

The Dynamics of Indonesian Migrant Workers under National and Local Policies: The Oarai Case¹⁾

Tri Nuke PUDJIASTUTI

Many Indonesian migrant workers who are mostly Minahasan people from North Sulawesi reside in the Japanese port town of Oarai and work in the local seafood processing companies. Most of these immigrants were irregular migrants, until the Minahasan *nikkeijin* (Japanese-descended foreigners) started to be recruited in 1999. The dynamics of the Minahasan irregular migrants constitutes a significant part of the Indonesian migration trend to Japan since the 1980s. Because this particular group of immigrants plays an important role in the economy of Oarai and supports in the recruitment of their families, Japanese national and local governments take a somewhat lenient approach to them. On the other hand, the Indonesian government, at both the national and local levels, does not concern itself with the legal status of the migrant workers it sends to Japan. Thus, some local Indonesian NGOs have recently initiated activities to support Minahasan migrant workers.

Keywords: Indonesian regular and irregular migrants, Minahasan, Oarai, decentralization, internal international policy.

The port town Oarai, just east of Mito, Ibaraki Prefecture, is located on the western coast of Honshu Island, Japan. Residing in this town is a group of Indonesian immigrants, who work mostly in the seafood processing industry, and of whom more than 90 percent are from Minahasa, in the northeastern region of Sulawesi Island. The total number of Indonesian/Minahasan residents amounts to 4% of the population of Oarai, and 25% of these workers are employed by local factories.²⁾

Indonesian migrant workers were first seen in Saudi Arabia and

Malaysia, and recently also in the Asian newly industrializing economies (NIEs). In the present decade, their presence is also increasing rapidly in Japan (see Okushima's Introduction in this special issue). Nevertheless, the Oarai case is unique, not only in the specific terms of the international migration of Indonesian workers, that is, the way of life under the law systems of the countries sending and receiving labor (here, Indonesia and Japan), but also in their patterns of networking and community-building.

The Minahasan people of Oarai, who are the dominant employees of the local seafood industry today, consist of both regular and irregular migrants, that is, the legal *nikkeijin* and the illegal workers and overstays. The early Minahasan migrants were all irregular, but they have either been living constantly in Oarai or re-enter repeatedly, even though they inevitably face the threat of deportation by two national authorities, the Japanese Immigration Bureau and the police. These immigrants avoid recourse to the local government as much as possible, while still benefiting from the considerable hospitality and personal support provided by their employers (for further details, see Tirtosdarmo 2005 in this special issue). Thus, the later arrivals, the *nikkeijin*, have also avoided contact with these authorities, and as a result now fail to take advantage of various public services in the areas of general information, health and education. The somewhat contradictory system of Japanese government at both the national and local levels seems to contribute to the problem.

The present paper begins with a description of how Minahasan migrant workers survive in the dynamics of Japanese national policy; I then analyze the dynamics of local government policy toward these workers. The implementation of local policy at times appears to oppose national policy of immigration control, and local employers are known to play a supplemental role in the daily life of the migrant workers. Finally, we discuss the recent response of the Japanese and Indonesian governments toward Minahasan migrants in Oarai.

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My fieldwork in Oarai, Tokyo, and some other regions of Japan was conducted for a total of two months, in January of 2004 and in January and February of 2005. Interviews were conducted in Indonesian and English, with Japanese interpreters in some cases (see Note 1).

1. The Dynamics of Indonesian Migrant Workers in Japan

Japan is one of the most attractive destinations for Minahasan and other Indonesian migrant workers because it offers a relatively high salary. In general, Indonesian migrant workers, both regular and irregular, must undergo a process similar to that necessary to work in other countries, though with some difference with regard to visa status. These workers obtain information from the regular channels of migration or from their families or friends who have worked abroad, about paying commission to a recruitment agency (known as a “broker”), about charges (or bribes) to the national or local government,³⁾ and about contacting the foreign agency in the destination country or directly contacting the employer. Working conditions (wages, holidays, commissions, etc.) tend to be worse for irregular migrant workers than for other workers. However, the Minahasan workers of Oarai need not use any agency or middleman in Japan, for they are directly connected with local employers. Moreover, they receive the same salary as Japanese workers. This stimulated a rush in Minahasan migration beginning in the 1980s.⁴⁾

