

# Indonesian Women Workers' Condition Within Kafala Labor System in Egypt: The Case of Winarti Musiyar

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## ABSTRACT

The research examines Indonesian women workers' conditions in Egypt, which has been known for its solid patriarchal cultural background. A case that occurred to an Indonesian women worker, Winarti Musiyar, is chosen as the topic-focus on providing a complete description of the underlying factors behind the misfortune occurring to her. Moreover, the research focuses on Winarti's motivating factor in deciding to work in Egypt, Indonesian women workers' conditions in Egypt after the migrant workers moratorium in the Middle East, and misconceptions of language and culture that Winarti probably encountered when working in Egypt. The postcolonialism theory initiated by Edward Said and the Dual-System theory, a synthesis of Marxist and Radical Feminist theory, is applied as a dissecting theory to the object under study. To comprehend the context of the discussion, a descriptive-analytical approach is carried out, as well as a sociocultural approach to describe unquantified phenomena to become descriptive. The researchers conclude several factors caused the phenomenon experienced by Winarti based on the labor system in the Middle East, namely, Kafala and the language-cultural background that pushed Winarti to experience the tragic circumstances of becoming a murder victim in Egypt 2015. The phenomenon experienced by Winarti Musiyar reflects the fate of Indonesian women migrant workers in Egypt.

**Keywords:** Women Migrants; Kafala; Culture; Language; Egypt

## INTRODUCTION

Indonesia is the largest archipelagic country and the 4<sup>th</sup> most populous country in the world based on the BPS-Statistics Indonesia 2013. In 2015-2018, Indonesia's population reached 4 million per year, and the current population of Indonesia reached 262 million people, where about 131.88 million are women. Among the population that reaches more than 200 million people, 70% are working-age residents (LIPI, 2016). This condition generates labor problems, particularly among women. According to the population theory presented in the book "Population Theory" by Agustina Bidarti (2020), the population context can lead to social problems due to the imbalance between population growth and human resource quality improvement. It is supported by the 7<sup>th</sup> President of Indonesia, Joko Widodo, who plans a program to recede the open unemployment rate from 5.3% to 6.0% in 2023 and poverty rates from 7.5% to 8.5% (Based on the president's speech on the draft of the State Budget for 2023 in the Plenary Session of the Parliament on August 16<sup>th</sup>, 2022). In Malthusian theory of population, it is said that population growth can determine a country's economic development. The increase in population growth, followed by a rise in the population, eventually leads to unemployment, necessitating the need for societal welfare support control.

The understanding of well-being varies between rural and urban populations, leading to differences in their respective contexts. According to Kompas.com (2017), the poverty rate in rural areas was reported at 13.96%, which is twice the poverty rate in urban areas standing at 7.7%. Consequently, it is crucial for Indonesia to address the economic inequality between rural and urban populations. Given that approximately half of Indonesia's population is comprised of women, the country faces the challenge of integrating women into the domestic workforce effectively. As per data published by the Central Statistics Agency in 2017, only around half of Indonesian women of working age are currently active participants in the labor market, leaving the other half unemployed. This situation has contributed to the prevalent belief within society that working overseas offers more favorable employment prospects than working domestically. Based on the research conducted across 41 countries suggests that the desire to improve economic conditions and the lack of job opportunities for women are the primary factors driving them to seek employment opportunities abroad (Wijers and Lap-Chew, 1999: 61). Furthermore, there is an expectation of higher income abroad, particularly due to wages being paid in foreign currency, such as dollars. Consequently, a significant number of Indonesian women have sought employment as domestic workers abroad, with the Middle East being a popular destination.

