

Political Representation of Indonesian Migrant Women Workers (PPMI) in Parliament: Opportunities and Challenges

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Abstract

The absence of Indonesian women migrant workers (*Perempuan Pekerja Migran Indonesia/PPMI*) in parliament reflects the unfulfilled political rights of citizens. With various problems of election violations such as double DPT, overseas election systems that are vulnerable to manipulation through postal and drop box methods indicate the vulnerability of the distribution of voting rights as a political right of a migrant worker, where the majority of migrant workers are women who work in the informal sector. The presence of migrant workers in parliament is important to accommodate political rights, both voting rights and the distribution of opinions. Their political representation in parliament will reflect the implementation of democratic values and be a positive example for other women in politics, especially in the context of gender justice. This paper uses the gender justice framework of Squires, the political theory of presence from Anne Phillips, and the representation theory from Hanna Pitkin to discuss the urgency of the representation of women migrant workers in parliament as a reflection of the fulfilment of political rights. The research method used is a critical and in-depth analysis of relevant literature studies.

Keywords: political representation, women migrant workers, parliament

Introduction

One of the rights of citizens enshrined in the Constitution is the right to work in order to earn a decent living. This is enshrined in Article 27(2) of the 1945 Constitution, which states: “Every citizen shall be entitled to work and a living that is decent for humanity”. This means that the state is responsible for protecting its working citizens, both at home and abroad. However, the growing phenomenon of violence against Indonesian migrant workers (PMI), especially

women, shows that the government is not fulfilling its constitutional mandate. The state must improve the protection of Indonesian women migrant workers (PPMI), most of whom work in the domestic sector in vulnerable working conditions.

Based on data from the Indonesian Migrant Workers Protection Board (BP2MI), women outnumber men when it comes to working abroad as migrant workers in 2019-2024, as shown in the table below (BP2MI 2024b).

Table 1. Placement and Protection Data of PMI 2024

No	Year	Sex		Number of Placements
		Women	Men	
1.	2019	191.237	85.316	276.553
2.	2020	90.500	22.673	113.173
3.	2021	63.855	8.769	72.624
4.	2022	122.147	78.614	200.761
5.	2023	167.863	107.102	274.965
6.	Jan-Sep 2024	156.419	71.107	227.526

Source: PMI Placement and Protection Data Publication Report 2024, accessed from (BP2MI 2024) and processed by the author

Data published by BP2MI on its website for 2019 to 2024 shows that women are the majority group involved in informal work. The data shows that there were 551.412 people in the informal placement sector and 526.523 people in the formal placement sector during this period. The data shows that women have always dominated the number of placements.¹

Ironically, data on complaints to BP2MI's crisis centre over about six years shows that there were 17,070 cases of violations of migrant workers' rights. The majority of cases received by BP2MI in 2024 were related to migrant workers failing to depart (128 cases), migrant workers wanting to be repatriated (210 cases), unpaid wages (108 cases), and migrant workers' social security (57 cases) (BP2MI 2024a).

The data shows that in addition to the problem of physical violence, such as beatings, verbal abuse, and economic violence, there are also problems experienced by PPMIs in exercising their political rights in elections. Data and findings reported by Migrant CARE show that there are still many PMIs who are not registered in the Permanent Voters List (DPT). In the 2024 election, in addition to problems with the List of Permanent Overseas Voters (DPTLN), the votes of PMIs were not well distributed. The number of permanent voters has decreased since 2019. In the 2019 election, there were 2.086.285 people, while in 2024, there were 1.750.474 people. This shows that there are serious problems in realising the political rights (the right to vote) of migrant workers, the majority of whom are women. The electoral system, such as the method of sending ballots by post, which is still used, also has weaknesses and threatens the exercise of PMI voting rights (Migrant CARE 2024).

The challenge of fulfilling the political rights of PPMIs is not unique to the 2024 election but also to previous elections. The issue of PPMI participation is particularly evident in the main destination countries for PMIs, such as Malaysia, Singapore, and Hong Kong. In the 2014 election, for example, various problems were identified, including multiple DPTs, missing passport numbers, the arbitrary filling in of passport identities of underage migrant workers, and the registration of deceased migrant workers. Although there was an increase in the number of PMI voters from the 2014 to 2019 elections, the increase was not significant. Another issue that arose in the overseas elections was the use of mobile ballot boxes (KSK), which were not guarded by witnesses or the Election Supervisory Committee. On the other hand, voting systems in overseas polling stations often led to long queues without clear DPT sorting. In addition, the

postal ballot method was also vulnerable to fraud and electoral abuse (Migrant CARE 2019).

Suryani and Azmy's (2017) research on the political participation of Indonesian migrant workers in Malaysia in the 2009 and 2014 elections shows that there was an increase in PMI votes at that time, but not because of the socialisation or political literacy of PMIs, but because of the aspect of the figures of the presidential and vice-presidential candidates running at that time. The figures of presidential and vice-presidential candidates at that time were new figures who were believed to be able to change the working conditions and favour migrant workers (Suryani & Azmy 2017).

Huntington and Nelson, in their book (1984), state that the voluntary nature of participation is very important. This means that PMI votes should not be votes that can be easily mobilised for the benefit of political elites in elections. While it must be acknowledged that the form and degree of autonomous participation and mobilisation are not entirely clear, Huntington and Nelson (1984) believe that autonomous participation will have a greater impact on a democratic system of government (Huntington & Nelson 1984). This can be seen in the United States, particularly among black people, who are more active in many areas of political participation. This is due to a sense of identification as members of a community. The same principle can be used in the context of identity awareness as PMIs when examining the phenomenon of PPMI political participation, assuming that awareness of collective identity can have an impact on political participation. Unfortunately, according to the author, PPMIs working in destination countries other than Hong Kong² do not have the opportunity and permission to meet with other PPMIs, although meetings and gatherings allow them to discuss, exchange opinions, and associate.

The various problems encountered by PPMIs in exercising their political rights in electoral activities indicate that there are problems with the protection policy for PPMIs, which is currently regulated by Law No. 18/2017 on the Protection of Indonesian Migrant Workers. In her paper, Irianto (2020) explains that the 2017 Law is still gender-neutral as it does not specifically differentiate between female and male migrant workers. However, according to Irianto (2020), migration is not a gender-neutral phenomenon because migration has a more feminine face. Furthermore, when juxtaposed with the provisions of the Convention on the Elimination of Discrimination against Women (CEDAW), the 2017 Law does not specifically aim to protect PPMIs because the

word women is not specifically mentioned in the Law (Irianto 2020).