According to my informants in Oarai, Minahasan irregular workers expect to find a better life in terms of salary and useful work experience in Japan. Working in Japan is known to be a good way to earn a lot of money, and to gain the experience necessary for workers to create their own job after returning to their home village. Most do not intend to become Japanese citizens, but simply to maximize their income by advancing from a low-wage to a high-wage job.⁵⁾ Additionally, the strong orientation of these workers to Japan can be explained

by their quest for certain particular types of work experience that are associated with higher status and reputation in the home village. Japan clearly has a different image for Indonesian immigrants than those of Malaysia, Hong Kong or Singapore, where Indonesian migrants are usually employed in domestic work, logging factories or plantations.⁶⁾

The Minahasan movement to Japan is related to trends in the Japanese labor market. One of the most fundamental changes occurred in the second half of the 1980s, when the bubble economy of Japan triggered an enormous flow of migrant workers from Asian countries such as Iran, Pakistan, Korea, the Philippines and Thailand. These were mostly irregular migrant workers; the female workers also included many entertainers. Japan then opened the door to unskilled migrant workers, according them the status of *kenshūsei* (trainee). Moreover, there were also return flows of *nikkeijin* workers, primarily from Brazil and Peru since 1990. Indonesian regular workers as trainees and *nikkeijin* were in fact, relative late-comers in those migratory trends.

There are no exact numbers available for Indonesian irregular workers; different sources give different numbers. However, the census conducted by the Japanese Immigration Bureau (2003) shows that Indonesians rank fifth in the number of refusals of landing, seventh in immigration violations and sixth in number of illegal workers. On the other hand, *Tempo*, an Indonesian magazine, indicated in 2003 that there were approximately 4,000 Indonesian irregular migrants out of a total of 13,000 migrant workers in Japan. In the census of *fuhō-zanryūsha* (overstays) in Japan, the number of Indonesian overstays reached more than 7,000 persons according to the Japanese Immigration Bureau (2004). Thus, the number of Indonesian irregular migrants seems to be increasing.

Table 1 below shows the speculated census according to Indonesian mass media, though the real numbers of irregular migrant workers would seem to be much higher. The trends shown below indicate that

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the most attractive destinations for these workers are East Asian countries such as Japan, Korea and Taiwan. With respect to country of origin, beside Bangladesh, Southeast Asian countries like Myanmar, Indonesia and the Philippines are sending large quantities of labor.

The estimated numbers shown in Table 1 do not distinguish the overstays and the legal visitors who work illegally. In Japan, many immigrants, who have legal documentation for living sometimes work illegally, which it happens most of the overstays in general seem to intend to earn money illegally, as we can see in Table 2. In comparison with other nationalities, the Indonesian illegal workers are not as

Table 1. Estimated Numbers of Irregular Migrant Workers in Asia.

No.	Country of Origin	Country of Destination				
		Japan	Korea	Taiwan	Malaysia	Thailand
1.	Bangladesh	5,864	6.939	n.d	246.400	n.d
2.	China	38,957	53.429	n.d	n.d	n.d
3.	Korea	52,854	n.d	n.d	n.d	n.d
4.	Pakistan	4,766	n.d	n.d	12.000	n.d
5.	Taiwan	9,403	n.d	n.d	n.d	n.d
6.	Cambodia	n.d	n.d	n.d	n.d	81.000
7.	Indonesia	4,000*)	1.013	2.700	475.200	n.d
8.	Malaysia	10,926	400	n.d	n.d	n.d
9.	Myanmar/Burma	5,957	n.d	n.d	n.d	810.000
10.	Thailand	38,191	n.d	6.000	8.000	n.d
11.	Philippine[s]	42,627	6.302	5.150	9.600	n.d
12.	Vietnam	n.d	3.181	n.d	n.d	n.d
13.	Others	n.d	18.285	5.750	23.200	109.000
	Total[s]	281,157	95,627	19,700	774,400	891,000

Sources: *Reproduced from IOM, 1999 by Wickramasekara, 2001*

*) *Tempo, 2003.*

Table 2. Trends in the Number of Violations of the Japanese Immigration Control Act Classified by Reason.