The pursuit of improved economic status through overseas employment has been observed among Indonesian female workers, exemplified by the case of Winarti Musiyar. Unfortunately, her experience ended tragically as she became a victim of murder while working in Egypt. The absence of labor cooperation between Indonesia and Egypt contributed to the lack of work protection for Winarti (Kompas.com: 2018). Egypt itself is recognized for its deeply entrenched patriarchal culture, as revealed by various opinion surveys conducted by the Thomson Reuters Foundation on gender equality in the country. In the case of Winarti, she ended up working as an undocumented (illegal) migrant worker in Egypt, facilitated by Indonesian labor recruitment brokers operating in the Middle East region. These brokers targeted rural areas, enticing working-age women with promises of lucrative wages to encourage their migration to the Middle East.

Winarti Musiyar exemplifies the experiences of Indonesian female workers who sought employment opportunities in the Middle East, specifically in Kuwait as their initial destination. Acting as a domestic worker, Winarti was connected with a Kuwaiti employer through the services of a labor broker specializing in placements within the Middle East. After a period of working in Kuwait for approximately 11 years, Winarti transitioned to a new employment opportunity in Egypt, working for an elderly individual who was the parent of her former employer. Throughout her employment, Winarti remained unregistered with the local employment office in her hometown of Lumajang, indicating her status as an undocumented worker in both Kuwait and Egypt. Complicating matters, her passport underwent alterations to her birth year when she relocated to Egypt, posing challenges for the Functional Diplomatic Officer of the Directorate for the Protection of Indonesian Citizens and Indonesian Legal Entities at the Ministry of Foreign Affairs in handling Winarti Musiyar's case (Tempo.co, May 28<sup>nd</sup>, 2015). Tragically, Winarti fell victim to a heinous murder committed by two young Egyptian men, and she was subsequently repatriated to Indonesia. The crime took place in the maid's room on the third floor of Apartment No. 15 in Giza, Egypt, where Winarti had been employed. She was discovered dead, lying motionless, unclothed, and drenched in blood (kompas.com, 2015). Edward Said's postcolonial theory, which addresses the influence of hegemonic power in dominating marginalized and vulnerable parties through concepts of slavery, oppression, power, and resistance, can provide insights into understanding how Winarti found herself in the position of a female domestic worker, transitioning from Kuwait to Egypt.

The situation surrounding Winarti's case presents a multifaceted challenge for the Indonesian government in devising effective strategies to address the plight of Indonesian women workers. It offers valuable insights into the work environment, language, and cultural context that Winarti encountered during her employment in Egypt. Moreover, this tragic incident raises important questions about the underlying factors that contributed to the circumstances leading to Winarti's untimely demise.

Hence, in order to address the challenges faced by Winarti Musiyar, this study employs the dual-system theory, which integrates Marxist and Radical Feminist perspectives. This theoretical framework posits that gender relations are influenced by both capitalism and patriarchy, two interconnected systems that are highly relevant to the discourse on Indonesian female labor in Egypt. In adopting a descriptive analytical approach, the researchers aim to comprehensively analyze the contextual factors surrounding the research topic, providing a coherent analysis that cannot be directly observed. According to available data, there were a total of 259,150 reported cases of violence against women in 2016. Of these cases, 245,548 were handled by 359 Religious Courts (BADILAG), while 13,602 cases were addressed by 233 partner institutions providing services across 34 provinces in Indonesia (Factsheet of Annual Records (CATAHU) by the National Commission on Violence Against Women in 2017). This information was released by the National Commission on Violence Against Women in conjunction with International Women's Day on March 8<sup>th</sup>. Moreover, it is important to note that approximately 200 cases of violence, including sexual abuse and torture, involving female workers are reported to and handled by the Indonesian Embassy each month (Hukum Online.com: June 19<sup>th</sup>, 2015).

