

CHAPTER I

INTRODUCTION

A. Background

The relationship as "*Bangsa Serumpun*" between Indonesia and Malaysia has been built since ancient times. The two countries have been involved in social, political, economic, and cultural relationship since the early times of Malay Peninsula and Sumatra.

The king of Malacca originated from Sumatera (Palembang). Riau-Johor empire is sometimes centred in Sumatera and in Malay Peninsula. Negeri Sembilan is the branch of the kingdom of Fence Ruyung Minangkabau, West Sumatra. The majority of Malay people in Malay Peninsula originated from several tribes in Sumatera, such as Minangkabau, Kerinci, Palembang, Jambi, Mandailing, Malay Sumatera and Aceh. Other tribes are Java and Sulawesi (Bugis).

The relationship between the government of Indonesia and the Malaysian government continues to experience ups and downs. During the rule of President Soekarno and the Tunku (Malaysia), the bilateral relation between Indonesia and Malaysia was often tinged with discrepancies and contradictions. There were different opinion and mutual suspicion between those two figures, especially after Tunku wanted to set up the Malaysia Federal Countries consisting Malaya, Singapore, Brunei, Sarawak and Sabah. President Soekamo saw this as a project

of England's Nekolim (Neo-Colonialization), not the original thought of Tunku. Indonesia requested a plebiscite launched in North Borneo. However, it was rejected by the Tunku, so Indonesia launched a furious confrontation (1963-1966).

New relationship was built by the second Malaysia's Prime Minister, Tun Abdul Razak Hussein and the second President of Indonesian, Soeharto peacefully. It was widely known that Tun Razak was the descendant of Bugis, while Adam Malik, the second vice-president of the RI and Tun Muhammad Ghazali Shafei were still related to Mandailing tribe (Sumatra). In this case, the spirit being in one nation played a role. Meanwhile, Murtopo as well as Suharto were the leaders of the anti-communist army.

In the time of Tun Razak as well, Indonesia and Malaysia organized a cooperation in military training: Malindo Samatha, Malindo Jaya, Malindo Mini and Kris Kartika. Cooperation in the field of education and culture was also enhanced. In addition, Indonesia and Malaysia sponsored the ASEAN organization. This is the brilliant era of Indonesia-Malaysia allied relationship. Tun Razak's gait was followed by the third Malaysian Prime Minister, Tun Hussein Onn. Unfortunately, the relation between the two countries at the time of Dr Mahathir Mohamad (Fourth Prime Minister of Malaysia) began somewhat eroded. It was Mahathir that contributed to reduce the level of this relationship. Mahathir was a leader with his own character. Under his leadership, Malaysia's economic and political condition advanced rapidly. Malaysia also began to play a role in the international arena. Mahathir even appeared as a spokesman for the Third World. This condition was a blasphemy for Indonesia under Suharto's

leadership.

There are several Indonesian labour problem that face by Consulate General of Indonesia Johor Bahru such as the job does not match the contract of employment, lower cost, TKIs' get violent, unpaid wages, and TKIs' who violate the rule and lying a complaint to the officer KJRI.

One of the aggravating factors faced by the Consulate General of Indonesia Johor Bahru is the case of the capital punishment (*hukuman mati*). Based on data in KJRI there are five people received the capital punishment. This case occurred in 2010, after going through the old diplomacy, the fifth migrant workers freed from the capital punishment by the Malaysian government and then submitted to the Indonesian government to get a punishment according to Indonesian law. In addition, illegal migrant workers is also an issue that must be addressed by KJRI.¹

The Effect of Migrant Labours Policy

The mobility of people from Indonesia to other countries constituted the important part of international migration in the last several decades. Indonesia is categorized as a country that sends migrant labours with the increasing number as time goes by. The Indonesian government have assumed labour export as a valuable means of earning foreign exchange and solving domestic unemployment. Based on a report issued by the Department of Manpower (Depnaker RI 1994),

¹ Ayu Lestari, *Konsulat Jenderal RI Johor Bahru, Malaysia*, Laporan Magang, Yogyakarta: universitas muhammadiyah Yogyakarta, p.11

prior to the early program of Indonesian development, Indonesia had actively sent its workers to various countries.

Migration from Indonesia to Malaysia has existed since long time ago and is still on going. Malaysia is now a major country that receives migrant labours with an estimate of over 2 million migrant labours. Such large inflow was caused by scarcity of jobs in plantation and construction. Migrant labours come mostly from Indonesia, Bangladesh and the Philippines.

