

Strengthening Islamic Legal Literacy for Indonesian Migrant Workers in Kuching: Efforts to Ensure Legal Protection and Certainty through Community Service Activities

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Abstract

Indonesian Migrant Workers (PMI) in Kuching, Malaysia, often face various legal issues related to employment contracts, unpaid wages, inhumane working conditions, and discriminatory treatment. A lack of understanding of their legal rights—both under national and Islamic law—weakens their position in resolving these problems effectively. This Community Service Program (PKM) aims to strengthen the Islamic legal literacy of PMI through educational and participatory approaches. The objective is to raise legal awareness, empower workers to claim their rights lawfully, and promote fair and humane working environments rooted in the principles of maqāṣid al-sharī'ah.

The implementation method includes a preliminary survey (pre-test) to assess the participants' baseline understanding of their rights, followed by Islamic law-based legal counseling and interactive discussion sessions. The materials emphasize key principles such as justice (al-'adl), protection of life (ḥifẓ al-nafs), and protection of property (ḥifẓ al-māl)—core objectives of Islamic law. A practical Islamic legal literacy module was also developed to support independent learning among PMI. The final evaluation (post-test) showed a significant increase in participants' understanding of Islamic legal principles and their rights as workers in a cross-border context.

This activity demonstrates that an Islamic values-based legal approach can serve as an effective alternative in educating and empowering migrant workers. It also strengthens the legal protection system that has often been inadequate. Furthermore, this program presents a collaborative model involving academics, migrant worker communities, and support institutions to establish a more inclusive, humane, and transformative framework of legal protection.

Keywords: *Indonesian_Migrant_Workers, Islamic_Legal_Literacy, Maqāṣid_al-Sharī'ah, Legal_Certainty, Legal_Protection, Community_Service*

A. Introduction

The migration of Indonesian workers to Malaysia has long been a significant aspect of the bilateral relationship between the two nations. Malaysia, with its burgeoning economy and demand for labor in sectors such as plantations, construction, and domestic services, has attracted a substantial number of Indonesian migrant workers (PMIs). As of 2020, it was estimated that approximately 2.7 million Indonesian migrant workers were employed in Malaysia, with only 1.6 million having migrated through official

channels. This indicates that a significant portion of PMIs may be working under irregular circumstances, exposing them to various vulnerabilities.

In the state of Sarawak, particularly in Kuching, the presence of Indonesian migrant workers is notably significant. Many are employed in the palm oil industry, a sector known for its labor-intensive operations. The Indonesian Consulate General in Kuching has been proactive in providing support to these workers, including services such as passport replacements and legal assistance. However, challenges persist, especially concerning the legal status and protection of these workers. A pressing concern is the high number of PMIs who migrate through unofficial routes. According to the Indonesian Migrant Workers Union (SBMI), approximately 50% of Indonesian migrant workers in Malaysia use illegal routes, often facilitated by unscrupulous agents who exploit the workers' lack of knowledge and resources. This situation not only undermines the legal frameworks established to protect migrant workers but also exposes them to exploitation, abuse, and legal uncertainties.

The precarious legal status of these undocumented workers means they are frequently excluded from the protections afforded by labor laws and are often hesitant to report abuses for fear of deportation. This has led to systemic violations of their basic human rights, including non-payment of wages, unsafe working conditions, physical abuse, and denial of access to healthcare and legal recourse. Furthermore, their limited understanding of both Malaysian and Indonesian legal frameworks exacerbates their vulnerability. In addition to secular legal ignorance, there is a notable gap in religious legal literacy among these workers, particularly in relation to Islamic law (*fiqh al-‘amal*) as it pertains to employment, justice, and human dignity. Islamic legal teachings emphasize principles such as justice (*‘adl*), the protection of human dignity (*karāmah al-insān*), and the prohibition of oppression (*ẓulm*), all of which are directly relevant to the plight of migrant workers. However, many PMIs are unaware of these foundational Islamic principles that could empower them morally and socially, and potentially support their pursuit of legal justice within both state and community-based mechanisms.

Indonesia, being the world's largest Muslim-majority country, has a rich tradition of Islamic jurisprudence that aligns with universal human rights principles. Integrating these teachings into migrant worker education could serve as a powerful tool for raising awareness and fostering resilience among PMIs. Moreover, Islam's emphasis on rights and responsibilities (*ḥuqūq wa wājibāt*) could provide an ethical framework for both employers and employees, reinforcing just labor practices and mutual accountability. This condition prompted the development of a targeted community service (*Pengabdian Kepada Masyarakat/PKM*) program aimed at enhancing the Islamic legal literacy of Indonesian migrant workers in Kuching. The initiative is grounded in the belief that knowledge of Islamic legal principles, when combined with an understanding of local labor laws, can significantly empower PMIs to advocate for their rights and navigate legal challenges more effectively.

