



# WORKERS MOVEMENTS AND STRIKES IN THE 21ST CENTURY

*A GLOBAL PERSPECTIVE*



*EDITED BY JÖRG NOWAK, MADHUMITA DUTTA AND PETER BIRKE*

# Workers' Movements and Strikes in the Twenty-First Century

## A Global Perspective

Edited by Jörg Nowak, Madhumita  
Dutta and Peter Birke

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## Chapter 1

# Labour Strikes in Post-Authoritarian Indonesia, 1998–2013

Fahmi Panimbang and Abu Mufakhir

This chapter<sup>1</sup> discusses labour strikes in post-authoritarian Indonesia between 1998 and 2013, including the occurrence of general strikes in 2012 and 2013. Recovering from dictatorship since *Reformasi*<sup>2</sup> in 1998, the labour movement has increased its capacity for protest mobilization. It shows that workers and labour unions are capable of articulating their political aspirations with a combination of various strategies of legal and non-legal activities (direct actions, street politics). It argues that the coalitions of labour unions from different federations at the grassroots level and their increased capacity to mobilize workers have played a major role in successful strikes. Nonetheless, the state and the capital have also consolidated their power to enact counter-measures against labour.

### LEGACIES OF THE AUTHORITARIAN ERA

Although Indonesian workers and labour unions are recovering from the dictatorship of the Suharto regime (1967–1998), its legacies remain to form the context in which they exist today. Labour unions face a number of impediments in their mobilization, including organizational fragmentation and the decimation of the Left. The corporatist system that was formulated by the regime in 1974 to create harmonious industrial relations has profoundly shaped labour relations until today.

During the Suharto era, a formerly vibrant labour movement was violently curtailed and the Left decimated with the massacre of hundreds of thousands of communists in 1965–1966. The regime banned leftist unions, which had played a significant role in independence movements and the dismantling of

colonialism. In 1973, the regime brought together the moderate and conservative unions under the umbrella of the Federasi Buruh Seluruh Indonesia/All Indonesia Labour Federation as a single trade union federation. It changed its name in 1985 to Serikat Pekerja Seluruh Indonesia/All Indonesia Workers Union (SPSI). This solely recognized trade union federation was heavily manipulated by the regime and served to control workers rather than to promote their rights.

Repressive labour policies were reflected in regulations that allowed military intervention in labour disputes, which resulted in severe suppression. Grievances were strictly regulated in the industrial dispute system, virtually allowing authorities and the military to suppress any resistance. Nonetheless, the regime never succeeded in completely eliminating independent labour organizing. Non-governmental organization (NGO) activists, student-sponsored workers' groups and self-styled 'alternative unions' extended their support for labour organizing in the 1980s and since, despite running the risk of being labelled communists and falling foul of the regime. In the early 1990s, spontaneous industrial actions increased in industrial areas around Jakarta. An unprecedented massive workers' strike at the tyre factory PT Gajah Tunggal in Tangerang, West Java, occurred in 1991 and subsequently spread to other industrial estates in Surabaya, East Java and Medan in North Sumatra. This was followed by the detention, kidnapping and murder of workers and activists who played a major role in the strikes (Kammen 1997).

The Suharto regime controlled and sought to depoliticize workers by fostering a corporatist industrial relations system that prevented non-workers or outsiders – including NGOs, academics, social activists and intellectuals – from promoting workers' rights and organizing them (Ford 2009). This has left an authoritarian legacy for labour relations today: workers are still largely not unionized, and SPSI, the former state-controlled union that is essentially unchanged, remains dominant and has the largest number of members. Workers were ill-placed to benefit from the drastic changes in Indonesia's political and social landscape after the downfall of Suharto (Hadiz 2004). Organized labour entered the immediate post-authoritarian period with little political power. International pressure, rather than domestic labour activism, was the key factor in forcing Suharto's successor, B. J. Habibie, to fundamentally change the industrial relations system: the adoption of basic rights, including freedom of association. Ironically, at the same time, the new administration embraced market-oriented and flexible labour policies. This double transition of Indonesia towards a free market economy and (neo)liberal democracy occurred under the pressure of the International Monetary Fund and World Bank during the Asian financial crisis in 1997 which forced the country to adopt austerity measures and structural adjustment programmes.

Some of the features of industrial relations in Indonesia's post-dictatorship phase are that they are liberal, flexible and decentralized (see also Tjandraningsih 2011). A flexible labour market policy was implemented to create a 'friendlier' pro-business environment. Since the enactment of Law No. 13/2003 that legalized contract work and put labour outsourcing practices into effect, employers turned their workers into more casual, contract; hence a more precarious workforce.

Since 2003, it has been the norm for companies to have three groups of workers – permanent, contract and outsourced (agency) workers. They are different in employment status and consequently in receiving wages and benefits, despite doing the same job. An outsourced worker does not get hired directly, but through an employment agency. The worker remains the employee of the employment agency and is temporarily contracted to work at a factory. Thus the factory is neither responsible for the worker's social security payments nor responsible for providing medical insurance, paid holidays, paid sick leave or any other benefits provided to regular workers as required by law. And importantly, in practice, the employment agency that contracted out this worker does not provide him or her with any of those benefits either.

A contract worker, one level 'better' than an outsourced one, is one hired by the company but unlike the permanent/regular worker does not get any benefits – he just gets little higher wages than the outsourced worker and is directly hired. Therefore, outsourced workers are paid less than contract workers, who in turn are paid less than the permanent ones, who receive minimum wages and several benefits such as transport allowances and annual bonus. The practice of using a large number of outsourced workers, contract workers and recent graduates (e.g. apprentices and trainees) as full-time workers who are usually paid less than the minimum wage puts tremendous downward pressure on the wages of all workers.

