

MIGRATION POVERTY AND SLAVERY OF HUMAN BEING (STUDY IN PSYCHOLOGY PERSPECTIVE)

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Abstract: *The research based on migration poverty of Indonesian Workers in Malaysia. aims: 1) Describing a migration of poverty from Indonesian people. 2) Describing a slave of human being. 3) The correlation between migrations of poverty and slavery of human being. The research used mixing methods as an approach. The population of the study was about 128 people. But only 97 people involved in this research. The simple random sampling was using as a technique of sampling. The data collected with psychological scale, data documentation. The research found that: firstly, the average of the mean and percentage of migration poverty were categories high. It means that most of Indonesian people who migrate as a worker are coming from lower class society. Secondly, the average mean and percentage of slavery of human being high. It means that most of Indonesia people could not have bargaining power for doing their job. Then, there are correlation between migrant poverty and slavery of human being involved Indonesian worker.*

Abstrak: *Penelitian ini mengkaji migrasi kemiskinan pekerja Indonesia di Malaysia. Tujuan: 1) Menggambarkan migrasi kemiskinan dari masyarakat Indonesia. 2) Menggambarkan seorang budak manusia. 3) Korelasi antara migrasi kemiskinan dan perbudakan manusia. Penelitian ini menggunakan metode pencampuran sebagai pendekatan. Populasi penelitian adalah sekitar 128 orang. Tetapi hanya 97 orang yang terlibat dalam penelitian ini. Pengambilan sampel acak sederhana menggunakan teknik sampling. Data dikumpulkan dengan skala psikologis, dokumentasi data. Penelitian ini menemukan bahwa: pertama, rata-rata mean dan persentase kemiskinan migrasi adalah berkategori tinggi. Ini berarti bahwa sebagian besar orang Indonesia yang bermigrasi sebagai pekerja berasal dari masyarakat kelas bawah. Kedua, rata-rata rata-rata dan persentase perbudakan manusia yang tinggi. Ini berarti bahwa sebagian besar rakyat Indonesia tidak dapat memiliki kekuatan tawar untuk melakukan pekerjaan*

mereka. Kemudian, ada korelasi antara kemiskinan migran dan perbudakan manusia yang terlibat pekerja Indonesia.

Keywords: *Migrasi, kemiskinan, perilaku perbudakan, tenaga kerja Indonesia.*

INTRODUCTION

Indonesia has more than 2,000,000 workers in Malaysia. Majority of Indonesian worker is working as blue collar. They work as a housekeeping, construction, industrial labor, trader, etc. Many research has been explored about Indonesian labor around the world. The fact that global labor migration has increased exponentially over the past twenty years. Currently, approximately 90 million migrant workers have provided essential services in domestic work, maintenance, construction, agriculture, engineering, manufacturing and services¹. Some of these migrant workers leave through official government channels, some of them depart without immigration requirements and work permits (eg illegal channels),² and some go through status changes due to changing employment conditions or visas. Around the world, private commercial institutions, private intermediaries, and business actors in countries of origin and destination countries do most of the recruitment and deployment of low-paid migrant workers.

Based on 2014 data,³ the number of registered Indonesian migrant workers leaving abroad is 380,688 people. Of these, 83% were women. More than 90% of women migrant workers work in the informal sector as domestic servants, the rest work in plantation and industrial sectors as manual laborers, careers, shopkeepers and restaurants. Then the data of 1997-2004 shows the pattern of migration of Indonesian workers in describe as follows:

¹ Bassina Farbenblum, Eleanor Taylor-Nicholson, Sarah Paoletti. *Access of Migrant Workers to Justice in the Country of Origin: A Case Study of Indonesia* (New York: Open Society Foundation), 2013.

² Approximately 400,000 Indonesians have migrated legally to other countries each year since 1998. It is estimated that the actual numbers are much larger because many migrate illegally and thus are not recorded (Chitrawati Buchori and Mia Amalia, 2014)

³ Chitrawati Buchori and Mia Amalia. 2014. *Migration, Remittances and Female Migrant Workers*(New York: World Bank), 2014.