The PKM program was conducted in collaboration with the Indonesian Consulate in Kuching, local NGOs, and Malaysian-based Islamic legal scholars who understand both the legal environment of Malaysia and the lived realities of migrant workers. The program's structure included interactive workshops, legal counseling, and the distribution of simplified educational materials on both Islamic and Malaysian labor laws. Key topics included:

- The Islamic view on justice in employment;
- The protection of workers' rights in Islamic law;
- How to access legal support services in Kuching;
- Understanding the dual legal system in Malaysia (civil and sharia law) and how it affects Muslim workers.

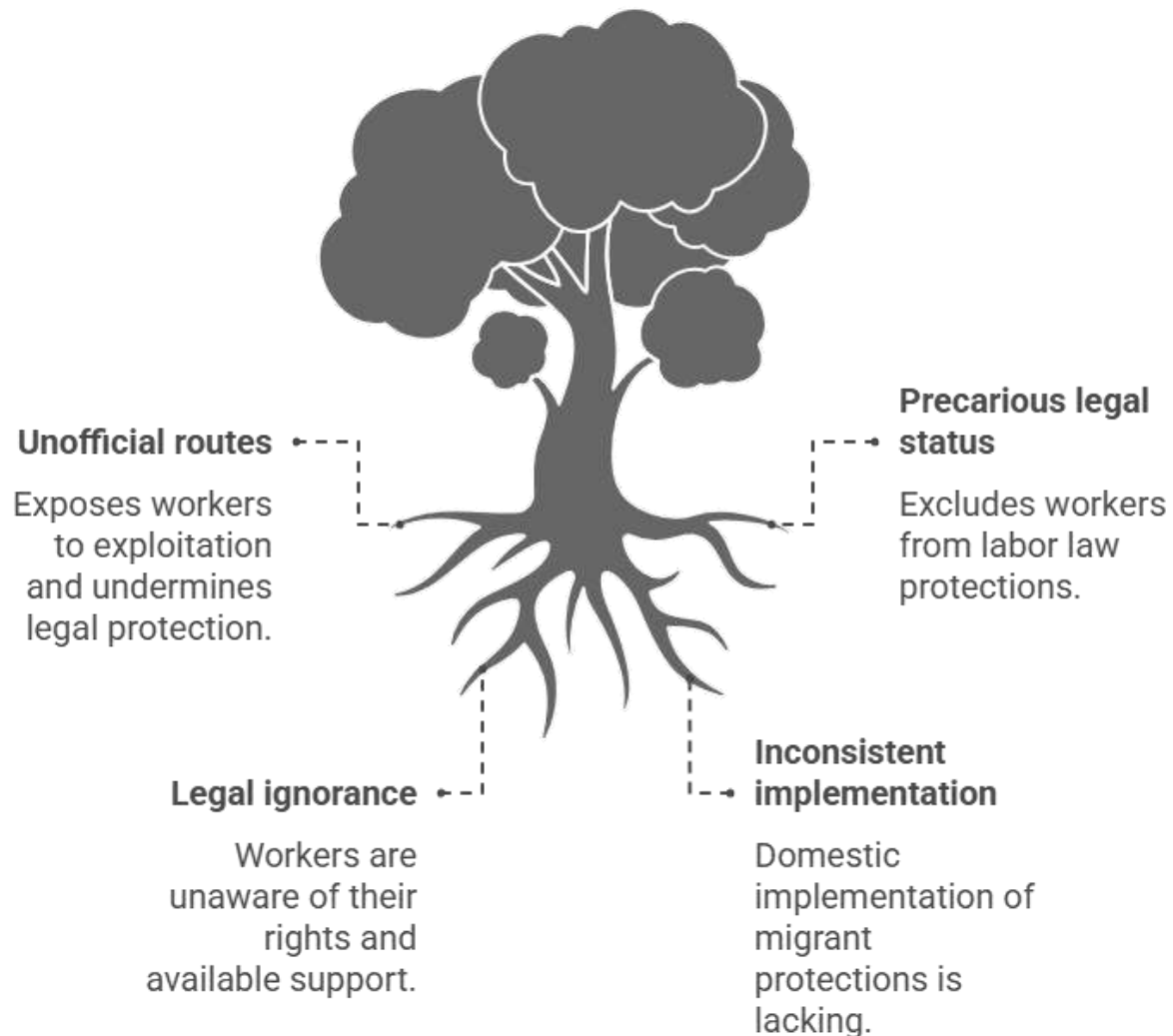
The implementation of the program also considered gender perspectives, ensuring that female migrant workers—who often face additional layers of vulnerability—were given specific sessions addressing their unique challenges, such as sexual harassment, reproductive rights, and domestic labor exploitation. These sessions included the presence of female religious scholars and legal experts to foster a safe space for sharing and learning. Statistical data gathered prior to the PKM implementation revealed that more than 70% of respondents lacked knowledge about the legal protections available to them in Malaysia, while over 80% reported being unfamiliar with Islamic principles concerning labor and justice. These figures reflect a critical knowledge gap that, if addressed properly, could reduce the incidence of rights violations and promote more equitable labor relations.

