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The Origins and Experiences of Female Indonesian Migrant Domestic Workers to Indian Ocean World Destinations, 1980-2018: A Case of Modern Indian Ocean World Bondage?

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Abstract

This paper studies the experiences of female Indonesian migrant workers employed in the domestic sector as maids, housekeepers, and nannies in Indian Ocean World destinations. Specifically, it examines the extent to which female international labour migration from Indonesia to Asia Pacific and the Middle East enables the violation of labour and human rights, and by extension, the perpetuation of modern systems of Indian Ocean World bondage. Part I focuses on the context of international Indonesian female labour migration, outlining its history from the 1980s to the present. This section investigates the socio-economic factors which contribute to women's choices to migrate for domestic work, such as rural impoverishment and gendered divisions of labour. Part II assesses the human rights abuses that occur throughout the migrants' placements overseas. It argues that Indonesian female international labour migration supports modern forms of Indian Ocean World bondage, functioning as a system which permits the widespread abuse, extortion, and exploitation of female migrant workers, and the limitations of their human rights.

Keywords:

migrant workers, Indonesia, Indian Ocean World, gender, human rights, bondage.

Introduction

As of 2018, Indonesia is the world's fourth most populous nation, with a population of 264 million people.¹ The country faces a workforce surplus, a low per capita income, and a rapidly growing population.² Presently, 133.9 million people comprise the workforce,³ many of whom experience underemployment.⁴ Underemployment occurs when workers undertake precarious, part-time work or their skills are not fully utilized in their occupation: underemployment is thus a significant cause of poverty, since it limits the ability of workers to earn wages sufficient enough to meet their basic needs. In Indonesia, available, desirable jobs are scarce, relative to the population.⁵ The 2016 National Labour Survey reported that underemployment affects 27 percent of female workers in urban areas and 48 percent in rural areas: for male workers, the percentages are lower.⁶ People who seek higher wages often look abroad for jobs as migrant workers, because being employed overseas allows them to earn money in a currency more highly valued than the Indonesian rupiah.

The dynamics of international labour migration often reveal socio-economic inequalities between the source and the destination countries. Generally, poorer countries supply labour while wealthier countries demand it.⁷ In source countries such as Indonesia, international labour migration is frequently regarded as both an economic and survival strategy.⁸ The demographer

¹ Central Intelligence Agency. "Indonesia." cia.gov. Central Intelligence Agency, n.d. Web accessed 1 December 2018.

² Hugo, Graeme. 2002. "Effects of International Migration on the Family in Indonesia," *Asian and Pacific Migration Journal* Vol. 11 No.1, 16.

³ Central Intelligence Agency. "Indonesia."

⁴ Hugo. "Effects of International Migration on the Family in Indonesia," 16.

⁵ Palmer, Wayne. 2016. *Indonesia's Overseas Labour Migration Programme, 1969-2010*. Leiden and Boston: Brill.

⁶ Indonesia. 2016. Survei Angkatan Kerja Nasional (National Labour Force Survey).

⁷ Goss, Jon; Bruce Lindquist. 1995. "Conceptualizing International Labour Migration: A Structuration Perspective," in *International Migration Review* 29(2), 317.

⁸ Surtees, Rebecca. 2003. "Female Migration and Trafficking in Women: The Indonesian Context," *Development* 46(3): *Local/Global Encounters*, 99.

Graeme Hugo argues that one of the major contemporary changes which occurred in Asia during the 1980s-2000s is the exponential increase in international labour migration.⁹ Before the 1980s, the scholarship on Asian labour migration was more concerned with the internal dynamics of rural to urban migration.¹⁰ Though this trend of international Asian labour migration started in 1970, its rate drastically increased in the 1980s¹¹ as the Indonesian state, under the New Order era (1966–98), actively promoted women’s involvement in overseas domestic work.¹² Since 1988, the Main Guidelines of State Policy encouraged people to seek work abroad in order to further relieve the pressure of creating local job opportunities and to increase foreign exchange earnings.¹³ Workers in source countries are usually recruited from economically and socially disenfranchised groups, because those who lack economic, social, and cultural capital are the most likely to seek low-skilled work abroad. Consequently, labour migration can be seen as a system which upholds and perpetuates entrenched inequalities – not just between different countries, but within countries themselves.

Most migrant workers are employed in low-skilled occupations.¹⁴ In the case of Indonesia, the majority of migrant workers are women hired in the domestic sector throughout Asia Pacific and the Middle East.¹⁵ Female migrant domestic workers who work in these destinations are also sourced from other countries, notably the Philippines, Sri Lanka, Nepal, and

⁹ Hugo. “Effects of International Migration on the Family in Indonesia,” 13.

¹⁰ Yazid, Sylvia. 2018. “Indonesian Labour Migration: Identifying the Women,” *Jurnal Global & Strategis*. Surabaya: Universitas Airlangga, 51.

¹¹ Silvey, Rachel. 2006. “Consuming the Transnational Family: Indonesian Migrant Domestic Workers to Saudi Arabia,” *Global Networks* 6, 23.

¹² *Ibid.*, 26.

¹³ Raharto. “Indonesian Female Labour Migrants: Experiences Working Overseas (A Case Study Among Returned Migrants in West Java)” *Indonesian Institute of Sciences*, 3.

¹⁴ Hernandez, Carolina; and Jorge V. Tigno. 2007. “ASEAN Labour Migration: Implications for Regional Stability,” *The Pacific Review*, 8:3, 544.

¹⁵ Surtees. “Female Migration and Trafficking in Women: The Indonesian Context,” 99.

Bangladesh.¹⁶ These women face high risks of exploitation, discrimination, and abuse, since they are vulnerable economically, physically, and psychologically.¹⁷ In nearly all cases, they live in the homes of their employers. As a result, they do not have organized contact with other migrant workers or witnesses to observe potential mistreatment. Violations of human rights are prevalent throughout migrant workers' labour placements: many of them report being physically, verbally, psychologically, and sexually abused by their employers.¹⁸ The lack of sufficient support networks for migrant workers means that in many cases, such abuse can be perpetuated with impunity. While not all Indonesian female migrant workers experience these negative circumstances – some of which return as “success stories” for their villages¹⁹ – the current system of domestic labour migration from Indonesia to Indian Ocean World destinations nonetheless enables the widespread abuse of workers, as well as the restriction of their rights to bodily security, safe work, and just remuneration.

