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DOI: 10.46924/jihk.v6i2.256



## Safeguarding Lampung's Migrant Workers: The Role of *Siyasah Tanfidziyyah Syar'iyah* in Islamic Law-Based Protection Policies

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### How to cite

Azizah, Khana., Zaelani, Abdul Qodir., & Santoso, Rudi. 2025. "Safeguarding Lampung's Migrant Workers: The Role of *Siyasah Tanfidziyyah Syar'iyah* in Islamic Law-Based Protection Policies". *Jurnal Ilmu Hukum Kyadiren* 6 (2), 227-243. <https://doi.org/10.46924/jihk.v6i2.256>

*Original Article*

### Abstract

This study examines the implementation of *siyasah tanfidziyyah syar'iyah* in protecting migrant workers from Lampung, with a particular focus on the role of the Lampung Provincial Manpower Office. This concept refers to Islamic law-based policies aimed at achieving justice and welfare. Despite the existence of protective regulations, migrant workers remain vulnerable to exploitation. Using a qualitative approach with a case study method, this research collects data through interviews and documentation analysis. The findings reveal that the Manpower Office has implemented various policies, including counseling programs, agent verification, and cooperation with destination countries. However, significant challenges remain, particularly in monitoring illegal agents and ensuring post-return protection. This study recommends enhancing coordination, expanding training programs, and providing legal assistance to strengthen the protection of migrant workers in accordance with Islamic law principles.

**Keywords:** *Siyasah Tanfidziyyah Syar'iyah, Islamic Law, Protection, Migrant Workers*

### Abstrak

Penelitian ini menganalisis implementasi *siyasah tanfidziyyah syar'iyah* dalam perlindungan pekerja migran asal Lampung, dengan fokus pada peran Dinas Tenaga Kerja Provinsi Lampung. Konsep ini merujuk pada kebijakan berbasis syariat Islam untuk mencapai keadilan dan kesejahteraan. Pekerja migran rentan terhadap eksploitasi meskipun regulasi perlindungan telah ada. Studi ini menggunakan pendekatan kualitatif dengan metode studi kasus, mengumpulkan data melalui wawancara dan studi dokumentasi. Hasil penelitian menunjukkan bahwa Dinas Tenaga Kerja telah menerapkan kebijakan seperti penyuluhan, verifikasi agen, dan kerja sama dengan negara tujuan. Namun, masih ada kekurangan dalam pengawasan agen ilegal dan perlindungan pasca-keputusan. Penelitian ini merekomendasikan peningkatan koordinasi, pelatihan, dan pendampingan hukum untuk optimalisasi perlindungan pekerja migran sesuai prinsip syariat Islam.

**Kata kunci:** *Siyasah Tanfidziyyah Syar'iyah, Hukum Islam, Perlindungan, Pekerja Migrasi*

## 1. INTRODUCTION

The era of globalization has made labor migration an increasingly common phenomenon across various countries.<sup>1</sup> The movement of labor between nations is driven not only by economic necessity but also by the availability of better job opportunities abroad. As a result, many individuals seek employment in other countries to improve their own well-being and that of their families.<sup>2</sup>

Indonesia, as one of the countries with the largest number of Indonesian Migrant Workers (PMI), has been significantly affected by this phenomenon. PMI contribute substantially to the national economy through the remittances they send home.<sup>3</sup> However, labor migration also presents challenges, both for the workers themselves and for the government, particularly in terms of regulation and protection.

As the number of PMI working abroad continues to rise, the challenges they face have become increasingly complex. Many migrant workers encounter risks such as exploitation, violence, and poor working conditions. Therefore, safeguarding the rights and welfare of PMI must be a priority in government policy. The implementation of effective protection measures for PMI is crucial. The government must ensure that its policies provide comprehensive protection, covering every stage from recruitment to repatriation. By doing so, PMI can work in safe and secure conditions, ultimately benefiting both themselves and the Indonesian economy.

Lampung Province is one of the regions in Indonesia that significantly contributes to the deployment of Indonesian Migrant Workers (PMI) abroad. Each year, thousands of Lampung residents choose to work in various countries in pursuit of improved economic well-being for themselves and their families. This phenomenon highlights the crucial role of labor migration in the economy of the Lampung community.

Although labor migration provides economic benefits, it also presents various challenges that must be addressed. One of the primary concerns is ensuring that migrant workers receive adequate protection in their destination countries. Additionally, the proper placement of workers is essential to ensure that they can work under safe conditions and in compliance with applicable labor standards.<sup>4</sup>

In addressing these challenges, the local government plays a strategic role in safeguarding PMI from Lampung. Effective policies and a robust protection system are necessary to ensure that migrant workers can work safely and receive their rights fairly.