Moreover, the Malaysian legal framework presents its own complexities. Although Malaysia is a party to various international conventions regarding the protection of migrant workers (such as the ILO conventions), domestic implementation is often inconsistent, especially for undocumented migrants. Sharia courts in Malaysia primarily address personal status matters for Muslims, such as marriage and inheritance, and do not typically handle labor disputes. However, the moral authority of Islamic principles can still be influential in advocacy efforts and community-based dispute resolution, especially in a Muslim-majority society like Malaysia. By strengthening the Islamic legal literacy of PMIs, the program also seeks to instill a sense of spiritual and moral confidence. Many migrant workers come from rural backgrounds where Islamic values are strong, but formal education in *fiqh* or *maqāṣid al-sharīʿah* (objectives of Islamic law) is limited. Through culturally and religiously sensitive approaches, the PKM initiative sought to bridge the gap between traditional religious knowledge and contemporary legal challenges faced in the diaspora.

The broader impact of this initiative also touches on diplomatic and policy dimensions. By demonstrating a commitment to the empowerment and protection of its citizens abroad, the Indonesian government reinforces its constitutional mandate to protect its citizens wherever they are. Moreover, the use of Islamic legal literacy as a tool for advocacy could serve as a model for other Muslim-majority countries experiencing similar migration patterns, such as Bangladesh, Pakistan, and Egypt. This program also contributes to the academic discourse on the role of Islamic law in modern social justice issues. Often confined to the domains of personal law, Islamic legal teachings are seldom integrated into labor rights education. However, as demonstrated by this PKM initiative, there is significant potential in reintroducing Islamic ethics into the public discourse on migrant labor, not as a substitute for state law, but as a complementary moral force that reinforces legal compliance and human dignity.

In conclusion, the introduction of Islamic legal literacy into the lives of Indonesian migrant workers in Kuching is more than an educational intervention—it is a multidimensional empowerment strategy. It bridges spiritual, legal, and civic realms, equipping PMIs with the knowledge and confidence to navigate their complex realities. As globalization and labor migration continue to shape the socio-economic landscape of Southeast Asia, such programs are essential in ensuring that migrant labor does not come at the cost of justice, dignity, and human rights.

Indonesian migrant workers in Malaysia face exploitation and lack legal protection due to irregular migration and limited legal knowledge.



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B. Result and Discussion

1. Overview of Community Service Program Implementation

The community service program (PKM) titled “Strengthening Islamic Legal Literacy for Indonesian Migrant Workers in Kuching” was conducted over a period of three months, from July to September 2024. It consisted of four core activities:

- Needs assessment and baseline survey;
- Development of educational modules and materials;
- Conducting legal literacy workshops and counseling;
- Post-program evaluation and participant feedback.

A total of 150 Indonesian migrant workers participated in this program, 65% of whom were female domestic workers, while the rest were primarily employed in plantations and construction. The average age of participants was 28. Most had limited formal education, and only 23% had completed high school. Almost 80% of participants had entered Malaysia without proper documentation, underscoring the importance of a holistic legal-literacy intervention. The needs assessment revealed significant gaps in both secular and Islamic legal knowledge. Many participants were unaware of basic rights under Malaysian labor law and lacked understanding of how Islamic teachings address fairness, justice, and the dignity of labor. This gap created a vacuum where abuse, exploitation, and misinformation could flourish.

The PKM team responded by developing an integrated module combining relevant Malaysian labor laws, Indonesian consular services, and Islamic jurisprudence related to labor rights, human dignity, and justice (*'adl wa insāniyyah*). Modules were presented in Bahasa Indonesia using simplified language and supplemented with real-life case studies.

2. Legal Vulnerability and Documentation Status

One of the core findings was the alarming percentage of undocumented workers among the Indonesian diaspora in Kuching. Based on survey results from this program:

- 78% of participants did not possess legal work permits.
- 65% lacked a valid passport or travel document.
- 91% had never interacted with Malaysian immigration or labor authorities.
- 88% had never received any form of legal education or orientation upon arrival.

