BEHIND THE CIRCUS HAPPINESS: EXPLOITATION OF LABOR

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Abstract:

Behind the glittering circus performances that invite admiration, and are perceived to be full of happiness and wonder, there is a bitter reality that is rarely revealed: the exploitation of labor. This article uses juridical-normative methods and case study approaches. The purpose of this paper is to examine the compatibility between labor practices in the circus world and the applicable labor law provisions, as well as identify the legal protection that will be provided to workers and examine those who will be responsible for the violation of workers' rights. The results of the study show that behind the stunning performance, there are exploratory work practices in the form of excessive working hours, disproportionate wages, unsafe working conditions, and violations of workers' basic rights. In addition, physical and psychological pressure and the lack of legal protection seen from the lack of clarity in labor regulations in the entertainment sector contribute to the occurrence of exploitative practices, further aggravating these conditions. This article contributes to a critical study of working conditions in the cultural industry and encourages the need for a more comprehensive labor protection policy. This article also underlines the importance of building public awareness of the hidden realities behind the entertainment world and urges readers to take a more critical look at popular entertainment phenomena and demand structural improvements in the protection of labor rights and structural reforms in the management of the circus entertainment industry to create a fair and humane working environment.

Keywords: Exploitation; Circus; Labor.

A. INTRODUCTION

In the circus world, it is regarded as entertainment and wonder because the artists perform so well that the audience is left amazed by their performance. However, behind the entertainment of the show lies a darker story that is often overlooked: the exploitation of labor. Circus workers, comprising acrobats, trainers, animal handlers, and other staff, usually face inhumane working conditions and lack adequate legal protection.

In the circus industry, it is often involved with human resources. Therefore, entrepreneurs look for ways to make big profits without paying attention to the fate of the workers. The law serves as a crucial foundation in efforts to protect workers' rights. In many countries, labor laws set minimum standards for wages, working hours, and safe working conditions. But, law enforcement did not go well, especially for circus workers. Many circus workers have no knowledge of their rights as workers; in many cases, they do not have access to labor organizations or unions to help fight for their rights.

Circus workers are often treated inhumanely, with long and irregular working hours. They must be ready to perform at any time without a break. The wages they receive are not commensurate with the labor and time they expend. Additionally, workers do not receive adequate health benefits or social protection. Many circus workers face the risk of serious injury from dangerous performances due to a lack of proper insurance coverage and inadequate legal protection. Even though workers have the right to be protected for their safety. Because safety is a special capital for workers to maintain the economic stability of families, communities, nations, and states (Misranto & Taufik, 2018). Therefore, the rights of workers protected by law are an essential foundation in efforts to protect workers. However, this implementation and enforcement of the law often do not go well, especially in poorly supervised industries such as circuses. This loophole allows the practice of exploitation to continue without significant consequences.

Many circus workers are exploited. At first, they want to be part of the entertainment world, but in reality, they accept the harsh and unfair working conditions. Workers in the circus world deserve fair and humane treatment. Entrepreneurs and workers, in addition to having a working relationship, basically have a continuous relationship with each other. Therefore, a mutually beneficial relationship is necessary to ensure that neither party is harmed. It appears that providing workers with proper treatment will have a positive impact on labor productivity, ultimately benefiting both parties.

Petter Mahmud's method, focusing on a critical analysis of social and economic structures to understand the dynamics of exploitation in the circus industry, can then be applied. In this approach, we can identify that the power structure, i.e., the relationship between the employer and the worker, creates favorable conditions for the circus owners. In contrast, the circus workers accept the injustice. Circus workers often lack a voice in making decisions that affect their lives, and their reliance on the job makes them reluctant to speak up and report what they're experiencing.

Cases of inequality among circus workers often manifest in the form of exploitation and the violation of their rights. For example, in the report of former Oriental Circus Indonesia (OCI) workers who revealed their experiences of being treated inhumanely, such as being forced to perform dangerous attractions such as acrobatics at altitude without adequate protection, receiving very low wages, and being separated from their families. Often suffer serious injuries without getting appropriate medical care, even though occupational health is intended as labor protection in the form of occupational health insurance. Regarding occupational health, it is related to society, specifically rules that aim to restrict the power of employers to treat workers "as they please" without regard for applicable norms, by not viewing workers as equal to godly creatures who possess human rights. (Nurhalimah, 2018). This case highlights the inequality faced by circus workers, who are often trapped in unfair and extremely hazardous conditions.

Case studies on labor exploitation in circuses can provide deeper insights into this issue. For example, investigative reports on the condition of many workers have revealed that they have suffered serious injuries due to dangerous performance, without adequate insurance coverage or health protection. Additionally, many workers are required to work with inadequate training. These cases illustrate how the circus industry frequently prioritizes profits over the safety and well-being of its workers.