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<sup>1</sup> Adinda Thalia Salsabilla and Devanto Shasta Pratomo, "Determinan Migrasi Internasional Tenaga Kerja," *Journal of Development Economic and Social Studies* 3, no. 2 (2024): 384–96, <https://doi.org/10.21776/jdessa.2024.03.2.5>.

<sup>2</sup> Verawati Skaut and Widodo Triputro, "Pencegahan Pekerja Migran Indonesia (PMI) Ilegal," *Maras: Jurnal Penelitian Multidisiplin* 1, no. 1 (2023): 1–11, <https://ejournal.lumbungpare.org/index.php/maras/article/view/1>.

<sup>3</sup> Muhammad Iqbal, *Fiqh Siyasah: Kontekstualisasi Doktrin Politik* (Jakarta: Gaya Media Pratama, 2001).

<sup>4</sup> Abdul Qodir Zaelani et al., "The Company's Contribution to Overcome the Economic Crisis Due to Covid-19 Pandemic in Indonesia through Corporate Social Responsibility Policy," *Neuro Quantology* 20, no. 7 (2022): 747–56, <https://doi.org/10.14704/nq.2022.20.7.NQ33096>.

To maximize the benefits of labor migration while minimizing risks to workers, the Lampung Provincial Government has enacted Lampung Provincial Regulation Number 6 of 2023 on the Implementation of Protection for Indonesian Migrant Workers from Lampung Province Abroad. This regulation serves as a critical framework for ensuring various aspects of protection for PMI from Lampung, aiming to facilitate a safer and more structured migration process from recruitment to repatriation.

One of the key provisions within this regulation is Article 28, Paragraph (4), which specifically mandates protection for Indonesian Migrant Workers from Lampung who work abroad.<sup>5</sup> The effective implementation of this article is essential to safeguarding PMI rights and ensuring they receive fair treatment in their destination countries. Therefore, collaboration among the government, employment agencies, and the broader community is crucial to enhancing the effectiveness of protection for migrant workers.

*Siyasah Tanfidziyyah Syar'iyah*, or governance based on the principles of social justice and Islamic sharia values<sup>6</sup>, plays a crucial role in assessing the extent to which the implementation of Article 28, Paragraph (4) can provide optimal protection for Indonesian Migrant Workers (PMI) in Lampung. This principle underscores the importance of policies that go beyond administrative and legal frameworks, emphasizing the welfare and protection of migrant workers.

The protection of PMI should not be viewed solely through legal and administrative lenses but must also be considered from the perspectives of humanity and social justice. Islamic sharia values emphasize that the government and relevant stakeholders must prioritize the interests of vulnerable groups, including migrant workers. Consequently, policies must be designed to ensure that their rights are upheld both within Indonesia and in their destination countries.

In this context, the responsibility for protecting PMI is not solely a governmental duty but also a moral and ethical obligation shared by various stakeholders. Religious institutions, communities, employment agencies, and workers' families all play a role in safeguarding the welfare and security of PMI. Increasing collective awareness of the importance of migrant worker protection is essential to preventing exploitation and injustice in destination countries.

Therefore, the *Siyasah Tanfidziyyah Syar'iyah* approach should serve as the foundation for developing policies that are fair and worker-oriented in Lampung. The implementation of Article 28, Paragraph (4) must be periodically evaluated to ensure

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<sup>5</sup> Gunawan Willy, "Perlindungan Tenaga Kerja Dalam Perpu Nomor 2 Tahun 2022 Tentang Cipta Kerja Ditinjau Dari Perspektif Maqashid Syariah" (Universitas Islam Negeri Raden Intan Lampung, 2023), <https://repository.radenintan.ac.id/30220/>.

<sup>6</sup> Felanica Gita, "Tinjauan Fiqh Siyasah Terhadap Prinsip-Prinsip Good Governance: Studi Asosiasi Pemerintahan Desa Seluruh Indonesia Provinsi Lampung" (Universitas Islam Negeri Raden Intan Lampung, 2021), <https://repository.radenintan.ac.id/15762/>.

that existing regulations effectively benefit migrant workers.<sup>7</sup> Through collaboration between the government and the broader community, it is hoped that the protection of migrant workers can be further optimized in alignment with the principles of justice and humanity.

The implementation of Article 28, Paragraph (4) includes a series of provisions and responsibilities that must be fulfilled by various stakeholders, including local governments, Indonesian Migrant Worker (PMI) placement agencies, and other entities involved in the protection of migrant workers.<sup>8</sup> This regulation aims to ensure that PMI receive their rights and protection in accordance with established standards. Through this framework, all relevant parties are expected to collaborate in developing a more effective protection system for migrant workers.

However, despite the existence of this regulation, challenges persist in its implementation and in ensuring the fulfillment of PMI rights. Common obstacles include a lack of coordination between relevant agencies, weak oversight of labor placement agencies, and limited public awareness regarding the rights of migrant workers. As a result, many PMI continue to face various issues in their destination countries without adequate protection.