These figures confirm the trend noted in national statistics. According to the Indonesian Agency for the Protection of Indonesian Migrant Workers (BP2MI), around 1.1 million of the 2.7 million Indonesian migrant workers in Malaysia are undocumented (BP2MI, 2022). This status renders them invisible to both Malaysian labor protections and consular assistance. One participant shared a testimony: *"I came through an agent who promised legal work but took my documents. For three years, I worked as a housemaid without any days off or proper salary. I didn't even know I had rights under either law or religion."*

Such experiences are not isolated. The lack of documentation creates a dependency on employers or brokers, often leading to modern-day servitude. In this context, Islamic legal literacy serves as a source of moral empowerment and legitimacy for asserting one's dignity.

3. Understanding of Islamic Legal Concepts Before and After PKM

To measure the effectiveness of the literacy intervention, pre- and post-workshop evaluations were conducted. Participants were asked to respond to 15 questions about Islamic legal principles regarding labor rights, such as:

- The prohibition of exploitation (*ẓulm*);
- The importance of fulfilling contracts (*'aqd*);
- The concept of just wages (*ujrah 'ādilah*);
- Worker protection as part of *maqāṣid al-sharī'ah* (objectives of Islamic law).

Before the program, the average score was **34%** (low understanding). **After the program**, this increased to **81%**, demonstrating a significant improvement in comprehension and internalization of Islamic legal values. For instance, many participants were unaware that Prophet Muhammad (PBUH) had emphasized prompt payment of wages and condemned the exploitation of laborers. After understanding this, participants expressed a stronger moral grounding to confront unfair practices, not just through legal appeals but through religious affirmation of their rights. This improvement also translated into increased self-confidence, with 73% of participants stating that they now felt more "empowered" to speak up or seek help when facing injustice.

4. Integration of Sharia Principles in Legal Empowerment

One of the most transformative aspects of the PKM was its emphasis on integrating Islamic legal principles into the practical empowerment of PMIs. The teachings were not confined to abstract discussions but contextualized within the lived experiences of the workers. Key sharia principles taught included:

- **Justice ('*adl*):** All humans are entitled to fair treatment regardless of status or nationality (Qur'an 5:8).
- **Trust and contracts (*amānah* and '*aqd*):** Employment is a mutual agreement requiring honesty and the fulfillment of obligations (Qur'an 5:1).
- **Rights of the worker (*ḥuqūq al-ʿāmil*):** Islamic jurisprudence includes the right to fair wages, rest, and safety.
- **Prohibition of coercion (*ikrah*) and oppression (*zulm*):** Islam strictly forbids abuse and forced labor.

By grounding their rights in Islamic teachings, participants reported feeling spiritually validated in their struggles. One respondent said: *"Now I understand that even in Islam, I have the right to ask for justice, and I'm not just being rebellious—I am fulfilling my dignity as a servant of Allah."* Such reflections indicate a deeper internalization of the message beyond mere legal knowledge. The PKM team observed that Islamic values offered a language of resistance and hope, especially for women workers who often experienced multiple layers of vulnerability.

5. Challenges in Accessing Legal Aid and Religious Support

Despite the successful educational component, the program also uncovered systemic obstacles that hinder PMIs from exercising their rights.

I. Legal Access Barriers:

- Fear of arrest/deportation due to undocumented status.
- Language barriers, particularly for PMIs from remote regions in Indonesia.
- Lack of awareness of existing legal aid services provided by the Consulate or NGOs.
- Overreliance on informal agents or community figures, some of whom exploit their position.