Labour Migration and Modern Forms of Bondage

Female international labour migration is a complex, nuanced issue. Even though international female labour migration from Indonesia to Asia Pacific and the Middle East is not inherently characterized by bondage, forms of bondage nonetheless are nonetheless permitted to flourish under this system. Such bondage is evidenced by the restrictions of human rights that some Indonesian female migrant workers face. Thus, this paper will argue that systems of Indian Ocean World bondage are not obsolete: they can be perpetuated through globalization and

¹⁶ Kuo, Lily. 2014. “How Hong Kong’s ‘maid trade’ is making life worse for domestic workers throughout Asia,” *Quartz*.

¹⁷ Sondakh, Farida; Tita Naovalitha. 2003. “The Vulnerable Indonesian Female Migrant Workers: In Search of Solutions,” Washington, DC: World Bank. 4.

¹⁸ Sondakh and Naovalitha. “The vulnerable Indonesian female migrant workers,” 4.

¹⁹ *Ibid.*, 3.

migration in the modern age. This, therefore, not only speaks to our understanding of the experience of migrant labour in Asia, but also to our understanding of bondage more broadly conceived.

Joseph C. Miller states that while slavery studies became a field of serious academic study in the 1970s, much of the research focused on males, and that women's history in slavery was largely neglected.²⁰ As an attempt to produce a more holistic understanding of this issue, Suzanne Miers has defined slavery as the antithesis of freedom. This definition leaves space to view slavery as a phenomenon that exists on a continuum which encompasses varying degrees of unfreedom.²¹ The transatlantic model of chattel slavery for instance— a system in which people were seen as property, slave-status was inherited, and slaves were bought and sold as economic commodities – is generally considered the “traditional” model of slavery.²² However, if the transatlantic model of chattel slavery occupies the extreme end of servitude on a spectrum, then Indian Ocean World forms of bondage can, and often do, fall under ‘grey’ middle categories. In Indian Ocean World history, different types of servitude have evolved over time, and the social categories of ‘enslaved’ and ‘free’ frequently do not exist on a clear, opposing binary, as it does in the Atlantic system.

This paper defines bondage as the state of being unable to exercise one's own liberty in terms of having the freedom to make independent life decisions, such as choosing one's work, place of residence, and state of mobility. Moreover, the state of bondage involves being unable to enjoy one's human rights in their full capacity due to oppressive external forces and factors. The

²⁰ Campbell, Gwyn; Suzanne Miers; Joseph C. Miller. 2007. *Women and Slavery, Vol. 1: Africa, the Indian Ocean World, and the Medieval North Atlantic*. Ohio University Press, 1.

²¹ Miers, Suzanne. 2003. “Slavery: A Question of Definition,” *Slavery and Abolition* 24, no. 2, 4.

²² Lewis, Thomas. 7 September 2018. “Transatlantic Slave Trade.” *Encyclopædia Britannica*. Web accessed 4 February 2019.

United Nations Universal Declaration of Human Rights, a comprehensive statement of inalienable human rights, declares that:

Article 3: Everyone has the right to life, liberty and security of person.

Article 4: No one shall be held in slavery or servitude.

Article 23.3: Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

Article 24: Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.²³

The widely-reported patterns of exploitation, extortion, and abuse that Indonesian female migrant workers encounter in all stages of their placement process provide specific examples of human rights violations. Instances of physical, psychological, and sexual abuse violate article 3, the right to have security of person. Employers' restrictions on workers' mobility and habits of withholding wages violate article 4 and 23.3, the right to be free of servitude and the right to just remuneration, respectively. Being made to work unreasonably long shifts while being denied leisure violates article 24, which entitles workers to rest.

By examining the diverse experiences of Indonesian female migrant workers in Asia Pacific and the Middle East, this paper will situate the phenomenon of female migrant domestic labour within the greater history of Indian Ocean World bondage. Migrant domestic workers from other relatively poor nations like the Philippines and Sri Lanka face similar concerns. While their experiences are by no means uniform, the prevalent abuse reported by female

²³ United Nations General Assembly. 1948. *United Nations Universal Declaration of Human Rights*.

migrant domestic workers nonetheless prompts an examination of how the system of international low-skilled labour migration can enable the restriction of human rights.

Figure 1: Asia Pacific



(Source: International Epidemiology Databases to Evaluate AIDS, n.d.)

Figure 2: The Middle East



(Source: VectorStock, n.d.)

PART I: BACKGROUND AND CONTEXT

The History of International Labour Migration in Indonesia

Since the 1980s, the Indonesian government has implemented an overseas labour contract programme to regulate and manage workers' placements abroad in response to large waves of undocumented migration to Malaysia and Saudi Arabia.²⁴ This programme has supported the

²⁴ Yazid. "Indonesian Labour Migration: Identifying the Women," 51.

growing trend of Indonesian workers leaving the country for contracted, overseas work. Female migrant workers have consistently outnumbered male migrant workers.²⁵ Currently, most female Indonesian migrant workers come from rural backgrounds, where working abroad is seen as an attractive option for families experiencing poverty.²⁶ The recruitment pool for Indonesian migrant workers is primarily concentrated in poor villages which have existing recruiting networks, a dearth of available economic opportunities, and generally low levels of educational attainment among their populations.

