The Empowerment Strategy for Retired Indonesian Migrant Workers in Blitar Regency, East Java by LP3TKI

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ABSTRACT
The Indonesian government has an obligation to provide protection to Indonesian Migrant Workers (PMI) when they are still in Indonesia, when they are in the destination country and after finishing their contract. PMI who has finished working have more problems, one of problems is the sources of income. Therefore, Retired PMI must be protected by means of empowerment carried out by BNP2TKI at the national level and BNP3TKI/LP3TKI at the provincial level. Blitar regency is the second largest contributor to the number of PMIs in East Java and therefore this district is attractive as a research location. Based on this, this research was conducted to determine the form of empowerment of post-employees, the obstacles that exist in empowerment and the efforts made to overcome these obstacles. This research is empirical juridical research with a qualitative approach. The results of the study indicate that the empowerment is in the form of integrated empowerment which combines financial management education and entrepreneurship education. The obstacles faced by LP3TKI come from internal and external aspects. Efforts are being made to shift the paradigm of the program that was previously empowering and needs to be restructured into a program that is directed towards coaching.

Keywords: Empowerment, Retired Indonesian Migrant Workers

1. INTRODUCTION

One of the government's efforts to reduce unemployment and improve quality of life is through the policy of sending Indonesian workers abroad. The workers sent abroad are called Indonesian Migrant Workers (hereinafter referred to as PMI). According to Article 1 number 2 of Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers (hereinafter referred to as UUPMI), PMI is "every Indonesian citizen who will, is currently, or has done work by receiving wages outside the territory of the Republic of Indonesia". Based on this article, the scope of PMI starts from the time of preparing to leave, while in the country of work and upon returning to Indonesia.

The protection of migrant workers is part of the right to work and the right to work which is a basic human right (HAM). In international law, these rights are regulated in Article 23 of the Universal Declaration of Human Rights (UDHR) and Article 6 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966 which have the following explanation: that the right to work is part of human rights. which cannot be separated from every human being and the state has the obligation to carry out the respect, protection and fulfillment of these rights. The state is obliged to prevent human rights violations and if there is a violation, the state must carry out investigations and impose sanctions on violators [1].

Referring to Article 1 number 5 of the UUPMI, the Protection of Indonesian Migrant Workers is:

“The Efforts to protect Prospective Indonesian Migrant Workers and/or Indonesian Migrant Workers and their families in realizing the guaranteed fulfillment of their rights in all activities before work, during work, and after work in legal, economic and social aspects”.

During the period before and during work, PMI relatively did not experience difficulties because the preparation period before departure was generally a period where the prospective PMI already knew what to prepare, including the costs that must be borne in the phase before getting wages in the destination country. The period of work in the destination country, if the situation is as expected, is also relatively easy because PMI has received wages and their presence in the destination country is also constantly monitored by the
National Agency for the Placement and Protection of Indonesian Migrant Workers (BNP2TKI). Problems arise when PMI returns to Indonesia which is called Retired PMI (Retired PMI). Sources of regular income that are usually received are no longer available, skills are limited while every day they still require money to live. This is corroborated by research conducted by Anita Wijayaningtyas:

“Retired PMI generally have limitations to be able to develop their potential, among others due to the low background of educational factors, motivation and skills as well as the opportunity to obtain technical guidance outside of preparation as PMI [2]. The lack of coaching and training for retired Indonesian workers is unfortunate considering they have the potential and experience both mentally and physically. The problem of Indonesian migrant workers who are dominated by unskilled workers as domestic workers with 14,505 complaints during the placement period in 2011-2013, but also post-placement problems in the form of unemployment, consumptiveness, loss of assets, and returning to work abroad”.[3]

The number of Retired PMI can be seen from the arrivals of PMI in Indonesia from year to year, as follows:

Table 1.1 Number of Indonesian Migrant Worker Arrivals in 2014 – 2017

<table>
<thead>
<tr>
<th>Tahun</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Migrant Worker arrivals</td>
<td>242.109</td>
<td>262.942</td>
<td>308.468</td>
<td>250.340</td>
</tr>
</tbody>
</table>

Source: BNP2TKI

Of this number, when viewed from the province of origin, West Java occupies the first position, followed by Central Java in the second position and East Java in the third position in terms of the number of PMI arrivals.