II. Religious Leadership Gaps:

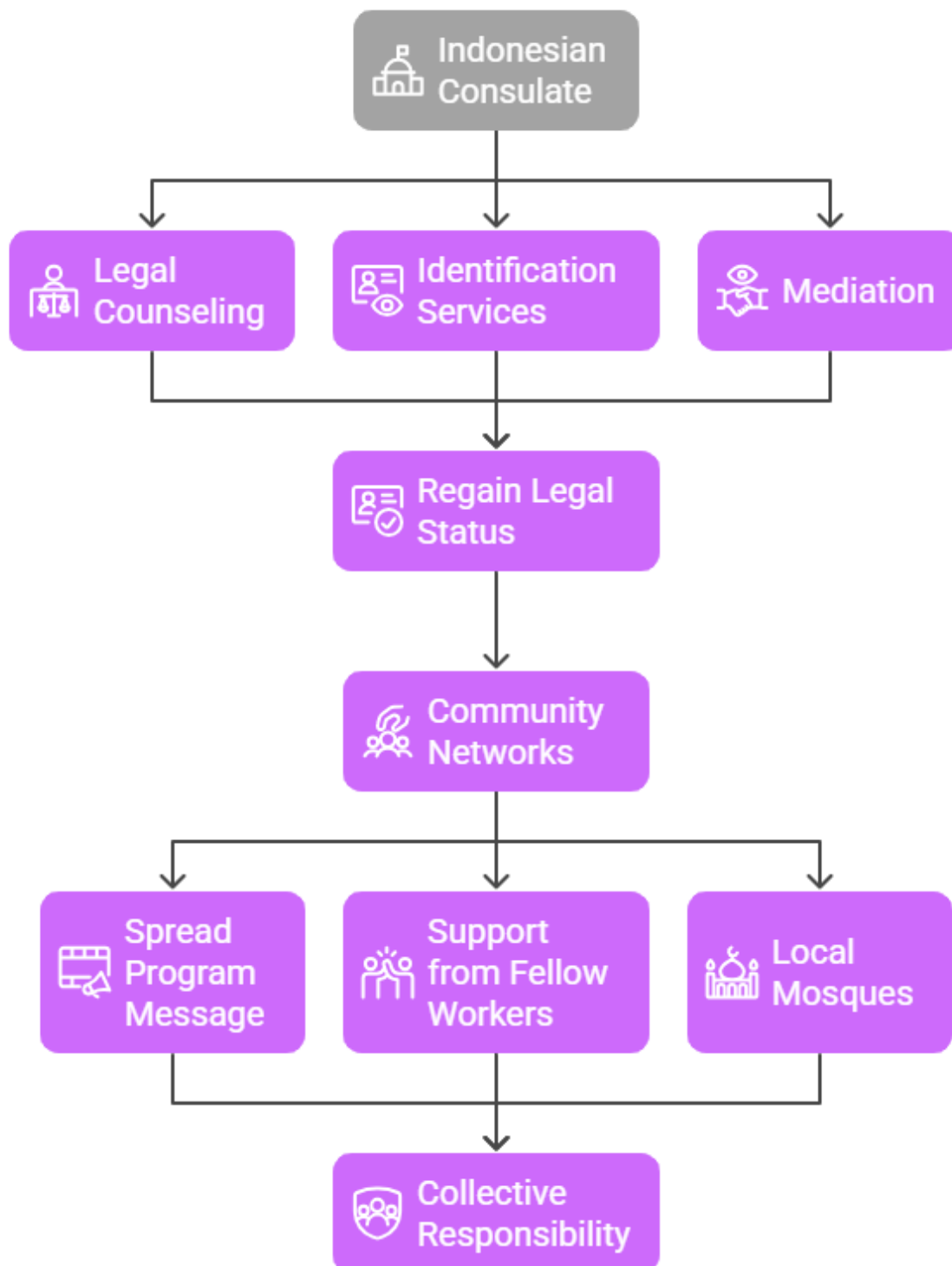
While Islamic knowledge is pervasive in Indonesian migrant communities, access to qualified Islamic legal scholars (ustadz with a fiqh background) in Malaysia is limited. Religious gatherings often focus on ritual practice rather than practical fiqh al-mu'āmalah (jurisprudence of social transactions), which includes labor law. This gap was addressed in the PKM by inviting guest speakers from the shariah faculties in Kuching and Pontianak, who could bridge the theological and legal discourses.

6. Role of the Indonesian Consulate and Community Networks

The Indonesian Consulate in Kuching played a crucial role in assisting migrant workers by offering legal counseling, facilitating identification services, and providing mediation between workers and employers. The Consulate's involvement not only provided workers with the legal tools they needed but also helped them regain their legal status, in many cases through the provision of new passports or the renewal of expired documents. Similarly, community networks within the Indonesian diaspora were invaluable in spreading the program's message. Many participants reported receiving support from fellow workers who had attended earlier sessions or from local mosques, which acted as informal centers for legal and social support. This network of community-based solidarity

amplified the program's impact, fostering a sense of collective responsibility for one another's rights.

