

The Illegal Network of Foreign Workers: The Missing Indonesian Migrant Workers in Japan

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Abstract

Migrant workers in Japan is partially an act of runaway and escaping done by the migrant workers. This action is carried out by migrant workers who are mostly trainees. This research explains the role of the illegal network as a tool used by the workers in order to help them run away from the company they work for. Massey's perspective of migration network theory is used to analyze the illegal activities shown by the migrant community. The reason behind their decision in choosing the illegal action is identified using the theory of rational choice. The data were collected by applying the literature study and analyzed using the descriptive qualitative method. The result shows that the illegal network of migrant workers had successfully broadened the community of the migrant workers in Japan because all of the participants are connected by kinship and share the same common interests. The broker is the third party that is involved as a connector between migrant workers and an illegal backer. There are several motives or reasons performed by the workers based on their rational choice which are, deciding to run away from their workplace because of seeking a better opportunity in a new place, expecting a higher salary, and the content feeling to stay in Japan. The impacts caused by this illegal action is not really significant for the next process in sending Indonesian workers to Japan. It is because the migration itself happens under each country's concerns in dealing with employment issues.

Keywords

illegal network; international migration; Indonesian migrant worker; missing worker



I. Introduction

In 2017, an Indonesian migrant worker was successfully founded after two years of missing. This migrant worker was lost after trying to run away from a company in Japan where he worked with his friends before. He explained that the reason behind his action was his friend encouragement. Another case also happened in the same year, an Indonesian teenage boy, who is a trainee worker was announce missing from one of the companies located in Shizuoka, Japan. After getting arrested by Immigration Bureau of Japan, he stated that he and another six of his friends decided to run away from their workplace on purpose to get a higher salary (Ohno, 2017).

The issue of missing foreign migrant workers is not considered new. The immigration office of the Japanese Ministry of Justice stated that the number of foreign migrant workers who are missing continued to increase from 2011 to 2019 and reached its peak in 2018 (Toru

& Mitsuko, 2020). The phenomenon of missing people in Japan is known as *jouhatsu*. In literal meaning, *jouhatsu* (蒸発) is defined as evaporate or evaporation, which means vanish or disappear without any traces. The word *jouhatsu* itself is not necessarily specified for the lost migrant workers only, but the missing people in Japan with various reasons as well, such as being afraid of going home because getting fired by the company, avoiding debt collector for not paying bills, escaping domestic violence at home, and so forth. There is no specific time for this phenomenon starting to occur in Japan (Hincks, 2017).

1.1 Illegal Foreign Migrant Workers in Japan

Foreign migrant workers who are entering Japan is purposely filling the available vacancy in the country that is looking for young workers. Despite the benefit of resolving the employment issue in Japan, this situation also brings in another problem for Japan itself. One of the problems that are being mentioned is the distribution of illegal foreign workers in Japan.

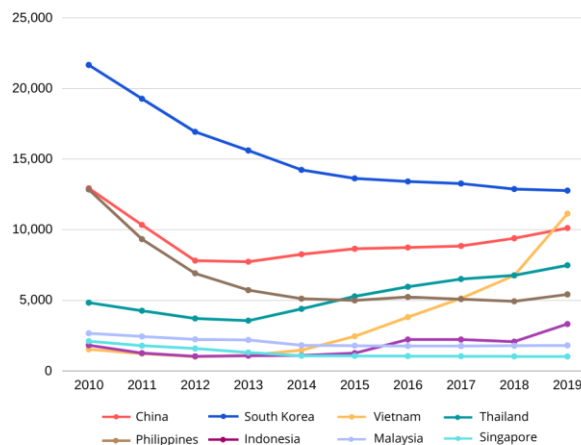


Figure 1. The Number of Illegal Immigrants in Japan Based on the Nationality

Source: Immigration White Paper, Japan Immigration Bureau, 2020

(The data is reprocessed by the researcher)