At the time of Tun Razak, Malaysia invited teachers and lecturers from Indonesia. However, the pattern of migration in the days of Mahathir, Abdullah Badawi and Najib is different. Those who came were poor, less educated labours, and those of the rural worked in the farming sector, urban development, and many worked as domestic servants. They were from the lower class, which was called “Indon” by Malaysians.

A more serious problem occurred in 1981 with allegations of 100,000 illegal migrants from Indonesia. They were 1 million migrants in 1987 and reached 2 million migrants in 2011. Those migrants often did crimes such as messing around, theft, robbery, murder and so on. According to the records, thirty-six percent of inmates in Malaysia’s prison are migrants from Indonesia. It happens although the return of irregular migrants has been done many times.

For Indonesia, the Indonesian migrant problems are about the harsh treatment of the maid’s employer, the low salary, and the ill treatment and insult by police and Malaysian volunteers against Indonesian migrants. The problems have made the relationship between the two countries not harmonious.

The relationship between Indonesia and Johor, Malaysia, across the narrow straits has been strong for centuries. Many Johoreans trace their origins to various islands in the Indonesian archipelago. In recent years the presence of large numbers of Indonesian migrant labours in Malaysia has become the focus of media and political debate; it is seen not only as undermining working conditions but as aggravating fragile ethnic relations within Malaysia. The aim of this paper is to examine the presence and employment of Indonesians in the southern area of Johor, and the responses of government and the public to this phenomenon.²

Indonesian Consulate Johor Bahru has a very important role in handling problem of Indonesian labours in their working area. Since its establishment, the Consulate General has shown their progress in dealing with cases of Indonesian labour problems. To this day, a lot of the Indonesian labour problems have been repatriated back to Indonesia. Both small and big problems such as the death sentence given by the government of Malaysia to the Indonesian labour have been handled by the Consulate General. Consulate General in Johor Bahru has cooperated with the government of Johor bahru and taken measures to protect problematic Indonesian Labour in Johor Bahru.

B. Research Question

By considering the background of the problem above, the researcher formulates the research question as: *“What are the roles of Consulate General of*

²http://www.reseacrghate.net/publication/11135682_Indonesian_migrant_in_Johor_an_itinerant_labour_force

Indonesia Johor Bahru in attempts to accomplish Indonesian labour problems in Johor Bahru, Malaysia?"

C. Theoretical Framework

The theory is used to help determining the goals and direction of research in choosing the right concept to form a hypothesis. The theory is a view, or about what happened, and may also predict the possibility of a future recurrence of the incident.

Mohtar Mas' oed mentions that the theory is an intangible set of generalizations and generalizations are due in the concepts. It could also mean that theory is a statement that connects the concepts logically.³

To resolve the existing problems, the writer uses the role theory.

Role Theory

In view of the role theory, political institutions are a series of behavioral patterns related to the role. Theoretical models indicate a direct role of the aspects of behavior that makes an activity as an institution. Thus the theory of role is bridging the gap that separates the individualistic approach from group approach.

According to *Kamus Besar Bahasa Indonesia* (1991), the definition of the

³ Mohtar Mas' oed, *Ilmu Hubungan Internasional : Disiplin dan Metodologi*, Jakarta, LP3ES, 1990,p.186

role is “Actions taken by someone at an event”.⁴ Role by Soerjono Soekanto is as follows: “the dynamic aspects of the position (status).⁵ If the person carrying out the rights and obligations of the role he runs. A similar opinion is also expressed by Koentjaraningrat, that: “The role is the behavior of individuals who perform a particular position”.⁶

According to Mohtar Mas’oed, the role of expected behavior will be performed by a person who occupies a particular position, both positions in the organization and the attitude of the state. Any person who occupies that position is expected to behave in accordance with the nature of the position.⁷

Jack C. Plano, Robert E Riggs and S. Gellena Robin state that role is a set of behaviors expected of a person occupying a particular position in a particular social group.⁸

From the several opinions about the role of the above, then the role can be interpreted as a dynamic position or status of a person or institution in order to implement the rights and duties/responsibilities.

Role theory used in this research is to explain the role of Indonesian Consulate General. In this theory, we could understand the role of Indonesian Consulate General in handling the Indonesian Labour's problems in Johor Bahru Malaysia.