Furthermore, Article 2 of Law No. 18/2017 on the Protection of Indonesian Migrant Workers regulates the principle of equal rights as the protection of PMIs, equality, and gender justice. Article 3 regulates the protection of PMIs, which guarantees the fulfilment and enforcement of human rights as citizens and PMIs, while Article 6 regulates rights and obligations.³ However, this policy is not sufficient because the articles do not regulate political rights (voting rights) and the conduct of elections. Thus, it can be seen that the exercise of political rights for PMIs is not specifically regulated by the law. The author goes on to criticise the lack of regulation of PPMIs' political rights, arguing that the fulfilment of PPMIs' political rights should not only regulate their participation as voters but also their political rights to be nominated, to become a candidate, to be elected, and to be elected in parliamentary political contests. The challenges that PPMIs face in realising their right to be elected include the political world being closely linked to the public sphere (men) and a patriarchal culture that discriminates against women being in the public sphere, as well as the political literacy that has not been developed among migrant workers. They have the right to politics, to be elected, to vote, and to have a voice/opinion. In addition, political parties have not paid attention to the lives of Indonesian migrant workers, except for the issue of labour migration and contribution to state remittances.

The right to vote and be elected is a right that should be accessible to everyone, but in the current reality, PPMIs are excluded. Today, PPMIs are still only seen as a mass base to increase the electability of the votes of the political elites competing in elections. In fact, many PPMIs' right to vote is still violated because they are not included in the DPT, there are multiple DPTs, and the absence of their employers' permission to come to the polling stations to exercise their right to vote. In addition, the ballot box and postal systems do not support the accurate distribution of their voting rights. Given that PPMIs play an important role in labour migration flows and in the gender justice agenda, the protection of PPMIs, both from cases of violence and the protection of their political rights, is an urgent agenda that needs to be addressed immediately. According to the author, in order to ensure inclusive political participation and political justice, the state must guarantee the political participation of PPMIs in the legislature. This may affect their ability to voice and fight for their protection needs and interests through formal political channels.

Against this background, this paper focuses on two main issues. First, it explores the reasons for the importance of political representation of Indonesian women migrant workers in parliament. Second, it examines the efforts or strategies to realise the fulfilment of PPMI representation in legislative seats. This paper uses the political theory of the presence of Anne Phillips and Hanna Pitkin in relation to the concept of representation, as well as the concept of gender justice from the perspective of political science, according to Judith Squires.

Research Methods

In order to answer the two main questions above, namely the importance of political representation of PPMIs and the strategies to achieve political representation of PPMIs, this research uses a qualitative model. The arguments in this paper are based on literature review and critical analysis. The literature review is conducted using various references to analyse the urgency of political representation of PPMIs in parliament and the strategies that need to be implemented to achieve political representation of PPMIs. The use of various references is intended to provide an in-depth review and analysis of the importance of PPMIs' political representation in the legislature.

In his book, Pitkin (1967) outlines four categories of representation, namely formal representation, descriptive representation, substantive representation, and symbolic representation. According to him, if representation is understood only as descriptive or symbolic representation, then it is merely seen as an 'inanimate object' and not as an activity. In fact, representation is an action for others, that is, activity on behalf of the represented party, for their interests, and makes the representative an agent who plays a role for others. While a formalist perspective emphasises that the representative is an active figure acting for others, the status of the representative is still defined by the formal rules governing the representative's activities (Pitkin 1967). The representation of PPMIs in parliament can be understood within the formal political framework of the representation of Indonesian migrant workers. The presence of PPMIs in parliament is not limited to the appointment of a 'representative', but their role must actually fight for the aspirations and needs of PMIs on the ground. Pitkin underlines this with the analogy that representation arises because one cannot 'present' oneself in a certain role in order to do anything or to exercise the rights and obligations of that role.

Furthermore, in the context of political representation involving gender issues, Squires (1999) explains that sex refers to men and women, while gender refers to differences in the roles of men and women that are socio-culturally constructed, making masculine or feminine as biologically interpreted by the culture (Squires 1999). Anne Phillips adds to the importance of women's participation in formal politics for several reasons that reflect such participation. First, the argument about role models. Second, the argument about justice. Third, the argument about women's interests and needs, and fourth, the argument about revitalising democracy (Phillips 1995).

The Importance of the Representation of Indonesian Women Migrant Workers (PPMIs) in the Legislature

The discussion on the political representation of PPMIs cannot be separated from the phenomenon of gender justice and how women are perceived in the public sphere. The lack of political representation of PPMIs in parliament shows the separation of domestic and public space for migrant women. Their work in the informal sector (domestic work) affects various other aspects of their lives, including politics in parliament.

According to Judith Squires in "Gender in Political Theory", gender is a set of culturally shaped characteristics that are at the core of many gender theories today. In the division of these characteristics, women's femininity is usually associated with gentleness and identical to the domestic space, so women are considered 'not in politics' because politics is understood as a public domain that is not considered a woman's space. In contrast, male characters are seen as assertive, straightforward, authoritative and occupying the public sphere (Squires 1999).

The labelling of women as only fit for the domestic sphere shows a form of femininity that is, at the same time, an implication of gender injustice, born out of cultural, socio-political constructions, and even religious interpretations. Mansour Fasih (2013) explains that gender differences lead to various injustices, discrimination, and marginalisation for men and even more so for women. These injustices are clearly experienced by women migrant workers, both those working at home and abroad. One example is wage systems that discriminate against women. Women are often positioned as secondary workers or as mere companions to the main breadwinner, the men. In addition to wage issues, policies on the right to maternity leave, childbirth, and menstrual leave on

the first day of menstruation have not fully adopted a gender justice perspective. As a result, women have not been provided with adequate protection. In the development context, workers in general, and women workers in particular, are disadvantaged and tend to be vulnerable. They are seen as important because of their role in driving the economy, but at the same time the situation is critical because of the lack of policies that truly address the needs of women workers.