The data presented in the figure above shows that the number of immigrants who stay illegally in Japan, starting from 2010 to 2019 is dominated by the citizen of South Korea and China. Additionally, the figure also shows that other Asians, such as Vietnam, Thailand, Philippines, Indonesia, Malaysia, and Singapore are also contributing a large number, which is more than 1000 people in a year. The number of illegal immigrants in Japan who are come from South Korea, China, the Philippines, Malaysia, and Singapore is decreasing from year to year. On the other hand, the number of illegal immigrants in Vietnam, Thailand, and even Indonesia is increasing every year.

Japan Immigration Bureau points out that there is an existence of immigrants in Japan that belongs to the illegal category. These immigrants are trying to enter the country illegally through illegal landing, illegal immigration, unqualified activities (such as a foreign student whose visa is not permitted to do a part-time job unless it is applied to the Japanese Ministry of Justice for permission), law violation penalty (revocation of residence permit but still living in Japan), and an illegal worker. In 2019, the number of illegal workers who are staying in Japan reaches 12.816 people. Compared to the previous year, there are 10.086 illegal workers in 2018, and 9.134 illegal workers in 2017, it can be concluded that the number of illegal workers in 2019 has increased significantly.

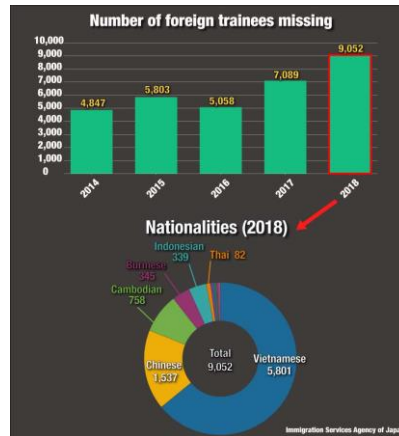


Figure 2. *The Number of Foreign Migrant Workers Missing in Japan*
Source: Japan Immigration Service Agent, 2018

1.2 The Migration of Indonesian Workers to Japan

Indonesia is a developing country in which the number of population increases every year. Based on the data reported by the Ministry of Internal Affairs of the Republic of Indonesia (Mutia, 2021), it shows that starting from December 2020, the population of Indonesia has reached 271.35 million people. Meanwhile, 70.72% of the total population are people of the productive age. Unfortunately, the jobs that are available every year do not even fulfil the accommodation for one million prospective workers. The Indonesian governor has often promised regarding this issue to provide more job opportunities and availabilities. But, in reality, it is yet being realized effectively. This concern becomes one of the factors that is successfully attracting Japan in recruiting young Indonesian workers to work there.

The relationship between Japan and Indonesia itself has lasted for sixty years based on the official official agreement made by both countries in 1958 (MOFA, 2000). The forms of collaboration between these countries are covering several fields, such as education, energy, trading, employment, and so forth. In the employment field, Japan has successfully recruited Indonesian workers to emigrate to their country since the 1990s (Nawawi, 2010).

1.3 Program Scheme of TITP and the Role of LPK

Commonly, the candidates of Indonesian migrant workers are distributed to work in Japan through an internship program that is concluded by Technical Internship Program (TIP) and Industrial Training Program (ITP) (Riskianingrum & Gusnelly, 2017). Nowadays, these programs are mostly known as Technical Intern Training Program (TITP). This program is held in Japan with the association of the International Manpower Development Organization Japan (IMM Japan) and several institutions of job training or usually called as Lembaga Pelatihan Kerja (LPK) in Indonesia. The programs might be labelled as “internship”, but actually the workers are sent to Japan is purposely to “work”. Usually, the purpose of an internship program is to develop skills, but the skill and the capability that is being learnt cannot be applied in Indonesia.