When examining Egypt from the perspective of international cooperation, it is evident that the country maintains diplomatic relations with Indonesia. However, this cooperation does not extend to the field of employment, particularly for Indonesian workers, especially female workers. The absence of sufficient legal protection for foreign workers in Egypt is a critical concern that necessitates careful consideration before deciding to pursue employment in the country. The Ambassador of the Republic of Indonesia to the Arab Republic of Egypt, Police Commissioner General Nurfaizi Suwandi (Ret.), emphasized the lack of labor cooperation and protection for Indonesian workers in Egypt. Furthermore, he explicitly stated that Egypt should not be considered a suitable destination for Indonesian women workers. This warning serves as a cautionary note highlighting the potential for future problems, such as the unfortunate possibility of Indonesian women workers facing violence or even losing their lives in their workplaces in Egypt. Resolving such issues would be particularly challenging due to their automatic categorization as illegal women migrant workers.

## **MATERIALS & METHODS**

### **Type and Design of Research**

To comprehend the context of the discussion, a descriptive-analytical approach is carried out, as well as a sociocultural approach to describe unquantified phenomena to become descriptive.

## **RESULTS**

### **Motivating Factors for Women to Work as Women Workers in the Middle East**

Egypt, situated in the northeastern region of the African continent (Riza Sihbudi et al., 1995), shares borders with Libya to the west, Sudan to the south, the Mediterranean Sea to the north, and the Red Sea to the east (Azyumardi Azra et al., 2005). The country encompasses vast areas, including the sparsely inhabited Saharadesert. Most of the Egypt's population, approximately 90%, adheres to Islam, while the remaining 10% follows non-Islamic religions (William T Couch, 1951).

Egypt holds significance for Indonesia due to their historical ties, as the two nations provided mutual support during the early stages of Indonesia's state formation. Consequently, there is a perception of cultural and character similarities between the two countries. However, it is important to note that Egypt and Indonesia differ in terms of territorial boundaries, geographical distance, and lack a common racial, linguistic, and cultural heritage that would imply inherent similarities. Both countries possess distinct cultural and linguistic characteristics. Nonetheless, Egypt played a pivotal role in recognizing Indonesia as a sovereign nation on March 23<sup>rd</sup>, 1946, making it a cornerstone of Indonesia's diplomatic efforts abroad (Hasan, 1980: 124). Furthermore, an agreement between Indonesia and Egypt in 1947 solidified the diplomatic ties, leading Arab countries to lend support to Indonesia's legitimacy as an independent state within the United Nations (Waal, 1948: 263).

Formal relations between Indonesia and Egypt were officially established on September 14<sup>th</sup>, 1923, through the issuance of an official permit allowing Indonesian students to form associations engaging in social and political activities. This permit, documented as official letter No. 323, further strengthened the bonds between the two countries. The establishment of student associations in Egypt opened new avenues for Indonesian students to convey the idea of independence on an international platform, attracting sympathy, especially within the Arab region, through Egyptian newspapers. Notably, newspapers such as *Ikhwani Muslimin*, *Al-Mukattam*, *Al-Kutlah*, *Al-Ahram*, *Al-Misry*, and *Al-Dustur* actively promoted the struggles of Indonesian students, while the Arab community accessed information about Indonesia's fight for independence through news agencies like The Arabian Press Board (APB).

The official website of the Embassy of the Republic of Indonesia in Cairo, Egypt provides valuable insights into the multifaceted relationship between Indonesia and Egypt, encompassing various domains such as education, culture, industry, and trade. These details are gleaned from the comprehensive information available about the embassy's officials and staff, which includes the Ambassador, Deputy Chief of Mission, personnel in political, economic, information, social, and cultural functions, as well as protocol and consular officers, defense and trade attachés, education attachés, communication personnel, and administrators, along with those responsible for the Indonesian School Cairo function. These resources underscore the broad scope of engagement between the two nations.

However, it is noteworthy that the Ambassador of the Republic of Indonesia to the Arab Republic of Egypt, Police Commissioner (Ret.) Nurfaizi Suwandi, has explicitly highlighted the absence of labor cooperation between Egypt and Indonesia. This indication suggests a lack of bilateral collaboration specifically in the labor market. Consequently, this situation raises concerns regarding the well-being and protection of Indonesian citizens who choose to seek employment as laborers in Egypt.