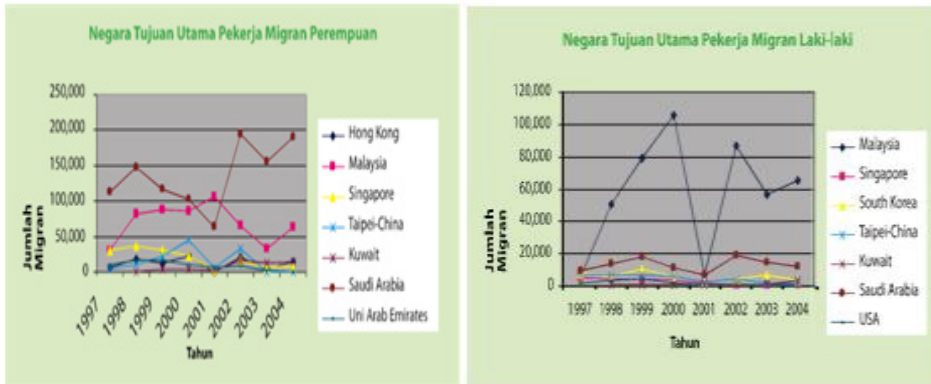


Figure 1-2 : Description on the Spread Pattern of Indonesian Workers by Destination Country.⁴

Based on the data in the graph above, it is found that in Malaysia, the number of female migrant workers is less than the number of male migrant workers, while in Saudi Arabia it is the opposite. In 2004, the number of female migrant workers in Malaysia was 49%, and in Saudi Arabia 94% of the total Indonesian migrant workers were recorded. Malaysia is the destination country most selected by illegal migrant workers. Specifically Taiwan's destination country, labor shipments had been stopped by the Taiwan Government in 2003 due to high wage cuts by agents in Taiwan who are partners of PJTKI, the high number of female migrants who fled from employers and the rampant use of false data on TKI. Shipping to Taiwan reopened in April 2005. While the Middle East destination country was closed by the Government of Indonesia in March 2004 for 3 months to anticipate the Gulf War, and in March - June 2005 for revamping the placement system.

The data above also shows that Malaysia is one of a destination country of Indonesian Labor since the 1990s. The selection of Malaysia as a place to migrate, among others: 1) Malaysia and Indonesia have the same emotional integrity based on ethnic (Tribe of the Malay). 2) Likewise in the language aspect, in which Malay is generally used as a social language every day. So the migrant workers feel no difficulty in speaking. 3) Geographical location adjacent.

METHODOLOGY

This research uses mixing methods approach between quantitative approach and qualitative approach. The first step is to conduct a quantitative

⁴ Chitrawati Buchori and Mia Amalia, *Migration, Remittances and Female Migrant Workers*. (New York: World Bank), 2014

study to obtain an overview of the respondents' existence and to obtain information on min or average deployment. Then test the hypothesis to ensure a relationship between the variables studied. Population on the research was about 126 people, but only 97 people was a sample on the study. The population was coming from many places in West Sumatera. The sample was only the people came from Padang, capital city of West Sumatera.

LITERATUR REVIEW

A migrant worker is still more a highly vulnerable groups and is caught in the vortex of problems that created and continues as a result of poverty, illegal practices related to labor, the dynamics of globalization, and the inability of the government to take action or the presence of corruption in his own country or country of destination, "As well as raising fraudulent practices in the placement process in their home country, including overcharging costs and misleading and misleading information)⁵.

Other facts of migrant workers problems from Indonesia in Asian countries (Hong Kong) are as follows:

" When migrant domestic workers arrive in Hong Kong, they continue to be exposed to harassment risks, because local placement agencies (contracted by Indonesian recruitment agencies), and employers also seize documents and restrict their freedom of movement. For example, Amnesty International has documented the majority of women who interviewed found their documents were taken by the employer or placement agent in Hong Kong and about a third of respondents were not allowed to leave the house. Migrant domestic workers are generally told they will get their documents back after their debts are fully paid. The fees charged by recruitment agencies are generally higher than the maximum allowed under Indonesian and Hong Kong regulations".⁶

Furthermore, if migrant domestic workers leave their jobs or their contracts are terminated, they generally have to pay recruitment fees from scratch again. As is known that the discourses about Power Psychological-Social Indonesia's work will be linked to unequal relations. In the construction of a poor or developing country (Developing Country) and a rich country

⁵ See also, Amnesty International. *False Promises: Exploitation of Forced Labor of Nepalese Migrant Workers (False Promise: Forced Labor Exploitation of Nepalese Migrant Workers)* 2011. London: Amnesty International; and Human Rights Watch. *Slow Reform: Protection of Migrant Domestic Workers in Asia and the Middle East (Slow Reform: Protection of Domestic Helper in Asia and the Middle East)*, (New York: Human Rights Watch), 2010.