No.	Reason	Year			Ratio to 2001
		2000	2001	2002	
	<i>TOTAL</i>	51,459	40,764	41,935	2.9%
1.	Illegal entry	9,186	8,952	8,388	-6.3%
2.	Illegal landing	748	826	789	-4.5%
3.	Illegal activity	473	594	850	43.1%
4.	Overstay	40,756	30,063	31,520	4.8%
5.	Violation of Criminal Laws, etc.	296	329	388	17.9%
6.	Illegal Workers	44,190	33,508	32,364	-3.4%

Source: *Statistics on Immigration Control 2003, Japan Immigration Association*

many as the Thai and Filipinos, but they still rank within the ten highest numbers.⁷⁾

The population of irregular migrants in Ibaraki Prefecture is not as high as that in six other prefectures in Japan (Tokyo, Saitama, Chiba, Kanagawa, Aichi and Osaka), which are the largest metropolitan areas and industrial zones (Japanese Immigration Bureau 2002).⁸⁾ Clearly, there exist some specific regions with numerous irregular migrants, such as Oarai. The NHK (Japan Broadcasting Corporation) special program of 28 November 2002 shows that Oarai is the primary destination of Indonesian-Minahasan migrants, who number approximately 800 persons, working in seafood processing companies. This number corresponds to 4% of the total population of the town and 25% of the total workers of the companies. Many of the Minahasan, and even some of the *nikkeijin*, work illegally after entering Japan on a tourist visa.

In fact, Minahasan illegal workers have been arrested by twos and threes every year since the 1990s, but found themselves in the lime-

Picture 1. One of the Former Residences of Minahasan irregular workers.



Note: Before the mass arrest of Minahasan irregular workers in 2002, the Minahasan preferred to live together in such apartments.

light in 2002 due to a mass arrest. In September and October, the immigration branch office made sudden inspections in two apartment buildings like those shown in Picture 1, and arrested and later deported 49 Minahasan overstays. It is said that toleration for the Minahasan residents was low among the police and immigration authorities because some Japanese residents had complained about car accidents, noise and theft committed by Minahasan people.⁹⁾

2. Contradictions in Japanese Immigration Policies

The Oarai situation described above suggests a contradiction in Japanese immigration policy related to economic development. Today, few Japanese are willing to work in so-called “3-K” or “3-D”

jobs such as those offered by the seafood processing industry of Oarai. Many small companies are therefore dependent on unskilled foreign workers, including irregular ones, though no alternative policy has yet been endorsed. Moreover, it is said that the Japanese population will start to decline in or soon after 2006.¹⁰⁾

The period from 1980 to 1989 can be characterized as a time of growing internationalization of Japanese national policy.¹¹⁾ Immigration policy, under the Ministry of Justice, started in transition by establishing the Immigration Control and Refugee Recognition Act (ICRRA)¹²⁾ and the Alien Registration Act (ARA). However, the Immigration Bureau still hesitates to accept as many foreign workers as the economic demands, primarily for security reasons. Indeed, immigration control has become relatively stricter since 1989, placing several kinds of irregular migrants into a single “illegal” category, such as illegal entry, illegal landing, illegal activity, overstay or violation, as shown in Table 2. Trafficking or smuggling is counted as a violation. Immigration policy is not based on the human rights of the foreign workers in any respect, including for those who simply want to make their living abroad. Japanese policy seems to have been established to try to protect a homogeneous nation, not only at the political level, but also at the socio-cultural level.¹³⁾

In contrast, Japanese economic policy must accept a large number of migrant workers, including the unskilled ones. However, the revised Japanese Immigration Law of 1990 allowed only highly skilled foreign workers to enter Japan, though it did provide exceptional status for certain unskilled migrant workers such as trainees, *nikkeijin*, etc. Hence, the national and local governments must allow small companies to supplement labor with irregular migrant workers, unless the foreigners create problems such as quarrels with Japanese residents, car accidents and crime. In fact, the rush of irregular migrants started at the same time that the revision of the Immigration Control Law came into effect. To summarize, the national government de-

pends heavily on unskilled workers, including not only legal trainees and *nikkeijin*, but also irregular migrants (see Table 1 of Okushima's Introduction).¹⁴⁾

The Immigration Bureau opened gradually the branch offices in the capital cities of important prefectures. On the establishment of the Ibaraki branch office in Mito, in 2004, was partly a result of the movement, what they called with Alien Times Forcing. It was collected over 1000 signatures on a petition to the city to request a branch office to improve the convenience of registration. On the other hand, Tsukuba International Network (TIN), whose members are mainly legal foreigners such as students, scholars, officials and skilled workers, was disappointed in its efforts to petition to install a branch office in Tsukuba City. In fact, the Tsukuba government holds the most foreigners within the prefecture, more than 7,000, while the Mito is only in 4th place with 2,862 foreigners in 2003 (International Affair Division of Ibaraki Prefecture Government 2004). Anyway, the installation of the Mito branch added pressure on the irregular migrant workers of the neighboring regions, including Oarai.