The research findings reveal several significant factors that motivate women, particularly migrant workers, to pursue employment opportunities abroad. Three key components underlie the decision-making process of Indonesian women workers opting to work in the Middle East: 1) economic conditions, 2) educational attainment, and 3) cultural and language considerations. The Ambassador of the Republic of Indonesia to the Arab Republic of Egypt, Police Commissioner General (Ret.) Nurfaizi Suwandi, has emphasized that a considerable number of Indonesian women workers in Egypt, around 1,290 individuals, are undocumented. Furthermore, data from National Security indicates a figure of approximately 3,000 Indonesian migrant workers in Egypt. These statistics are indicative of the prevailing circumstances characterized by the relatively low income of families in Indonesia, which influences individuals' mindset. Consequently, the prospect of working abroad, regardless of the position, is perceived as financially rewarding and capable of improving economic conditions.

The recruitment process conducted by brokers further exacerbates the situation. These intermediaries actively engage with rural areas, districts, and cities, targeting working-age women who remain unemployed, persuading them to venture abroad, particularly to Middle Eastern countries. Consequently, Indonesian workers, especially women, encounter a host of new challenges marked by deceit, exploitation, and a lack of protection.

The lure of high salary income tempts some working-age women to accept offering from 'Unscrupulous individuals/brokers'. Those female workers still take the risk to go abroad without proper skills, cultural literacy, and language preparation about the country target in the hope that may change their lives. The domestic Egypt workers' salaries are not actually very high. It is relatively low compared to other Middle Eastern countries such as Bahrain, Kuwait, and Saudi Arabia which do not exceed US\$200/ month. However, female workers hope they can improve their economic state and earn a high salary while working in Egypt. The lack of information about currency exchange rates against the Indonesian rupiah creates the misconception that working abroad will get a high income because it is assumed that payment will be made in US dollars. However, in Egypt, the payment system uses the Egyptian Pound, which has an exchange rate of 1 Egyptian Pound equal to 500.14 Indonesian rupiahs,

far from the exchange rate of the US dollar to the Indonesian rupiah, which is 1 US dollar equal to Rp 15.265,15.

The next is the educational factor. In the context of education, based on the Placement and Protection Data of Indonesian Migrant Workers (PMI) for the December 2020 period published by the Indonesian Migrant Workers' Protection Agency, it shows that there are still many workers with low educational backgrounds. See Figure 2 to see the table.

**Figure 2**  
**The Placement of Indonesian Migrant Workers**

| PENEMPATAN PEKERJA MIGRAN INDONESIA<br>BERDASARKAN STATUS PERKAWINAN DAN TINGKAT PENDIDIKAN<br>PERIODE TAHUN 2018 - 2020 (DESEMBER) |                   |                  |                  |                  |
|-------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------------|------------------|------------------|
| NO                                                                                                                                  | STATUS PERKAWINAN | 2018<br>DESEMBER | 2019<br>DESEMBER | 2020<br>DESEMBER |
| 1                                                                                                                                   | Kawin             | 9.171            | 9.694            | 3.720            |
| 2                                                                                                                                   | Belum Kawin       | 7.775            | 9.003            | 2.898            |
| 3                                                                                                                                   | Cerai             | 2.840            | 2.661            | 1.635            |
|                                                                                                                                     | <b>TOTAL</b>      | <b>19.785</b>    | <b>21.358</b>    | <b>8.254</b>     |

  

| NO | PENDIDIKAN         | 2018<br>DESEMBER | 2019<br>DESEMBER | 2020<br>DESEMBER |
|----|--------------------|------------------|------------------|------------------|
| 1  | SMP                | 8.619            | 8.352            | 3.215            |
| 2  | SMA                | 6.532            | 7.844            | 2.786            |
| 3  | SD                 | 4.421            | 4.847            | 1.830            |
| 4  | DIPLOMA            | 134              | 190              | 283              |
| 5  | SARJANA            | 75               | 122              | 139              |
| 6  | PASCA SARJANA      | 3                | 4                | 0                |
|    | <b>Grand Total</b> | <b>19.785</b>    | <b>21.358</b>    | <b>8.254</b>     |