⁶ Amnesty International. "Summary Report on Indonesian Labor Migrant". Great Britain: Amnesty International Publications, 2013.

or a developed country, for example, a strong migration flow from migrant workers from poor countries to rich countries. Where Indonesian Labor is often confronted with unfavorable conditions.⁷

Migration of Indonesian worker generally underpaid. Then, Indonesia has raised concerns over human rights and labor rights are complex, including the treatment of those who are not citizens; equal treatment and without discrimination based on race, ethnicity and gender; the right to work and an adequate standard of living; as well as corporate responsibility for human rights.

These low-wage migrants always face threats such as unpaid wages, unsafe working conditions, inadequate rest periods, inhuman housing conditions, or confiscation of their identity documents by employers. Various cases of violence in the nuances of human bondage have been carried out by the employer from the "rich countries" were against Indonesian migrant workers.⁸ The Indonesian Workers are at the crossroads of submitting to cultural agreements to survive with poverty suffered in life in the country or against the current to work abroad in neighboring countries to become; domestic workers, factory workers, laborers in plantations or other harsh labor.

Then, since the global economic restructuring in 1970, we have witnessed a change in the working system of multinational corporations. The multinational companies are moving their production processes to developing countries to get more and cheaper labor. This is where Indonesian Workers become the preferred choice to be employed because of their fingers (nimble fingers), more compliant, small possibility to follow union and low paid. In addition, at the same time, developing countries which are the objectives of multinational companies as production sites still experience deficits in balance of payments, high inflation, and low economic growth. This underlies these countries ask for financial support from the IMF (International Monetary Fund). The structural adjustment program that became a condition of the IMF for the

⁷ The common reasons for migration by Indonesian workers abroad are: 1) Finding better income because income in the village is not fixed and cannot meet the needs of life 2) Finding alternative jobs outside the village due to the number and the types of jobs offered abroad are more and more promising. 3) Following in the footsteps of relatives or relatives who have migrated first. 4) Interested by the invitation of mediators (sponsors / brokers) whose major role in the recruitment process. 5) Gain higher prestige if working abroad.

⁸ See Auwal, MA "Ending the Exploitation of Migrant Workers in the Gulf", Fletcher Forum of World Affairs 34 (Summer): 87-108, at 87-88. In many cases, migrant workers not only lose the money spent on getting their jobs but also lose their health and dignity as human beings, and in some cases even end up with the loss of their lives. Often they are unpaid, forced to work, left to live in terrible conditions, deprived of their liberty to move or to change work, and to be physically and sexually abused. "

borrowing countries led to an increasingly severe downturn in the 1990s. Even poverty according to Jacqui True,⁹ it is this poverty that encourages women to take part in earning a living by becoming migrant laborers such as domestic servants.

Along with the development of the era, the profession becomes migrant workers increasingly in demand because of a larger salary compared to working in factories in their own country. In ASEAN Asians, the Mutual Recognition Agreement (MRA), the ASEAN Framework Agreement on Services (AFAS) and the ASEAN Agreement on the Movement of Natural Persons (MNP) only regulate the transfer of skilled labor where migrant workers do not into it. Therefore, this paper will then see more: "Migration of Poverty and Slavery in Religious Behavior of Indonesian Helper in ASEAN Countries".

The above data provide a clear picture of that, there is a serious problems related to Indonesian migrant workers, especially who are in the ASEAN countries and ASIA as well as other countries around the world. Migrant workers are seen as foolish and helpless slaves and even considered "slave girls". Until they can be overexploited without being able to defend themselves, because of their educational, social and economic backwardness and the difficulty of access to justice from the arbitrary behavior of their employers. Most of the research that had been done before, they talk about Indonesian worker in Malaysia or any other place with social-economic perspective. This article talk about abused of Indonesian worker in Psychology and religious perspective

RESULTS AND DISCUSSION

The results of the research include two stages conducted by researchers: (1) Perform Quantitative Analysis. (2) Conducting Qualitative Analysis. Where the full explanation is described below:

Quantitative Analysis

Table 1 Characteristics of Respondents

	The Categories	Frequency	Percentage
	<i>Thee Education level</i>		
1	Junior High School	65	67.01
2	Senior High School	32	32.99
	Sum	97	100

⁹ Desintha Dwi Asriani and Ezka Amalia, "Traces of Female Migrant Workers in ASEAN Societies 2015". *Journal of Social Science and Political Science*, Volume 18, Number 2, November (2014), 147-159, ISSN 1410-4946

<i>Ages</i>			
1	13 - 16 years old	49	50.52
2	17 - 21 years old	48	49.48
	Sum	97	100
<i>Gender</i>			
1	Male	35	36.08
2	Female	62	63.92
	Sum	97	100

Source s: The research reports 2016

Based on the data above obtained the picture that, education owned by respondents generally is Junior High School, ie as many as 65 people or equivalent (67.01 %). While respondents who educated High School as many as 32 people or (32.99 %). While the age aspect of respondents are generally still very young, ie aged between 13 to 16 years, ie as many as 49 people or equivalent (50.52%). When the respondents aged between 17 to 21 years as many as 48 people or equivalent (49.48 %). The next respondent is generally female, which is 62 o rang or equal to (63.92 %). Then the male respondents as many as 35 people or equivalent (36.08%).