Numerous sources indicate that the typical composition of labour in a company is as follows: 20 per cent permanent, 30 per cent contract and 50 per cent outsourced (agency) workers. A study has shown the drastic increase of contract and agency workers in many companies. Even those with permanent employment status were transformed into contract workers by the management in order to cut labour costs (Tjandraningsih 2011). Such contractualization happened even before the enactment of Law No. 13/2003, but the law legalized the practice.

## **LABOUR STRIKES SINCE 1998**

Freedom of association was easily gained after Suharto was overthrown in May 1998. The adoption of this basic right provided a space for workers to



express their aspirations freely. Workers' demonstrations and strikes began to occur massively. Initially, workers were only able to demand a meagre increase in allowance since demanding a wage increase was still too difficult. For instance, in February 1999, more than 5,000 workers of PT Maspiion, a joint venture of South Korea's Samsung in Surabaya, East Java, went on strike for several days, demanding a small amount of allowance increase for food and transportation (for more details, see Appendix 1.1 at the end of this chapter). Despite that, authorities were still blatantly repressive in dealing with the striking workers (*Detikcom* 17 February 1999).

Later, workers became more aware that they were free to organize and that this was guaranteed by law. Many new unions were established, and several others spilt off from SPSI, the conservative union. Workers started to protest not only in front of factory gates but increasingly expanded to places they saw as power centres, including government buildings and parliament (table 1.1). Moreover, several unions have been able to develop new strategies against the employers. Since 2009, with a combination of legal knowledge and skills, they have successfully brought a company's general manager to criminal prosecution and eventually to jail for dismissing union leaders due to their labour activities (Tjandra 2010). In later years, they were also able to put several employers to jail for not paying minimum wages (Taufik 2013; *DetikNews* 24 April 2013) (see the last section of this chapter for a case in point).

As regulations are not favourable and a hindrance to workers, workers also began to abrogate formal and legal mechanisms for strikes that require unions to report to the police several days earlier. Workers often took direct actions such as toll road blockades and factory raids, and even occupied an entire industrial area. One such occupation in the industrial heartland of Bekasi, West Java, in 2012, caused a total collapse of an industrial estate. These widespread industrial actions have involved thousands of young working women and men, mostly between the ages of nineteen and twenty-five.

Although the demands during protests are varied and workers have gradually been able to make gains beyond basic rights, most of the grievances concerned basic rights such as claims for unpaid wages, the right of collective organization and a regular employment status as it is guaranteed by the law

**Table 1.1. Locations of Labour Protests in Indonesia, 2012**

<i>Location</i>	<i>Total</i>
Government buildings and parliament	527
Workplace	370
Public road, toll roads, airport, seaport	63
City's major landmark	56
Industrial estate	33

Source: LIPS (2015).

**Table 1.2. Major Grievances/Demands of Labour Strikes in Indonesia, 2007–2013 (in percentage)**

<i>Year</i>	<i>Basic rights</i>	<i>Policy change</i>	<i>Other demands</i>
2007	68	8	24
2008	44	32	24
2009	50	20	30
2010	51	27	22
2011	50	30	20
2012	42	36	22
2013	40	37	23

Source: LIPS (2015).

(table 1.2). One of the major problems is that the state agencies do not fulfil their role in monitoring the companies. For instance, in Tangerang, Banten Province, for 2,300 companies, there are only seven inspectors; in Batam, Riau Islands Province, for 4,000 enterprises, there are only three inspectors; in Bekasi, West Java Province, for 3,000 companies, there are only five inspectors; in Karawang, West Java Province, for 1,400 firms, there are only seven and for the hundreds of companies in Pasuruan, East Java Province, there are only five inspectors (Tjandraningsih 2011). Labour activists claim that inspectors are not doing their job. It clearly reflects an anti-labour regime that prioritizes the interests of corporations over workers (Pandita and Panimbang 2013). Despite all of this, workers continue to fight for justice.

Industrial actions began to increase steeply from 2008 following the global economic crisis, in response to employers attempting to tighten labour control and suppress wages to overcome increasing competitive pressure. Between 1998 and 2013, labour protests involved more than 6.3 million workers, not counting the massive mobilizations during May Day celebrations each year (table 1.3). There was an increase in industrial actions all over the country, notably during 2011–2013, with more than 100,000 workers participating in May Day rallies, and more than 2 million and 3 million workers participated in the general strikes in 2012 and 2013, respectively. Workers demanded decent wages, regular employment status and better working conditions. Their protests were a great success, illustrated by average minimum wage increases of up to 48 per cent in 2013, as a result of general strike in 2012. The increase was 13 per cent, 48 per cent and 19 per cent in 2012, 2013 and 2014 respectively, or 27 per cent on average throughout those years (LIPS 2014).

One of the key factors for the rise of the massive protests and mobilizations that escalated into general strikes was the workers' unified response against a series of refusals of the Indonesian Employers' Association (Apindo) to implement the governmental decree on the increase of minimum wages. The

**Table 1.3. Industrial Actions in Indonesia, 1998–2013**

<i>Year</i>	<i>No. of industrial actions</i>	<i>No. of workers involved</i>
1998	604	141,495
1999	208	145,000
2000	324	730,000
2001	357	374,858
2002	218	138,667
2003	113	81,649
2004	215	169,000
2005	259	214,252
2006	234	289,584
2007	227	224,500
2008	505	430,000
2009	714	620,335
2010	731	691,320
2011	1,354	763,304
2012	1,050	613,548
2013	1,254	654,000
Total	8,367	6,281,512

Source: LIPS (2015).