PMI Placement and Protection Data for December 2020, BP2MI  
 The data was pulled on January 4, 2021

**Figure 3**  
**Data Based on Country Destination**

| PENEMPATAN PEKERJA MIGRAN INDONESIA<br>BERDASARKAN NEGARA<br>PERIODE TAHUN 2018 - 2020 (DESEMBER) |                      |                  |                  |                  |
|---------------------------------------------------------------------------------------------------|----------------------|------------------|------------------|------------------|
| NO                                                                                                | NEGARA               | 2018<br>DESEMBER | 2019<br>DESEMBER | 2020<br>DESEMBER |
| 1                                                                                                 | HONG KONG            | 5.555            | 4.712            | 4.392            |
| 2                                                                                                 | TAIWAN               | 5.529            | 6.435            | 20.904           |
| 3                                                                                                 | JAPAN                | 4                | 33               | 405              |
| 4                                                                                                 | SINGAPURA            | 0                | 0                | 296              |
| 5                                                                                                 | ITALY                | 0                | 127              | 108              |
| 6                                                                                                 | POLAND               | 10               | 104              | 57               |
| 7                                                                                                 | SAUDI ARABIA         | 305              | 620              | 49               |
| 8                                                                                                 | HUNGARY              | 0                | 3                | 17               |
| 9                                                                                                 | MALDIVES             | 21               | 26               | 17               |
| 10                                                                                                | OMAN                 | 26               | 11               | 3                |
| 11                                                                                                | QATAR                | 31               | 14               | 3                |
| 12                                                                                                | MALAYSIA             | 5.644            | 6.231            | 1                |
| 13                                                                                                | UNITED ARAB EMIRATES | 39               | 41               | 1                |
| 14                                                                                                | UNITED KINGDOM       | 0                | 0                | 1                |
| 15                                                                                                | SINGAPORE            | 1.559            | 10.564           | 0                |
| 16                                                                                                | KOREA SELATAN        | 191              | 818              | 0                |
| 17                                                                                                | BRUNEI DARUSSALAM    | 437              | 412              | 0                |
| 18                                                                                                | PAPUA NEW GUINEA     | 35               | 103              | 0                |
| 19                                                                                                | KUWAIT               | 83               | 14               | 0                |
| 20                                                                                                | FIJI ISLANDS         | 0                | 10               | 0                |
| 21                                                                                                | ZAMBIA               | 12               | 10               | 0                |
| 22                                                                                                | RUSSIA               | 15               | 9                | 0                |
| 23                                                                                                | SOLOMON ISLANDS      | 23               | 9                | 0                |
| 24                                                                                                | SRI LANKA            | 8                | 8                | 0                |
| 25                                                                                                | BAHRAIN              | 14               | 5                | 0                |
| 26                                                                                                | LAINNYA              | 250              | 39               | 0                |
|                                                                                                   | <b>TOTAL</b>         | <b>19.785</b>    | <b>21.358</b>    | <b>8.254</b>     |

PMI Placement and Protection Data for December 2020, BP2MI  
 The data was pulled on January 4, 2021

Based on the data, the number of migrant workers with elementary education levels working abroad was 1,830 in December 2020, 3,215 with junior high school education, 2,786 with high school education, 283 with diplomas, 139 with undergraduate degrees, and none with postgraduate degrees.

The destination countries for these workers, including countries in the Middle East, are Saudi Arabia, Qatar, Oman, Kuwait, Bahrain, and the United Arab Emirates. According to the data, Egypt is not listed as one of the destination countries for Indonesian migrant workers.

