

CHAPTER THREE

RESEARCH METHOD

A. Type of Research

The types of this research are under the normative legal research method²⁷ especially related to the issue of the cyber harassment in Indonesia on the perspective of CEDAW. Normative legal research is often called as legal studies in the books. The research uses statute approach and case approach. The statute approach is conducted by highlighting some regulations that relate to the issues while the case approach is conducted by reviewing the case that relate to the issues.²⁸

The author collected the data from the library, focusing on reading and analysis of primary and secondary materials (such as legal dictionaries, textbooks, journal articles, case digests, and legal encyclopedias).²⁹

B. Type of Data

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

1. Primary Legal Materials, as follows:

²⁷ Soerjono Soekanto & Sri Mamudji, 2007, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*, Jakarta, Rajawali, p. 12.

²⁸ Peter Mahmud Marzuki, 2011, *Penelitian Hukum*, Jakarta, Kencana Prenada Media Group, p. 24.

²⁹ Mike McConville & Wing Hong Chui, 2012, *Research Methods for Law*, Edinburgh, Edinburgh University Press, p. 47.

- a. The United Nations Charter
 - b. The Convention on the Elimination of All Forms of Discrimination against Women
 - c. The General Recommendation No. 19 on Violence against Women of Convention on the Elimination of All Forms of Discrimination against Women
 - d. The General Recommendation No. 35 on Gender-based Violence against Women of Convention on the Elimination of All Forms of Discrimination against Women
 - e. The Indonesian Penal Code
 - f. Law No. 11 of 2008 on Electronic Information and Transactions Act
2. Secondary Legal Materials consist 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;
 - d. Tertiary legal material: legal or non-legal material to support the primary and secondary material.
 3. Tertiary legal material: legal or non-legal material to support the primary and secondary material³⁰

³⁰ Soerjono Soekanto & Sri Mamudji, *Op. Cit.*, p. 33.

C. Method of Collecting Data

Method of collecting data in this research is done through library research by literature learning. This method was done to collect data through reading library materials and forming a 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 systematically through a juridical qualitative approach. This is done systematically through evaluative approaches, where the data was taken relating to the issues to be researched.³¹ The term Juridical qualitative means that it would be connected with the principle of Law, Convention, and other regulations. This is in order for the data to be systematic, qualitative, and comprehensive, illustrating the facts that are valid and related to prevailing law.

³¹ Johnny Ibrahim, 2006, *Teori dan Metodologi Penelitian Hukum Normatif, Second Edition*, Malang, Bayu Media, p. 303.