Note: These figures do not include the May Day celebrations and general strikes in 2012 and 2013.

workers' demand for a wage increase was reasonable as annual inflation was as high as 8.4 per cent, and minimum wages were not sufficient to meet basic needs (Arshad 2013). Apindo had argued that a wage increase was not favourable for the business climate. In early 2012, Apindo even filed a suit to revoke the governmental decree (Yulisman 2012; *The Jakarta Post* 25 January 2012). This enraged the workers, who got intensively radicalized in different organizing initiatives. Street protests and direct actions became more popular among workers. A wave of strikes occurred, putting pressure on the wage councils (composed of employers, workers and the government) at the district, provincial and national levels.

### THE GENERAL STRIKES IN 2012 AND 2013

The year 2012 witnessed an increase in the scale of strikes not only in terms of its quantity and geographical spread but also in terms of the number of workers involved. These huge mobilizations included a demonstration to revoke a government plan to increase fuel prices in early 2012. For the first time in Indonesia's history, such a plan was finally suspended due to strong opposition from the people, in which the labour movement played a leading role.

Preceding the strike, between May and November 2012, thousands of workers mobilized in a relatively new experience of factory raids that took place in the industrial heartland of Bekasi, West Java. The workers' key demand was to change their work status from outsourced/agency into regular/permanent workers. It is mandated by law that employers ought to legally absorb their contract workers as regular workers after two years of employment, but employers would not do so. The raids were undertaken after several negotiations did not end with an agreement, or when it was proven that employers did not keep their promises.

A large number of workers would gather almost every night and day in a different occupied company, moving from one factory to another. The length of factory raids varied. They mostly lasted one to three days in a factory, but in some cases, an occupation went on for several weeks as the management refused to meet workers' demands. In many cases the raids ended with the management finally agreeing to sign a joint agreement to fulfil workers' demands to change their work status from outsourced/agency into regular/permanent. Workers themselves called this factory raid as a workers' celebration or festivity (*hajatan buruh*). The factory raids happened in around 100 factories and managed to change the status of almost 100,000 contract workers into regular employment (Mufakhir 2014).

This success led to the general strike. This nationwide strike was held on 3 October 2012, the day when the wage councils at the district, city and provincial levels would negotiate the annual wage increase. Through an alliance of labour unions called Majelis Pekerja dan Buruh Indonesia/Indonesian Labour Assembly, workers made the following demands to the government: (1) to eliminate outsourcing practices and ensure job security; (2) to end the low wage policy and (3) to enact social security regulation. More than 2 million workers participated in the 2012 general strike, and it spread over thirty-five cities and districts in twenty provinces and eighty industrial estates all over the country. During this strike, tens of thousands of workers managed to occupy the country's oldest, worst and most notorious export processing zone, Nusantara Bonded Zone, in Cakung, North Jakarta, which consequently paralysed seven other industrial estates in Bekasi. These industrial estates are the backbone of Indonesia's economy as they contribute 46 per cent of the country's total non-oil-and-gas exports. Thousands of workers also blockaded a number of toll roads for several hours. This collective action finally brought about a sharp increase in the minimum wage of 48 per cent on average across regions. It was the first general strike after the dictatorship had ended in 1998.

The second general strike lasted for two days, 31 October and 1 November 2013. A week prior to this general strike, a wave of strikes escalated in different cities where industrial estates were located. This was meant as a warm-up. A new alliance called Koalisi Nasional Gerakan Buruh/National

Coalition of Labour Movement was formed to play the central coordinating role. Three major labour confederations and forty labour federations declared their endorsement. These included the Indonesian Trade Union Confederation, Confederation of National Labour Unions, GSBI (Federation of Independent Labour Unions) and Sekber Buruh (Joint Secretariat of Labour). Subsequently other unions and federations too joined. The coalition demands were: (1) a 50 per cent increase in the minimum wage; (2) elimination of outsourcing practices and guarantees for job security and (3) a revocation of the pro-business Presidential Instruction on Minimum Wages that was issued in 2013. The instruction was President Susilo Bambang Yudhoyono's response to accommodate the interests of business groups that complained about the minimum wage increase.

As a part of the coalition, the Federation of Seaport and Transport Labour Unions mobilized thousands of its members, occupying the country's largest international seaport of Tanjung Priok in Jakarta. This occupation caused a total collapse of the port. In total, more than 3 million workers participated in the 2013 general strike, which managed to disrupt production in forty industrial zones. However, a number of strikers were attacked by thugs, and some of them were severely injured (Koi 2013; Suparman 2013). The counter-attack from authorities and employers was very repressive. The use of private actors to repress labour resistance has been a practice since the 1980s during Suharto's dictatorship. It is discussed later in this chapter.