According to the education level, migrant workers sent abroad from Indonesia are predominantly low-skilled with backgrounds in elementary school (SD), junior high school (SMP), and high school (SMA). It allows Indonesian migrant workers to labor in the domestic worker sector totaling 4,411 workers in December 2020; as caregivers for 2,171 workers in December 2020; and as general workers totaling 958 workers in December 2020 (data on the placement of Indonesian migrant workers based on positions from 2018 to 2020, BP2MI: 2021). Therefore, it proves that the level of education greatly influences the type of job placement that workers will receive in the world of work. Regarding the PT4TK Language by the Ministry of Education and Culture, concerning the life of Egyptian society based on cross-language experiences in 2020, there are common expressions in Egypt when conducting buying and selling transactions between consumers. In Egypt, there is a term called "*Mujamalah*" as a form of everyday exchange during buying and selling transactions. For example, when a buyer purchases an item, the seller may appear to refuse with a smile and say "*kholi*," which means there is no need to pay, but in reality, this is just a daily exchange by the seller. It indicates that the buyer should pay the stated price, and there is no need for further negotiation. And if we pay the redetermined price, the seller will be glad and consider us honest and good buyers.

There is an expression "*Bukhroh*" which means tomorrow or later. Egyptians often make promises and then say "*bukhroh*," which means tomorrow or later. In this case, "*bukhroh*" refers to tomorrow or the day after tomorrow, but the exact time is uncertain. For example, when inquiring about visa processing, one may ask the officer, "*Imta aljawaz maugud?* (When will the passport/visa management be completed?)" If the officer responds with the expression "*bukhroh*" (tomorrow/later), especially if they say "*Ba'da Bukhroh*" (after tomorrow), it indicates that the visa turnaround time is becoming increasingly unclear. Therefore, "*bukhroh*" is used to describe uncertain or ambiguous times regarding completion. It is common for Indonesians living in Egypt to often remind other Indonesian to be cautious with the phrase "*Bukhroh*."

The word "*Quraib*" means close. To illustrate, if you walk and ask one of the Egyptian locals, "*Ayna Jami'ah Al-Azhar?*" (Where is Al-Azhar University?), and the person responds, "*Quraib!*" (close!), don't immediately assume that Al-Azhar University is close to where you are standing. It explains that Al-Azhar University is still far away. Because for the Egyptian people, the distance to Al-Azhar from the asking point may feel close, but for the person asking, the distance is fairly far, even very far, requiring a walk of 5-10 km from the original location. It shows the distinctions in the socio-cultural conditions between Indonesian and Egyptian.

The limited comprehension of socio-cultural and language among Indonesian women workers in Egypt exposes them to vulnerabilities, rendering them susceptible to various forms of exploitation and crimes. The intricate socio-cultural nuances and language intricacies encountered by these workers in their host country create a precarious situation, exacerbating their plight. Tragically, this was the case for Winarti Musiyar, a victim who met an untimely demise at the hands of two Egyptian youths, one of whom was identified as Ahmed Ibrahim. Ahmed Ibrahim, an Egyptian, possessed prior knowledge of Winarti's employment as a domestic helper in the household. The fateful incident unfolded within the confines of her employer's residence, specifically apartment number 25 on the third floor, located in the Muhandisin Gaiza area of Egypt.

The scenario elucidates the grim reality faced by female migrant workers who find themselves entangled in a web of precarious circumstances within their workplace. These workers are often relegated to a subservient status, perceived as modern-day "slaves" by their employers and the wider societal milieu. The tragic fate of Winarti Musiyar serves as a poignant reminder of the challenges and dangers faced by Indonesian women workers in Egypt, highlighting the urgent need for enhanced protection and support mechanisms within the realm of migrant labor.

## The Condition of Indonesian Women Migrant Workers in Egypt Post-Termination of Cooperation between the Indonesian Government and Egypt in the Field of Labor.