Seeing this condition, real protection is needed for retired PMI. Article 1 point 8 of the PPMI Law states that "all activities to provide protection from the time Indonesian Migrant Workers and their family members arrive at Indonesian debarkation until they return to their area of origin, including services for becoming productive workers". Furthermore, Article 24 number 1 letter e of the UUPPMI explains the form of service to become productive workers, namely by "empowering Indonesian Migrant Workers and their families".

Protection for retired PMI is regulated more specifically in the Regulation of the Head of BNP2TKI Number 4 of 2017 concerning Empowerment of Indonesian Migrant Workers, Retired Indonesian Workers, and Their Families. According to Chapter 1 letter d number 1 of the Regulation of the Head of BNP2TKI Number 4 of 2017, what is meant by the empowerment of PMI is:

“A process, method and effort to improve knowledge and skills for Indonesian Migrant Workers, Retired Indonesian Migrant Workers and their Families so that they can work independently or become qualified workers.”.

Empowerment of retired PMIs is an effort related to the Indonesian government's policy so that PMIs do not continue to work abroad, as well as convince retired PMI and their families that by having a business they don’t need to work, leave their families, or return to work abroad, it is necessary to take steps and efforts to empower and utilize the workforce optimally and humanely in order to improve the welfare of retired PMI and their families.

One of the parties that plays a role in the empowerment of Retired PMI is the Center for the Placement and Protection of Indonesian Migrant Workers (BP3TKI)/ (LP3TKI). In accordance with the main duties and functions, BP3TKI/LP3TKI, according to Attachment I, Regulation of the Head of BNP2TKI Number 4 of 2017, are “Technical Implementing Units at BNP2TKI whose task is to provide convenience in processing all placement and protection documents as well as solving problems of Indonesian Migrant Workers in a coordinated and integrated manner in the region. work". In carrying out their duties, BP3TKI/LP3TKI are located in the province and in their duties must cooperate with relevant government agencies, both the Central Government and Regional Governments in accordance with their respective fields, including employment, immigration, verification of population documents, health, police and other fields deemed necessary.

In East Java, Blitar regency is ranked 2nd in terms of the number of PMI placements starting from 2013 to 2016. This is shown in the following table:

Table 1.2 List of PMI Placements from East Java Province by Regency/City in 2013-2016

<table>
<thead>
<tr>
<th>NO</th>
<th>KAB-KOTA</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PONOROGO</td>
<td>10.494</td>
<td>8.369</td>
<td>6.443</td>
<td>6.579</td>
<td>32.403</td>
</tr>
<tr>
<td>2</td>
<td>BLITAR</td>
<td>9.880</td>
<td>7.973</td>
<td>5.200</td>
<td>4.815</td>
<td>22.967</td>
</tr>
<tr>
<td>3</td>
<td>MALANG (KAB)</td>
<td>10.218</td>
<td>8.114</td>
<td>3.837</td>
<td>3.348</td>
<td>25.553</td>
</tr>
<tr>
<td>4</td>
<td>TULUNGAGUNG</td>
<td>7.707</td>
<td>6.723</td>
<td>5.091</td>
<td>4.692</td>
<td>24.211</td>
</tr>
<tr>
<td>5</td>
<td>BANYUWANGI</td>
<td>7.957</td>
<td>7.271</td>
<td>4.876</td>
<td>4.039</td>
<td>24.143</td>
</tr>
<tr>
<td>6</td>
<td>MAJUN</td>
<td>6.084</td>
<td>5.185</td>
<td>3.525</td>
<td>3.401</td>
<td>18.195</td>
</tr>
<tr>
<td>7</td>
<td>KEDIRI</td>
<td>5.433</td>
<td>4.570</td>
<td>2.773</td>
<td>2.426</td>
<td>16.172</td>
</tr>
</tbody>
</table>

The number of PMI placements which has almost reached 28,000 brings logical consequences to thinking about how to protect PMI upon their return to Blitar district. The Retired PMI should be efficient and financially independent so that the end result is a decrease in the unemployment rate in Blitar Regency. The fact is that, currently Blitar Regency still has an unemployment rate of 2.79%. This is an anomaly because retired PMI
should no longer contribute to the unemployment rate with the empowerment obligation. It needs serious handling from BNP3TKI of East Java Province as an arm of BNP2TKI and identification of problems that arise in the empowerment of PMI Retirement, then make the efforts to solve problems.