As the number of PMI from Lampung working abroad continues to rise, it is crucial to ensure that they receive proper protection and placement in accordance with international standards. Improper placement increases the risk of exploitation, harassment, and inhumane working conditions. Therefore, it is essential to implement existing regulations effectively to maximize the benefits for migrant workers.

Migrant workers from Lampung encounter numerous challenges while working abroad, including exploitation by employers, unsafe working conditions, inadequate social security, and difficulties in the placement and repatriation process.<sup>9</sup> Addressing these challenges requires stronger policies and enhanced oversight of the entire labor migration process. Without strict supervision, these issues will persist and continue to harm migrant workers.

Thus, a comprehensive evaluation of the implementation of Article 28, Paragraph (4) is necessary. This evaluation should consider legal, moral, and social justice aspects from the perspective of *Siyasah Tanfidziyyah Syar'iyah*. By incorporating this approach, the protection of migrant workers will not only be based on legal regulations but also on broader principles of justice and social welfare. This approach is expected to foster

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<sup>7</sup> Saifudin Nur, *Ilmu Fiqih: Suatu Pengantar Komprehensif Kepada Hukum Islam* (Bandung: Tafakur, 2016).

<sup>8</sup> Nasywa Awalia Putri et al., "Hak Tenaga Kerja Indonesia Di Luar Negeri Dan Implementasi Peraturan Perundang-Undangan Dalam Melindunginya," *Causa: Jurnal Hukum Dan Kewarganegaraan* 4, no. 12 (2024): 21–30, <https://doi.org/10.3783/causa.v4i12.3934>.

<sup>9</sup> Doris Febriyanti and Isabella Isabella, "Implementasi Kebijakan Perlindungan Tenaga Kerja Indonesia (TKI) Di Luar Negeri Pada Tahap Pra Penempatan: Studi Kasus TKI Kota Palembang," *Jurnal Pemerintahan Dan Politik* 1, no. 2 (2019): 22–29, <https://doi.org/10.36982/jpg.v1i2.703>.

more humane policies that prioritize the rights and well-being of Indonesian migrant workers.

## 2. RESEARCH METHODOLOGY

This study aims to analyze and examine the role of the Lampung Provincial Manpower Office in providing protection for Indonesian Migrant Workers (PMI) from Lampung. This protection encompasses various aspects, including policies, regulations, and concrete measures implemented by relevant agencies to ensure the safety and well-being of migrant workers in their destination countries. Additionally, this study seeks to evaluate the role of the Lampung Provincial Manpower Office through the lens of *fiqh siyasah tanfidziyyah syar'iyah*. It will explore how the principles of social justice and Islamic governance can be applied in the context of migrant worker protection. By doing so, this study aims to assess the alignment of existing policies with Islamic legal values and propose recommendations for enhancing the governance of migrant workers in Lampung.

## 3. RESEARCH RESULT AND DISCUSSION

### 3.1. *Siyasah Tanfidziyyah Syar'iyah* in the Implementation of Migrant Worker Protection in Lampung

Based on research conducted at the Lampung Provincial Manpower Office, this study presents an analysis of *Siyasah Tanfidziyyah Syar'iyah* in the implementation of migrant worker protection in Lampung. From an Islamic perspective, *Siyasah Tanfidziyyah Syar'iyah* is deeply rooted in the Qur'an, Sunnah, and the practices established by the Prophet Muhammad (SAW), as well as the governance models developed by the *Khulafah* and Islamic governments throughout history. *Siyasah Tanfidziyyah Syar'iyah* is a well-established concept in Islam, particularly as practiced by the Prophet Muhammad (SAW). It is a crucial component of the Islamic governance system, as it pertains to the enforcement of state laws and regulations.<sup>10</sup>

Indonesian Migrant Workers (PMI) are individuals who migrate or relocate for employment purposes. In international law, there is no single definition of a migrant. According to the International Organization for Migration, a migrant is someone who moves from their usual place of residence—either within a country or across international borders—temporarily or permanently, for various reasons.<sup>11</sup> Migrants who move specifically for employment are classified as migrant workers. The International Labor Organization defines a migrant worker as an individual who migrates or has

<sup>10</sup> Syafrida Hafni Sahir, *Metodologi Penelitian* (Sleman: Penerbit KBM Indonesia, 2021).

<sup>11</sup> Klara Dawi et al., "Sosialisasi Tentang Hak Atas Pekerjaan Yang Layak Kepada Buruh Migran Di Kota Pontianak," *Jurnal Pengabdian Aceh* 2, no. 4 (2022): 234–239, <https://jpacch.org/index.php/pengabdian/article/view/164>.

migrated from one country to another for employment under an employer. Therefore, migrant workers can be understood as individuals who intend to work, are currently working, or have worked in a foreign country in exchange for wages.