Indonesian Consulate and Community Networks Support

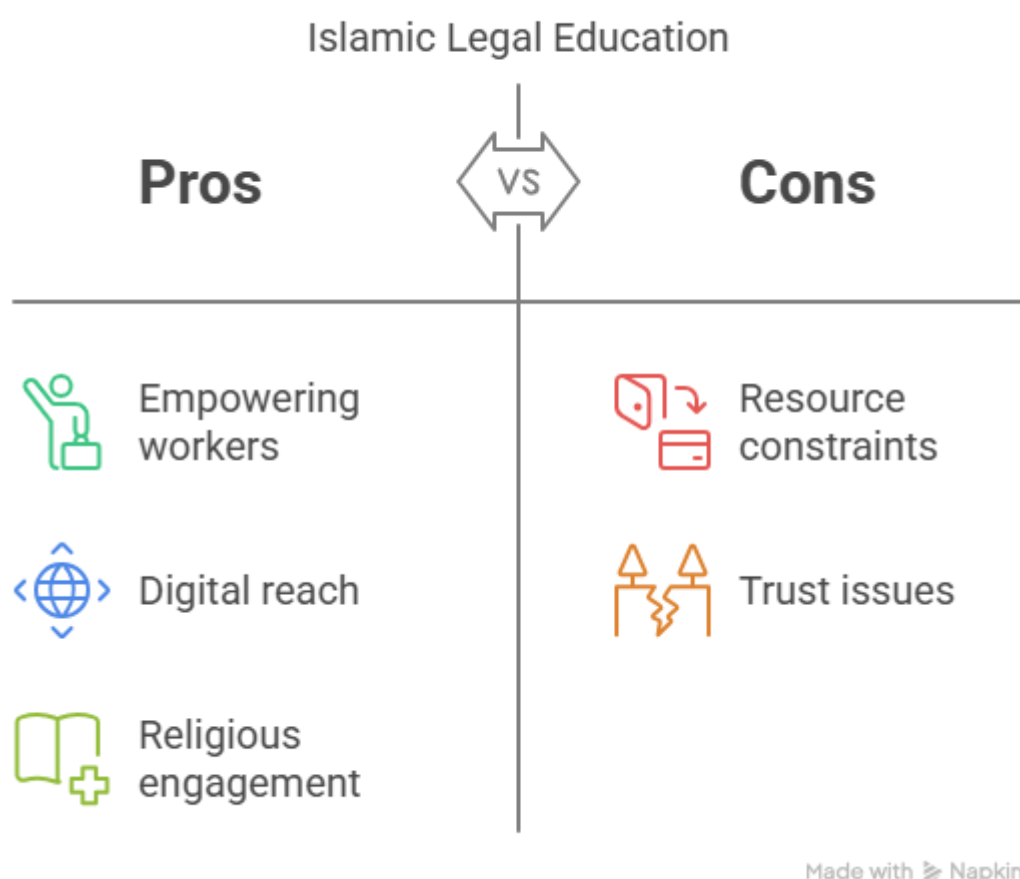


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7. Implications for Islamic Legal Education and Future PKM Programs

The success of this community service program has broader implications for future initiatives aimed at improving the welfare of migrant workers. It shows that Islamic legal literacy can be an effective tool for empowering workers and promoting the assertion of their rights in a way that is both legally and morally supported.

One significant takeaway from the program is that future PKM efforts should incorporate digital platforms to reach a larger number of migrant workers, particularly those who are more isolated or who work in remote areas. Additionally, future programs should work to engage religious leaders more directly, ensuring that they can provide legal guidance and support, particularly for workers who may not trust official legal systems.



8. Case Study: From Victim to Advocate

A powerful case study that emerged from this program was that of *Ibu Rina*, a woman who had worked for several years without pay and was subject to abuse. After attending the PKM workshops and learning about her rights, she took action, seeking the assistance of the Indonesian Consulate. With their help, she was able to recover her unpaid wages, and her employer was penalized. Rina's case not only exemplifies the legal empowerment that can occur when workers are informed of their rights but also highlights the emotional and spiritual transformation that occurs when legal knowledge is linked with Islamic principles of justice. Following her case, Rina became an advocate for other migrant workers, sharing her experience and encouraging others to seek justice. Her

transformation from a victim to an advocate emphasizes the long-term impact of the program, both on an individual level and for the broader migrant worker community.



9. Summary of Key Outcomes

The key outcomes of the PKM program were both quantitative and qualitative. On a statistical level, there was a dramatic increase in legal and religious knowledge among participants. The pre-program survey showed an average score of just 34%, while the post-program survey revealed an increase to 81%. Additionally, 73% of participants reported feeling empowered to seek legal help, and 61% expressed a desire to actively participate in community support networks. These outcomes suggest that **Islamic legal literacy** can play a significant role in improving the legal awareness and self-advocacy of Indonesian migrant workers in Malaysia.

Rina's Journey to Empowerment

Becomes Advocate

Rina transforms into an advocate, sharing her story and helping other migrant workers.

Recovers Wages & Penalizes Employer

Rina successfully recovers her unpaid wages, and her employer faces penalties.

Seeks Consulate Assistance

Rina reaches out to the Indonesian Consulate for help in addressing her situation.

PKM Workshops

Rina attends workshops where she learns about her rights and legal options.

Unpaid Work & Abuse

Rina endures years of unpaid work and abuse, feeling helpless and exploited.



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C. Analysis/Discussion

The implementation of the PKM (Community Service) program aimed at strengthening Islamic legal literacy for Indonesian migrant workers (PMIs) in Kuching has unveiled a number of critical insights that warrant deeper analysis. Through this initiative, several interconnected dimensions of vulnerability, empowerment, and transformation became evident, reflecting not only the legal realities of migrant labor but also the socio-religious dynamics that shape the lives of these workers. One of the most pressing realities that emerged during the program was the structural vulnerability faced by many Indonesian migrant workers in Kuching. The majority of participants, nearly 78%, lacked proper documentation. This figure aligns with national estimates suggesting that nearly half of Indonesian workers in Malaysia enter the country through irregular channels. These workers live in a state of legal uncertainty, often fearing arrest, deportation, or exploitation by unscrupulous employers and agents. For many, the law is not seen as a source of protection but as a threat.