Based on the background, this study aims to understand: 1) forms of Empowerment of Retired Migrant Workers by LP3TKI Surabaya in Blitar Regency, East Java, 2) Barriers experienced by LP3TKI Surabaya in Empowering Retired Migrant Workers in Blitar Regency, East Java, 3) Efforts conducted by LP3TKI Surabaya to deal with obstacles in Empowering Retired Migrant Workers in Blitar Regency, East Java.

2. RESEARCH METHOD

A. Research design

The type of legal research in this research is empirical research [4]. Empirical research is based on law which cannot be studied only through a series of laws (law in books), but also studied through practice (law in action), relationships with the soul of society/nation, and so on. [5]. Researchers will conduct a study on the implementation of legislation that occurs in the community. The approach used in this research is "a sociological juridical approach that is based on normative legal science (laws) but does not examine systems and norms in laws and regulations, but observes reactions and interactions that occur when the norm system works in society". The research approach used in this study is a qualitative approach. A qualitative approach is "a way of analysing research results that produces analytical descriptive data, namely data stated by the informant in writing or verbally and real behaviour, which is researched and studied as a whole."[6]. A case approach is also used in this study in the event that there are cases related to retired PMI that occurred in Blitar Regency by examining cases related to the issues at hand which have become court decisions that have permanent force. The data that will be generated in this research is in the form of descriptive data obtained from several informants appointed by the researcher.

B. Research Location

The research locations are divided into two, namely:

1. LP3TKI Office, Jl. Jemursari No.99 Wonocolo, Surabaya, East Java

   The reason for choosing the location of this research is that LP3TKI Surabaya is an institution that has been given some authority by BNP2TKI to carry out the process of placing and protecting PMIs in the East Java region.

2. Office of the Association of Former Indonesian Migrant Workers (Pertakina), Dusun Sanan RT 02/RW 01 Dayu Village, Nglegok District, Blitar Regency

   The reason for choosing this location is that the Association of Former Indonesian Migrant Workers is a forum for Retired PMIs who have legal entities to share and obtain information and services related to Retired PMIs in Blitar.

3. RESULT AND DISCUSSION

In this sub-chapter, the researcher wants to describe the results of the research in the form of data and information obtained from observations and interviews with several informants related to this research, and the problems raised in this study. Then, it will be explained and described in detail about the actual situation or in practice regarding the empowerment of Indonesian migrant workers, especially those in the Blitar Regency, East Java.

A. The Empowerment Form of Retired Migrant Workers by LP3TKI in Blitar Regency

LP3TKI Surabaya is an extension of the service function of BNP2TKI agencies in the East Java Region, both in the Placement, Protection, Empowerment, and Information Dissemination of Indonesian Migrant Workers. LP3TKI who carry out empowerment have targets, namely PMI, their families, and PMI Retired. In carrying out the empowerment function, LP3TKI performs integrated empowerment.

Empowerment is an integrated empowerment model that combines financial management education and entrepreneurship education so that it becomes a single unit. According to Ms. Umul, one of LP3TKI's staff, the financial management materials are intended for full-time PMI and business. Empowerment integration also involves agencies or agencies needed in carrying out empowerment programs. According to Mr. Johan's narrative, the services that are usually integrated, such as the employment agency, the industry office, the cooperative office, banking, or other agencies are needed for the training program to be successful.

In general, the integrated empowerment of retired PMI and his family is carried out for 6 days, namely 3 theoretical days and 3 practical days. The scope of the material taught includes:

1. Training motivation and inspiration;
2. Personal and business financial planning;
3. Business management (entrepreneurial principles on how to build a product business, price, place, packaging, marketing and HR organization);
4. Practice of making business products/services
5. Internship in the field of production/services;
6. Group action plan;
7. Community empowerment program (relevant policies).