Several factors drive the people of Lampung to seek employment as PMI, including the desire to improve their family's standard of living, limited job opportunities in Lampung, and the prospect of earning higher wages abroad.<sup>12</sup> However, without adequate legal protection, PMI may face numerous challenges while working overseas. Protection must be provided at every stage, beginning with the registration and departure process.<sup>13</sup> Furthermore, post-employment protection is also essential, covering all measures to safeguard PMI and their families from the moment they arrive at the disembarkation point in Indonesia until they return to their home region. This includes follow-up programs aimed at helping them transition into productive employment.

The increasing number of individuals seeking employment as PMI also benefits the government by reducing unemployment and generating foreign exchange. Many prospective migrant workers perceive overseas employment as highly lucrative due to significantly higher wages compared to domestic opportunities.<sup>14</sup> However, they often overlook the substantial risks involved, including violence, human trafficking, sexual exploitation, unpaid wages despite contractual agreements, and excessively long working hours. The primary challenge in protecting PMI lies in human resource management, beginning with the inefficiency of the current selection policies for PMI. Despite efforts to establish legal protections, public awareness and proactive problem-solving remain insufficient. As a result, many individuals resort to illegal migration for work, exposing them to even greater risks.<sup>15</sup>

To address these challenges, the Lampung Provincial Government has enacted Regional Regulation No. 6 of 2023 concerning the Implementation of Protection for Indonesian Migrant Workers. Article 28, Paragraph (4) of this regulation states:

“Legal protection, as referred to in Paragraphs (2) and (3), shall be carried out in accordance with the provisions of national laws, the laws of the destination country, as well as international law and customary practices.”

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<sup>12</sup> Rita Zaharah, Efa Rodiah Nur, and Rudi Santoso, “Pengaruh Investasi Terhadap Pertumbuhan Dan Pembangunan Ekonomi Dalam Perspektif Ekonomi Islam,” *Asas: Jurnal Hukum Ekonomi Syariah* 14, no. 2 (2022): 70–80, <http://dx.doi.org/10.24042/asas.v14i02.15697>.

<sup>13</sup> Hartono Widodo and R. Jossi Belgradoputra, “Perlindungan Pekerja Migran Indonesia,” *Binamulia* 8, no. 1 (2023): 107–116, <https://doi.org/10.37893/jbh.v8i1.343>.

<sup>14</sup> Nadya Zerlinda Febrianti and Wiwik Afifah, “Perlindungan Hukum Terhadap Pekerja Migran Indonesia Yang Mengalami Kekerasan Di Luar Negeri,” *Bureaucracy Journal: Indonesia Journal of Law and Social-Political Governance* 3, no. 1 (2022): 191–203, <https://doi.org/10.53363/bureau.v3i1.174>.

<sup>15</sup> Muhammad Junaidi and Khikmah Khikmah, “Perlindungan Hukum Dan Penempatan Pekerja Migran Indonesia Di Luar Negeri,” *Jurnal USM Law Review* 7, no. 1 (2024): 490–501, <http://dx.doi.org/10.26623/julr.v7i1.8127>.

This regulation establishes key principles that strengthen the protection of Indonesian migrant workers, including:<sup>16</sup>

- 1) The Principle of Integration— The protection of Indonesian migrant workers must reflect integration and synergy among all relevant stakeholders.
- 2) The Principle of Equal Rights— Prospective and current Indonesian migrant workers must be granted equal rights, opportunities, and treatment in securing decent employment and livelihoods.
- 3) The Principle of Recognition of Human Dignity and Rights— The protection of Indonesian migrant workers must respect human dignity and recognize individuals as creations of God Almighty, ensuring their honor and well-being.
- 4) The Principle of Democracy— Indonesian migrant workers must be afforded equal rights in expressing opinions, associating, and assembling.
- 5) The Principle of Social Justice— The protection of Indonesian migrant workers must emphasize equality, non-discrimination, and a balanced approach to rights and responsibilities.
- 6) The Principle of Gender Equality and Justice – A condition in which women and men enjoy equal status and have the same opportunities to fully realize their human rights and potential when working abroad.
- 7) The Principle of Non-Discrimination— The protection of migrant workers must be carried out without any direct or indirect differentiation in treatment based on religion, ethnicity, race, nationality, group affiliation, social class, economic status, gender, language, or political beliefs.
- 8) The Principle of Anti-Human Trafficking— Ensuring the absence of recruitment, transportation, transfer, or acceptance of prospective or current Indonesian migrant workers through threats, violence, abduction, confinement, forgery, fraud, abuse of power or vulnerability, debt bondage, or offering payments or benefits to obtain consent from another party.