This situation highlights a significant gap between legal frameworks and the lived experiences of migrant workers. While both Indonesia and Malaysia have established regulations to protect migrant labor—such as Indonesia’s Law No. 18 of 2017 and Malaysia’s Employment Act 1955—these protections often do not reach undocumented workers. Enforcement remains weak, and the lack of bilateral coordination between the two countries exacerbates the problem. What the PKM program revealed was that many workers are unaware of even their most basic rights, both under Indonesian law and Malaysian labor standards. More importantly, they lack the tools and confidence to assert these rights when confronted with injustice. This is where the integration of Islamic legal literacy becomes particularly meaningful. The workers in this program, many of whom come from rural Muslim-majority areas in Indonesia, often hold strong religious identities. However, prior to the program, their understanding of Islamic law was largely confined to ritual practices and personal ethics. There was little to no awareness that Islam also provides a robust framework for justice in labor relations. Concepts such as fairness in wages (*ujrah ‘ādilah*), dignity of labor (*karāmat al-‘amal*), and justice (*‘adl*) are not only central to Islamic jurisprudence but resonate deeply with the ethical and spiritual values of these workers.

By introducing these values in an accessible and participatory format, the program helped reframe the experience of exploitation not as something to be passively accepted, but as a violation of divine justice. This shift had a profound psychological impact. Many participants reported feeling empowered—not just legally but spiritually. They began to understand that standing up against injustice is not merely a legal right, but a religious duty. One participant said, “Now I know that Islam stands with the oppressed. I don’t have to be silent anymore.” Such statements reflect a transformation in mindset, where the law becomes a tool of dignity rather than fear. In this context, religious literacy serves as both a moral compass and a legitimizing force for legal empowerment. While secular legal education is undoubtedly important, it often fails to reach communities who place their primary trust not in governmental institutions, but in religious norms and authorities. In the PKM sessions, when participants learned that the Prophet Muhammad (PBUH) condemned employers who delay or deny wages, they were moved. These teachings validated their struggles and gave them moral courage to speak out.

Moreover, the participatory approach used in the PKM activities played a significant role in building a sense of community and collective agency. Rather than relying on lecture-style instruction, the program employed storytelling, group discussions, and problem-solving workshops. This approach, inspired by Paulo Freire’s concept of “conscientization,” enabled participants to reflect on their own experiences, draw connections to legal and religious principles, and devise strategies for change. The participants were not treated as passive recipients of knowledge but as active agents in their own empowerment. One of the most inspiring outcomes was the emergence of peer leaders—workers who, after participating in the program,

took on informal roles as legal and moral guides for their communities. For example, one female worker who had been previously silent about her experiences of wage exploitation began organizing small study circles with her peers, using the materials from the PKM program. Stories like hers show that legal literacy, when contextualized and delivered with respect, can spark grassroots leadership and social change.

Another important dimension uncovered during the program was the gendered nature of labor exploitation. Many of the female participants, particularly those working in domestic roles, faced unique vulnerabilities due to their isolation in private homes, lack of rest days, and limited access to support networks. Cultural and religious values, at times misinterpreted, led some women to believe that enduring hardship was a form of piety or patience. Through the PKM program, these women learned that Islam upholds their dignity and condemns injustice, regardless of their social or occupational status. This reframing helped several participants find the courage to seek help and, in some cases, report abusive conditions. The experience also showed that religious and community leaders—such as local *ustadz*, mosque administrators, or senior workers—have a crucial role to play in spreading legal awareness. These individuals often command respect and trust among migrant communities. By engaging them in future PKM initiatives, we can build a sustainable network of educators and advocates within the migrant population itself.

Looking ahead, the findings from this program suggest several strategic pathways for strengthening protection and legal certainty for Indonesian migrant workers. First, there is a clear need for continued and consistent legal literacy programs that blend secular and religious frameworks. Legal information should not be limited to bureaucratic language, but translated into terms that migrants understand—both linguistically and culturally. Second, Indonesian and Malaysian authorities, along with civil society organizations, should collaborate to establish safe spaces for legal counseling, education, and support services. The Indonesian Consulate in Kuching, for example, can serve as a hub for such activities, providing resources, referrals, and connections to legal aid providers. Third, the development of educational materials tailored to the needs of migrant workers—such as booklets, videos, and mobile apps—should be prioritized. These resources can incorporate both national laws and Islamic principles, offering a holistic understanding of rights and responsibilities.