The occurrence of international labour migration increased following the 1997 Asian Financial Crisis, which saw Indonesia's GDP per capita drop exponentially.²⁷ While women have always been expected to contribute to the generation of household income in various Indonesian ethnic groups, the 1997 Asian financial crisis augmented this pressure. Indonesia had been a labour surplus nation even before 1997, but the financial crisis increasingly pressured workers to seek jobs overseas: the amount of Indonesian migrant labourers sent overseas between the onset of the financial crisis in 1997 to 1999 outnumbered the amount sent in all of Indonesia's first five-year economic development plans.²⁸ During this period, the gender profile of Indonesian migrant workers shifted to a significant female majority due to a growing international demand for domestic labour. Domestic positions such as maids, babysitters, nannies, and housekeepers are commonly viewed as female occupations. The feminization of domestic labour migration was also driven by the widespread view that women were more submissive and obedient – desirable qualities for potential household employees.²⁹

²⁵ Indonesia. BNP2TKI (National Authority for the Placement and Protection of Overseas Indonesian Workers) October Official 2018 Report, 3.

²⁶ Sondakh and Naovalitha. "The Vulnerable Indonesian Female Migrant Workers," 3.

²⁷ Hernandez and Tigno. "ASEAN Labour Migration: Implications for Regional Stability," 545.

²⁸ Hugo. "Effects of International Migration on the Family in Indonesia," 17.

²⁹ Surtees. "Female Migration and Trafficking in Women: The Indonesian Context," 100.

Prior to the 1997 Asian financial crisis, Indonesia enjoyed decades of sustained economic stability and growth. The crisis commenced in the summer of 1997 with the collapse of the Thai baht, which led to the devaluation of other Asian currencies. Thailand, Indonesia, and South Korea were the worst affected countries; Hong Kong, Laos, Malaysia and the Philippines suffered economic slumps; and Brunei, China, Singapore, Taiwan and Vietnam all experienced lower levels of economic demand, though they were relatively better off than the aforementioned areas.³⁰ In the first year of the crisis, Indonesia's GDP fell by 13.5% and from 1997-1998, the value of the rupiah dropped by 80%.³¹ The crisis led to social unrest and widespread rioting, which contributed to President Suharto's resignation on May 21, 1998.³² International labour migration was a coping strategy undertaken in response to the dire economic situation in the country. Families needed to diversify their sources of income, and international labour migration offered appealing prospects to those facing financial strain.

Since the 1990s, the number of migrant workers sent abroad by the Indonesian government have averaged about 200,000-300,000 new placements annually, with most workers returning to Indonesia after a two-year labour contract.³³ Presently, most Indonesian migrant workers are employed in Malaysia, Hong Kong, Taiwan, Singapore, and Saudi Arabia. From January to October 2018, 228,918 migrant workers were sent to international destinations by the Indonesian government.³⁴ Malaysia consistently receives the highest amount of Indonesian migrant labour. As a neighbouring country, travel costs to Malaysia from Indonesia are lower

³⁰ *The Asian Financial Crisis: Lessons for A Resilient Asia*. 2002. Edited by Wing Thye Woo, Jeffrey Sachs, and Klaus Schwab. Cambridge: MIT Press, 12.

³¹ *Ibid*, 125.

³² *Ibid*.

³³ Raharto. "Indonesian Female Labour Migrants," 11.

³⁴ Indonesia. BNP2TKI October Official 2018 Report, 8.

compared to farther regions. The Malay majority of Malaysia also share a great deal of linguistic and religious similarity with most Indonesian migrant workers.

Table 1: Destination Countries and the Number of Indonesian Migrant Workers Received

Country/Region	2016	2017	2018 (January-October)
Malaysia	74 263	73 270	77 888
Taiwan	62 904	54 370	60 408
Hong Kong	11 819	55 608	51 102
Singapore	13 740	10 888	14 536
Saudi Arabia	12 164	5 396	5 233

(Source: BNP2TKI, 2018)³⁵

The Profile of Indonesian Female Migrant Workers

According to the National Authority for the Placement and Protection of Indonesian Overseas Workers (*Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia*) – commonly referred to as BNP2TKI – the amount of Indonesian migrant workers numbered 3.9 million from 2006-2012.³⁶ However, the statistics reported by the BNP2TKI are official numbers: the rate of undocumented labour migration is almost certainly higher in scale.³⁷ Women comprise 75% of the documented migrant worker population, and most of them work as maids and housekeepers.³⁸ The majority of Indonesian female migrant workers are 18-35 years old, though the World Bank Office at Jakarta estimates that some are underage due to document

³⁵ Ibid.

³⁶ Yazid. “Indonesian Labour Migration: Identifying the Women,” 50.

³⁷ Hugo. “Effects of International Migration on the Family in Indonesia,” 17.

³⁸ Yazid. “Indonesian Labour Migration: Identifying the Women,” 50.

falsification.³⁹ Most female migrant workers only have a basic education and are not familiar with the languages of destination areas prior to their placements. The Indonesian government only stipulates that migrant workers be at least 18 years old, healthy, able to read, and able to pay part of the placement fees.⁴⁰ The recruitment fees cover the costs incurred by medical exams, insurance, passport processing, transportation, agency processing fees, and agency profits.⁴¹ These fees typically total to 5,000,000 IDR (\$470 CAD),⁴² which is considered expensive for low-skilled workers. As a result, many workers take out loans from sponsors in order to pay for the placement fees.⁴³

Migrant workers tend to be drawn from specific ethnic groups and geographical areas. In 2018, the province of East Java provided the most workers (53,525), followed by Central Java (48,911), West Java (46,898), and East Nusa Tenggara (27,946).⁴⁴ These provinces consist of many poor villages. A stark urban-rural income gap exists in Indonesia. Most of the country's wealth is concentrated in Jakarta, Indonesia's capital and most populous city. Jakarta only provided 675 migrant workers in 2018, despite having a population of 10.5 million.⁴⁵ Carolina G. Hernandez and Jorge V. Tigno – scholars who study ASEAN (Association of Southeast Asian Nations) labour migration – assert that in Southeast Asia, the rural sector has become increasingly marginalized due to uneven economic development between urban and rural areas. Urban cities are able to flourish and enjoy the benefits of economic progress while rural areas lag behind, creating wide urban-rural income disparities.⁴⁶

³⁹ Sondakh and Naovalitha. "The Vulnerable Indonesian Female Migrant Workers," 3.