While the Ministry of Justice is largely concerned with national security, other ministries, departments and local authorities have different perspectives. The Department of Economy, the Ministry of Health, Labor and Welfare, and the local governments of the main industrial areas are in opposition to the Ministry of Justice, in urging legislation which would essentially reserve a stock of labor. The local governments also provide various public services to their foreign residents acting on humanitarian principles. Thus, the migrant workers, legal or illegal, are eligible to receive benefits such as education and health services, as we shall see in the case of the Minahasan irregular migrants in Oarai.

Thus, it is clear that there is an absence of coherent integration of national and local policies on foreign migrant workers in Japan. In the time of writing, immigration control is still carried out at the national

level, though local governments may be given the chance to develop their own policy in the future, under the decentralization which is now being initiated.

3. The Local Government of Oarai

The Oarai town government (*machi-yakuba*) has various functions and responsibilities to its foreign residents. Basically, a Japanese local government (city/town/village) offers municipal services of all kinds to the citizens, e.g., citizen's registration procedures, public information, security, social health insurance, education, some medical and health services, etc. Foreigners are eligible to receive these services on basis of their "Certificate of Completion of Foreigner Registration (*Tôroku-genpyôkisasijikô-shômeisho*).” However, recent humanitarian trends in the Oarai Machi-Yakuba, as well as in other Japanese local governments, lead to these services being offered to those who do not have this certificate, especially in cases of sickness or birth, and with respect to schooling.

The role of local government has been further promoted by recent decentralization.¹⁵⁾ Komai (2001: 119–120) remarks that Ibaraki Prefecture, Hyogo Prefecture, Yokohama City and Kawasaki City have begun to take the stance that labor right fall under their jurisdiction, while many other local governments simply follow the guidelines of the national government. Kawasaki City, for example, conducted a study on its foreign citizens and presented a document entitled “A Proposal for Creating Guidelines for Kawasaki City’s International Policies” in 1993. The basic proposal is “the prospect for international policies” centered on “coexistence” and “cooperation”. There are 5 points of this proposal:¹⁶⁾

1. Establishing civil rights for foreign citizens
2. Building communities where foreigners can live easily
3. Providing medical care and welfare
4. Creating linkages between organizations promoting interna-

ationalization in communities

5. Identifying tasks to be carried out

These points would serve to establish a good relationship with the country of origin of the foreigners. Consequently, some cities which have large numbers of foreign residents, such as the technologically advanced Tsukuba, are trying to adopt this strategy.

The Oarai *Machi-Yakuba* has defined a new set of tasks for international policy since the 1980s. They found that foreigners tended to live independently from their administration, and therefore started to promote "internal international policy," for the purpose of making Oarai an international town. Although the details of this policy are still under discussion, the *Machi-Yakuba* have taken some steps:

- alien registration, in the form of Citizen Registration
- international festival days, especially Indonesian ones¹⁷⁾
- informational pamphlets about Oarai and its public services and regulations written in various languages

Nevertheless, even the Oarai *Machi-Yakuba* has limitations in some respects. In comparison with other authorities of larger scale (such as the city governments of Yokohama and Hamamatsu), Oarai has no foreign language staff nor an active section or center for international cultural exchange. Additionally, there is a structural problem within the local government; specifically, the Agriculture, Fishery, and Forestry Section (*Nôrinsuisan-ka*), which is related to the seafood processing industry, has responded quite strictly to irregular migrant workers since the 1990s because of strong pressure from the Immigration Bureau.

Let us now examine the principle roles of the Oarai *Machi-Yakuba* in its involvement with the Minahasan people.

(1) Citizen's Registration and the Certificate

All foreigners who stay in Japan for more than 3 months must register with the local government nearest to their place of residence.

Table 3. The Five Dominant Nationalities in Oarai.

Nationality	Number in 2003		Number in 2004	
Indonesian	510	I	444	I
Filipino	130	II	132	III
Thai	66	III	57	IV
China	60	IV	133	II
Brazil	58	V	33	V

Source: Oarai Town Local Government, 18 November 2004

There, the Citizen's Service Section (*Shimin-ka*) issues them the Certificate of Completion of Foreigner Registration.