The material above is adapted to the field of training carried out. Integrated empowerment is focused on training in services, food security, creative economy, and tourism. The service sector consists of workshop, sewing, or salon training. The field of food security is in the form of training in the fields of agriculture, plantations, fisheries, or animal husbandry. While in the creative economy field, it can be in the form of handicrafts or creative efforts. In the field of tourism in the form of culinary.

According to Ginanjar Kartasasmita (1996) the implementation of community empowerment must be carried out through several activities, namely enabling, empowering, and protecting [7]. Based on the material taught, enabling activities can be seen from the provision of motivation and inspiration. While the rest are more on empowering and protecting efforts. Empowering and protecting efforts can be seen in the concept of integrated empowerment which involves:

1. Local Partners (communities that have special attention about PMI) whose function is to provide assistance during training and post-training and is tasked with linking Retired TKI with relevant stakeholders;
2. Industrial Partners/Off takers as institutions or industries that are expected to be able to accommodate and market the products of Indonesian Migrant Workers;
3. Financial Institutions aim to facilitate financing/capital;
4. Other Ministries/Institutions provide information related to empowerment programs in their respective agencies.

Theoretically, the stages of empowerment are in the form of strengthening the economy and capacity. Economic strengthening basically aims to improve economic conditions so that Retired PMI is more prosperous [8]. Economic strengthening is at least sustainable with economic development which also includes community social values so that it is centered on community and social needs, is participatory, and sustainable [9]. Furthermore, capacity building is oriented towards strengthening experience, knowledge, and skills. In general, this reinforcement is carried out by figures or organizations to provide autonomy, authority, and trust in an organization (society) and encourage them to be creative in order to complete their tasks well.

This stage of empowerment was described by one of the PERTAKINA KKBM administrators, Mr. Sucipto, who is a local partner of LP3TKI in Blitar.,

“Integrated empowerment lasts six days. The local committee came from the PERTAKINA KKBM. Participants are usually young, productive, in order to continue. The resource persons are from successful entrepreneurs, related agencies, banking so that they can release each other's programs there (training event).”

Broadly speaking, the flow of the Surabaya LP3TKI empowerment program consists of the preparation and implementation stages. The preparation stage begins with the identification of participants and the interest of retired PMI by LP3TKI and local partners. After that, it is adjusted to the potential of the Blitar area, for example broilers or catfish. Only then identify business partners or business professionals as providers of training and market access. Next, identify financial or banking institutions that can facilitate financing for the business to be initiated as well as access to capital. As emphasized by LP3TKI employees and Mr. Sucipto from KKBM Pertakina only facilitate the provision of skills and not capital assistance.

The next stage is Implementation. Implementation usually involves the Blitar Regency Regional Apparatus Work Unit (SKPD). This is done to provide easy access to training, access to cooperative formation, access to assistance. The motivational material was carried out by PMI who was a former member of KKBM Pertakina who was a successful entrepreneur. Financial Management Training for productive economic activities by LP3TKI in collaboration with banks. In addition, entrepreneurship training from business planning to business practice by business professionals/business partners. Towards the end of the training, groups or associations will be formed and an action plan drawn up. After that, the signing of a Memorandum of Understanding (MoU) between the association and local partners/business professionals/business partners/MFIs.

The full-time PMI empowerment program does not end after 6 days of training, but is also continued with mentoring, monitoring, evaluation and reporting. The next stage is assistance. This stage is carried out by local partners as well as LP3TKI, but due to limited human resources and area, it can only be done once a month. Assistance and monitoring can also be done through social media groups created by LP3TKI. According to Mr. Sucipto, evaluations are usually carried out randomly and without prior notification. This is in line with Mr. Johan's statement that evaluations are usually carried out by the center randomly and without notification.

According to Mr. Sucipto, the indicator of the success of the program is the success of the entrepreneurs that have been initiated. Almost in line with Mr. Sucipto, according to Ms. Umul, the indicator of program success
is seen from PMI after applying the knowledge gained from the training, "at least they can fill out the daily cash book."