⁴⁰ Ibid.

⁴¹ Morgan, Guy; Chris Nolan; Laura Ediger. 2011. "Step Up: Improving Recruitment of Migrant Workers in Indonesia." BSR (Business for Social Responsibility), 12.

⁴² Ibid.

⁴³ Raharto. "Indonesian Female Labour Migrants," 2.

⁴⁴ Indonesia. BNP2TKI October Official 2018 Report, 2.

⁴⁵ Ibid.

⁴⁶ Hernandez and Tigno. "ASEAN Labour Migration: Implications for Regional Stability," 547.

Table 2: Indonesian Migrant Workers and Their Provinces of Origin

Province	2016	2017	2018 (January-October)
East Java	35 744	53 505	53 525
Central Java	40 656	46 194	48 911
West Java	42 834	41 881	46 898
East Nusa Tenggara	34 366	29 100	27 946
North Sumatra	11 951	14 452	15 229

(Source: BNP2TKI, 2018)⁴⁷

Figure 3: Indonesian Provinces and Their Capitals



(Source: CartoGIS Services, College of Asia and the Pacific, The Australian National University, 2018)

⁴⁷ Indonesia. BNP2TKI October Official 2018 Report, 4.

PART II: INDONESIAN FEMALE MIGRANT LABOUR AND MODERN BONDAGE

Migration and The Complicated Case for Empowerment

In certain conditions, the choice to internationally migrate for work can be argued to improve the independence and autonomy of women. There are many cases of female ex-migrant workers finding success after earning wages overseas. For example, Nuryanti Solapari worked in Saudi Arabia as a babysitter in 1998 to save money for a university education, returning to Indonesia in 2001.⁴⁸ After completing a bachelor's degree, she commenced her graduate studies and eventually became a university lecturer at the Faculty of Law in Sultan Ageng Tirtayasa University, where she was an undergraduate.⁴⁹ In rural villages, success stories circulate about female migrant workers who return home with purchasing power and are able to buy luxury goods like houses, vehicles, and electronics.⁵⁰ The recorded remittances of Indonesian migrant workers in 2016 amounted to \$8.9 billion USD, which is equal to 1 percent of the nation's total GDP.⁵¹ Remittances from domestic work impact both the Indonesian economy and the workers' families at home. The funds sent by female migrant workers augment their families' household income, especially if the women are earning higher wages than what they would in Indonesia.⁵²

Labour migration also offers women greater mobility. Population mobility is correlated with greater incomes, higher educational attainment, improved communication services, and better transportation.⁵³ In the province of East Nusa Tenggara in Eastern Indonesia, the family patriarch is institutionalized in *adat* (customary law) to have executive decision-making power

⁴⁸ Yazid. "Indonesian Labour Migration: Identifying the Women," 55.

⁴⁹ Darma, Arif. NEWSmedia. 18 September 2017. "Mantan TKW Terpilih Jadi Anggota Bawaslu Banten" ("Ex-Migrant Worker Elected to as Bawaslu Banten Member") Web accessed 1 December 2018.

⁵⁰ Sondakh and Naovalitha. "The Vulnerable Indonesian Female Migrant Workers," 3.

⁵¹ World Bank Indonesia Report. 2017. "Indonesia's Global Workers: Juggling Opportunities and Risks," III.

⁵² Williams, Catharina P. 2008. "Female Transnational Migration, Religion, and Subjectivity: The Case of Indonesian Domestic Workers," *Asia Pacific Viewpoint*, Vol. 49, No. 3, 344.

⁵³ Hill, Hal. 1996. *The Indonesian Economy since 1966: Southeast Asia's Emerging Giant*. Melbourne: Cambridge University Press.

over the life decisions of each family member.⁵⁴ East Nusa Tenggara is one of the poorest provinces of Indonesia. In 2011, almost 100,000 people experienced a food crisis⁵⁵ and approximately 50% of children had stunted growth.⁵⁶ Environmental factors contribute to the province's impoverishment. East Nusa Tenggara has limited arable land, natural resources, and access to potable water.⁵⁷ The province consistently supplies a high number of migrant workers (Table 2), as labour migration offers workers the chance to escape destitute circumstances. Furthermore, female migrant workers from East Nusa Tenggara are able to leave the control of rigid village patriarchy and can thus exercise more independent control over their life decisions. In the province, women traditionally commit their labour to the home, and when they travel, they are expected to do so as part of the family unit.⁵⁸ As a result, the act of a single woman migrating overseas has the potential to disrupt the traditional social order, though this is often not the worker's intention.

The majority of migrant workers choose to leave home simply out of economic necessity.⁵⁹ Most migrant women do not frame their choice to work overseas as an assertion of independence: rather, separation from their children, spouses, and parents can cause them much distress.⁶⁰ The choice to temporarily relocate overseas for domestic work is commonly viewed as an indication of strong family values, since the female migrants are regarded as putting the economic needs of their families first.⁶¹ For example, after a 1992 earthquake in Ende, East Nusa

⁵⁴ Williams. "Female Transnational Migration, Religion, and Subjectivity," 345.

⁵⁵ —, 13 September 2011. "100,000 People Facing 'Food Crisis' in Eastern Indonesia" *The Jakarta Globe*. Web accessed 1 December 2018.

⁵⁶ Tomkiw, Lydia. 13 September 2011. "Villagers Being Enlisted in Fight Against Infant Stunting," *The Jakarta Globe*. Web accessed 1 December 2018.

⁵⁷ Williams. "Female Transnational Migration, Religion, and Subjectivity," 345.

⁵⁸ *Ibid.*, 347.

⁵⁹ *Ibid.*

⁶⁰ Silvey. "Consuming the Transnational Family," 24.