The Oarai *Machi-Yakuba* offers municipal services to foreigners on the basis of these certificates, but also in exceptional cases. In fact, the data given in Table 3 show that only one-half to one-third of the estimated Indonesian population is registered.

The Indonesian Embassy and Japanese local governments recommend that all Indonesian migrants, whether regular or irregular, contact their local government to obtain financial support for children, schooling and unemployment. Nevertheless, Minahasan migrant workers, both regular and irregular, tend to forego registration and funding, not only because they do not care or are not familiar with the regulations, but also because they are afraid of being arrested by the Immigration Bureau. This way of thinking seems to be, at least in part, a result of their background; Indonesian workers tend to have little faith in the effect of the certificate, since the registration system in their homeland is rife with problems of corruption and both natives and foreigners are often obliged to pay bribes to officials. This experience makes it difficult for them to understand the characteristics of Japanese local governments.

(2) Education

The School Education Section of the Oarai *Machi-Yakuba* helps all foreigners, regular and irregular, with respect to education. The Section offers schooling applications and financial support to aid in education from kindergarten to junior high school; local childcare is also available for babies. This also indicates a contradiction between national and local policies. In Oarai, there is no private school for foreigners, and all of the elementary schools are national. Unlike in larger cities, there are no Japanese supplementary schools or lessons provided by the local government or Japanese volunteers. Today, Indonesian irregular migrants in Oarai have among them approximately 15 children, most of whom are under 12 years old.

(3) Other Municipal Services

One of the crucial issues which causes quarrels between Japanese and foreign residents is waste (*gomi*) management. The system of waste management is rather complicated in Japan because of its focus on recycling and ecology. In Oarai as in other places, citizens must separate rubbish into several categories, not only burnable and non-burnable rubbish, but also recyclable, oversized, and other special categories (dry cell batteries, etc.), packing rubbish of different categories into different plastic bags. Many Indonesian do not follow these regulations for the following reasons:

- Indonesian residents cannot understand the regulations for linguistic reasons;
- the local government has no Japanese staff who can inform them about the regulations; and
- although there are leaflets about waste management published by Mito City in various foreign languages, they are usually unavailable in Indonesian.

Additionally, in April of 2005, the *gomi* regulations of Oarai were changed, and they may now seem even more complicated for Indone-

Picture 2. The New Gomi Regulations, 2005.



Note: These announcements were posted on the information board of the Oarai Machi-Yakuba. They explain about rubbish categories, days of gathering, use of pay-bag and seal for rubbish, and charges for bulky refuse.

sians. Unfortunately, information on waste management is posted only on the information board of the Oarai Machi-Yakuba, which Indonesian residents never visit.

(4) Economic Planning

The Public Relations and Hearing Section (Mayor's Secretariat) of the Oarai Machi-Yakuba states that they are planning a developing policy of the town over short and long periods of time, as we can see in

the proposal, “Research and Recommendations: the Future of Oarai Town.”¹⁸⁾ Its main proposal is to develop the science and technology necessary for the seafood processing industry, infrastructure, culture and education. It also stresses the role of local non-profit organizations (NPOs) in helping science, industry and nature to reach an agreement. The three key points of the proposal are:

1. Empowering industry
2. Human resources and education
3. Environmental conservation

However, the local government mentions nothing about the factual workforce of Oarai, although the population of Oarai has been suffering from stagnant growth and an aging population of Japanese citizens in recent decades.

As discussed above, the seafood processing companies of Oarai hire foreigners to fulfill as much as 50% or more of their total work force, including *nikkeijin* and their spouses, trainees, illegal workers and overstays (Table 4). The employers (*shachō*) of the seafood processing companies suggest that they used to prefer Indonesian overstays because they were the most diligent and obedient of the foreign workers. But later, the employers reached a compromise with the national and local governments to introduce an alternative workforce, namely, the legal *nikkeijin*. One of the employers, who has a branch

Table 4. Visa Status of the Foreign Residents in Oarai.

No.	Status	2003	2004
1.	Permanent Visa	285	264
2.	Overstay/Illegal	305	251
3.	Husband/Wife/Children	128	110
4.	Trainee	48	9
5.	Visitor	73	70

Source: Oarai Town Local Government, 18 November 2004

company in North Sulawesi, has succeeded in recruiting Minahasan *nikkeijin* since 1998.