There have been some notable achievements of the labour struggle. Between 2011 and 2013, there were at least three major campaigns whose demands have been adopted into government regulations. One, workers demanded to take more wage components into account, following which the government increased minimum wages, as the list of wage components (around sixty items) was adopted into Minister of Manpower's Decree in 2012. Two, more restrictions on irregular or agency work have been recommended by the judiciary. A group of workers submitted a judicial review to the Constitutional Court to question the scope of employment and limitations of the recruitment of outsourced (agency) workers. As the judicial review was finally accepted in 2012, the court suggested that the government issue stricter regulations in impeding employers from recruiting contract and agency workers. The government was forced to issue the Minister of Manpower's Decree No. 19/2012. Three, the enactment of a social security policy was legislated. Despite controversy and debate within the labour movement around it – as this policy is based on monetary contributions and not universal free healthcare (hence it works like a private insurance) – this policy was successfully enacted to cover all citizens with health insurance, which was previously restricted to formal workers, civil servants and members of the military.

## THE KEY ROLE OF LABOUR UNIONS' ALLIANCES AT THE GRASSROOTS

Among the conditions for the general strikes were several prior developments. First, there is the collective memory of strikes and mobilizations that occurred between 2009 and mid-2012. The experience of resistance in this period had introduced different kinds of working-class action to Indonesian workers, including radical and direct actions such as factory raids and blockades of toll roads. Second, there were a growing number of radicalized workers, voicing their response especially to the unfavourable minimum wages policy. Cross-sector alliances of labour unions were formed to address this policy, especially at the district and provincial levels where most workers and union leaders shared common interests in a living wage. In many areas, the alliances of unions at the local level preceded the plan to hold a general strike.

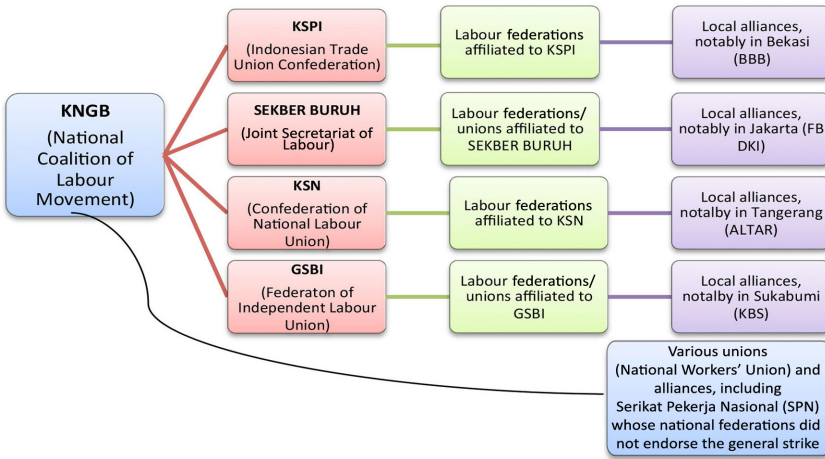
Our data reveal that labour protests organized by alliances, rather than by individual unions, increased rapidly between 2007 and 2013, from only 4.5 per cent in 2007 to roughly 60 per cent over 2011–2013 (see table 1.4). This process of coalition formation was driven by common interests to increase minimum wages and to end the low wage policy. Unlike at national level, these local alliances at city and district levels provided space for exchange and debate, particularly on strategies to achieve a decent living wage. The exchanges provided a greater avenue to learn and to build solidarity.

National alliances were formed right before the general strike, while local alliances were already established long before the plan for general strike. Indeed, general strikes required a coalition structure that could combine two aspects: first, capacity to coordinate many different unions; second, capacity to coordinate the joint actions across regions. The general strikes were held by building union collaboration across regions at national and local levels. This structure has enabled many unions to reach agreements in different regions. The alliance at the national level has functioned as an umbrella organization as well as a political organization. As an umbrella organization, the roles of national alliances were formulating demands, negotiating agreements across unions at national level and mobilizing resources from the outside of unions. As

**Table 1.4. Protests by Individual Labour Unions and Alliances in Indonesia, 2007–2013 (in percentage)**

<i>Industrial action</i>	<i>Year</i>						
	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>
Individual labour union	95.5	92	57	60	38	40	43
Alliance of labour unions	4.5	8	43	40	62	60	57

Source: LIPS (2015).



**Figure 1.1. Coalition Structure of the General Strike, 2013.**

Note: ALTAR: Aliansi Rakyat Tangerang Raya or Alliance of People of Greater Tangerang in Tangerang; BBB: Buruh Bekasi Bergerak or Bekasi Workers on the Move in Bekasi; FB DKI: Forum Buruh DKI or Jakarta Forum of Labour in Jakarta; KBS: Koalisi Buruh Sukabumi.

a political organization, its roles were to confront the central government, the rallying campaign and building public opinion through mass media to mobilize general support for the strike. On the other hand, the local alliances functioned mainly for practical matters; they provided opportunity for daily coordination of unions in the period of the general strike. It also functioned to mobilize resources at the ground and to allocate technical tasks and responsibilities.

Figure 1.1 illustrates that various alliances at the grassroots level achieved a massive mobilization during general strikes, including the Buruh Bekasi Bergerak or Bekasi Workers on the Move in Bekasi, Forum Buruh DKI or Jakarta Forum of Labour in Jakarta, Aliansi Rakyat Tangerang Raya or Alliance of People of Greater Tangerang in Tangerang and Koalisi Buruh Sukabumi or Coalition of Sukabumi Labour in Sukabumi. There were at least three workers’ alliances in Jakarta, one big alliance in Bekasi, five coalitions in Central Java, one alliance in Serang and so on. Additionally, although their national centres did not endorse the general strike, several other unions at the district and provincial levels joined in the mobilizations. These coalitions between unions from different federations and confederations at the local level played a significant role in labour mobilization during the nationwide strikes.