The protection of migrant workers abroad presents various complex challenges that require serious attention from multiple stakeholders. Inequalities in treatment and working conditions—often far below fair labor standards—remain a significant concern. Many workers face exploitation, including excessive working hours, inadequate or unpaid wages, and poor living conditions. Additionally, physical and psychological violence, such as harassment and discrimination, is a widespread issue. Legal barriers further complicate the situation, as many workers struggle to access justice systems in their host countries due to language barriers, lack of awareness of

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<sup>16</sup> Putu Sinta Dewi and Hartana Hartana, “Peran Penting International Labour Organisation Dalam Melindungi Buruh Migran Indonesia Dari Kekerasan,” *Jurnal Gender Dan Hak Asasi Manusia* 1, no. 1 (2023): 10–17, <https://ejournal2.undiksha.ac.id/index.php/JGHAM/article/view/2101>.

their rights, or fear of retaliation when seeking legal recourse. Therefore, the protection of migrant workers must align with both international labor standards and the national laws of the host country.<sup>17</sup>

Direct protection for migrant workers is not always feasible. Bilateral agreements, for instance, primarily establish obligations to provide protection, yet enforcement remains a challenge. Consequently, existing issues are often resolved within the legal frameworks of host countries. Furthermore, a significant problem arises from the lack of adequate information and preparation before departure. Many migrant workers leave their home country without sufficient knowledge of their rights, working conditions, and strategies for addressing potential challenges.<sup>18</sup> This situation is exacerbated by non-transparent and, at times, illegal recruitment practices, such as fraudulent promises made by recruitment agencies regarding employment opportunities and working conditions. At the policy level, bilateral and multilateral agreements, as well as the enforcement of existing regulations, often lack consistency and effectiveness in ensuring adequate protection for migrant workers.

Unlike legally registered migrant workers, undocumented workers living abroad face even more severe and complex challenges. One of the most critical issues is the lack of legal protection, which leaves them highly vulnerable to abuse and exploitation. Undocumented workers frequently receive extremely low wages, work under hazardous conditions, and live in substandard accommodations.<sup>19</sup> Additionally, the absence of legal documentation prevents them from accessing essential public services such as healthcare and significantly restricts their ability to seek justice or protection from violence and exploitation.

As of 2024, the official number of migrant workers from Lampung reached 260,721 individuals, consisting of 196,920 women and 63,801 men. East Lampung was the region with the highest number of migrant workers.<sup>20</sup>

**Table 1.**

*Regions in Lampung with the Highest Number of Migrant Workers by Regency/City Ranking in 2024*

No	Regency/City	Total
1	Lampung Timur	98.037
2.	Lampung Tengah	36.936

<sup>17</sup> Indri Fitriyani, Rahyono Rahyono, and Wiewiek Indriani, "Analisis Pelatihan, Dan Pengembangan Terhadap Peningkatan Kesejahteraan PMI Purna Pada UPT BP2MI Lampung," *Jurnal Jejama Manajemen Malabayati* 2, no. 2 (2022): 1–8, <https://doi.org/10.33024/jurnal.jejama.v2i2.8158>.

<sup>18</sup> Junaidi and Khikmah, "Perlindungan Hukum Dan Penempatan Pekerja Migran Indonesia Di Luar Negeri."

<sup>19</sup> Ida Hanifah, "Peran Dan Tanggung Jawab Negara Dalam Perlindungan Hukum Tenaga Kerja Indonesia Yang Bermasalah Di Luar Negeri," *Delegalata: Jurnal Ilmu Hukum* 5, no. 1 (2020): 10–23, <https://doi.org/10.30596/dll.v5i1.3303>.

<sup>20</sup> Didik Tri Putra Jaya, "Kepala BP2MI Menyebutkan Bahwa PMI Ilegal Asal Lampung Capai 6.450 Orang," *Kupas Tuntas. co*, 2024, <https://kupas-tuntas.co/2024/06/11/kepala-bp2mi-sebut-pmi-ilegal-asal-lampung-capai-6450-orang#:~:text=Kepala BP2MI Sebut PMI Ilegal Asal Lampung Capai 6.450 Orang,-Selasa%2C 11 Juni&text=Kepala BP2MI Lampung%2C Gimbar Ombai,Foto: Ist>.



No	Regency/City	Total
3.	Lampung Selatan	32.045
4.	Tanggamus	16.161
5.	Pesawaran	13.813
6.	Lampung Utara	10.695
7.	Tulang Bawang	10.061
8.	Bandar Lampung	9.888
9.	Pringsewu	9.411
10.	Tulang Bawang Barat	7.852
11.	Mesuji	5.043
12.	Way Kanan	3.737
13.	Lampung Barat	3.672
14.	Metro	3.337

The Manpower Office also recorded 1,634 complaints filed by Indonesian Migrant Workers (PMI). The most common complaints included requests for repatriation (181 cases), failure to depart (146 cases), unpaid wages (122 cases), communication breakdowns (188 cases), job mismatches (75 cases), illness (72 cases), termination of employment before the contract period ended (71 cases), fraudulent job opportunities (60 cases), undocumented migrant workers (39 cases), employer violence (31 cases), illegal recruitment of prospective migrant workers (26 cases), workplace accidents (20 cases), human trafficking (11 cases), non-repatriation after contract completion (8 cases), falsification of health certificates (8 cases), detention (8 cases), restrictions on communication with family (4 cases), and harassment (4 cases).