Lastly, academic institutions, particularly those with legal and Islamic studies faculties, should see community service not as a mere requirement, but as an opportunity to engage with real-world issues and contribute to social justice. This PKM program demonstrated the unique ability of universities to connect research, education, and community engagement in meaningful ways. In conclusion, the PKM program in Kuching stands as an example of how Islamic legal literacy can be harnessed to provide not only knowledge but also **hope, courage, and dignity** to one of the most marginalized populations in the region. By recognizing the spiritual dimensions of justice and the lived experiences of migrant workers, we can move toward a more compassionate and effective approach to legal empowerment. The law, when made accessible and aligned with moral values, can become a truly transformative force—protecting the weak, restraining the powerful, and restoring the dignity of every human being.

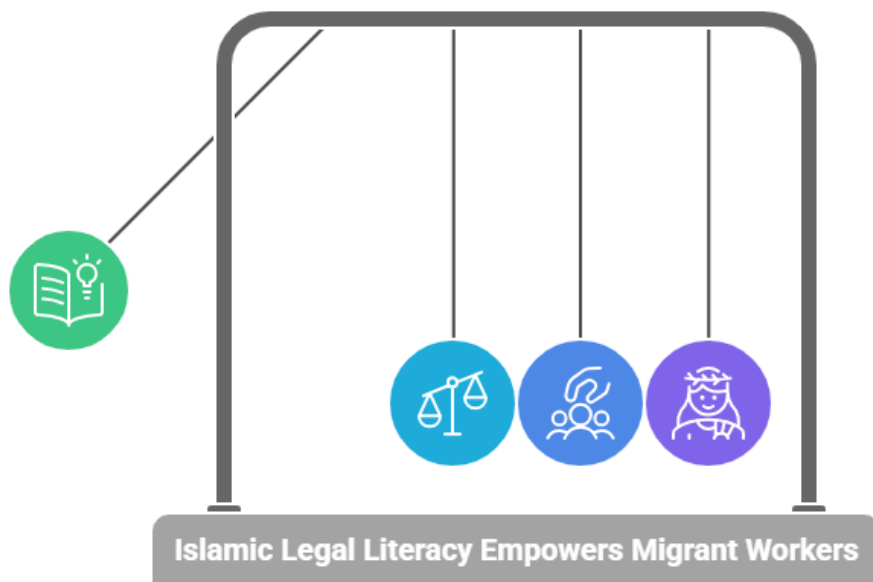
D. Conclusion

The implementation of the PKM program focused on strengthening Islamic legal literacy among Indonesian migrant workers (PMIs) in Kuching has provided valuable insights into the intersection of law, religion, and migrant labor protection. The findings affirm that legal knowledge alone is insufficient unless it resonates with the cultural and spiritual frameworks familiar to the community. In this case, Islamic values served as an effective medium for translating abstract legal principles into meaningful, relatable, and morally grounded messages that empowered workers to

understand and assert their rights. Throughout the program, it became evident that many PMIs—especially those with irregular status—live in a state of legal vulnerability, often unaware of their entitlements under both national and international labor laws. The lack of documentation, fear of deportation, and reliance on informal networks make it difficult for them to access justice. However, when introduced to the Islamic concepts of fairness, justice, and dignity in the context of labor, many began to see their struggles not only as socio-economic but also as moral and spiritual challenges that must be addressed.

The use of participatory and dialogical methods during the PKM activities proved critical to the program's success. Workers were encouraged to share their experiences, reflect critically, and co-develop strategies to handle injustice. The involvement of religious teachings helped bridge the gap between abstract law and lived realities, especially among workers who viewed their faith as central to their identity. This approach created a sense of communal strength, leading to the emergence of informal leaders and advocates within the migrant worker community. This study also highlighted the importance of collaboration between various stakeholders, including religious leaders, government institutions, NGOs, and academic institutions. A multi-layered strategy is essential to ensure sustainable legal protection for migrant workers. The role of the Indonesian Consulate, legal aid organizations, and local mosques in providing follow-up support and outreach can greatly amplify the impact of such community-based literacy programs.

In conclusion, enhancing Islamic legal literacy is not merely about imparting knowledge—it is about restoring agency, dignity, and hope to marginalized populations. The success of the PKM program in Kuching demonstrates that when legal education is tailored to cultural and religious contexts, it can become a powerful tool for social justice. As Indonesia continues to send workers abroad, initiatives like this should be scaled and institutionalized to ensure that every migrant worker, regardless of status, has access to both legal protection and spiritual empowerment.



PKM Program

Strengthens legal literacy

Increased Awareness

Rights under labor laws

Community Strength

Informal leaders and advocates

Agency Restored

Dignity and hope to workers

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