The position of women workers became important when we entered the development phase during the New Order. At that time, the government included women in the concept of Women in Development (WID). This approach was introduced in 1970 with Ester Boserup's work on Women's Role in Economics Development. She analysed the impact of changes from traditional to modern society on men and women (Boserup et al. 2007). Initially, the approach sought to establish egalitarian ideas and end discrimination against women. In its implementation, however, this approach failed to include women in development.

In the context of women workers, for example, this approach tends to understand gender justice as the phenomenon of women's inclusion in the economic scheme of development. The same logic is also used to read the situation of women's entry into labour migration around 1980, which became more female-dominated around the 1990s. On the basis of the data, it is true that women participated in the labour migration system to support their economic life.

Following the adoption of the Women and Development (WAD) approach, more attention has been paid to the place of women in the development process. This approach recognises that government policies can be a source of marginalisation for women. However, even this approach cannot respond to women's needs because it does not see women as the main actors in development. In the context of women migrant workers, although there are policies that address their presence in labour migration flows, women are not involved in policymaking. In short, neither WID nor WAD has satisfactorily addressed gender justice issues. In response to the shortcomings of the previous two approaches, the Gender and Development (GAD) approach emerged, which is a refinement of the previous two. GAD sees women as agents of change rather than passive objects (Azmy 2019). Women migrant workers began to be included in policy formulation or discussion agendas with the government to hear their aspirations and needs in the workplace.

However, in the context of development that brings modernisation, where the majority of women are actors in migration, the urgency of the existence and fulfilment of the rights of PPMIs has not received serious attention. Instead of being seen as important contributors to the economy who must be provided with the right to a safe working environment, women are seen as a means of generating remittances and economic benefits for the state. From a development perspective, women are often seen as 'targets' of most population control programmes sponsored by national and international agencies. As a result, women's education and health needs are neglected, which has implications for women's marginalisation (Rai 2002). Labour migration is the face of women. This suggests that the concept of the feminisation of migration does not arise simply because the majority of women involved in migration dominate informal work.

In light of the above, the protection of PPMIs also needs to be improved. The state's attitude towards the cases of violence experienced by Wilfrida, Adelina, Meriance Kabu, Erwiana, and Tutik Lestari⁴ in Azmy (2023) shows that the problem of lack of protection of PPMIs is present even before their departure, precisely since the recruitment process of prospective PPMIs. According to Azmy (2023), the resolution of cases of PPMI rights violations has been initiated and promoted by civil society organisations. According to the author, the lack of protection for PPMIs is a consequence of the lack of gender-sensitive state actors. This is also due to the lack of representation of migrant workers in government. The complexity of this situation makes it difficult to develop policies that consider the interests of PPMIs. The journey of the revision of Law No. 39/2004 on PPTKILN into Law No. 18/2017 on the Protection of Indonesian Migrant Workers, which has been underway for almost seven years, illustrates the problem of representation questioned by Pitkin (1967) and Phillips (1995).

In her book, Anne Phillips explains four reasons why it is important for women to be involved in the public sector, in this case, formal political life (Phillips 1995). First, the role model argument. Phillips argues that if women are in parliament, other women will see the presence of women and become role models, seeing that women can achieve these positions. Second is the justice argument. For her, when women enter the formal political sphere, a form of justice between men and women can be seen. Because of the way women are viewed and stigmatised, the formal political space

becomes a difficult space for women to enter. Third, the argument about women's interests and needs. According to Phillips, when women enter parliament, they will be able to fight for women's interests and needs because those who can understand women's needs are women themselves.

In terms of fulfilling the political rights of PPMIs and protecting them from various forms of violence, those who sit in the legislative seats have the mandate to voice the needs of PPMIs and to make protection policies with a gender-equitable perspective, including making policies on overseas electoral systems that are participatory for PPMIs. PPMIs who enter parliament will have experience. This experience adds political capital that can be used for further achievements, changing existing rules and structures, supporting the new generation of women politicians, achieving a focused agenda for discussion and paying attention to issues that many women experience, such as violence, abortion, rape, work fulfilment and others (Lovenduski & Karam 1999).

Fourth, the argument about the revitalisation of democracy. When women enter formal politics, such as the parliament, it means that there is a revitalisation of democratic life. One of the values of democracy is equality. The fulfilment of PPMIs' political rights by becoming members of the legislature is a reflection of the context of equality: that PPMIs can also enter formal politics and become members of parliament, not only men and women who are networked with high financial and social capital.

Pitkin argues that different views of representation can be understood when applied to political life. A head of state, an elected legislator or a government official is, in certain contexts, a representative. They have the authority to bind the people whose interests they represent. However, elected political representatives can only be called 'true' if they are ultimately accountable for their actions to the parties they represent. According to Pitkin, the elements of political life that embody representation are diverse. For example, a government can be said to represent its state, nation, country or people. This statement may apply to all governments, or it may be used to distinguish 'representative' governments from other forms of government. For Pitkin (1967), the concept of representation is an ongoing debate between ideals and achievements.

When PPMIs are represented in parliament - fighting for the aspirations of women migrant workers - this is

a form of political representation. This condition shows the achievement and aspiration of migrant workers to be able to enter formal politics. Phillips, quoting Pitkin, states that representation 'means acting in the interests of those represented, in a way that is responsive to them'. Fair representation cannot be guaranteed because it depends on the process and the degree of responsiveness of the electorate (Phillips, 1995).

Thus, when PPMIs are present in parliament, they can act on the interests of those they represent (in this case, migrant workers) and bring about change in and through parliament. Based on the concept of gendering democracy, it is important to ensure that women and men sit together as equals in politics. Women and men are partners, not one dominating the other. However, in democracy, from a gender perspective, there are still significant inequalities in terms of minimum equality and increased participation. Phillips (1991) argues that this dilemma will continue, both in terms of quotas and women's representation in politics.

According to Lovenduski and Karam (1999), the political struggle of PPMIs does not end with their entry into parliament. Women must enter the political sphere and act in their interests by creating procedures that favour and accommodate their interests. The actual influence of women parliamentarians, according to both, depends on a number of variables that vary from country to country. These include the political context in which the country's institutions operate, the type and number of women in parliament, and parliamentary rules. Each aspect related to the presence of PPMIs in parliament can have a significant impact on bringing about change.