**Table 2.**

*Countries with the Highest Number of Indonesian Migrant Worker Placements from Lampung in 2024*

No	Country	Total
1.	Taiwan	115.630
2.	Malaysia	51.199
3.	Hongkong	87.485
4.	Singapura	25.659
5.	Arab Saudi	7.293
6.	Korea Selatan	3.046
7.	Brunei Darussalam	2.728
8.	Uni Emirat Arab	1.885
9.	Jepang	1.195
10.	Oman	810
11.	Qatar	570
12.	Zambia	419

Of the total complaints, 68 percent originated from non-procedural migrant workers. However, 88.4 percent of these cases have been resolved, while the remaining cases are under clarification. Addressing these issues requires a comprehensive approach, including enhanced international cooperation, stricter oversight of recruitment agencies, improved access to information and legal services for workers,

and the development and reinforcement of policies that safeguard migrant workers' rights abroad.<sup>21</sup> Without serious and coordinated efforts, the protection of migrant workers will remain a pressing issue, affecting the lives and well-being of thousands of Indonesian workers overseas.

The employment relationship established between migrant workers and their employers already includes legal protections for their rights and obligations. The role of the Lampung Provincial Manpower Office is crucial in ensuring that migrant workers receive their rights in accordance with relevant regulations, both in Indonesia and in their destination countries. The key responsibilities of the Lampung Provincial Manpower Office in protecting migrant workers include:

- 1) **Education on Rights and Obligations:** The Manpower Office provides counseling to prospective migrant workers regarding their rights, potential risks, and legal procedures for working abroad.
- 2) **Public Awareness Campaigns:** Efforts are made to educate communities about safe migration practices to reduce the risks associated with undocumented employment.
- 3) **Verification and Oversight:** The Lampung Provincial Manpower Office ensures that all manpower placement agencies operating within the region are registered and possess valid permits. This oversight aims to prevent fraudulent practices and worker exploitation.
- 4) **Legal Action Against Illegal Agents:** The office takes action against unauthorized labor agents who violate government regulations and jeopardize the safety of migrant workers.
- 5) **Collaboration with Diplomatic Missions:** The Lampung Provincial Manpower Office works closely with Indonesian embassies (KBRI) and consulates general (KJRI) in destination countries to monitor migrant workers' conditions, provide legal assistance, and resolve issues such as labor rights violations and contract abuses.
- 6) **Validation of Required Documents:** The Manpower Office ensures that all departing migrant workers possess complete and legally valid documents, including passports, visas, work contracts, and other necessary certifications. This verification is crucial to ensuring workers' legal status and access to their rights abroad.
- 7) **Review of Work Contracts:** The office also verifies employment contracts to ensure compliance with labor laws and fairness in worker compensation and conditions.

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<sup>21</sup> Natasya Salsabilla, "Upaya Pemerintah Dalam Merespon Masalah Pekerja Migran Indonesia Di Taiwan" (Universitas Sriwijaya, 2024), <http://repository.unsri.ac.id/id/eprint/144746>.

- 8) Ongoing Supervision of Migrant Workers: The Lampung Provincial Manpower Office conducts regular monitoring of departing workers and their conditions in destination countries to prevent legal issues and ensure their rights are upheld.
- 9) Assessment of Protection Programs: Periodic evaluations of protection programs are conducted to enhance their effectiveness, address deficiencies, and strengthen measures for safeguarding migrant workers.

Through these initiatives, the Lampung Provincial Manpower Office plays a vital role in improving the protection and welfare of Indonesian migrant workers from Lampung, ensuring they receive the support and security they need while working abroad. The Lampung Provincial Manpower Office plays a crucial role in advocating for policies that protect migrant workers at both the local and national levels. This includes efforts to improve existing policies, strengthen worker protection measures, and ensure that legal systems and procedures effectively safeguard the welfare of migrant workers.<sup>22</sup>

The Manpower Office works in partnership with the Indonesian Migrant Worker Protection Agency (BP2MI) to enhance the protection of migrant workers by providing information, assistance, and legal support abroad. The Lampung Provincial Manpower Office is instrumental in safeguarding migrant workers throughout the entire migration process—from preparation and departure to post-return reintegration. To enhance this protection, the office must strengthen coordination with relevant institutions, tighten supervision of recruitment agencies, and provide legal aid for migrant workers facing challenges abroad. Implementing more holistic and systematic policies will ensure that migrant workers from Lampung receive adequate protection.