## COUNTERMEASURES AGAINST THE STRIKE WAVE

After labour won some victories, there was a strong backlash from capital and the state. Employers have taken the threat of a strike wave seriously and tried

to consolidate their power. They are aware that the growing capacity of workers in mobilizing for protests is a serious danger to their business. The fact that many factories operate as part of a supply chain, like the ones in the densest industrial estates in Bekasi, means that a disruption in production in one workplace affects the production process in another and so on. Employers and business associations recognize how disturbing the situation could be, especially after knowing what had occurred in the case of PT Samsung Indonesia: workers at two supplier factories of PT Samsung Indonesia jointly conducted a factory raid in mid-2012, which eventually disrupted the operations of PT Samsung Electronic Indonesia (SEIN) (see Mufakhir 2013; Mufakhir 2014).

Employers retaliated in response to the strike wave. Around the Bekasi industrial estates, workers were prohibited from taking their motorbike to work because it helped and increased the speed of workers' mobilization for protests. The managements installed CCTVs much more than before. Thugs and gangsters, hired by employers, harassed the union activists in public to spread terror and fear. Union activists were randomly forcibly stopped from their motorbikes by thugs. These union activists or members were easily recognized, especially if they were wearing union signs on their clothing or had a union sticker on their motorbikes. Although they were not physically assaulted, it made activists more cautious about their union activities in public spaces.

Employers in the Bekasi industrial estates would mark a worker's employment reference letter (known as *paklaring*) with a special mark, especially in the case of union leaders or active union members who have participated in a strike. The purpose of this mark is to identify 'troublemakers'. If they are fired, it is difficult for them to get a job at any other factory in Bekasi. Allegedly similar to the special code stamped on the identification card of anyone associated with Communist Party of Indonesia during the New Order regime, this 'troublemaker' mark forces the worker to look for a job outside Bekasi.

Employers also spread fear by approaching community leaders or village heads around factories. It is part of a common pattern of patron-client relationships that the company calls on the village head to appease workers. Its purpose is also to strengthen the company's presence within the local community, so it would support the company's position rather than the workers'. In the Bekasi area, some companies have accommodated a number of village heads and through that a group named Masyarakat Bekasi Bersatu, United Community of Bekasi (MBB) was formed. The group consists of eight village heads of settlements within the Bekasi industrial area. On 29 October 2012, MBB members harassed workers who were on strike in front of the factory gate and tore down some of the workers' tents.

At the state level, new regulations have been issued to limit strikes. Unions are now required to submit a notice of a strike, rally or demonstration to the police, with the name of the coordinator, at least five days



prior to the event, and also include a copy of one worker's ID card for every twenty participants. Union activists find these requirements a contradiction to the law that guarantees the basic right of workers to strike. Another retaliatory measure is to localize decision-making, such as on minimum wages, to a bipartite, company level. A Presidential Instruction of 2013 suggested that the stipulation of wage increases shall consider the company's economic situation in order to maintain the business. Employers also successfully managed to introduce the regulation (Government Regulation No. 78/2015) that the minimum wage increase would be automatic with no more negotiation through the wage council as before. The formula is based on the percentage of economic growth and inflation. This regulation also suggested that negotiation through the wage council to review the minimum wage shall take place every five years instead of every year.

Furthermore, the central government has issued a certification scheme to declare certain economic units 'national vital objects'. The Ministry of Industry has guaranteed an added layer of security for forty-nine industrial firms and fourteen industrial estates with the help of the National Police's Directorate of Vital Object Security and with the help of the national army (Salim 2014). This means that workers face strict restrictions from any kind of protest in such factories or industrial areas. Even an instant noodles company that belongs to PT Indofood Corporation is certified as a vital and strategic to the country's economy, as the management could afford the expensive 'certificate fee'. Therefore, this instant noodle factory is highly guarded by security guards and the military.

### **A CASE IN POINT: HOW CAN WORKERS PUT THEIR EMPLOYER IN PRISON?**

There are several cases where workers in Indonesia have been able to put their employers in prison for labour rights violations. However, the case of PT Siliwangi Knitting Factory Limited (PT SKF) shows that despite workers' increased capacity to exert their collective power and to win a legal battle, a set of factors remain that constrain workers to benefit from them.

Situated in North Jakarta, PT SKF had been operating since 1950. The company used to produce various kinds of socks, including for prominent brands such as Polo, and for the country's military and police. It was one of Indonesia's oldest sock enterprises until its closure in 2011. It is alleged that it has been relocated to the hinterland registered under a different name and owner.

A labour dispute began in PT SKF in late 2010 when some of its workers joined a labour union. One morning in January 2011, the management barred 120 workers who were union members from coming to work. In response to the intimidation, around a hundred of them decided to stay outside the factory gate to protest. The workers' struggle intensified over time, and the workers occupied the plant for more than two years!

The labour union is affiliated to the Federation of Indonesian Workers' Struggle. With the help of the federation, workers used legal mechanisms to fight: first by filing a case in the Industrial Court for unlawful dismissal and union busting, and then in the District Court for criminal acts (the management did not pay the workers minimum wages as required by law, and did not register workers for social security benefits). After two years of this legal fight, the Industrial Court issued a verdict in 2013, followed by the District Court verdict. Workers won the cases in both courts. While the Industrial Court directed PT SKF to pay a severance fee and allow the union to sell the factory assets, the District Court sentenced the factory owner to one year and six months' imprisonment.