Therefore, it is important to look at the implementation of Law No. 18/2017 on the Protection of Indonesian Migrant Workers in terms of how the fulfilment of the political rights of PMIs is regulated, especially for PPMIs. At the beginning of the article, it is explained that although Articles 3 and 6 regulate gender equality clauses and the rights and obligations of PMIs, there is no specific clause on political rights. Article 21(1)(C) of the 2017 Law and Government Regulation No. 59 of 2021 on the Implementation of the Protection of PMIs only regulate the facilitation of the fulfilment of the rights of PMIs. The explanation on this point is in Article 16 of the Government Regulation and does not mention political rights, either to vote or to be elected.⁵ The absence of regulations on the fulfilment of political rights shows that PMIs, especially PPMIs, dominate the flow of labour migration but not in formal political life.

In the history of women's participation in legislative politics during the reform era, when women's votes increased from 9 percent in the 1999 elections after the collapse of the New Order to 11.8 percent in the 2004 elections, to 17.86 percent in the 2009 elections, to 14 percent in the 2014 elections, and to 20.8 percent in the 2019 elections, there has been no representation of PPMIs as women members of parliament. As development actors, the importance of PPMI presence in parliament is not on the radar. In its publication, Migrant CARE explains why women need to enter the public sphere: because it is only in the public sphere that an issue can be contested for a just outcome. Therefore, women's voices need to be represented by themselves. Ensuring that PPMIs are able to express their own aspirations is not easy. It requires continuous empowerment (Maulida et al. 2019). The author believes that until the political representation of PPMIs in parliament is achieved, various issues of PPMI rights violations will not be adequately addressed by the state. This is a logical consequence of the absence of policies that favour and are based on the concrete experiences of PPMI groups.

According to the author, some of the obstacles arising from the lack or absence of PPMI representation in the legislature are 1) The lack of socialisation and political awareness of migrant workers that they have the political right to vote and be elected in electoral political contests through political parties. 2) The lack of concern and attention of political parties to the lives of Indonesian migrant workers. It is important to ensure that political parties are sensitive to the fact that their votes are not just numbers to be increased but that they are actors in development and democracy. Political parties' commitment should respond to the many challenges that PPMIs face in political engagement, such as lack of networks, capital and others. Political investment in PPMIs should be a shared concern and commitment.

Strategies for Realising the Representation of Indonesian Women Migrant Workers (PPMIs) in the Legislature

Looking at the absence of PPMIs in formal politics, it can be said that PPMIs are not taken into account in elections and only become a temporary vote bank for interested candidates. Although there are still many obstacles that PPMIs face in achieving representation in the legislature, there are a number of strategies that can be implemented. As stated by Anis Hidayah (2014),

intervening in the decision of political parties to place their elected candidates can be done in commissions that are directly related to policies to protect migrant workers. Exercising the right to vote is not just about voting; it is also about ensuring that those elected represent our aspirations as voters. Migrant workers need to make sure that this happens, and if the political party does not recruit people who care about protecting migrants, then migrant workers can protest (Election 2014).

In his article, Susilo argues that the political rights of citizens are applied in the fulfilment of the right to vote and the right to be elected. Currently, only the right to vote has been granted, while the right to be elected has not been fully realised. In the Philippines, which is also a PMI-sending country, sectoral interests are accommodated in political parties. This allows the political aspirations of migrant workers to be channelled through migrant workers' parties or other parties that have an affinity with migrant workers' issues. In 2016, there were five parties in the Philippines that specifically championed the aspirations of migrant workers and managed to send three representatives to parliament, namely from the Acts OFW Party-list and the Gabriela Party-list (Susilo 2020).

In Indonesia, the Labour Party, which was founded in 2021, was one of the participants in the 2024 elections (Number 6). In the 2024 elections, the Labour Party faced various obstacles, such as external obstacles in the form of high-cost elections and administrative requirements to pass the KPU, including the need to win 4 percent of the national valid votes to be able to win votes in the DPR (Main 2024). The internal constraints of the Labour Party could be seen in the political participation of workers in trade unions/labour movements. According to the Indonesian Ministry of Manpower, there are currently 1 confederation, 197 federations and 12.346 trade unions. Meanwhile, the total membership of all of them is only 4 million people. The first problem is the fragmentation of the labour movement, and the causes of this fragmentation vary. However, most of them are caused by problems of organisational leadership, such as organisational splits that eventually give rise to new unions. There is also the paternalistic and personalised model of leadership. There is also the problem of the spontaneous and reactive nature of the movement, focusing on narrow and short-term issues. There is also a lack of a common political orientation to guide the union's political agenda (Hartono 2024). As a result of the KPU's recapitulation, 24 political parties participated

in the 2024 elections (KPU 2024), and only 8 political parties won seats in the DPR, while the Labour Party failed to win votes and seats at the national level with 972,910 votes (0.64 percent) (CNN 2024).

There are several important efforts and steps that need to be taken to build PPMI representation in parliament. *First*, improving internal policies in political parties to build a gender justice perspective in political parties. Political parties also need political education to improve gender justice perspectives. It is true that parties in Indonesia currently have a system called by Squires (2007) and cited by Soetjipto (2023) in his writing as a gender focal point in political parties (women focal point). These gender focal points take different forms, including Srikandi Demokrat (Democratic Party), PUAN (PAN), Perempuan Bangsa (PKB), Garnita Malahayati (Nasdem), and others.

The most important thing is not only the presence of this gender focal point but also whether the programmes and issues of struggle have targeted all groups of women, both fisherwomen and women workers in all sectors, both formal and informal, including Indonesian migrant workers. An interesting finding in Soetjipto's research (2023) is that even within political parties, there is a culture of seniority within the party. There is competition between female candidates for serial numbers and quotas. Although this can be resolved through the solidarity of senior women, Soetjipto's research explains that senior women underestimate the political abilities of junior women. This is a barrier for young women new to formal politics, who tend to join the women's wing of the party. There is also the use of political parties for cadres with a public figure background, which is only for the sake of publicity and does not familiarise the cadres with political life (Soetjipto 2023).