Table 2 Min and Average Distribution Category of Socio-Economic Class of Indonesian Workers

The Categories	Frequency	Percentages
Low	70	72.16
High	27	27.84
Sum	97	100

Sources: The research reports, 201 6

Based on the data above obtained the picture that, generally the respondents came from the lower social class as for their number as much as 70 people or equivalent (72.16 %). While respondents who come from high social class as many as 27 people or equivalent (27.84 %). This supports previous studies conducted by various International institutions (Amnesty International) which states that the majority of Indonesian Workers come from low socioeconomic class. With this poverty is still again become one of the important causes of migration behavior conducted by Indonesian migrant workers. However, there are migrant workers who come from high social class. They are a group of skilled or educated workers working in industrial sectors. Where most of them are factory workers from reputable companies from Japan and Korea. They are an educated workforce hoping to make a profit bigger than the salary they might receive, if they fill the labor market

in Indonesia. For example: the exchange rate of RM (Malaysian Ringgit) is greater than three times the value (Rp) Indonesian Rupiah.

Table 2 Category Min Distribution and Average of Indonesian Worker Gained Treatment as Slave

The Categories	Frequency	Percentages
High	81	83.51
Low	16	16.49
Sum	97	100

Sources: The research reports, 2016

The data above shows that, many Indonesian migrant workers get bad treatment from employers. Where they number as many as 81 people or equivalent (83.51 %). While a small or 16 people or equivalent (16.49 %). Not getting treated as a slave or a slave. Commonly mistreated treatments include: (1) Unpaid salary for months or even years. (2) Physical torture, ranging from beating with bare hands, blunt objects or even sharp objects. (3) Not getting enough rest time, because generally they work more than 12 hours per day. (4) Not get a chance to worship according to their religion (Islam). There are even some who are forced to worship the statue owned by the employer. (5) They work in the service sector (domestic servants) and female. This is done because of their compulsion. This is also evidence of "Human rights colonization". That is the right to practice religion according to the religion they profess.

Table 3 Poverty Relation and Treatment as Slave or Slave Servant

		Poverty	Treatment as a Slave
Poverty	Pearson Correlation	1	.731 ***
	Sig. (2-tailed)		.000
	N	97	97
Treatment as a Slave	Pearson Correlation	.731	1
	Sig. (2-tailed)	.000	
	N	97	97

** Correlation is significant at the 0.01 level (2-tailed).

Based on the data above, it is found that there is a positive and significant correlation between poverty owned by Indonesian migrant workers with acceptance of treatment as slave (slave) received by them. It means that poverty has brought them to the misery of living in the overseas or the destination country. Therefore, the role of the Indonesian government

as a “migrant labor exporter” country is very important in defending the rights owned by its citizens. Even so the diplomacy that runs generally goes unbalanced. Where Indonesia has not yet had a strong bargaining to fight for the rights of migrant workers. This is more the case for a number of reasons: 1) Indonesian Workers have gained fierce competition from Labor from Bangladesh and India. 2) Indonesian workers are generally not skilled or highly educated. 3) Malaysia wants cheap labor as a state policy to maintain the country’s economic stability. 4) Strict protection of employers from workers, this is due to the status of citizens held by employers. Based on the above facts, migrant worker problems become more complex and not as simple as imagined.

Qualitative Analysis

Indonesian migrant workers have legal rights that come from k Brazilian Constitution, laws, regulations and private commercial agreements with employment agencies and employers, as well as under international law. Rights including special rights to work abroad, treated equally with other employed candidates, are paid at the appropriate standard wage, receive copies of employment contracts, and are not persecuted or exploited. Migrant workers also have the right to receive training and information appropriate to the type of work they will undertake.

In practice, the legal rights of migrant workers provide little protection because most of the rights are difficult (if not impossible) to uphold, rarely identify those responsible for the fulfillment of certain rights, and do not clearly define the obligations of government agencies and labor agencies . These legal rights also do not establish enforcement mechanisms.