The owner, a local businessman named Hendry Kumulia, also had to pay a fine of IDR 100 million (around US\$7,700). As the workers were not satisfied with the verdict, they appealed to the Supreme Court demanding four years' imprisonment. Their appeal was rejected. Kumulia was able to escape and his whereabouts since the verdict remain unknown. Although the court decided to imprison Kumulia, there was no effort from the authorities to put him in jail. There was no formal order to detain him. The union demanded that the attorney's office issue a detention letter, and after three years of pressure the letter was finally issued in 2016. Moreover, workers pressurized the immigration office to blacklist Kumulia to bar him from travelling abroad. They also managed to do a sit-in protest in front of Kumulia's house, using various tactics as it is located in a luxurious housing complex with security guards. As the struggle continued, workers gradually sold the factory's assets and distributed the money to all workers as severance fee. On average, each worker received a monthly salary multiplied with the number of years they had worked in the factory.

This case illustrated that although the capacity of Indonesian workers has increased, and that there are means available to be used by workers (both formal and non-formal mechanisms) to seek justice, the rule of law remains a predicament. Workers' long struggle and their success in the legal battle, as described in the case of PT SKF, are not necessarily a victory as the employer remains untouched. Therefore, workers' success in bringing employers to prison is not a uniform trend and not an easy process. Rather, it depends on various factors, including the judicial system – which needs a lot of reforms – as well as on political opportunities and the intensity of struggle.

## CONCLUSION

Since 1998, a wave of strikes has taken place in many Indonesian towns and cities involving several millions of workers. Recovering from the dictatorship since *Reformasi* in 1998, despite severe fragmentation, the labour movement has been active in shaping the country's political dynamic. This chapter discussed strikes between 1998 and 2013, including the general strikes in 2012 and 2013, examining the dynamics of workers' and labour unions' capacity for protest mobilization.

The Indonesian working class is gaining strength and confidence. It is recovering from the dictatorship and has increased its capacity for mobilization. Workers have shown their ability to play a greater role to enforce policy changes, and develop a capacity to exert their power in broader political struggles. Workers and unions have combined different strategies of legal and non-legal struggle, including direct actions, in order to achieve their goals. They have been able to put several employers in jail for violations such as union busting, using the existing legal mechanism rather than corporate social responsibility-sponsored protocols of Freedom of Association being promoted by some big brands and corporations. Collective experiences of strike and resistance have taught them that grassroots labour organizing is necessary for success in political struggle. Although it is still limited, these achievements would not have been possible without support from workers and alliances at the grassroots. The political agenda for the Indonesian labour movement today is to document all these experiences for their continuous learning and to develop them into more effective strategies for the future. But the most urgent task now is to think how to respond to the inevitable counter-attacks from state and capital.

## NOTES

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2. The *Reformasi* (Reformation or Reform) began since the downfall of the dictator Suharto on 21 May 1998. It led to changes in Indonesia's various governmental institutions and reforms upon the structures of the judiciary, legislature and executive office.

## REFERENCES

Arshad, Arlina. 2013. "Indonesia Hit with Mass Strike over Wage Hike Demands." Agence France Presse, 31 October. <http://business.inquirer.net/150315/indonesia-hit-with-mass-strike-over-wage-hike-demands> (accessed 4 February 2017).

- Detikcom. 1999. "Clashes between Thousands of Protesting Workers and Police, the Protest Dissolved by Gun Fire (in Indonesian)," February 17. <https://www.library.ohio.edu/indopubs/1999/02/17/0048.html> (accessed 18 January 2017).
- DetikNews. 2013. "First Time in Indonesia, an Employer Jailed for Paying Worker below the Minimum Wages (in Indonesian)," April 24. <https://news.detik.com/berita/2228708/pertama-di-indonesia-pengusaha-dipenjara-karena-bayar-buruh-di-bawah-umr> (accessed 17 August 2017).
- Ford, Michelle. 2009. *Workers and Intellectuals: NGO's, Trade Unions and the Indonesian Labour Movement*. Singapore: National University of Singapore Press/University of Hawaii Press/KITLV.
- Hadiz, Vedi. 2004. "The Politics of Labour Movements in Southeast Asia." In *Contemporary Southeast Asia: Regional Dynamics, National Differences*, edited by Mark Beeson, 118–35. London: Palgrave.
- Kammen, Douglas. 1997. "A Time to Strike: Industrial Strikes and Changing Class Relations in New Order Indonesia." PhD dissertation, Cornell University, Ithaca, NY.
- Koi. 2013. "Workers Clash with Youth Organization during Strike." *Jakarta Post*, October 31. <http://www.thejakartapost.com/news/2013/10/31/workers-clash-with-youth-organization-during-strike.html> (accessed 19 February 2017).
- LIPS. 2014. "The 15 Highest Minimum Wage Increase in Indonesia, 2012–2014." Unpublished report, Bogor: Sedane Labour Resource Centre–LIPS.
- LIPS. 2015. "Key Labour Protest in Indonesia." Unpublished report, Bogor: Sedane Labour Resource Centre–LIPS.
- Mufakhir, Abu. 2013. "Workers' Struggle in the Electronics Industry in Indonesia: The Case of Samsung Electronics Indonesia." In *Labour Rights in High Tech Electronics: Case Studies of Workers' Struggles in Samsung Electronics and Its Asian Suppliers*, edited by Fahmi Panimbang, Kathleen Kearney and Sanjiv Pandita, 49–78. Hong Kong: Asia Monitor Resource Centre.
- Mufakhir, Abu. 2014. "Grebek Pabrik in Bekasi: Research Note on Unions' Mobilisation Strategy." In *Worker Activism after Reformasi 1998: A New Phase for Indonesian Unions?* edited by Jafar Suryomenggolo, 93–114. Hong Kong: Asia Monitor Resource Centre.
- Pandita, Sanjiv, and Fahmi Panimbang. 2013. "Global Supply Chains: Struggle within or Against Them." In *Lessons for Social Change in the Global Economy: Voices from the Field*, edited by Shae Garwood, Sky Croeser and Christalla Yakinthou, 125–41. Maryland: Lexington Books.
- Salim, Tama. 2014. "Extra Security for 49 Industrial Firms, 14 Industrial Estates." *Jakarta Post*, 3 September. <http://www.thejakartapost.com/news/2014/09/03/extra-security-49-industrial-firms-14-industrial-estates.html> (accessed 19 February 2017).
- Suparman, Fana. 2013. "Despite Facing Thugs, More Workers Will Take Industrial Action (in Indonesian)." *Suara Pembaruan*, 1 November. <http://sp.beritasatu.com/home/dihadang-ormas-buruh-akan-mogok-lebih-besar/44321> (accessed 12 September 2016).
- Taufik, Fatkhurohman. 2013. "Dismissing Workers from Their Job, an Employer from Surabaya City Put in Prison (in Indonesian)." *Suara Surabaya*, September 19.