### 3.2. Islamic Perspective on the Implementation of Migrant Worker Policies in Lampung

*Fiqh Siyasah Tanfidziyyah Syar'iyah* is a well-established concept in Islam, particularly as practiced by the Prophet Muhammad (peace be upon him). This principle is an essential aspect of Islamic governance, as it pertains to the implementation of state laws and regulations.<sup>23</sup> *Siyasah Tanfidziyyah Syar'iyah* serves as a bridge between Islamic political theory and governance practices based on *Sharia law*.

The implementation of this *siyasah* focuses on policies that align with Islamic principles, including justice, deliberation (*shura*), and the protection of public welfare. In essence, *Siyasah Tanfidziyyah Syar'iyah* provides a framework for the development and

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<sup>22</sup> Ranita Pranika et al., "Analysis of the Global Muslim Travel Index (GMTI) Muslim-Friendly Tourism in Improving Community Economy Reviewed from An Islamic Economic Perspective," *Jurnal Ilmiah Manajemen, Ekonomi, & Akuntansi* 7, no. 3 (2023): 1267–84, <https://doi.org/10.31955/mea.v7i3.3535>.

<sup>23</sup> Ade Irma Suryani Nasution et al., "Siyasah Tanfidziyyah Syar'iyah Analysis of The Process of Proposing a Plan for The Use of Foreign Workforce in Central Lampung According to Article 17 Paragraph 2 of Government Regulation Number 34 of 2021 Concerning Use Foreign Workers," *Constitutional Law Society* 2, no. 2 (2023): 217–28, <https://doi.org/10.36448/cls.v2i2.58>.

enforcement of policies that adhere to Sharia objectives (maqasid al-sharia) while addressing the socio-political realities of the community.<sup>24</sup>

The Qur'anic foundation for the protection of migrant workers is reflected in several verses, including:

- 1) Surah An-Nisa (4:58): Emphasizing the importance of justice and fairness in leadership and governance.

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا ۝ بَصِيرًا ﴿٥٨﴾

“Indeed, Allah commands you to return trusts to their rightful owners. When you judge between people, you must do so with justice. Indeed, Allah provides you with the best guidance. Verily, Allah is All-Hearing, All-Seeing.”

- 2) Surah Al-Ma'idah (5:2): Encouraging cooperation in righteousness and piety while upholding justice and fairness in societal matters.

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحِلُّوا شَعَائِرَ اللَّهِ وَلَا الشَّهْرَ الْحَرَامَ وَلَا الْهَدْيَ وَلَا الْقَلَائِدَ وَلَا أُمِينَ النَّبِيِّتِ الْحَرَامِ بَيْنَعُونَ فَمَنْ رَضُوا وَإِذَا حَلَلْتُمْ فَاصْطَادُوا وَلَا يَجْرِمَنَّكُمْ شَنَا نُ قَوْمٍ أَنْ صَدُّوكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ أَنْ تَعْتَدُوا وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿٢﴾

“O you who believe, do not violate the sanctities of Allah, do not dishonor the sacred months, do not disturb the sacrificial animals (hadyu) or those marked for sacrifice (qalā'id), and do not harm the pilgrims traveling to the Sacred House (Baitul Haram) in search of Allah's bounty and pleasure. Once you have completed your ihram, you may hunt (if you wish). However, do not let your hatred for a people—who once prevented you from the Sacred Mosque—lead you to transgress against them. Cooperate in righteousness and piety, but do not collaborate in sin and hostility. Fear Allah, for indeed, Allah is severe in punishment.”

From the perspective of *Siyasah Tanfidziyyah Syar'iyah*, the policy of protecting migrant workers in Lampung still requires significant strengthening. The government must uphold the principle of social justice, provide more comprehensive protection for the rights of migrant workers, and ensure transparent oversight. The principle of *maslahah* *Siyasah Tanfidziyyah Syar'iyah* necessitates policies that not only offer legal protection for migrant workers but also prioritize their long-term welfare.<sup>25</sup>

The *fiqh* perspective on *Siyasah Tanfidziyyah Syar'iyah* relation to the role of the Lampung Provincial Manpower Office can be analyzed through the lens of Islamic law,

<sup>24</sup> Muhammad Iqbal, *Fiqh Siyasah: Konstektualisasi Doktrin Politik Islam* (Jakarta: Prenada Media Group, 2014).