⁶¹ *Ibid.*

Tenggara, a woman named Netti decided to become a migrant domestic worker to ameliorate her family's impoverishment. She explains, "My intention to travel started when there was an earthquake in 1992, and our house was destroyed. I wanted to go and earn money. We would have liked to start building the house straight away, but we didn't have any money."⁶²

Female international labour migration and its impact on the status of women is a complicated issue to view solely in one light. In some cases, labour migration empowers women workers; in others, it involves a greater loss of control for them. Although international labour migration can offer women greater degrees of mobility and economic power, the system more often exploits them and exposes them to high levels of vulnerability. During her fieldwork in the Eastern Indonesian province of Flores, Catharina P. Williams conducted interviews with women who migrated to Hong Kong for domestic work. One woman, Maria, detailed her experiences of sexual harassment during her pre-departure job training in a Surabaya home. Maria said, "In Surabaya the employer I had for on-the-job training was a young unmarried man. I was only there for one day at his house when he came to me. I was asleep in my room when he tried to open the door to come in, but I had locked it. Then after two weeks he tried again. One day after coming home from work, he asked me to come to his room. He asked me to give him a body massage...I kept on praying and praying very hard, and finally he gave up and nothing happened between us."⁶³

Maria's case is not uncommon: many female domestic workers face risks of sexual harassment and other forms of mistreatment from their employers. For poor Indonesian women, labour migration can be seen as the act of moving from one marginalized position to another.⁶⁴

⁶² Williams. "Female Transnational Migration, Religion, and Subjectivity," 347.

⁶³ *Ibid.*, 348.

⁶⁴ Williams. "Female Transnational Migration, Religion, and Subjectivity," 346.

Even though women are able to exercise their agency during international domestic labour placements, the lack of adequate support structures offered to female migrant workers can easily enable the violations of their labour and human rights. Thus, while bondage does not inherently characterize international female labour migration from Indonesia to Indian Ocean World destinations, modern forms of bondage are allowed to be perpetuated under the system.

Bondage and the Vulnerability of Indonesian Female Migrant Workers

Previous literature on the topic of international Indonesian female labour migration has criticized the system as being ridden with corrupt and exploitative practices.⁶⁵ Workers experience high risks of exploitation, extortion, and abuse from recruiters and employers at every phase of international labour migration, from the pre-departure stage, to the employment stage, to the post-employment stage. Aziz Choudry and Mondli Hlatshwayo, researchers who study migrant workers' efforts at union organizing, assert that "despite efforts to secure the rights of migrant workers, they remain a largely abused and exploited workforce."⁶⁶ The anthropologist Rebecca Surtees stresses that in the Indonesian context, female labour migration involves various human rights abuses that are perpetuated under the complicity of the Indonesian government.⁶⁷ Surtees outlines specific human rights violations, including violence, abuse, and assault; poor working conditions and withheld wages; confinement; falsified documents; and bonded labour and debt bondage.⁶⁸

⁶⁵ Raharto. "Indonesian Female Labour Migrants," 5.

⁶⁶ Choudry, Aziz; Mondli Hlatshwayo. 2015. *Just Work: Migrant Workers' Struggles Today*. London: Pluto Press, 151.

⁶⁷ Surtees. "Female Migration and Trafficking in Women: The Indonesian Context," 101.

⁶⁸ Ibid.

Indonesian female migrant workers face heightened vulnerability throughout their overseas work placements. Throughout their contracts, their contact with their families and the outside world becomes limited. The social networks and support that they have at home are no longer accessible to them. Frequently, these women face cultural and linguistic barriers in their respective destination countries. Since they have limited leisure time, migrant workers typically do not participate in the cultural and civic life of their destination country. The social isolation of female migrant workers is further exacerbated by the fact that they cannot easily build new relationships or support networks with each other, as they are physically separated by virtue of living in their employers' homes.

Experiences of Indonesian female migrant workers in Indian Ocean World destinations are difficult to generalize, because the degree of their mistreatment (or the lack of it) depends on the employers and recruiters whom they encounter. Extreme cases of abuse are outliers, though the lack of sufficient protections offered to migrant workers allows these cases to occur. For example, Surtees reports that a woman from West Nusa Tenggara employed in Singapore was made to regularly work 16 hours a day. Moreover, she was not allowed to adhere to her religion: she was not given time to pray, and she was forced to do work which conflicted with Islamic practices, like preparing pork and cleaning dogs.⁶⁹ Migrant workers are also frequently denied the full payment of their wages. One woman from Sumatra reported that she worked 34 months without any payment from her employer.⁷⁰ A 2002 survey of Indonesian migrant workers in Hong Kong revealed that 51% were paid less than the minimum wage.⁷¹

⁶⁹ Ibid., 102.

⁷⁰ Ibid.

⁷¹ Ibid.

This is in part a result of their status and position. In Hong Kong government documentation for instance, these workers are referred to as “the Helper.”⁷² Edwina Antonio-Santoyo, the Executive Director of the Bethune House Migrant Women’s Refuge, argued that the term “helpers” enables employers to not treat migrants with the dignity and rights of workers: “Migrant domestic workers are being treated as modern day slaves. [...] They are not treated as workers, they are treated as helpers,” Antonio-Santoyo said.⁷³

Recent Cases of Abuse (2016-2018)

The pervasive abuse of Indonesian female migrant domestic workers is still prevalent today. In October 2018, the Indonesian migrant worker Tuti Tursilawati was executed in Saudi Arabia without any warning given to Indonesia. In 2011, she was convicted of murdering her employer Suud Malhaq Al Utaibi in May 2010.⁷⁴ Tursilawati claimed that Al Utaibi had been sexually assaulting her, and that she killed him out of self-defence when he tried to rape her. Her execution prompted waves of protests in Indonesia in early November 2018, as local and international human rights organizations called for better protections of migrant workers in Saudi Arabia.⁷⁵ Tursilawati’s execution placed a strain on Indonesian relations with Saudi Arabia. The Indonesian President Joko Widodo protested the execution to Saudi Arabia's foreign minister Adel al-Jubeir in a telephone conversation, and the Indonesian organization Migrant CARE called for the suspension of domestic labour agreements from Indonesia to Saudi Arabia.⁷⁶

⁷² Hong Kong. 5 June 2007. "Importation of Labour: Foreign Domestic Helpers". Labour Department of HKSAR. Web accessed 5 February 2019.