The findings of this study reflect the state of political parties in Indonesia, which do not fully support women's representation in formal politics. If there is no solidarity of support even among women, and parties are only concerned with publicity and high electability, what about PPMIs? What about ensuring the presence of migrant workers who are important to be involved and supported in entering formal politics? As an element that has a political recruitment function, political parties play an important role in realising the expansion of political participation. All elements of women, including PPMIs, can compete together if they are supported by internal political parties in the ongoing contests. In her paper, Shvedova explains that one of the political obstacles

to achieving women's representation in parliament is the lack of support from political parties. Parties do not provide adequate funding for female candidates, even though they have the resources to organise election campaigns. The number of women candidates depends on the number of elected women members, the selection and nomination process in political parties, which is also biased against women, and the masculine characteristics that are used and often become the criteria for selecting candidates (Shvedova 1999).

If political parties have internal policies that are responsive to gender justice, it will be easier for women to enter and represent themselves as representatives of women's struggles. PPMI representatives/activists fighting for the interests of PPMIs can work with political parties (not just the Labour Party) and have internal discussions about party policies that ideally include the voices of political participation of vulnerable groups. Whether from the backgrounds of industrial workers, migrant workers, fisherfolks, farmers and others.

Second, building political literacy for PMIs, especially PPMIs. Political literacy is a set of knowledge, skills, and attitudes that need to be developed together (Crick 2000). Political literacy focuses not only on knowledge about politics but also on how to encourage PPMIs to participate more actively in both formal and voluntary forms. Azmy and Kamila, citing Agnaou (2005), state that the involvement of people who are already literate along with those who are not yet literate is necessary to create effective literacy interventions. Therefore, political literacy is important for PPMIs to understand and realise the importance of their involvement in political participation.

Political literacy on gender justice issues is important because one of the challenges in increasing women's representation is the weak role and capacity of women politicians. Even when women are represented in the legislature, they do not automatically carry the gender justice agenda with them. In her research, Sigiro (2019) examines the importance of strengthening women's substantive representation in the DPR and DPRD and looks at models of women's engagement with parliament developed by several women's organisations. This means empowering women to strengthen their capacity as legislators. Political education for women supports their knowledge of the legislative process, their ability to undertake gender-sensitive budgeting and their involvement in oversight.

Empowering women in politics also strengthens their political skills, such as public speaking, media

relations, leadership, and understanding of pro-gender and pro-poor policies (Sigiro 2019). Political literacy is also urgently needed by PMIs under Indonesia's current electoral mechanism system, which, since the 2019 election, has combined the presidential and legislative election agendas. This makes election agendas very busy, especially domestically. Overseas voters, including PMIs, are not included in the political socialisation and literacy agenda. Different steps are needed when targeting PMIs with different educational backgrounds. It is, therefore, very important to have disaggregated data on the concrete situation of PMIs. Referring to the BP2MI 2024 data that there are 52.525 Indonesian migrant workers with primary education, 70.161 with junior high school education, 98.697 with high school education, 3.495 with diploma, 2.602 with undergraduate and 46 with postgraduate (BP2MI 2024b), the political literacy approach needs to address this diversity. It is also important to respond to the political/regulatory situation in the destination countries. Is it possible for PPMIs working in the domestic sector to meet, network and discuss with other PPMIs abroad?

Third, there needs to be an improvement in the electoral system and rules that favour ideological parties/new parties. In the 2024 elections, the Constitutional Court (MK) ruled that the electoral system used would remain open proportional. The use of this system has advantages and disadvantages. This system is expected to create more effective public oversight of political parties, bringing political inclusiveness and accommodating various community and democratic interests for political representation. However, this system has weaknesses, given the large number of political parties in Indonesia. The open proportional system opens a wide space for the phenomenon of money politics. Candidates who have many modalities and extensive networks have the privilege of winning. This undoubtedly leads to a decline in the quality of democracy. This situation is a multi-faceted challenge for PPMIs to compete fairly in the nomination and to become members of the legislature. In addition, the parliamentary threshold rule⁶, currently set at 4 percent, needs to be reviewed for its effectiveness in creating ideological parties that side with marginalised or minority issues, including PPMIs.

Although the spirit is to encourage the improvement of the functioning of political parties and to simplify the number of political parties in parliament, this high 4 percent threshold makes it difficult or even impossible for new parties with an ideology of struggle for the masses,

such as workers, to enter the national parliament. The MK declared that the threshold was constitutional in so far as it remained in force for the 2024 elections but that it was conditionally constitutional for the 2029 elections and beyond (Argawati 2024). The MK also stated that the determination of the percentage/majority threshold, which was not based on appropriate methods and arguments, violated the principle of proportionality of election results.

The rules and the size of the threshold are disrespectful to the voters' votes because they will be directed not only to the major parties but to all political parties participating in the 2024 elections. In terms of the presence of the Indonesian Labour Party as a party with an ideology of struggle for the lives of workers at home and abroad, there are 972.910 votes or 0.64 percent (Sanur 2024). The parliamentary threshold is one of the important points in the electoral system that will have a direct impact on the process of converting votes into seats. So where will the Labour Party's 972.910 votes be allocated if the party fails to pass the threshold and reach the 4 percent limit considered high for new parties? Won't this lead to disproportionate results?

In fact, the parliamentary threshold rules perpetuate the existence of large parties that can pass the parliamentary threshold percentage in every election. It is necessary for the MK to make a firm decision on whether to continue to apply the parliamentary threshold or to abolish it, or to keep it in force but with a reduced percentage. The labour movements, including PPMIs, can conduct and participate in hearings to the MK and initiate a judicial review of the parliamentary threshold policy.

Fourth, strengthening the protection policy for migrant workers, namely Law No. 18/2017 on the Protection of Indonesian Migrant Workers, which has been enacted by the government. The law does not regulate the system of fulfilling the political rights of migrant workers, which is part of the protection. Article 3(b) only mentions the guarantee of legal, economic, and social protection of PMIs and their families. Meanwhile, Article 6 on rights and obligations also does not regulate the right to vote and the right to be elected for migrant workers (Law on the Protection of Indonesian Migrant Workers 2017), especially for women, as the majority of migrant workers. Although the derivative regulation of the 2017 Law discusses protection rules, namely Government Regulation No. 59/2021 on the Implementation of the Protection of Indonesian Migrant Workers, there is no regulation on

the political rights of PMIs (Government Regulation No. 59/2021 on the Implementation of the Protection of Indonesian Migrant Workers 2021).