However, there another problem arose. Most Minahasan people are Christians, and they therefore return to Indonesia for several weeks at Christmas, which corresponds to the busy season in the seafood processing industry. Because many *nikkeijin* extend their holidays arbitrarily, in 2004 employers began to introduce an alternative labor force in the form of Chinese trainees (see also Meguro 2005).

4. The Roles of Employers

The importance of the seafood processing industry for the local economy is a strong pressure in the local government of Oarai, which has been obliged to tolerate irregular migrant workers. One of the seafood processing employers told me that almost all of their companies are run by small families, and they are therefore able to hire only part-time workers as their main work force. Unfortunately, they have not been able to obtain sufficient labor in recent years because Japanese workers are less and less likely to apply for this kind of job. Therefore, employers have come to depend on foreign workers, regular or irregular, such as the Indonesians of today.¹⁹⁾

One of the main roles of employers in the daily life of foreign workers is to assist with] housing (for more detail on other types of support, see Tirtosudarmo 2005). Real estate agents as well as individual owners of rental houses, usually ask all of their renters to designate an other person as a cosignatory/guarantor, in order to prevent non-payment, runaways and troubles with other residents. Hence, it is usually the employers who sign the contracts for their regular and irregular Indonesian migrant workers. The employer who was the first to recruit the Minahasan *nikkeijin* purchased an old apartment building to lease to them (see Picture 3) at a very low price (monthly, one to two thousand yen²⁰⁾ per apartment).

Picture 3. Apartment Building of the Minahasan *Nikkeijin* in Oarai.



5. Police Responses

Unlike the Immigration Bureau, the Japanese Police in general do not focus on the status of foreigners unless they infringe on public peace and morals. For example, the mass arrest of Indonesians in 2002 was triggered not directly by immigration authorities or the police themselves, but by Japanese neighbors who became impatient about car accidents, noise and other disturbances caused by the Indonesians. One incident was a fatal car accident in 2000 caused by a Minahasan who was an irregular migrant, who held no driver's license, and who was charged with drunk driving. After this accident, the police took much stricter action against Indonesian workers.

Part of the problem also results from the fact that Indonesia does not participate in the Geneva Agreement on international driver's

licenses. In order to drive legally in Japan, Indonesian migrants must obtain an international license in their homeland, and then apply to the local government or to a driving school to obtain a Japanese license after arrival. Most, however, ignore the regulation in order to save money and time.

Thus, both prefectural and regional police stations try to prevent such kinds of trouble and crime by Indonesians and other foreigners. In Oarai, they conduct patrols many times per day, and post notices on the walls of apartment buildings (*aparto* in Indonesian) where many Indonesians live, as in Picture 4.

In addition to the notice above, there are many leaflets encouraging Japanese citizens to avoid illegal migrants coming to Japan. However, with respect to security, the police stations consider the Chinese to be more troublesome and dangerous in general, based on the factual

Picture 4. Police Notice to Indonesian Migrants (in Indonesian language).



〈Translation of the Full Text in Picture 4〉

NOTICE TO FOREIGNERS IN JAPAN

We are aware that you may encounter many difficulties when you come from far away and work in Japan.

You may be in Japan on any of several types of visa and for many different purposes.

When you stay longer than your visa permits, you are in violation of the law of REFUGIES' ADMINISTRATION and the STATE EXIT PERMIT as enacted by the JAPANESE IMMIGRATION BUREAU.

In order to drive a car, you must be in possession of a valid Driver's License. If your country has signed the Geneva Convention, you must obtain an International License in your home country and bring it with you.

The Police will hold you responsible for any accident you may cause, whether or not you hold a valid Driver's License and whether or not you carry it with you, when driving a car or motorcycle.

You may receive a prison sentence as well as fines and other financial loss, because of an accident.

If you do not carry your Driver's License with you when driving a car, it will destroy your life.

Please obey the state law.

“Do not violate IMMIGRATION regulations”

“Do not drive a car without a Driver's License”

MITO Police Office

incidence of crime. This is illustrated in some leaflets and public advertisements in Oarai, which usually depict the Chinese.