At least 4,000 Indonesian female workers are in Egypt without a clear legal status (Kompas: 2018, thousands of migrant workers have no legal guarantees in Egypt). These workers are victims of a human smuggling syndicate that often smuggles women workers from one country to another.

This phenomenon is supported by the culture that has been prevalent in the Middle Eastern region, named kafala. الكفالة نظام (nizām al-kafāla or "sponsorship system"). This culture requires workers in the Middle East to have a sponsor (usually an employer) who is responsible for their visa and legal status. This system is used to monitor migrant workers who typically work as construction workers and domestic helpers in Lebanon, Iraq, Jordan, Bahrain, Kuwait, United Arab Emirates, Saudi Arabia, Qatar, and Oman (Human Rights Watch: 2020 and Abuses Against Domestic Workers in Saudi Arabia: 2020). In practice, the kafala system is used where employers treat workers as their property, with no right for privacy and full ownership by the employer (Fauzan Sugiono, Lc: 2021).

The Kafala system, prevalent in the Middle East, including Egypt, is intricately linked to the prevailing patriarchal ideology ingrained within Egyptian society. This system perpetuates a notion where domestic workers are rendered akin to modern-day slaves, seemingly under the guise of voluntary employment.

According to Winarti Musiyar's passport, it indicates that she had been employed in Egypt for one year and her age was recorded as 20 years old. However, upon verifying this information with her younger sister, Widayani, who is currently 35 years old, it becomes evident that Winarti Musiyar must have been older than her sister, approximately 42 years old. This suggests that Winarti had been working in the Middle East for approximately six years since her departure.

**Figure 1**  
**Martini Musiyar Passport**



*Martini Musiyar atau Winarti Musiyar,  
Indonesian woman worker from Lumajang, East  
Java.*

Before her employment in Egypt, Winarti worked as a domestic worker at her employer's family residence in Kuwait, located in the Arab Gulf region. Subsequently, Winarti was brought to Egypt by the employer's child to work as a domestic helper for the elderly parents, who were 88 years old. This arrangement raises questions regarding Winarti's entry into Egypt, given the absence of formal labor cooperation between Indonesia and Egypt. This situation aligns with the concepts discussed in Edward Said's Postcolonialism theory, which highlights how the prevailing kafala system in the Middle East treats domestic workers as property of their employers. Consequently, Winarti Musiyar could be transferred between different locations, starting from her initial employment in Kuwait and later being moved to Egypt.

In response to the challenges faced by Indonesian migrant workers, including domestic workers, the Indonesian government implemented the Indonesian Migrant Workers Moratorium. This policy, overseen by the Ministry of Manpower, temporarily suspends the sending of domestic workers abroad. Its objective is to facilitate evaluations and improvements in the informal/domestic placement and protection systems for Indonesian migrant workers (TKI). The implementation of this moratorium falls within the purview of the central government, as stipulated in Article 81, paragraph (1) of the Indonesian Law on the Placement and Protection of Indonesian Migrant Workers (UU PPTKI).



A picture of Winarti and her employer in Egypt. Based on <https://www.suarasurabaya.net/jaring-radio/2015/Hari-Ini-Jenazah-TKI-Winarti-Diterbangkan-dari-Mesir-ke-Indonesia/> accessed on 30 May 2023 at 14.46 WIB

Winarti entered Egypt due to the kafala system practiced in the Arab world. Under this system, workers are treated as their employer's property and do not have access to legal protection because they are in the Egyptian region. On the other hand, this highlights that Martini Musiyar did not have comprehensive information regarding the prevailing labor system in the Arab world before deciding to work in the Middle East. Winarti's perspective was based on the employment system in Indonesia, where the kafala system does not apply.