This research focuses on the discussion under the research’s question on how “disappearing” becomes a strategy for Indonesian migrant workers to avoid the violation of rights or to stay and work in Japan by using the migrant network. The discussion will focus on the factors that influence the Indonesian migrant workers to run away from their workplace and disappear. The theory of rational choice is used to observe the reason behind their action in choosing to run away as their way out. Hopefully, this research would be beneficial in the future as a consideration in fixing the system of distribution institutions to send Indonesian workers to Japan.

II. Review of Literature

2.1 The Migration Network

The international scale of human movement has brought some opinions for the experts to define the theory of international migration. The experts believe that migration theory is no longer seen as one discipline. Instead, it is multidiscipline. Therefore, the theory of migration itself is being classified into several types based on Massey and other experts.

The first model of Massey's that is used as a foundation for the writer to collect the data is the theory of The Perpetuation of International Movement. Massey (1993) stated that there are several reasons for someone to migrate. Whether it is for gaining individual income or fulfilling a request from the employer, especially for the workers with low income.

2.2 Rational Choice

A human being is naturally born with the ability to think. Through their logic, people can plan everything in their life such as searching for a job that they want and making a decision in life. Human's logic is a capital in which it is beneficial to do activities and adapt to the surrounding environment. Someone's preference in doing an action to achieve an individual goal becomes the assumption of the rational choice's theory. According to Ivancevich, Konopaske and Matteson (Busro in Edward, 2020) that performance shows the ability and skills of workers. Performance is a person's success in carrying out tasks, work results that can be achieved by a person or group of people in an organization in accordance with their respective authorities and responsibilities (Wulandari, 2021).

Coleman in Ritzer and Douglas' (2007) describes that usually, in making a decision, people do not care about others' opinions. This kind of action is performed individually to maximize personal satisfaction. Satisfaction happens when they can fulfil their needs and wishes. Normally, an individual will constantly use resources, relations, and also the network owned to achieve the goal. Despite the values of their action, the theory of rational choice relies more on the benefits that will be gotten after doing the chosen action.

III. Research Methods

According to Creswell (2014), a qualitative method that is used in the research is an effective strategy for the writer to explore and understand a phenomenon caused by some individuals or a group of people. The researcher plays an important role in qualitative research. Therefore, before doing the research, it is better to broaden the knowledge on the substantive elements of the theory itself.

The method that is used in this research is a case of study method which is focusing on the missing Indonesian migrant worker in Japan. A case of study is the common method that is usually used to analyze the social sciences. This method will focus on analyzing a specific case. As stated by Bryman (2012) a case study refers to research in which the discussion covers the intensive examination towards the setting, where the instrument consists of participant observation or an unstructured interview. Bryman claims that this method is really helpful to complete the research in detail.

Bryman confirms that sources gotten from the outside of the mass media gives the researcher a chance to get more sources and an easier way to access the information in detail (Bryman, 2012). The research report from the Japanese Immigration Agency and some information gotten from the media is used as primary and secondary data to mention the number of missing Indonesian workers in Japan.

IV. Discussion

4.1 The Factor of Illegal Network towards the Missing Indonesian Migrant Worker in Japan

The issues related to the migrant worker in Japan is not considered new. One of them is the illegal network formed by migrant workers. The illegal activity among the foreign workers in Japan is starting to draw attention to the Japanese Immigration Agency. It is because of the statistical data that shows the increasing number of 'missing' workers.

The data are taken from the Immigration Office of The Ministry of Justice display that the number of missing workers keep increasing since 2011. There are 1.534 missing workers in 2011, then 2.005 workers in 2012, and it reaches 3.556 missing workers in 2013 (Tomoko, 2016). Additionally, the number of missing workers from 2014 to 2019 are shown in Figure 3 below.