⁷³ Kuo, Lily. 2014. “How Hong Kong’s ‘maid trade’ is making life worse for domestic workers throughout Asia,” *Quartz*.

⁷⁴ Victor, Daniel; Jennifer Jett. 1 November 2018. “Indonesia Protests Saudi Arabia’s Execution of Maid.” *New York Times*. Web accessed 1 December 2018.

⁷⁵ Taylor, Adam. 31 October 2018. “Indonesia says it had no warning Saudi Arabia would be executing maid,” *The Washington Post*. Web accessed 1 December 2018.

⁷⁶ *Ibid*.

However, Ahmad bin Suleiman Al-Rajih, Saudi Arabia's Minister of Labour and Social Development, and Muhammad Hanif Dhakiri, the Indonesian Minister of Manpower and Transmigration, signed an agreement in late 2018 which affirmed that Indonesia would continue to provide Saudi Arabia with domestic workers.⁷⁷ Regarding this agreement, Al-Rajih stated that "the Kingdom of Saudi Arabia has close relations with the Republic of Indonesia," and that the future of labour relations between the two nations is built on solid foundations.⁷⁸

In 2016, rampant violence and human rights violations against Indonesian female migrant workers were reported by *The Jakarta Post*, with 66 cases recorded throughout the year.⁷⁹ The number of unrecorded cases is certainly higher, and female migrant workers are vulnerable to withheld wages and human trafficking.⁸⁰ Talking about the mistreatment of Indonesian female migrant workers, the Women's Solidarity for Human Rights program coordinator Nisaa Yura claimed that "domestic helpers are not considered as workers. Therefore, their rights as workers continue to be violated and it's difficult for them to obtain justice."⁸¹

There is growing local and international awareness concerning the abuse that Indonesian female migrant workers systemically experience, and accordingly, there is growing pressure to enable policy and support structures that protect their rights. The labour laws regarding migrant workers vary in different destination areas. For example, migrant workers in Saudi Arabia are not protected under labour legislations, since local labour laws do not apply to foreign workers.⁸² Thus, they are not offered legal protection. Hong Kong, on the other hand, provides migrant

⁷⁷ —, 13 October 2018. "Saudi Arabia, Indonesia reach agreement over domestic workers" *Arab News*. Web accessed 2 February 2019.

⁷⁸ *Ibid.*

⁷⁹ Jong, Hans N. 5 January 2017. "Abuse of Indonesian female migrant workers still rampant in 2016," *The Jakarta Post*. Web accessed 1 December 2018.

⁸⁰ *Ibid.*

⁸¹ *Ibid.*

⁸² Raharto. "Indonesian Female Labour Migrants," 11.

workers with basic rights and the ability to unionize. Article 24 of the Hong Kong Basic Law states: “Residents of the Hong Kong Special Administrative Region (‘Hong Kong residents’) shall include permanent residents and non-permanent residents.”⁸³ Since migrant workers fall under the ‘non-permanent residents’ category, they are offered basic legal protections.

Human rights legal frameworks can come into conflict with the visa and immigration policies of the destination countries where migrant workers are hired. The United Nations Universal Declaration of Human Rights was proclaimed by the United Nations General Assembly in 1948 as “a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected.”⁸⁴ The Declaration seeks to protect the rights of every human being, regardless of their race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.⁸⁵ However, in countries that legally stipulate large distinctions between the rights of citizens versus the rights of foreign workers, the precarious situation of migrant workers only becomes heightened. Rhacel Salazar Parreñas, who studies the experiences of migrant Filipina domestic workers, states that partial citizenship and liminal legal status resulted in workers being neither fully protected by their host country nor their destination country.⁸⁶ Violations of domestic laws, such as physical and sexual abuse, become less serious in a legal and punitive sense when enacted upon a foreign worker rather than a citizen. As a result, the immigration laws of destination countries can potentially oppose the universal ideals proposed by human rights law, which seek to entitle every person to a set of legal protections.

⁸³ China. 1991. *The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China*. Hong Kong: Joint Pub. (H.K.)

⁸⁴ United Nations General Assembly. 1948. *United Nations Universal Declaration of Human Rights*.

⁸⁵ *Ibid.*, Article 2.

⁸⁶ Salazar Parreñas, Rhacel. 2001. *Servants of Globalization: Migration and Domestic Work Vol. 2*. Stanford: Stanford University Press, 18.

The Pre-Departure Stage: Recruitment

There are two general ways that Indonesians can be recruited to become migrant workers. The first is through the Indonesian Labour Service Company, the PJTKI (*Perusahaan Jasa Tenaga Kerja Indonesia*). As an official employment agency system, the PJTKI conducts legally registered recruitment. It operates under Commission IX (Demography, Health, Manpower, and Transmigration Affairs) of the People's Representative Council, one of Indonesia's two elected national legislative assemblies. The second method is through informal, illegally-operating recruitment agencies that employ middlemen known as *calo*, a sponsor. The latter method is commonly more preferred out of convenience. Recruitment through the PJTKI involves bureaucratic delays, higher expenses, and interruptions in obtaining permissions and training. As a result, many female migrant workers are recruited through a sponsor whom they know through their local social networks.

The sponsor plays a significant role in the labour placement of migrant domestic workers. Since many potential female migrant workers come from villages with low levels of educational attainment and limited access to formal media, the sponsor becomes the main source of information for most aspects of their labour placement. The sponsor provides information to the worker regarding the placement fees; the legal forms required to migrate; the travel process to the destination country; the types of work that they will be expected to undertake; and the wages they will receive.⁸⁷ Not all sponsors supply truthful information. In a series of over 100 interviews with returned female migrant workers, Aswatini Raharto notes that all of them did not know the costs incurred by their migration.⁸⁸ The wide variations of travel costs that the interviewees reported imply that each sponsor provided different information, and that most of

⁸⁷ Raharto. "Indonesian Female Labour Migrants," 6.