Provisions on political rights can only be found in Law No. 6/2012 on the Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which implements the Indonesian government's ratification of the 1990 Convention. Article 41 states that: 1) Migrant workers and members of their families have the right to participate in the public affairs of their State of origin and to vote and be elected in elections in that State, in accordance with its legislation. 2) The States concerned shall facilitate, as appropriate and in accordance with their legislation, the exercise of these rights⁷ (Wirata 2013). The 2017 Law and the regulations derived from it, namely Government Regulation 2021, were intended to regulate the fulfilment of political rights for PMIs, in addition to social, economic and legal rights, as a political integration of the 2012 Law. Not only the right to vote, but PMIs must also have the right to be elected in electoral contests. There must be additional provisions in the implementation of the protection regulation, namely Government Regulation 2021, which regulates the political rights of Indonesian migrant workers.

The non-regulation of the fulfilment of political rights in the 2017 Law shows that the government does not pay serious attention to the political rights of PMIs, especially PPMIs. The phenomenon of violations of political rights in the form of multiple DPTs, lack of permission from employers, and the vulnerability of voting methods such as postal voting, mobile ballot boxes, and voting directly at polling stations shows that the government does not care about the conduct of overseas elections. The unavailability of tools to supervise and monitor the voting process through the mobile ballot box (KSK) and postal/email processes is a recurring problem in various migrant worker destination countries every time an election is held. Unless monitoring works, there is no guarantee that overseas elections can meet the principles of direct, general, free, confidential, honest, and fair. Susilo (2020) explains that because of the overseas jurisdiction, there are limitations for election organisers and law enforcement officials when they want to investigate ballots cast abroad. It requires the seriousness of the government to increase citizen participation abroad, simplify voting methods and use information technology, and improve supervision and monitoring procedures that are not the same as domestic elections.

Strengthening protection policies abroad based on a gender perspective that regulates the exercise of political rights is certainly not possible without coordination with the government of the destination countries of PMIs. The conduct of overseas elections requires special attention, both in terms of organisers, coordination with local governments, and monitoring, as they take place outside Indonesia. Not all destination countries of PMIs, especially PMIs who work mostly in the informal sector, have policies to protect informal sector workers. The presence or absence of such policies correlates with the fulfilment of PPMIs' political rights, for example, whether they are allowed to come to the Indonesian embassy polling station to exercise their right to vote and whether ballot papers are delivered to PMIs. The fulfilment of PMI representation in parliament also depends on the existence or absence of a political rights policy for PMIs. Of course, if the protection policy includes a political rights scheme for PMIs to vote and be elected, its implementation requires the cooperation of many parties. The government and civil society need to work together to bring about electoral democratisation for PMIs, especially PPMIs. As Mundayat et al (2009) explain, when an effective government presents a participatory government and a strong civil society, the relationship between the two can present a democratic government and the creation of substantive democracy.

Closing

Indonesian women migrant workers face many forms of violence and multiple vulnerabilities, starting from a patriarchal perspective that has implications for the narrowing of workspaces, of views on domestic work, of private spaces, and that women are not fit to be in public spaces. This perspective presents gender injustices that can be seen in the implementation of wages, labour contracts, work classification, educational opportunities, employment rights, legal protection, public spaces, and government policies, including the distribution of political rights (the right to vote and the right to be elected). We currently have a national policy, the law on the protection of migrant workers, which is better than the previous law (Law No. 39/2004 on PPTKILN), namely Law No. 18/2017 on the Protection of Indonesian Migrant Workers. However, the provisions on rights and obligations are still limited to labour protection mechanisms and do not touch on the political rights of migrant workers as citizens. Similarly, the derivative of Law No. 18/2017 on the Protection of Indonesian Migrant Workers, namely Government

Regulation No. 59/2021 on the Implementation of the Protection of Indonesian Migrant Workers, does not regulate political rights. The political participation of Indonesian migrant workers is important to channel the aspirations of their protection needs.

Direct political representation of PPMIs in parliament (rather than being represented by others) can build trust and credibility with other migrants, rather than having to wait for people who do not understand migrant worker issues, particularly PPMIs, to learn from scratch and enter parliament. Although PMIs can initially voice their needs to the people who are supposed to represent them, this does not guarantee that PMIs' protection agenda will be championed. Pitkin explains that elected political representatives can only be called true representatives if they are accountable for their actions to the party they represent. Since not all representatives can represent the interests of migrant workers, the author argues that the political participation of PPMIs is very important, not only the right to vote as a political right but also the right to be elected. The process of entering the world of parliament is certainly not easy for PPMIs. Of course, it is not just the breadth of organisational networks and social capital but also the alignment of political parties and party perspectives that migrant workers are an important component that has the right to voice their needs in the political sphere of government, to participate, to become part of government policy, and to enter the political system. This is a challenge for PPMIs to be able to approach political parties, both the Labour Party and other parties, to work together and then to participate politically. As Anne Phillips explains, when women enter government politics, they can become role models for other women. Not only that, but it also signifies the rise of democratic values in a country. The principles of democracy, in the form of freedom, equality, human rights and justice, have become a way of life for labour movements, including the PPMI movement.

However, PPMI representation in policymaking is not without its obstacles and constraints. Obstacles can be in terms of policy and support from different parties in government or society. Opportunities and challenges for PPMIs today are that despite a rich mass base and the presence of different organisations/trade unions, which are actually opportunities and strengths for PMIs, solidarity and common movements on the same issues/needs are still minimal. The need for political representation of PMIs, especially PPMIs, must be a common issue that is taken up to create good accommodation and

seriousness in the implementation of the protection of PMIs. In fact, this need can only be felt and responded to by PMIs through direct participation in the process of creating protection policies based on gender equality.

In addition to political literacy for PPMIs, it is also important for political parties to be literate and to understand that when discussing Indonesian migrant workers, it is not only about the economic perspective and remittances but also about the distribution of their political rights (the right to vote and to be elected). Political parties can show their seriousness by including the voices of women, including PPMIs, in their statutes. Improvements in the electoral system and rules that favour ideological parties close to the issues of the marginalised are also important. With the existence of the party, PPMIs will have access to more political resources/containers in addition to the parties that currently exist.