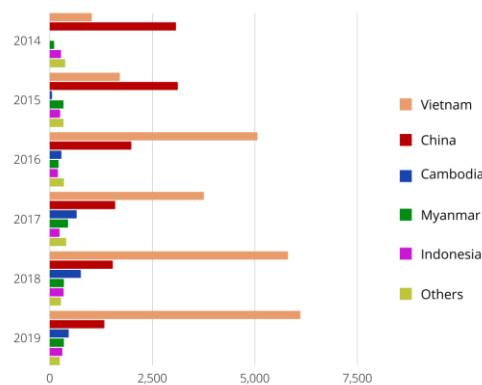


Figure 3. The Number of Foreign Migrant Workers that is Lost Contact Based on the Origin
Source: Immigration White Paper, Immigration Services Agency of Japan, 2020
(The data is reprocessed by the researcher)

The data above shows that most of the missing workers come from the Southeast Asia region, such as Vietnam, China, Cambodia, Myanmar, Indonesia, and so on. The Vietnamese workers have dominated the number of lost workers in Japan. Meanwhile, China is in second place. It can be seen from the table above that Indonesia is not in the first place in contributing the number of lost workers. But Indonesian missing workers are drawing serious attention to the governor and the Indonesian academics.

The foreign workers who are lost are the workers who have legal permission in their departure to Japan. After that, they decide to run away from the company they work for because of several factors. The disappear action performed by the migrant workers is not a spontaneous activity. This is their strategy that has been prepared carefully before the action is taken. While preparing the strategy, the foreign workers are being helped by the community or the experienced member in the network who have done and succeeded in the same action.

A network is formed by a group of people because there is an individual who believes in a community and the information. The reason behind the trust for each other is because of the close relationship that comes from the same race or origin, relatives' connection, a friendship, and also the common interest. With all of these elements, a network can broaden its influence on the new members.

4.2 Network and the Use of Technology

The development of technology has indirectly given contribution to making it easier for a network to distribute its information through several devices and media (especially social media). According to Castells (1989), a network cannot function on a big scale without media that is provided by the newest information technology. Whereas, a source of information is an important reference for the migrant in deciding to use an immigration link.

Similar to what happened in Japan that a network has become a source or root of the issues of the missing foreign workers who are mostly apprentices. This case is being confirmed on NHK Japan by Matsumura (2017) which informs that an illegal network is supporting the issues of the missing foreign workers in Japan. Besides that, according to the explanation said by the agent of internship employment in Japan, points out that the workers who are missing or run away before, have a connection with the certain parties who help them to escape. This condition describes that there is a medium or connector who has an important role to carry out the runaway action for the foreign workers.

Similar to the case that is raised by NHK. It tells that there is an Indonesian migrant worker named Supriyanto who is trying to escape and run away. In his interview after being arrested by the Immigration Office, he explains about the illegal network that helps him escape from the internship company where he works for. Previously, Supriyanto, as a defendant, said that an unofficial identity card is needed to run away. As can be seen in Figure 4, the process starts with Supriyanto who asks for help from his senior to make him an unofficial identity card. After that, the senior will send the request to a medium or connector who is producing unofficial identity cards. The connector itself is a Tionghoa citizen and the amount of money that should be paid is 80.000 yen.



Figure 4. The Requesting Process of an Unofficial Identity Card
Source: NHK Japan News, 2017

A medium in a network refers to Jancsics and Javor (2012), that someone who plays a role as an agent can recognize a gap inside the formal structure. The tasks that the agent has is not only connecting various people but also taking the role as a planner or implementer at the same time. Commonly, an agent has a deep understanding of all of the procedures that should be done, starting from the payment process to the needed documents which have to be collected. Besides, an agent in a network is also a ‘matchmaker’ who is helping in searching for a lower budget between the buyer (foreign migrant workers) and the seller (a person who is providing the illegal documents) to manage the documents that are needed.

Supriyanto’s case, which happened in 2017 was only one of many other cases of migrant workers that were connected to the illegal network. Another example of a case that is being revealed happens to Farid, an Indonesian migrant worker. In his interview in The Daily Jakarta Shimbun on January 2020, Farid stated that before he decided to run away from his former workplace, he was calling for his Indonesian friend to provide him with an illegal place to stay before running away from his apartment.