**B. The Obstacles faced by LP3TKI Surabaya in Empowering Retired Migrant Workers in Blitar Regency**

The same opportunity given to them does not guarantee that all are able and can use the opportunity. This is where the role of the government is needed to encourage those who are left behind or have not succeeded to move forward. Without government assistance they will be increasingly unable to improve competitiveness and the economy. Government intervention and active role to help them is important. This intervention will achieve maximum results if there is effective coordination from the retired PMI association.

LP3TKI as an extension of the government has various challenges and obstacles in carrying out the program. The obstacles and challenges are internal and external. The first internal obstacle and challenge is the limited number of LP3TKI's human resources. The limited quantity with the area of East Java does not allow for direct assistance. In dealing with this condition, LP3TKI formed groups or associations and used social media groups to communicate and monitor the programs being carried out. In addition, the task of LP3TKI is not only about empowerment but also processing all placement and protection documents as well as solving PMI problems. Lastly, in terms of financing. "As long as there is a budget, the empowerment program can run," said Mr. Johan.

Barriers and challenges from the external side can be divided into three, namely from retired PMI and their families, other agencies or services, and business/business partners. Based on the three obstacles, the most dominant are from the retired PMI and their families. Prior to the program, problems were usually experienced by PMI and their families who were still actively working abroad. Active PMI families are usually the targets of empowerment because they will come back later. There are times when PMI is active or their families still do not have the awareness to increase human resource capacity. According to Mr. Sucipto, this is because their economy is still running smoothly and there are no problems, be it economic or work.

The real obstacle comes after the training program. Mr. Sucipto describes these obstacles as follows,

"The prominent character of Retired PMI does not have working equipment and capital. Differences in income and various problems faced by retired PMIs have caused them to be unprepared to face changes when they return to Indonesia. In addition, the capacity of human resources while serving as PMI does not help from an economic point of view. The efforts to be independent are sometimes constrained by human resource development. On the other hand, Retired PMI's impatience to immediately get results is one of the inhibiting factors as well as challenges in the success of the empowerment program. So, not all PMI are successful. It really depends on each person."

The independence of the Pertakina KKB/ is still viewed with suspicion and its access tends to be closed by agencies that should carry out integrated empowerment. Pak Sucipto describes it as follows, “We feel like we are being blocked, so we usually go straight to the provincial level. Even though that in Javanese terms is like stepping over.” According to Mr. Johan, this happened because there were several agencies that had similar or similar programs. On the other hand, these agencies also have fostered communities or paguyuban.

This is a research note that looks at the duplication of institutional functions. This condition can be avoided if the tasks carried out by each party are specific, detailed, and complete. On the other hand, it is necessary to have coordination and communication in order to create the goals to be achieved by each institution. Therefore, it is necessary to strengthen a synergistic working relationship, no longer based on institutional ego.

The last obstacle comes from business partners. According to Ms. Umul, business or business partners are expected to cooperate with or provide assistance and help market the products of groups or associations formed after the training. However, after training business partners/businesses just let go. In the end, those who provide assistance to local partners and LP3TKI are monitored through social media groups and sometimes directly.

Various empowerment activities in order to realize the goals of empowerment cannot be used to determine their effect on the condition of the PMI Retired target group. So, it is necessary to see changes or program evaluation from input and output. That is, it is necessary to pay attention to conditions before the program is implemented and after the program is implemented. The results of the two are compared to determine the changes or impacts of the empowerment program. The difficulty faced is whether the changes occur only because of the program or if there are other factors that affect the level of success of the program. Therefore, the first thing that needs to be done is to know which aspects are the main priorities. After that, look at the perceptions of the target group regarding the activities or programs being implemented.
C. LP3TKI Surabaya's efforts in dealing with barriers to Empowerment of Retired Migrant Workers (PMI) in Blitar Regency

LP3TKI as an institution that handles Indonesian migrant workers, both from preparation for departure in the form of administration and training, to work placement in the place to be addressed. LP3TKI also handles Indonesian migrant workers who return home and even those who experience difficulties or problems in their workplace.

When a prospective migrant worker before leaving and is placed to work in the workplace or the destination country, PMI relatively does not experience any significant difficulties, because during the preparation period or before departure, in general, this is the period in which a prospective PMI has known everything or what must be considered and prepared, including the costs that must be incurred or borne by a PMI. The phase before getting wages in the destination country, the responsibility is handed over to PMI itself and monitored by LP3TKI.