For example, Law no. 39 of 2004 does not specify a method that allows a worker to make a complaint if not treated equally, or not receive a prescribed wage, or not receive a copy of the contract. Nor does it provide a mechanism for filing a complaint or obtaining a solution if a government official does not perform the required checks, or if the placement agreement does not include the necessary labor rights.

The rights set forth in the employment agreement include the right to a particular wage, to certain types of work, to holiday leave, and other details of the relationship. with employers. The rights set forth in the placement agreement include pledge of placement if the fee has been paid (or the money is refunded), and compensation by the employment agency if the employer does not pay the agreed wage or incompatible with other terms of the placement agreement and the employment agreement. Similarly, placement agreements

(which are rarely accepted by workers to the Middle East, regardless of circumstances) do not include mechanisms to obtain compensation to be paid by employment agencies if the employment agreement is not met. The employment agreement is difficult, if not impossible, to be enforced after migrant workers return to Indonesia.

These migrant workers mostly have only verbal agreements with intermediaries and employment agencies, and various sources of legal rights require responsible actors and effective enforcement mechanisms. The following sections will discuss the current problem-solving mechanisms in Indonesia and the extent to which they are conducted, or the possibility of providing space for the enforcement of those rights.

The above facts show that the importance of legal assistance for migrant workers in all negotiation and mediation processes. There are still few private lawyers or CSO (CSO) attorneys who have been trained in this field, and those interviewed say that it is very difficult for migrant workers to involve private lawyers because rarely among those who can afford legal fees, and the claims they will make are relatively small. In legal aid organizations, such as LBH (Advocation Board Institution) Jakarta, lawyers may have specialized in labor law or criminal law, but experts say that nothing specifically focuses on migrant labor law. Some respondents expect that new legislation on legal aid, which recognizes the right to access justice, and provides a framework for funding and supervision of legal aid, will help migrant workers

Legal expertise is also a challenge abroad. Embassy staff are reported to have no capacity to take seriously all the cases brought before them - both in terms of time and expertise required. For example, if migrant workers want to take their case outside of informal mediation into the legal process of the country, it is necessary to understand the language, laws and legal culture of the destination country. According to civil society representatives at SATGAS TKI (Task Force of Indonesian Worker), "the real problem is that the Indonesian embassy has no lawyers who understand labor laws in Malaysia and Singapore and other destination countries for migrants.

In addition, migrant workers often find it difficult to obtain the necessary information and assistance as embassy officials are unfamiliar with Indonesia's main labor migration laws, such as the laws governing migrant workers' insurance. The fact is that letter given the embassy to migrant workers as evidence to file an insurance claim is often inadequate and rejected by the insurance company. In some cases, embassy security officers unfairly exclude undocumented migrant workers despite the fact that the lack of documents owned by migrant workers is the result of persecution, and often these migrant workers most in need of legal assistance. Finally, the role of lawyers

is still minimal in obtaining information and training provided to them about relevant legislation in key destination countries, which makes them incapable of providing advice and assistance requested by the families of migrant workers when a migrant worker has problems in overseas.

CONCLUSION

For the majority of Indonesian migrant workers who berket e rampilan low to Malaysia or other destination countries, access to justice still elusive both abroad and in the country itself. In some areas, migrant workers have rights under Indonesian law and less privileged private contracts, while in other areas more regulation is required. At all stages of the Indonesian labor migration system, greater transparency is necessary. Furthermore , increasing access to justice for Indonesian migrant workers requires a fundamental change in the way that migrant workers see as the rightful holder to file claims under contractual or statutory provisions, not as a case of passive charitable activities or as children who screwed up. All parts of the labor migration system should be involved in this change, starting with the Ministry of Labor and the private sector.

The Government of Indonesia can activate this change by systematically enforcing the law and regulating PPTKIS (Indonesian Government Regulations on Indonesian Workers) , insurance parties, intermediaries and other parties who benefit from better labor migration. The Indonesian parliament also needs to reform labor migration legislation by providing stronger protection for migrant workers. Reforms can also be initiated by providing special rights to migrant workers to access compensation, including those that clearly define the obligations of governments and the private sector to ensure and provide compensation to migrant workers.

Academics can support change by enhancing careful research on the diverse dynamics of Indonesian migrant workers, whether psychologically, socially or legally. Donors can support all of these efforts by supporting civil society advocacy programs, legal aid and litigation on behalf of migrant workers. Donors can also support training for students, lawyers and paralegals, including further research and analysis, and support the development of better information resources for migrant workers about the material and enforcement of their rights and the protection of migrant workers from all forms of violence, the behavior of slavery it receives as a result of poverty in the country of origin.

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