- <http://kelanakota.suarasurabaya.net/news/2013/124712-PHK-Buruh,-Pengusaha-Asal-Surabaya-Dipenjara> (accessed 17 September 2016).
- The Jakarta Post. 2012. "Labour Row Rages on as Court Decides to Hear Apindo." January 25. <http://www.thejakartapost.com/news/2012/01/25/labor-row-rages-court-decides-hear-apindo.html> (accessed 24 October 2014).
- Tjandra, Surya. 2010. "Disputing Labour Dispute Settlement: Indonesian Workers' Access to Justice." *Law, Social Justice & Global Development Journal*. University of Warwick. [http://www2.warwick.ac.uk/fac/soc/law/elj/lgd/2010\\_1/tjandra/tjandra.pdf](http://www2.warwick.ac.uk/fac/soc/law/elj/lgd/2010_1/tjandra/tjandra.pdf) (accessed 20 February 2016).
- Tjandraningsih, Indrasari. 2011. "Industrial Relations in the Democratizing Era." In *The Indonesian Economy: Entering a New Era*, edited by Aris Ananta, Muljana Soekarni and Sjamsul Arifin, 244–66. Singapore: Bank Indonesia, Jakarta, and Institute of Southeast Asian Studies.
- Yulisman, Linda. 2012. "Employers to File Suit against Wage Increase." *Jakarta Post*, November 30. <http://www.pressreader.com/indonesia/the-jakarta-post/20121130/281560878090439> (accessed 27 September 2016).

## Appendix 1.1 Timeline of Key Labour Protests in Indonesia, 1999–2011

<i>Month/ Year</i>	<i>City</i>	<i>Methods of protest</i>	<i>Workers participating</i>	<i>Main grievance or demand</i>
February 1999	Surabaya, East Java	Strikes for several days in front of the factory, and marches to provincial government office	5,000 workers of PT Maspion, an electronics company (a joint venture with South Korea's Samsung)	Increase of allowance for meals and transportation
March 1999	Bekasi, West Java	Two days' strike at the workplace	5,000 workers of PT Tong Kai Indonesia, a shoes supplier for Reebok	Two months' unpaid wages
August 1999	Pangkal Pinang, Riau Archipelago	Demonstration, marches	More than 12,000 former workers of PT Timah Tbk, a state-owned tin mining company, laid off in 1992 following the privatization of the company	That PT Timah pay attention to their condition after seven years of being laid off

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<i>Month/ Year</i>	<i>City</i>	<i>Methods of protest</i>	<i>Workers participating</i>	<i>Main grievance or demand</i>
November 2000	Sidoarjo, East Java	Strikes for several days in front of the provincial government office	More than 10,000 workers from different plants	Increase of minimum wage as much as in their neighbouring city (Surabaya), which was IDR 3,30,700 per month
January 2001	Karawang, West Java	Stoppage	10,000 workers from two plants of Pindo Deli Pulp and Paper Mills	Wage increase of IDR 4,23,000 per month
January 2001	Denpasar, Bali	Strike assemblies; marches to Niti Mandala Public Park as solidarity to support other workers in Kartika Plaza Beach Hotel who were on strike for more than three months	10,000 workers from the tourism sector	Increase of transport allowance
June 2001	Medan, North Sumatra	Strikes; protests in front of the local government office; marches to local parliament and the governor's office	30,000 workers from FSPSI and Forum Solidaritas Union (SBSI, FNPBI, PPMI)	That the Manpower Decrees Nos 78/2001 and 111/2000 be revoked
August 2002	Jakarta	Strikes and marches along the main roads to parliament	5,000 workers from GSBI and GSBM	Opposition to the legislation of the Bill on Industrial Relations and the Bill on Workers' Guidance and Protection