⁸⁸ *Ibid.*, 7.

them likely overcharged. The financial exploitation of female migrant workers can further be extended through a sponsor's construction of a debt-trap. Some female migrant workers had to borrow money from the sponsor at exorbitant interest rates to pay for the initial placement and travel costs, under the arrangement that they would pay it back after working overseas.⁸⁹

After being recruited, potential female migrant workers are trained in official PJTKI holding centres, which are typically characterized by unsanitary and overcrowded conditions. Lasting several months, this interim period is when workers have their documents processed and they learn household tasks and the basic language skills of their receiving country. A PJTKI holding centre in Medan, North Sumatra held 136 women in six unfurnished rooms.⁹⁰ Migrant workers are forbidden to leave the holding centre, since this creates the risk that they would not return, which would cause the agency to lose money.⁹¹ Cases of abuse and sexual harassment have been reported in these holding centres, but Indonesian ministry officials are frequently bribed to overlook violations made by the PJTKI.⁹² Furthermore, official PJTKI training does not address issues such as labour rights and how to seek help abroad. Many domestic migrant workers consider the pre-departure job training to be insufficient,⁹³ as many find themselves ill-equipped to handle what is expected of them upon arrival. Their perceived incompetence can lead to verbal abuse by employers.⁹⁴

⁸⁹ Ibid., 2

⁹⁰ Jones, S. 2000. *Making Money off Migrants: The Indonesian Exodus to Malaysia*. Hong Kong: Asia 2000/Australia: Centre for Asia Pacific Social Transformation Studies. University of Wollongong, 49.

⁹¹ Surtees. "Female Migration and Trafficking in Women: The Indonesian Context," 101.

⁹² Ibid.

⁹³ Raharto. "Indonesian Female Labour Migrants," 8.

⁹⁴ Sondakh and Naovalitha. "The Vulnerable Indonesian Female Migrant Workers," 4.

The Employment Stage: A Case Study of Saudi Arabia

From August to December 1999, Aswatini Raharto conducted a series of interviews with female migrant workers who returned from domestic work placements in Saudi Arabia. Raharto's findings are compiled in a report for the Research Centre for Population in the Indonesian Institute of Sciences in Jakarta. Raharto interviewed 133 returned female migrant workers, the majority (128/133) of whom worked in the domestic sector. Indonesian migrants employed in Saudi Arabia often present themselves as devout Muslims, as their migration enables them to make the Hajj pilgrimage to Mecca.⁹⁵ Although most overseas low-skilled labour contracts last two years, a high proportion of migrant workers who leave to the Middle East return prematurely, compared to those who work in Asia Pacific.⁹⁶

The respondents' experiences in Saudi Arabia widely varied, with some women claiming that their employers treated them as an extension of the family, and others detailing disconcerting cases of mistreatment and abuse. Interviewees who were the sole domestic worker in the household reported a greater workload and longer working hours. When one woman complained to her employer about her heavy workload, the employer responded: "You have to do all the work because I bought you at a high price."⁹⁷ The typical salary offered to Indonesian migrant workers was 600 riyals a month (\$212 CAD).⁹⁸ The interviewees explained that middle- and upper- class Saudi families hire foreign domestic workers as a status symbol,⁹⁹ even if they are unable to pay the workers' salaries following the initial costs of hiring them.¹⁰⁰ Consequently, many interviewees claimed that they did not receive their full wages.

⁹⁵ Silvey. "Consuming the Transnational Family," 25.

⁹⁶ Hugo. "Effects of International Migration on the Family in Indonesia," 22.

⁹⁷ Raharto. "Indonesian Female Labour Migrants," 9.

⁹⁸ *Ibid.*, 10.

⁹⁹ Silvey. "Consuming the Transnational Family," 24.

¹⁰⁰ Raharto. "Indonesian Female Labour Migrants," 11.

Long working hours characterized the women's labour placements, as most employers do not comply with the agreement of an eight-hour day shift. Female migrant workers began their shifts around 6 AM and generally only stopped work late at night, due to the Arabic routine of having late dinners. During Ramadan, the Islamic holy month of fasting, already long working hours are further extended. Domestic workers have to wake up earlier in order to prepare a meal before sunrise. In one interview, a woman said that she only had four hours of sleep every night during Ramadan.¹⁰¹ While working as domestic helpers, Indonesian female migrant workers are not only largely denied rest and leisure, but also freedom of movement. Employers are able to restrict the mobility of domestic workers by keeping their passports and identity cards, documents which are taken upon arrival.¹⁰² The employers' justification for withholding these documents is to prevent the worker from running away or working for another family.¹⁰³

During their labour placements in Saudi Arabia, the women faced considerable risks of abuse. Many interviewees said that they encountered the threat of sexual harassment and assault from male employers and other male family members. The women stressed that they had to exercise caution and limit opportunities when they would be alone with adult male family members. Speaking about sexual harassment from employers, one migrant said, "Even though they are rich, it is impossible for them to give us expensive gifts or a lot of money as a gift if they were not expecting 'something' from us."¹⁰⁴ The Indonesian embassy in Riyadh collected information about the violence faced by Indonesian migrant workers at the hands of employers from 1994-1997: it documented 1105 cases of physical abuse, 2182 cases of psychological

¹⁰¹ Ibid., 9.

¹⁰² Ibid., 11.

¹⁰³ Ibid.

¹⁰⁴ Ibid, 10.

abuse, and 612 cases of sexual abuse.¹⁰⁵ However, 84% of the respondents claimed that they never made any contact with the Indonesian embassy throughout their labour placements in Saudi Arabia. As a result, it is highly likely that the real incidence of abuse far exceeds the numbers reported by the embassy.