6. Responses of the Indonesian Government and NGOs

Indonesia is the country in Southeast Asia which exports the second greatest number of migrant workers, after the Philippines. Exported labor to Malaysia, Saudi Arabia, Hong Kong and Singapore consists

primarily of unskilled workers including irregular ones. This has been encouraged by the Indonesian government because the domestic market is no longer able to absorb unskilled workers, while most new entrants have a higher education than before (beyond the elementary school), and because overseas migrant workers provide the Indonesian government with foreign exchange.²¹⁾

In 2004, a new migrant law, number 39, came into effect in order to regulate the sending channels of Indonesian overseas workers and to protect them through agencies authorized by the Indonesian government. In fact, however, the purpose of this law was not to improve the poor living conditions of the overseas worker, or the human rights of those with irregular status. In the implementation of the law, the Indonesian Department of Manpower and Transmigration develops the coordination, and thus the corruption, with the private sector as their partner. The private agencies of Indonesian Migrant Workers (*Perusahaan Jasa Tenaga Kerja Indonesia: PJTKI*) that were formerly involved in sending overseas workers are organized in the Association of Indonesian Manpower Agencies (*Asosiasi Perusahaan Jasa Tenaga Kerja Indonesia: APJATI*) and are connected with the government. As a result, labor export has become a semi-official business, as an alternative policy for economic development. Contradictorily, this new system of labor export is still, and officially this time, sending both regular and irregular migrants to Japan.

Overcharging of the Indonesian embassies, consulates and partner agencies for overseas workers is well known both within the homeland and in the receiving countries. Even regular migrant workers often switch their status to irregular in order to seek a higher salary, or by extending their stay beyond the expiry date of their visa, in order to pay the debt of commission.²²⁾ This is commonly seen among Indonesian irregular migrants to Malaysia and Saudi Arabia.

Minahasan irregular migration to Japan also seems to be accepted by the Indonesian government. Unlike normal cases of Indonesian

irregular migrants, most Minahasan migrants go abroad not in groups but as individuals. They usually apply to travel agencies during departure, and use kinship networks after their arrival in Japan or other countries. The only responsibility of the Indonesian government is to receive a commission from them, without providing any practical protection as a governmental obligation.²³⁾

To ensure protection, the Department of Foreign Affairs created the Directorate for the Protection of Indonesian Citizens and Legal Entities in 2002. The head of this directorate is responsible for establishing plans and technical policies for the protection of Indonesian nationals abroad, as well as for helping them to return safely to their homeland.²⁴⁾ However, even this organization seems not to take irregular migrant workers into account, as we can see in the following public statement of the Department of Foreign Affairs:

“ . . . However, it must be stressed that all problems concerning overseas workers must be solved by the agencies through which the workers were recruited. The Indonesian foreign offices can accept complaints or problems concerning the overseas workers and recommend solutions, but it is the duty and obligation of the recruiting agencies to solve the problems of its workers sent abroad”.²⁵⁾

In this statement, the officials avoid denunciation by stating that only their delegate agencies must take responsibility for solving the problems of overseas workers. Consequently, the Indonesian Embassy in Japan pays attention to the irregular migrant workers from the homeland only when the workers need a letter for to return home or because of deportation. In August of 2003, the situation of the Oarai Minahasan workers was publicly recognized for the first time, at national conferences in Jakarta and Menado, through the efforts of the local NGOs and churches.

In 2003, the Minahasan NGOs, especially the Excel Foundation (Yayasan Excel), demonstrated the problems of the Oarai irregular workers to the national and local governments. In coordination with

the Theater “Remi Sylado,” the Center for Indonesian Migrant Workers (CIMW) in Jakarta, the Bureau of Women Empowerment of North Sulawesi Province, GMIM or the Minahasan Evangelical Christ Church, Pelangi '86 in Manado, and the Manado local government, 4 main activities were carried out to support the Minahasan migrants to Japan:

- a presentation of Japanese culture and society in a musical theater work entitled “TOAR LUMIMUUT,” on August 15th at Jakarta;
- a consultation session and workshop entitled “the Minahasan Migrant Workers’ Conditions in Japan” held on August 19–21 at Tomohon, Northern Sulawesi;
- a consultation session and workshop entitled “the Minahasan Migrant Workers’ Conditions in Japan” and a Solidarity Theater production entitled “Heroes of Foreign Exchange,” in September in Oarai, Japan; and
- the installation of a desk for trafficking issues, in October.

(Yayasan Excel 2003: 1)

While the Excel Foundation is centered in Jakarta, some of its activities are also conducted in Manado, such as training and advocacy. They continue to demonstrate to the national and local governments that Minahasan migrant workers need more understanding to manage their condition. The provincial government has recently started to develop local regulations on migrant workers, but mainly targeting only smuggling and trafficking cases.