Bibliography

- Argawati, U. 2024. *Aturan Ambang Batas Parlemen Empat Persen Konstitusional Bersyarat untuk Pemilu 2029 dan Pemilu Berikutnya*. *Mkri.id*. [https://www.mkri.id/index.php?page=web.Berita&id=20080&menu=2#:~:text=JAKARTA%2C HUMAS MKRI-Mahkamah Konstitusi,rakyat%2C keadilan pemilu%2C danmelanggar](https://www.mkri.id/index.php?page=web.Berita&id=20080&menu=2#:~:text=JAKARTA%2C%20HUMAS%20MKRI-Mahkamah%20Konstitusi,rakyat%20keadilan%20pemilu%20danmelanggar).
- Agnaou, F. 2003. *Gender, Literacy, and Empowerment in Morocco*. New York: Routledge.
- Azmy, A. S. 2019. Perspektif Perempuan dalam WID, WAD dan GAD. *In Gender dan Pembangunan*, p. 75. Prenada Media Grup.
- Azmy, A. S. 2023. *Pelindungan Negara atas Perempuan Pekerja Migran Indonesia; Tinjauan terhadap Implementasi Kebijakan*. Yayasan Pustaka Obor Indonesia.
- Boserup, E. et al. 2007. *Women's Role in Economic Development*. British Library.
- BP2MI. 2024a. Data Penempatan dan Pelindungan Pekerja Migran Indonesia Januari s.d. September 2024. *In bp2mi.go.id*. https://bp2mi.go.id/uploads/statistik/images/data_05-10-2024_Laporan_Publikasi_Data_PMI_Januari_s.d._September_2024.pdf.
- BP2MI. 2024b. *Laporan Publikasi Data Penempatan dan Pelindungan PMI*. <https://bp2mi.go.id/statistik-penempatan>.
- CNN. 2024. *Daftar Lengkap Perolehan Suara Parpol Tingkat Nasional Pemilu 2024*. *Cnnindonesia.Com*. <https://www.cnnindonesia.com/nasional/20240321040415-617-1076940/daftar-lengkapperolehan-suara-parpol-tingkat-nasional-pemilu-2024>.
- Crick, B. 2000. *Essays on Citizenship*. Continuum.
- Fakih, M. 2013. *Analisis Gender & Transformasi Sosial*. Pustaka Pelajar.
- Government Regulation Number 59 of 2021 concerning the Implementation of the Protection of Indonesian Migrant Workers. 2021. https://jdih.setkab.go.id/PUUdoc/176418/PP_Nomor_59_Tahun_2021.pdf.
- Hartono, R. 2024. *Redupnya Politik Buruh di Panggung Elektoral Nasional*. *Kompas.Com*. <https://nasional.kompas.com/read/2024/07/02/13285731/redupnya-politik-buruh-dipanggung-elektoral?page=all>.
- Huntington, S. P. & Nelson, J. M. 1984. *Partisipasi Politik; Tidak Ada Pilihan Mudah*. PT Sangkala Pulsa, Jakarta.
- Irianto, S. 2020. Perlindungan Perempuan Pekerja Migran: Pembaharuan Hukum yang Tertunda. *Jurnal Perempuan*, 25(3), pp. 42-43.
- Law on the Protection of Indonesian Migrant Workers. 2017. <https://peraturan.bpk.go.id/Details/64508/uu-no-18-tahun-2017>.
- Lovenduski, J. & Karam, A. 1999. *Perempuan di Parlemen Bukan Sekedar Jumlah, Bukan Sekedar Hiasan*. Yayasan Jurnal Perempuan (YJP).
- Maulida, S., Santono, H., & Susilo, W. 2019. *Perempuan Pekerja Migran; Aktor Pembangunan yang Tertinggal*. <https://migrantcare.net/2019/09/sdgs-highlight-migrant-care/>.
- Migrant CARE. 2019. *Laporan Pemantauan Pemungutan Suara Pendahuluan Pemilu Serentak 2019 di Luar Negeri (Malaysia, Singapura, dan Hong Kong)*. https://migrantcare.net/wp-content/uploads/2019/04/2019_Laporan-Pemantauan-Pemilu-2019-Migrant-CARE-FIN-.pdf.
- Mundayat, A. A., Narendra, P., & Irawanto, B. 2009. State and Civil Society Relationships in Indonesia: A Society-Oriented Reading in Search for Democratic Space. *Journal of Power, Conflict and Democracy in South and Southeast Asia*, 1(1&2), p. 76.
- Pemilu, R. 2014. *Anis Hidayah: Harus Ada Keterwakilan Buruh Migran di Legislatif*. *Rumahpemilu.Org*. <https://rumahpemilu.org/anishidayah-harus-ada-keterwakilan-buruh-migran-di-legislatif/>.
- Philips, A. 1995. *The Politics of Presence*. Oxford University Press.
- Pitkin, H. F. 1967. *The Concept of Representation*. University California Press.
- Rai, S. M. 2002. *Gender and the Political Economy of Development*. Polity Press.
- Shvedova, N. 1999. Kendala-Kendala terhadap Partisipasi Perempuan dalam Parlemen. In A. Karam (Ed.), *Perempuan di Parlemen Bukan Sekedar Jumlah, Bukan Sekedar Hiasan*, p. 22. Yayasan Jurnal Perempuan (YJP).
- Sigiro, A. N. 2019. Memperkuat Representasi Substantif Perempuan melalui Model Keterlibatan Gerakan Perempuan dengan DPR dan DPRD di Indonesia. *Jurnal Perempuan*, 24(2), p. 121. <https://www.indonesianfeministjournal.org/index.php/IFJ/issue/view/24>.
- Soetjipto, A. W. 2023. Perempuan Muda dan Partai Politik: Dari Descriptive Participation menuju Substantive Representation. *Jurnal Perempuan*, 28(2), pp. 89-90. <https://www.indonesianfeministjournal.org/index.php/IFJ/issue/view/39>.
- Squires, J. 1999. *Gender in Political Theory*. Polity Press.
- Squires, J. 2007. *The New Politics of Gender Equality*. Pargrave Macmillan.
- Suryani & Azmy, A. S. 2017. Partisipasi Politik Buruh Migran Indonesia di Malaysia pada Pemilu 2009 dan 2014. *Jurnal Review*

Politik, 07(2), p. 294. <http://jurnalfuf.uinsby.ac.id/index.php/JRP/article/download/1146/1061>.