<sup>25</sup> Muhammad Arsad Nasution, “Perlindungan Pekerja Menurut Hukum Islam: Analisis Terhadap Al-Qur'an Dan Hadits,” *Yurisprudencia: Jurnal Hukum Ekonomi* 5, no. 2 (2019): 120–34, <https://doi.org/10.24952/yurisprudencia.v5i2.1875>.

particularly regarding governance and the implementation of public policies aimed at achieving the common good (*maslahah*) and justice.<sup>26</sup> In the context of migrant worker protection, the role of the Lampung Provincial Manpower Office can be examined from the perspective of *Siyasah Syar'iyah*, which refers to government policies designed to uphold the welfare of the people in accordance with the principles of Islamic law. Islamic Jurisprudence Perspectives on the Role of the Lampung Provincial Manpower Office:

1) Implementation of Justice in Migrant Worker Protection

Islamic jurisprudence mandates that governments ensure justice in the implementation of public policies, including worker protection. In this regard, the Lampung Provincial Manpower Office is responsible for guaranteeing that migrant workers from Lampung receive legitimate and equitable protection. This includes securing workers' rights such as fair wages, safe housing, and other entitlements in accordance with Islamic law.

2) Protection of Public Interests (*Maslahah*)

Islamic jurisprudence emphasizes that government policies should be directed toward ensuring public welfare and justice. In the context of migrant workers, policies enacted by the Lampung Provincial Manpower Office must safeguard their rights both before departure and after their return. Therefore, the office must ensure that migrant workers do not fall victim to legal issues or exploitation.

3) Prevention of Exploitation and Fraud

*Fiqh Siyasah Syar'iyah* underscores the necessity of policies that prevent the exploitation of individuals, particularly those in vulnerable positions such as migrant workers. The Lampung Provincial Manpower Office is obligated to oversee employment agencies, prevent fraudulent and illegal practices, and ensure that migrant workers are deployed in accordance with legitimate regulations.

4) Government Responsibility as a Leader (*Wali al-Amr*)

In *Fiqh Siyasah Syar'iyah*, the government (*wali al-amr*) holds a significant responsibility to protect its people, including migrant workers, who are citizens whose welfare must be safeguarded. As part of the government, the Lampung Provincial Manpower Office must fulfill its duty to protect migrant workers

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<sup>26</sup> Ghandi Liyorba Indra et al., *Hukum Islam Dan Legislasinya Di Indonesia*, ed. Agus Hermanto and Hendriyadi Hendriyadi (Purbalingga: Penerbit CV. Eureka Media Aksara, 2024).

throughout their departure, employment abroad, and reintegration process upon return.

#### 5) Coordination with Other Institutions and Countries

Fiqh *Siyasah Tanfidziyyah Syar'iyah* also highlights the importance of international cooperation in safeguarding the interests of the people, including migrant workers. The Lampung Provincial Manpower Office must collaborate with relevant institutions such as BP2MI, the Indonesian Embassy (KBRI), and the Indonesian Consulate General (KJRI) in destination countries to ensure that migrant workers receive legal protection and their rights are upheld abroad.

It can be concluded that Fiqh *Siyasah Tanfidziyyah Syar'iyah* regarding the role of the Lampung Provincial Manpower Office in protecting migrant workers emphasizes the importance of fair policies, safeguarding workers' rights, preventing exploitation, and ensuring the welfare of the community. The Lampung Provincial Manpower Office holds a significant responsibility to protect migrant workers in accordance with Islamic legal principles—before departure, during their employment abroad, and after their return.

## CONCLUSION

This study concludes that while policies for protecting migrant workers in Lampung are in place, their implementation does not yet fully align with the principles of *Siyasah Tanfidziyyah Syar'iyah*. To enhance migrant worker protection, the provincial government must strengthen policies by upholding justice and welfare principles and improving coordination among relevant institutions. Additionally, it is crucial to reinforce policy supervision and evaluation, provide more comprehensive education on migrant workers' rights, and ensure clear and transparent access to information.

The Lampung Provincial Manpower Office plays a vital role in protecting migrant workers, from pre-departure preparations to post-return reintegration. Strengthening inter-agency coordination, enhancing counseling services, implementing stricter supervision of employment agencies, and reinforcing legal protection mechanisms are essential steps to safeguarding the welfare and security of migrant workers from Lampung.

The *Siyasah Tanfidziyyah Syar'iyah* perspective on the role of the Lampung Provincial Manpower Office can be analyzed through Islamic governance principles and the implementation of public policies that prioritize the common good (*maslahah*) and justice. In the context of migrant worker protection, this perspective underscores the necessity of government policies that maintain public welfare in accordance with Islamic law.

To ensure the protection of migrant workers, the Lampung Provincial Manpower Office must implement fair policies, uphold workers' rights, prevent exploitation, and prioritize the welfare of the people. The Office has a crucial responsibility to safeguard migrant workers throughout all stages of their journey—before departure, during overseas employment, and upon their return. Based on the discussion above, it is recommended that the Manpower Office and relevant institutions enhance their efforts in fulfilling their duties and responsibilities for migrant worker protection, particularly in Lampung. The government must take a more proactive approach in ensuring both formal and material protection for Lampung's migrant workers, addressing their needs comprehensively and effectively, especially within the province.

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