7. Closing Remarks and Recommendations

In general, the policies of sending and receiving countries of migrant workers do not always distinguish between regular and irregular migrant workers, for different reasons depending on cultural background, as we saw in the case of Indonesia and Japan above. Additionally, there are a certain number of administrative contradictions which must be solved by the Japan and Indonesian governments, at both the

national and local levels.

Yet the pattern of Minahasan migration and employment in Oarai is unique in its use of ethnic and religious networks as well as in the personal connections between workers and Japanese employers rather than recruitment agencies. Furthermore, there has been a transition from irregular to regular status among Minahasan workers, as a compromise between the local government and the companies which employ these workers. By describing the communities of Indonesian migrant workers in Japan, I hope that this article will be a point of departure for future comparative studies on other ethnicities, religions and nationalities.

Notes

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- 2) See Meguro 2005 in this journal and see also NHK 28 Nov. 2002, Yayasan Excel 2003.
- 3) According to the Excel Foundation (Yayasan Excel 2003: 26), a Minahasan irregular worker pays 40,000,000 to 45,000,000 rupiah to the PJTKI agency, which is a much higher fee than the commission paid by a trainee or entertainer.
- 4) For more on the history of this migration, see Tirtosudarmo 2005.
- 5) This kind of statement is commonly heard among Minahasan irregular workers of the GISI, GIII and Catholic Churches in Oarai (January, 2005).
- 6) *Ibid.*
- 7) Japanese Immigration Bureau 2003.

- 8) The total number of irregular migrants in Ibaraki was estimated to be 1,902 in 2002, counting only those people identified by local immigration authorities. Many local people state that the real number is more than twice that today.
- 9) This information got from the interviews with many sources in field work in Mito and Oarai — Japan on January 2005.
- 10) See Kondo 2004.
- 11) Kondo (2004: 418) states that this was the second of three periods: “After World War II, the chronological development of integration policy proceeded in three periods: the first period, 1945–1979, was governed by exclusion, discrimination and an emphasis on assimilation; and in the third period from 1990 onwards, migrant settlement has become more visible and there is a move towards a ‘symbiosis’ policy.”
- 12) The ICRRA was legislated in 1951, and amended on a number of subsequent occasions, notably in 1981, 1982, 1989, 1990 and 2002.
- 13) In an extreme case, the Governor of Tokyo, Ishihara Shintaro, on 9 April 2000, made comments in which he emphasized only the negative impact of irregular foreigners on public security, using discriminatory terms for foreigners.
- 14) See Kashiwazaki 2002.
- 15) There are six functions and responsibilities of local government with respect to the decentralization and autonomy policy in Japan: (1) citizen registration (including documents for foreign nationals and passports); (2) social services, social insurance, health and hygiene; (3) education from compulsory education to the academy level; (4) police and fire defense; (5) land planning and infrastructure; and (6) industry promotion services (Defined in the presentation of Akihide Hirashima, “Decentralization in Japan” in *KEIO-UNU-JFIR Panel Meeting: Economic Development and Human Security*, Tokyo, February 13, 2004.
- 16) *Ibid*, pp. 121.
- 17) They have once tried to hold such festivals, but failed because of the sudden cancellation of attendance by the North Sulawesi Governor (according to the representatives of the Oarai *Machi-Yakuba* and *Ninben'ichi* in 2005).
- 18) Committee for the Development of Oarai Town (relating to Education, Industry and Public Officials), *Research and Recommendations: The future of Oarai Town*”, August 2004.

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- 19) For greater detail on the historical process, see Meguro 2005.
- 20) 1 US dollar = around 120 yen, or, 1 yen = 75–85 rupiah in 2004.
- 21) See also the statements of the Department of Foreign Affairs and the Department of Manpower and Transmigration of the Republic of Indonesia for last few years, especially 2002–2005.
- 22) Based on an interview with an official of the Department of Labor and Transmigration of the Republic of Indonesia (Jakarta, February 2005).
- 23) Based in part on the press briefing by the spokesperson of the Department of Foreign Affairs (Jakarta, 13 August 2004). See [Http://www.deplu.go.id/2005](http://www.deplu.go.id/2005). See also the statement of implementation of Law No. 37/1999 on Foreign Relations, particularly Chapter V, about the protection of Indonesian citizens abroad.
- 24) *Ibid.*
- 25) *Ibid.*

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