Susilo, W. 2020. *Pekerja Migran Indonesia: Realitas Kerentanan dan Tuntutan Perlindungan*. Migrant CARE.

Utama, A. 2024. *Mengapa Partai Politik Baru Terus-Menerus Gagal Masuk ke DPR?* Bbc.Com. <https://www.bbc.com/indonesia/articles/c1e5666erjo>.

Wirata, K. 2013. *UU Nomor 6 Tahun 2012 tentang Pengesahan Konvensi Internasional Mengenai Perlindungan Hak-hak Seluruh Pekerja Migran dan Anggota Keluarganya*. Kemnaker. https://jdih.kemnaker.go.id/data_wirata/2013_2_1.pdf.

Footnotes

- 1 Regarding the conditions of labour migration, data from the overall placement and protection system for migrant workers for the period 2019-2024 and previous years can be accessed in more detail at <https://bp2mi.go.id/statistik-penempatan>. Data collected by BP2MI shows that the majority of placements are filled by women working in the informal sector as domestic workers, elderly care workers, childcare workers, and others. Women dominate the sector of work known as 3D (difficult, dangerous, dirty).
- 2 As a destination country, Hong Kong allows migrant women workers to meet, organise, and discuss various issues, including the strengthening of political rights. Hong Kong is known as the only destination country for migrant workers that recognises domestic work as work. The Employment Ordinance is the main piece of legislation regulating working conditions in Hong Kong. It covers a comprehensive range of employment protections and benefits for workers, including: 1) wage protection, 2) rest days, 3) paid holidays, 4) paid annual leave, 5) sick pay, 6) maternity protection, 7) paternity leave, 8) long service pay, 9) employment protection, 10) termination of employment, and 11) protection against anti-union discrimination. In practice, however, most labour cases in Hong Kong are decided only as civil cases by the Labour Court and settled through the mechanism of money and partial compensation. For more details, see Ana Sabhana Azmy's book (2023).
- 3 Article 2 of the Law on the Protection of Indonesian Migrant Workers states that the protection of Indonesian migrant workers is based on the following principles: a. integration; b. equality of rights; c. recognition of human rights and dignity; d. democracy; e. social justice; f. gender equality and fairness; g. non-discrimination; h. anti-human trafficking; i. transparency; j. accountability; and k. sustainability. Article 6(1) explains that every prospective migrant worker has rights, including access to self-improvement through education and job training, the right to worship in accordance with their own religion and belief, and access to communication. Meanwhile, the obligations of prospective PMIs include complying with the legislation, both in the country and in the destination country; complying with and performing their job in accordance with the employment contract; and reporting the arrival, location, and repatriation of PMIs to Indonesian missions in the destination country.
- 4 Wilfrida was a migrant worker in Malaysia who was physically abused by her Malaysian employer in 2010. As a result of the constant abuse, she fought back and pushed her employer to the ground in self-defence, resulting in her death. She was arrested in 2010 and charged with the death penalty. After a lengthy negotiation and legal process, Wilfrida was finally able to return home to Indonesia in 2021. Adelina was a migrant worker in Malaysia who suffered from severe injuries and malnutrition. She had animal (dog) bites and was forced by her employer to sleep outside with pets. She was not fed and was abused by her employer. Adelina has never been paid since she started working in 2014. She was admitted to the hospital when she was found because a neighbour of her employer reported her, and then taken to the hospital by a Malaysian city councillor for examination, but she could not be saved and died at the hospital. Meriance Kabu was a migrant worker who worked in Malaysia and suffered violence at the hands of her employer, including physical injuries to her body and face. Her employer pulled out her teeth with a screwdriver while she was unconscious. She was hospitalised, and the Indonesian Embassy demanded that the agency pay Meriance her full salary, even though she had not worked for two years. Erwiana, a migrant worker in Hong Kong, was physically abused by her employer. A metal tube from a vacuum cleaner was inserted into her mouth. Erwiana was forced to stand for hours, doused with cold water, and subjected to inhumane treatment, including not being fed and not being paid. Tutik Lestari was a migrant worker in Hong Kong who was physically abused by her employer for a year. The employer hit her with a ruler, a cleaning cloth, a duster, and other objects. The violence had been going on since 2011 and was only brought to court in 2015 (Azmy 2023).
- 5 Article 21 of Law No. 18/2017 on the Protection of Indonesian Migrant Workers regulates the protection during work, and paragraph (1)(c) of the Article regulates the facilitation of the fulfilment of the rights of Indonesian migrant workers. However, Article 16 of the Explanation of Government Regulation No. 59/2021 as a derivative regulation of the Law explains that the facilitation of the fulfilment of the rights of Indonesian migrant workers, as provided for in Article 13(2)(c) of the Regulation, is carried out through: a) reporting to the competent authority, b) fulfilling the rights of PMIs in accordance with the provisions of local laws and regulations, c) providing assistance in resolving the claims and/or disputes of PMIs with employers and/or business partners, and d) facilitating access to labour and health social security services.
- 6 Parliamentary threshold is an instrument used to reduce the number of political parties in parliament in order to simplify the party system and achieve stable political conditions. It is expected that the parliamentary threshold can help improve the work of parliament, and as the percentage of the parliamentary threshold increases, members of parliament will be motivated to work more optimally. The Constitutional Court's website states that the purpose of the parliamentary threshold is to encourage the improvement of the functioning of political parties in order to improve the quality of political parties. The regulation on parliamentary thresholds in Law No. 7/2017 on General Elections explains that the lowest threshold

is 4 percent of the total valid votes in the country, to be included in the determination of the seats of members of the DPR. This regulation is intended to simplify political parties in parliament, downloaded from <https://www.mkri.id/index.php?page=web.Berita&id=19790&menu=2>, 24 June 2024.

7 In addition, read Law No. 6/2012 on the Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which existed prior to the approval of the revision of Law No. 39/2004 on PPTKILN into Law No. 18/2017 on PPMIs.

