some legislation or regulation as the basis for conducting the research related to the issues while case approach is conducted by reviewing the case related to the issue.<sup>30</sup>

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<sup>28</sup> Soerjono Soekanto & Sri Mamudji, 2007, *Penelitian Hukum Normatif, Suatu Tinjauan Singkat*, Jakarta, Rajawali, p. 12.

<sup>29</sup> Bahder Johan Nasution, 2008, *Metode Penelitian Ilmu Hukum, Bandung, Mandar Maju*, p. 86.

<sup>30</sup> Peter Mahmud Marzuki, 2011, *Penelitian Hukum*, Jakarta, Kencana Prenada Media Group, p. 24.

The author collected the data from 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).<sup>31</sup>

## **B. Types of Data**

This research uses secondary data that consist of primary legal material, secondary legal material and tertiary legal materials.

- a. Primary legal material consists of several treaty and regulations as follows:
  1. The Treaty on the Non-Proliferation of Nuclear Weapons 1968;
- b. Secondary material consists of several documents related to the primary legal material such as:
  1. Scientific journals;
  2. Books related to the issue;
  3. Seminar papers related to the issue;
  4. Other related documents;
  5. Trusted Internet sites and;
  6. Other non-legal documents related to this research.
- c. Tertiary legal material:
  1. Encyclopedia;
  2. English dictionary.

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<sup>31</sup> Mike McConville & Wing Hong Chui, 2012, *Research Methods for Law*, Edinburgh, Edinburgh University Press, p. 47.

### **C. Method of Collecting Data**

The method of collecting data in this research was done through library research by literature learning. This method collects the data by reading, writing, analyzing, and gathering information related to the topic of this thesis. After obtaining the information from the documents such as international and national legal instrument, book, journal, and others related to the main problem of this research, the author ultimately drew conclusion.

### **D. Method of Data Analysis**

The data were analyzed systematically through juridical qualitative approach. It was conducted systematically through evaluative method, where the data relating to the issues to be researched was taken.<sup>32</sup> Juridical qualitative approach means that it would be connected to the principle of law, convention, and other regulations, so that it can be systematic, qualitative and comprehensive, illustrating the facts that are valid and related to prevailing law.

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<sup>32</sup> Johnny Ibrahim, 2006, *Teori dan Metodologi Penelitian Hukum Normatif*, Second Edition, Malang, Bayu Media, p. 303.