The case that is mentioned above is in line with Castles and Miller’s (2009) statement that the network of migrant workers is growing independently and controlling the continuity

of the network itself in Japan. Hence, this network will keep on broadening its wings and providing the facility for the migrant workers who are going to run away or escape their internship company. Castles and Miller also said that the governor will find it difficult to track the illegal activity performed by the network. It is because the action is done secretly so that there is no limited movement. Even though the illegal network itself is quite hard to be recognized, it is still possible for the governor to find out though it needs extra investigation to notice the illegal network's pattern.

4.3 The Motivation of the Missing Indonesian Migrant Workers from a Workplace in Japan

Generally, a foreign worker in Japan has already had legal permission to stay according to the contract agreement between the worker and the legal distribution agent. The length of time for a worker to stay is approximately one to five years. However, it is common for the interns to end the contract one-sided way before the actual agreed-upon date stated in the contract. This action is done without any confirmations given to the previous company. The reason is that the migrant workers are still want to stay in Japan, but their job does not meet the expectation that is imagined by the workers before their departure to Japan. These cases then become their motivation in taking the runaway action.

Meanwhile, there is often a dysfunction that happens in the practice of the TITP program. Three practices of TITP that become the main problem, which are the absence of freedom to change the job, a lot of debt and the forcing action to return it (Japan NGO Network, 2020). There is no flexibility for the interns of the TITP program to change the job, it results that they are being forced to accept the job for a period stated in the contract agreement no matter what the job is.

Second, it is mandatory for the TITP's interns to pay a high amount of money as a return to the agent of distribution. The fee is considered as debt that should be paid to cover the payment of the distribution agent during the documenting process, training, and the interns' transportation budget. The third is the arbitrary treatment done by the company towards the interns to send them back home. As discussed before, that between the migrant workers and the distribution agent have already agreed upon the length of time to stay. But, some of the companies in Japan are violating the interns' contract of agreement.

In this discussion, the researcher will bring back the example of one of the Indonesian interns' experiences, Farid, whose internship location is in the Kumamoto Prefecture. He confirms that the reason behind his runaway is that the company where he worked has forced him to go back home without an agreement and a clear reason (Ohno, 2020). Farid also complains that he and other Indonesian workers are being treated like 'slaves' and receiving discrimination.

The condition discussed above refers to the idea of White and Klein (2002) that naturally, a human is willing to do everything to get what is wanted despite all the risks that may happen. The most important point is to achieve the goal. In this example is Farid, the Indonesian migrant worker who decides to act based on his rational thinking to run away and get freed without considering the risks and the illegality.

The supervisory institution of the practice on Japan's training program does not even have an intention to take any action regarding punishing the company which has violated the law on the internship's implementation. It is because the supervisory institution itself is not only functional to resettlement the report but the institution also included behind the action, which is sending the migrant workers back to their country forcefully.

The first study about the salary for foreign workers in Japan is reported in the fiscal year of 2019. This study found that the approximate monthly income for the foreign workers is around 223.100 yen, while for the interns is around 156.9000 yen (Japan NGO Network,

2020). Previously, a survey related to the salary has been conducted by the opposition parliament’s members through a questionnaire distributed in 2018. The result shows that the interns in a Japan’s company are underpaid. The salary is less than 714 yen/ hour. The survey also shows that 67% of the interns are receiving a salary that is less than the amount stated in the employment contract agreement.

The police official website of Kagawa prefecture explains that the common reason for interns or trainees in Japan to “run away” is because of the high salary they earned and the feeling of reluctance to go back to their own country. Besides, there are also some specific statements such as “I want to have a job with a high income”, “I want to work in a better environment”, or “I don’t want to come back home because there is no place for me to work there” are the statements that can be found in the website in which recorded into the report of the missing workers (Belanger and Ueno, 2011).