<i>Month/ Year</i>	<i>City</i>	<i>Methods of protest</i>	<i>Workers participating</i>	<i>Main grievance or demand</i>
January 2003	Jakarta	Strikes; marches in front of State Palace	15,000 workers	Demanding the withdrawal of hikes in the prices of electricity, telephones and fuel
January 2003	Kediri, East Java	Stoppage at the workplace	15,000 workers of PT Gudang Garam (Unit V)	Increase in minimum wages
November 2003	Bandung, West Java	Strikes; protest assemblies	5,000 workers from PT Dirgantara Indonesia	The workers opposed the wage cut to 10 per cent from 12 per cent as planned earlier by the management. This policy was applied to the workers who were suspended due to the downsizing process of the company.
February 2004	Bandung, West Java	Strike assemblies; marches to the provincial parliament office	5,000 workers from more than a hundred factories including Adetex, Artostex, Asia Sport, PanAsia Group and Kahatex	Increase in minimum wages
December 2004	Cimahi, West Java	Strike assemblies in front of the mayor's office	5,000 workers from 270 factories	Increase in minimum wages
December 2004	Batam, Riau Archipelago	Marches; strike assemblies in front of the provincial government office	6,000 workers from the electronics and shipbuilding sectors	Increase in minimum wages

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<i>Month/ Year</i>	<i>City</i>	<i>Methods of protest</i>	<i>Workers participating</i>	<i>Main grievance or demand</i>
November 2005	Batam, Riau Archipelago	Marches; strike assemblies in front of the provincial government	12,000 workers from the Workers' Alliance of Batam	Increase in minimum wages
December 2005	Surabaya, East Java	Strike assemblies for several days in front of the East Java provincial government office	7,000 workers across the industrial cities of Surabaya, Pasuruan, Sidoarjo and Gresik	Increase in minimum wages
December 2005	Kudus, Central Java	Strikes; marches along Kudus–Pati main roads	5,000 workers from PT Djarum Kudus	Demand to replace one supervisor who they alleged was always harsh towards workers
May 2006	Bandung, West Java	Strike assemblies in front of the provincial government, parliament building and Gasibu Public Park	10,000 workers	Opposition to the government plan to revise the Labour Law No. 13/2003
May 2006	Jakarta	Strike assemblies in front of parliament building	60,000 workers from Jakarta and its neighbouring cities; many also from West Java and East Java	Opposition to the amendment of labour laws that would introduce greater flexibility and disadvantage workers
December 2006	Batam, Riau Archipelago	Strike assemblies in front of the provincial government	10,000 workers	Increase in minimum wages
February 2007	Bojonegoro, East Java	Strike assemblies in front of the factory	5,000 workers from a cigarette factory	Increase in minimum wages

<i>Month/ Year</i>	<i>City</i>	<i>Methods of protest</i>	<i>Workers participating</i>	<i>Main grievance or demand</i>
July 2007	Jakarta	Stoppage and strikes for three days in front of the factory	6,000 workers from PT Sayap Mas Utama	Wage increase and the change of employment status into permanent workers
January 2008	Deli Serdang, North Sumatra	Mass stoppage and factory occupation	More than 13,000 workers from ninety companies organized under the Deli Serdang Workers' Alliance	Increase in minimum wages. Workers also said the company did not pay the social security contribution, employed contract workers and did not pay the workers minimum wage.
January 2008	Jakarta	Strike assemblies at their workplaces	7,000 workers of PT PLN	Opposition to the results of the shareholders' meeting to downsize and restructure the company
November 2009	Cakung, Jakarta	Industrial occupation, blockade of main gate of Nusantara Bonded Zone in Cakung	More than 7,000 workers from the Alliance of Industrial Workers	The workers were protesting a joint decree issued by the Ministries of Manpower, Industry, and the Interior to ensure economic growth. The workers' strike disrupted the whole zone.

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<i>Month/ Year</i>	<i>City</i>	<i>Methods of protest</i>	<i>Workers participating</i>	<i>Main grievance or demand</i>
July 2009	Jombang, East Java	Strike assemblies	5,000 workers from FNPBI	Boycott the 2009 presidential election. Workers said all candidates are incapable and illegitimate and hence do not represent the people's will.
June 2010	Cilegon, Banten	Strikes	6,000 workers of Krakatau Steel Labour Unions	That the company pay the severance fee to the workers of PT Krakatau Steel who were dismissed, as mandated by the law
October 2010	Medan, North Sumatra	Strikes; marches	6,000 workers from Labour Council of North Sumatra (Dewan Buruh Sumatera Utara)	Opposition to the plan to amend Labour Law No. 13/2013
November 2010	Jakarta	Marches and assemblies in front of State Palace	7,000 workers	Opposition to the plan to amend Labour Law No. 13/2013
April 2011	Papua Island	Thousands of miners did stoppages; strikes	Three major strikes involving thousands of miners of Freeport McMoran, Chevron, Pertamina and Leighton Contractor Indonesia. Three miners were shot to death by the military who guarded PT Freeport mining site.	Wage increase and allowance for food and transport. Also protesting the discrimination between Indonesian and foreign workers

<i>Month/ Year</i>	<i>City</i>	<i>Methods of protest</i>	<i>Workers participating</i>	<i>Main grievance or demand</i>
April 2011	Tanah Laut, South Kalimantan	Road blockades of mining sites	1,000 miners	Increase the amount of allowance for food. Housing allowance
October 2011	Jakarta	Marches, strike assemblies for more than ten hours in front of the gate of the House Representative	10,000 workers from Action Committee for Social Security	The enactment of the Bill on social security
November 2011	Bogor, West Java	Strike assemblies in front of the municipality office	10,000 workers	Increase in minimum wages
November 2011	Batam, Riau Archipelago	Marches; strike assemblies for two days in front of the provincial government's office	7,000 workers	Increase in minimum wages

Source: LIPS (2015); processed from various sources, newspapers and newsmagazines (1999–2011).