The Post-Employment Stage: Return

The exploitation of Indonesian female migrant workers does not stop once their labour contracts terminate. Upon returning to Indonesia, migrant workers are processed in separate immigration and customs lines at Soekarno-Hatta, the international airport in Jakarta. At Soekarno-Hatta, they regularly become victims of extortion. Immigration officials and *preman* (organized gangsters) pressure them to relinquish parts or all of their earnings.¹⁰⁶ Taxi drivers charge exorbitantly high transportation rates – 208% greater than the market rate – to take the women to their homes.¹⁰⁷ At home, the women’s remaining earnings can be squandered by their spouses or other family members to pay off debts. A 25-year-old Sunda woman named Yanti spoke to the researcher Rachel Silvey about her experience of returning home following domestic work placements in Jordan and Saudi Arabia. She said, “When I came home, well, ... my husband wouldn’t take me back. He had used all my money to buy a motorcycle, gasoline, given [the money] away to his parents.”¹⁰⁸ International female labour migration significantly impacts the family structure in Indonesia: Silvey states that migrants commonly believe divorce is inevitable after extended separation.¹⁰⁹

¹⁰⁵ Surtees. “Female Migration and Trafficking in Women: The Indonesian Context,” 102.

¹⁰⁶ *Ibid.*, 101.

¹⁰⁷ Sondakh and Naovalitha. “The Vulnerable Indonesian Female Migrant Workers,” 4.

¹⁰⁸ Silvey. “Consuming the Transnational Family,” 31.

¹⁰⁹ *Ibid.*

Ameliorating the Situation of Indonesian Female Migrant Workers

In a 2002 report¹¹⁰ prepared for the World Bank Office in Jakarta, Farida Sondakh and Tita Naovalitha propose various solutions to ameliorate the status of Indonesian female migrant workers. Firstly, the authors argue that community-based learning programs for female migrant workers should be established in order to offset the power that a recruiting sponsor has as an information provider. These programs would connect female migrant workers to each other and allow them to share their experiences of working abroad. Secondly, Sondakh and Naovalitha highlight the importance of providing simple information based on the needs of migrant workers. Since many potential female migrant workers only have a basic education and limited access to formal media, improving accessibility would help them become better informed about the facts and situation of international labour migration. Thirdly, the authors propose to improve support services at all stages – from pre-departure to employment to post-employment – to assist female migrant workers in the case that they encounter exploitation, abuse, or extortion. Lastly, Sondakh and Naovalitha suggest that legal policies should be established to promote the welfare of female migrant workers. Bilateral agreements with host countries would enforce rules and regulations that protect the rights of migrant workers. Sixteen years after this report, the awareness of female migrant workers’ mistreatment has increased, but the abuse of them unfortunately still continues.

Not all destination areas provide female migrant workers with legal protections. As a result, the migrant labour associations are important bodies for the support of migrants’ rights. In Hong Kong, where Indonesian migrants are legally permitted to form labour unions, various active organizations exist, such as: Indonesian Migrant Workers’ Union (IMWU), United

¹¹⁰ Sondakh and Naovalitha. “The Vulnerable Indonesian Female Migrant Workers,” 1-4.

Indonesians Against Overcharging (PILAR), Association of Indonesian Migrant Workers (ATKI), League of Indonesian Workers (LIPMI) and Indonesian Migrant Muslim Alliance (GAMMI).¹¹¹ These organizations work to uphold the rights of the Indonesian community in Hong Kong and of migrant workers in general. However, the establishment and support of Indonesian migrant worker unions are relatively scarce in other locations like the Middle East.

Conclusion: Labour, Migration, and Globalization

In the Indonesian context, women employed in the domestic sector comprise the majority of migrant workers. A 2017 World Bank Indonesia Report entitled “Indonesia’s Global Workers: Juggling Opportunities and Needs” emphasizes that international labour migration has a highly beneficial impact on the workers and the Indonesian economy.¹¹² However, the report also acknowledges that policy reforms that better facilitate migration are needed to make the system safer for vulnerable workers.¹¹³ The exploitation and mistreatment that some migrant workers face is enabled by the lack of sufficient protection, information, and assistance offered throughout all stages of migration.

Literature on migration and globalization from the 1970s onward stresses that reproductive labour must be considered within discussions of economic globalization.¹¹⁴ Rhacel Salazar Parreñas defines reproductive labour as labour which attends to the needs of the productive labour force.¹¹⁵ Johanna Brenner and Barbara Laslett provide examples of reproductive labour, such as domestic work which includes household chores, the raising of

¹¹¹ Choudry and Hlatshwayo. *Just Work: Migrant Workers’ Struggles Today*, 153.

¹¹² World Bank Indonesia Report. “Indonesia’s Global Workers,” 10.

¹¹³ *Ibid.*, 64.

¹¹⁴ Salazar Parreñas, Rhacel. *Servants of Globalization*, 29.

¹¹⁵ *Ibid.*

children, and the maintenance of familial social ties.¹¹⁶ Building up on the work of Evelyn Nakano Glenn and Saskia Sassen – scholars who study the racial division of reproductive labour and the new international division of labour, respectively – Salazar Parreñas coins the concept of the “international division of reproductive labour.”¹¹⁷ In the framework of an international division of reproductive labour, women commit to doing caring labour for other women in a transnational context. The racialized aspect of an international division of reproductive labour entails that the international transfer of caretaking involves national and racial differences between the relatively privileged employer and those whom they employ.

In the case of Indonesian migrant workers, women’s labour often takes the occupational forms of maids, housekeepers, nannies, or nurses in richer foreign destinations. The international division of reproductive labour that these women engage in can reproduce modern aspects of earlier forms of Indian Ocean World bondage. Most perceivably, migrant domestic workers often do not have adequate legal protections during their work placements, leaving them vulnerable to extortion, abuse, violations of labour contracts, and restrictions to freedom. Although the experiences of female migrant workers widely vary, the system of an international division of reproductive labour unfortunately enables the limitations of human rights.

¹¹⁶ Brenner, Johanna; Barbara Laslett. 1991. “Gender, Social Reproduction, and Women’s Self-Organization: Considering the U.S. Welfare State,” *Gender & Society* 5(3), 311.

¹¹⁷ Salazar Parreñas, Rhacel. *Servants of Globalization*, 29.

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