A migrant worker, who is run away, unintentionally has changed the status from “foreign migrant worker” to “illegal immigrant”. According to the official police website of Hyogo prefecture, an illegal immigrant is defined as a foreign who keeps staying in Japan although the permission has already expired. In Figure 5, it can be seen that the number of illegal immigrants is decreasing from 2010 to 2014. But, after the year 2015, the number of illegal immigrants continued to increase until 2020.



Figure 5. The Number Change of the Legal Immigrants in Japan

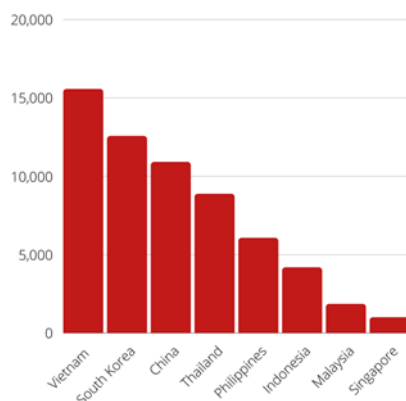


Figure 6. The Number of Illegal Immigrant in Japan Based on the Origin 2020
 Source: Immigration White Paper, Immigration Services Agency of Japan, 2020
 (The data is reprocessed by the researcher)

As can be seen in Figure 6, shows that the number of Indonesian illegal immigrants reaches 4.180 people. Half of them are the illegal workers with “overstay” status or those who surpass the period of stay permit that has been determined. Although it is only a small number compared to the other countries, it is enough to show that Indonesian trainees need more focused socialization. So that, they don’t perform an activity that violates the contract of agreement, despite the reason that they feel content to live in Japan rather than Indonesia.

4.4 The Impact for the Next Process in Sending Indonesian Migrant Worker to Japan

The runaway activity that changes the status of the migrant worker to “lost” is not only impacting the receiver country, which is Japan, but also Indonesia as the sender country. Both of these countries have agreed regarding the process of sending migrant workers. Therefore, if there is a violation done by the Indonesian interns, Japan is permitted to give the punishment. Moreover, Japan has the power to stop the Indonesian migration in sending the workers. This impact happens if the Indonesian workers keep on doing the illegal activities without any intention to stop, it is similar to a case that happens in 2009 that is caused by several factors (Aryo, 2009). One of them is the runaway problem of the Indonesian workers.

It can be seen through the institution which has the responsibility in handling the issues of the migrant workers. But, in reality, there is no proper coordination at all between one institution and the others. For the Indonesian migrant workers, there is BNP2TKI (Badan Perlindungan Pekerja Migran Indonesia) or the Indonesian Migrant Workers Protection Agency and JICWELS (Japan International Cooperation of Welfare Services) as a regulator and Shinsetsu which have the minim control towards the PMI (Iskandar, 2016). The minimum control itself causes the lack of information and also knowledge for the Indonesian migrant workers.

On the other hand, Japan International Training Cooperation Organization or JITCO has released a poster of petition which said “Stop Abscondence!” to respond to the runaway issue that is done by the internship workers. The poster by JITCO is published in the Japanese Language which then being translated into several languages which are English, Thai, Vietnamese, Indonesian Language, Cambodian Language, and many more. The petition itself functionates as a warning for the interns who intend to run away, that if they decide to run away, then they are no longer protected under the law of employment and will cause another problem for their family and the country of origin

Additionally, the poster by JITCO is believed that it has the hidden meaning that the act of escaping or runaway is indirectly a form of mocking action towards the Japanese Government and the Company which provides the opportunity to work. The second is that the migrant workers are not permitted to interrupt the stability of Japanese people’s life (Yoshida, 2020).