⁴ Kamus Besar Bahasa Indonesia,1991.p.751

⁵ Soerjono Soekanto, *Sosiologi Suatu Pengantar*, Jakarta: PT RajaGrafindo Persada, 2005, p.243

⁶ Koentjaraningrat, *Pengantar Ilmu Antropologi*, Jakarta: PT Rieneka Cipta, 1990, p.169

⁷ Mohtar Mas’oed, *Studi Hubungan Internasional: Tingkat analisa dan teorisasi*, Yogyakarta: Pusat Studi Antar Universitas – Studi Sosial Universitas Gajah Mada Yogyakarta,1989.

⁸ Jack C. Plano, Robert E . Rights & Hellena S. Robin, *Kamus Analisa Politik*, Rajawali Pers, terjemahan oleh Edi S Siregar, Jakarta, Cetakan Kedua, 1998, p. 220.

Based on act No. 39 of 2004 concerning the Placement and Protection of Indonesian Workers Abroad, stated that the functions and authority of the Consulate General are:⁹

1. As the representative of the Republic of Indonesia that provides protection against labour workers abroad in accordance with laws, regulations and international customs.
2. Provide protection to migrant workers abroad, according by legislation..
3. To provide guidance and supervision of a representative *PPTKIS* (*perwakilan pelaksana penempatan TKI swasta*) and labours who are placed abroad.
4. Supervision of the implementation of the placement and protection of migrant workers abroad carried out by the Representative of the Republic of Indonesia in the destination country.

Based on the functions and authority of the Consulate General, Consulate General of Indonesia Johor Bahru had put themselves according to the position assigned as the representative of Indonesia in another country, which has a duty to protect Indonesian workers., place for complaints, handling and protection of Indonesian labours problem. In addition, it is a place of administrative services, as a shelter for Indonesian labours who cannot be repatriated back to Indonesia until their problem is settled.

⁹ Undang-Undang No 39 tahun 2004 tentang Tentang Penempatan Dan Perlindungan Tenaga Kerja Indonesia Di Luar Negeri

D. Writing Objective

The objectives of this research are to analyze and to describe the cause of violence against Indonesian labours in Johor Bahru, Malaysia. Until today, violence against Indonesian labours still happen in Johor Bahru.

The other objective of this thesis writing is to complete the requirements for a bachelor degree (S1) from the Program of International Relations, Faculty of Social and Political Sciences, University of Muhammadiyah Yogyakarta.

E. Hypothesis

From the description of background, relation to theoretical framework and knowledge got by the writer during the internship program in Indonesian Consulate Johor Bahru, the pre-assumption drawn, the role of Consulate General of Indonesia Johor Bahru in attempts to accomplish Indonesian Labour problem in Johor Bahru, Malaysia are:

First, as a place for complaints, handling and protection of Indonesian labours problem. In addition, it is a place of administrative services.

Second, as a shelter for Indonesian labours who cannot be repatriated back to Indonesia until their problem is settled.

F. The Range of Research

In writing this paper, the writer limits the problem so the target can be achieved. Therefore, this research is Limited to the situation that happened since

the inauguration of the Indonesian Consulate General (KJRI) in Johor Bahru in 2004 until the end of the writer's internship program in 2011.

G. Method of Analysis and Research

A research will run with the facts and a good system of methodology. This is a qualitative research which uses deductive methods. Deductive method is a method that is based on a theoretical framework, by which then a hypothesis is formulated and tested through empirical data or by briefly examining the general principles to test the special incident.

The method of collecting data is library research in which the data are secondary sources. Therefore, all data are taken from books, scientific papers, scientific journals, newspapers, websites, based on the research which was done by the writer during the internship program in KJRI Johor Bahru, Malaysia, and other relevant resources data. Those data will be analyzed by the concept which is determined before. It's purpose is to prove that the hypothesis can accurately answer the core of related problems. Although this undergraduate thesis uses a secondary data, the writer selects the accurate data and check the reliability of the data to accomplish a trustworthy research.

H. The Systematic Writing

The systematic writing of this thesis consists of four chapters, each chapter discusses different things to make it easier to understand this thesis, as follows:

- CHAPTER I A depiction of the general researches that is the subject of the introduction to the subject of such sub, reasons for selecting the title, the purpose of writing, historical background of Indonesia - Malaysia bilateral relationship, research question, theoretical framework, writing objective, hypothesis, the range of research, method of analysis and research, and the systematic writing.
- CHAPTER II In this chapter the writer gives an overview about KJRI Johor Bahru profile in general including the working area and the profile of the State of Johor Bahru along with local government policy regarding to migrant labours in Johor Bahru.
- CHAPTER III In this chapter the writer will analyze the research question in depth and add the supporting data about the law.
- CHAPTER IV This chapter is the closing part of this thesis which contains conclusion and suggestion.