Of course, during the period of working in the destination country, if the situation is as expected, there are relatively no problems because PMI has received wages and while working in the destination country is also constantly monitored or supervised by the National Agency for the Placement and Protection of Indonesian Migrant Workers (BNP2TKI). However, this condition can only be carried out against PMI who are legal and registered in the BNP2TKI data. Problems arise when the PMI has returned to Indonesia which will later be called the Retired PMI. Sources of income that were originally routinely received become non-existent and even to meet their daily needs sometimes they have to seek loans, skills are limited while every day they still need money to live.

LP3TKI is also responsible for conducting training and development as a form of empowerment for full-time migrant workers. If this is not done, it will have an impact on increasing unemployment in the area. Of course, this impact will not only affect the economic aspect, but will also have an impact on the social fabric of society.

In reality, LP3TKI oversees five districts that are PMI supply centers in East Java. Therefore, in order to minimize the obstacles that occur and the distance from the community, LP3TKI has partners who are closer to the community in each district. These partners consist of people from all walks of life who care about the fate of PMIs. In addition, partners also sometimes work with Retired PMI as best practice to serve as their coaching and companion.

It is hoped that the empowerment program carried out by LP3TKI will directly touch the Retired PMI, but the reality that occurs in the field is that the problem is more understandable and known by partners because partners are in direct contact with Retired PMI or the community. The problem that often occurs in the field is that the program that has been designed by LP3TKI does not work because of the various social characteristics that exist in the community. As happened in the Madura region, the people there prefer to go directly to the destination country without going through the procedures that have been set by the government through LP3TKI. PMI candidates have a reason because they think that going through the existing procedures is that it takes quite a long time and costs quite a lot. As based on the results of an interview with the Head of Administration of LP3TKI East Java, PMI candidates, especially those who want to work in Saudi Arabia, sometimes they depart by way of an umrah visa, so there is no data as PMI because the visa they have is only for umrah, not for umrah work visa. They dare to do this because they feel that in the destination country, they already have friends or relatives who will later look after and guide them while they are abroad.

In addition to social problems or those that occur in the community, LP3TKI also has budget problems, because the government's budget for the empowerment program is not always available when needed. The existing budget is only revolving every year so that the implementation of training and development for Retired PMI cannot be carried out routinely and optimally so that Retired PMI still experience difficulties in improving skills that can be used as a means to earn a more decent income for their lives.

Based on these problems, in the future there is a need for a new breakthrough so that the Retired PMI problem does not experience a similar and sustainable situation. Therefore, paradigm shifts and programs that are empowering need to be restructured with programs and activities that are directed towards coaching. This means that the existing empowerment is not only limited to providing material, but also needs to be directed to direct practice in the field and being able to become a guide for Retired PMI in their economic activities. In fact, the current training activities seem to be only short-term and have no impact, where these activities only last for 6 days which are divided into 3 days for providing materials and the next 3 days for implementing training practices.

In addition to the existing program problems, it turns out that the low interest of the PMI Retired is also somewhat less enthusiastic in participating in the programs that have been organized by LP3TKI. Therefore, it is necessary to have strategies and approaches that are directly related to the Retired PMI so that they have the enthusiasm again as when they were active PMIs in the countries where they previously worked. Thus, the role of partners who have been in direct contact with the community, especially the Retired PMI, needs an approach that is really expected and...
needed by the Retired PMI towards the program to be implemented by LP3TKI.

4. CONCLUSION

The results of the study indicate that in general the implementation of empowerment activities for retired Indonesian migrant workers has been carried out well, but it is possible that it is accompanied by obstacles and risks borne by the Indonesian migrant workers themselves. LP3TKI as a non-structural institution only provides programs and partners or partners with associations of Indonesian migrant workers for the Blitar Regency area, one of which is PERTAKINA. However, with the empowerment program that exists and has been made by LP3TKI, it is considered to provide only or minimal benefits for Indonesian migrant workers, of course, only for full-time migrant workers who are serious about participating in the program.

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