Figure 7. The Petition Poster of Anti-Abscondence by JITCO

Source: Japan International Trainee & Skilled Worker Cooperation Organization (JITCO)

Starting from the issue that has been discussed, in reality, Japan is lacking for the source of young people, so that whether it is wanted or not, the foreign migrant workers are always needed to fill the position in a company. Therefore, the solution to the concerns of illegal immigrants has never been solved successfully. If we take a closer look at the reality, actually after the interns run away and then decide to seek a new opportunity, it is also the side of Japan itself that gives them the approval to work in a certain company.

On the other side, as a country that is in charge of sending the workers abroad, Indonesia also has a special institution that covers the issue of employment, which is Badan Nasional Penempatan dan Perlindungan TKI (BNP2TKI) or The National Agency for the Placement and Protection of Indonesian Migrant Workers. As written in Law of the Republic of Indonesia No. 39 of 2004, Paragraph 94 Clause 2, the function of the National Agency is to guarantee and accelerate the realization of the placement of Indonesian workers and are obliged to protect Indonesian workers who are abroad (Saroinsong, 2008). Nowadays, BNP2TKI is known as BP2MI (Badan Perlindungan Pekerja Migran Indonesia) or Indonesian Migrant Worker Protection Agency. Nonetheless, the function of BP2MI itself is still not being maximised, and its effectiveness is often being questioned until nowadays by the observer of Indonesian migrant workers.

The effort of both Japan and Indonesia is yet fruitful in solving the issue of the runaway workers. It is because of the illegal network of the migrant workers itself that becomes the main obstacle. As stated by Castles and Miller (2009), that the network of migrant workers is able to form its own networking internationally. So that, it is hard for the Governor in observing all of their activities, especially for the activities that are considered illegal.

However, the illegal activity of runaway done by the migrant workers has no significant impact on the next process in transferring the Indonesian workers to Japan. It is because both Japan and Indonesia are in a condition of ‘need’, which means Japan needs a lot of low-paid workers, meanwhile Indonesia needs a place to accommodate its workers in order to reduce the unemployment rate. Therefore, to deal with the issue of the lost illegal workers, international communication is needed between Japan and Indonesia. In addition, an agreement between the two countries is also important in order to solve the problem and achieve the successful implementation of Japan’s Training Program.

V. Conclusion

From the discussion above, it can be concluded that the life of the Indonesian migrant workers in Japan is not far from different serious problems, it is included for those who are being transferred through a legal way. Instead, the interns are dealing with the various obstacles after them enter the global market with its strict regulation in order to survive in Japan. It is not only about fitting to the system and regulation as a worker, but also compromising with the different social life, including the culture, language, ethics, and the daily habit of the Japanese people.

The main factors behind the issue of the missing Indonesian migrant workers in Japan are, the condition that is totally different from their expectations, the pressure in the workplace, and the facility of the illegal network that is provided by the workers itself in order to do an illegal activity, which is a runaway. The illegal network is established because there is a feeling of sharing the same fate between the workers so that it is formed a feeling of trust in each individual because there is an emotional connection based on the same culture, the origin of country, and the interests. This illegal network is active because there is an agent who plays a role as a connector in order to provide a medium for them to run away without getting caught by the officer.

The motivations for the migrant workers in deciding to run away are: The first, is the actual condition that is different from their expectation so that the workers are not satisfied and decide to move to a better workplace. The second is the need for a higher income which provokes them to do the illegal action, with the principle; as long as the financial need is fulfilled, the risks and others' opinions are not that matter. The third is the high salary they earn in Japan which makes them feel fulfilled and profitable so that the workers are trying to maintain their career in Japan despite through illegal action of running away.

The case of missing Indonesian workers in Japan is considered a serious issue. However, it doesn't have a significant impact on the next process in transferring the Indonesian workers to Japan. The reason is that both of the countries which are Indonesia and Japan have their own concerns. However, it is still important for both countries to pay more attention to this issue so that the illegal network of foreign workers is no longer broadened.

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