The moratorium imposed on Indonesian workers traveling to Egypt stems from the escalating complexity and challenges associated with cases involving Indonesian female workers. The severity of this issue was exemplified by the fate of two Indonesian women, Siti Zainab and Karni binti Medi Tarsim, who were sentenced to death in Saudi Arabia without notification to Indonesian authorities and subsequently executed. Hanif Dhakiri, who served as the Minister of Manpower of the Republic of Indonesia from 2014 to 2019, acknowledged the inadequacy of protection measures for Indonesian migrant workers (TKI) employed as domestic helpers in Middle Eastern countries. Furthermore, the cultural disparities encountered in these countries further hinder efforts to safeguard the TKIs. Dhakiri emphasized the vulnerable bargaining power of TKIs when confronted with employers who wield significant authority within the workplace. Consequently, the Indonesian government made the decision to suspend the deployment of Indonesian workers, including to countries like Egypt, in order to conduct a comprehensive evaluation of the prevailing circumstances. As a result, Indonesian workers who migrate to and change workplaces in Egypt automatically become undocumented or lack proper documentation, leaving them without legal protection. Winarti Musiyar's experience is a testament to this vulnerability in Egypt.

Winarti Musiyar was killed by two Egyptian youths named Ahmed Ibrahim and Mahmud in connection with a robbery case at her employer's Apartment on the third-floor no. 25, in the Muhandisin Gaiza, Egypt. The case was handled by the prosecutor's office and the police authorities in Cairo, Egypt, who were responsible for investigating the case. According to the statement obtained from one of the perpetrators, Ahmed Ibrahim, as reported by the local media *اليوم السابع* (one of the local media outlets in

Giza, Egypt) on May 29<sup>th</sup>, 2015, through Giza police chief Mahmud Faruq, the perpetrator claimed that he did not intend to kill Winarti Musiyar and had been in contact with her for a long time before the murder occurred. Winarti's employer then handled the case through their lawyer. Winarti was successfully repatriated to Indonesia through Soekarno-Hatta International Airport, then continued to Abdul Rahman Saleh Airport in Malang, arrived in Indonesia on Monday, June 1<sup>st</sup>, 2015. This incident highlights the vulnerability faced by Indonesian migrant workers in Egypt, even becoming victims of murder by Egyptian youths (Abdel-Rady, 2015).

## CONCLUSION

The situation faced by Indonesian women workers in Egypt, as exemplified by the case of Winarti Musiyar, is a multifaceted phenomenon influenced by various interconnected factors. It is crucial to consider not only Winarti Musiyar's individual circumstances but also broader aspects such as education level, socio-economic conditions, and cultural and language comprehension when examining the underlying factors shaping individuals' job choices. In Winarti Musiyar's case, her educational background, economic situation, and limited understanding of foreign cultures played a role in her motivating decision to seek employment in Egypt. With a low level of education and challenging economic conditions, Winarti Musiyar ventured to Egypt in pursuit of work as a domestic helper or in other low-skilled sectors. The prevalence of the kafala system in the Arab world exposes Indonesian workers in low-skilled sectors to vulnerabilities, as they can easily change hands and be treated as the property of their employers. Winarti Musiyar's experience is emblematic of this situation, as she initially worked for her previous employer in Kuwait but eventually found herself in Egypt under different circumstances. Additionally, the absence of employment cooperation between Indonesia and Egypt further compounds the challenges faced by Indonesian women workers in securing legal and security certainty. The Indonesian government's issuance of a moratorium on the deployment of migrant workers to the Middle East in 2015 further exacerbates the precariousness and uncertainties surrounding the safety and legal protection of Indonesian women workers in Egypt. It is worth noting that Winarti Musiyar did not experience severe mistreatment from her employers in Kuwait or Egypt. However, she tragically became a victim of a heinous crime committed by two young Egyptians, Ahmed Ibrahim and Mahmud. Her untimely death occurred in the country where she was employed, highlighting the uncertain legal landscape faced by Indonesian women workers. Winarti's case serves as an illustrative example of how Egypt's cultural constructs and economic system contribute to the lack of legal protection and the vulnerability of Indonesian women workers to criminal acts in the Middle East.

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