This truth necessitates the protection of workers to ensure their rights are not compromised. Labor protection receives special attention in labor law. One of them is in Article 4, letter c, of the labor law, which reads, "protecting workers in realizing welfare" (Article 4, letter c of Law No. 13 of 2003 concerning manpower). This article further emphasizes the importance of treating the workforce humanely, rather than like robots.

The problem is further complicated when the question arises of how cases of exploitation in the circus labor industry occur, how the law of sanctions and protection of workers' rights is enforced in such instances, and who is responsible. The purpose of this is to understand how forms of circus labor exploitation occur, determine the legal mechanisms available to provide protection and sanctions for such violations, and identify who is legally responsible for labor exploitation cases if proven to have occurred.

Relevant research refers to the results of previous studies that are similar to those that the researcher will investigate. The goal is to identify the similarities and differences between the two.

First, Khairunisa Syalsabila (2024) concluded that one of the causes of the exploitation of working time is a low educational background, which makes workers less aware of their rights, leading to economic depression. Inhumane work time arrangements also play a role; companies often force workers to work longer hours without adequate rest. Lack of government supervision can facilitate violations of labor regulations. Limited costs and resources prevent the company from providing proper compensation. Unclear company policies also confuse workers. To address this problem, the government protects workers' rights through laws such as Law No. 13 of 2003 concerning Manpower. (Syalsabila, 2024)

Second, as Galuh Bagas Wangi (2018) notes, we can conclude that circus dolphins are animals that are trained to entertain the audience, often at the expense of poor treatment behind the scenes. The author is concerned about the exploitation of dolphins in Indonesia, who are forced to perform in circuses. There are videos from non-profit organizations showing the mistreatment of dolphins, including those who were told to jump over a ring of fire in a narrow cove. Dolphins are fed only when they perform tricks that cause stress because they cannot swim long distances. The torture of dolphins is exacerbated when they are moved between cities, put in plastic crates, and transported by truck or plane, even crossing bumpy routes. When they arrive at a new place, they have to appear in a cologne filled with chlorine, a liquid that can irritate their eyes. With this evidence, the Dolphin Project raised a petition to stop the dolphin circus in Indonesia. To achieve widespread support and success, a practical approach is to create a jewelry project that aims to raise awareness about the exploitation of circus dolphins and provide valuable experience for the author. Some of the jewelry created showcases the theme of dolphins suffering in the circus, featuring necklaces, bracelets, and brooches with various concepts that depict their poor condition. (Wangi, 2018)

Third, as noted by Ivana Trixie et al. (2023), it can be concluded that the background for the emergence of Law No. 13 of 2003 concerning manpower is the existence of previous regulations that were unfavorable to workers. The author would like to discuss the implementation of workers' rights at PT Livatech Elektonik Indonesia and the company's efforts to fulfill workers' rights. BPS categorizes the workforce into three types: the full workforce, the incomplete workforce, and the unemployed workforce. Article 86 paragraph (1) of the law states that every worker has the right to protection, including safety, health, and treatment, under human dignity. The protection of workers in Indonesia remains inadequate, underscoring the need for the government and business actors to collaborate and improve the situation in the world of work. Harmony between parties is crucial for maintaining good working conditions (Trixie et al., 2023).

This research highlights the issue of labor exploitation in the context of a circus that the formal labor law system cannot fully address. This study not only examines the forms of exploitation but also normatively analyzes the mechanisms of legal sanctions and the protection of workers' rights in a context that has not been widely explored by previous research. Another uniqueness of this study is the effort to identify concretely who will be legally responsible in cases of labor exploitation in circuses, including both managerial personnel, recruiters, and the state. Thus, this research contributes to expanding the scope of labor law discourse in Indonesia by emphasizing the non-conventional entertainment sector and provides a new understanding of the construction of legal responsibility in the practice of labor exploitation, which is often hidden in the realm of circus entertainment.

B. RESEARCH METHODS

This research method employs a normative juridical approach by examining the applicable legal norms related to labor protection in the circus industry, utilizing literature materials or secondary data as the primary source of information. The approach used is a statutory *approach*, which involves reviewing and analyzing laws and regulations related to employment, the protection of workers' rights, and regulations in the entertainment sector. In addition, a case *approach* is also employed, which involves examining concrete cases related to labor exploitation in the circus industry, including both documented cases and those that have garnered public attention. The legal materials used are primary legal documents, including relevant laws and regulations. Additionally, there are secondary legal materials, including legal literature, the results of previous research, and journals and articles that discuss labor rights and exploitation in the entertainment industry. Moreover, finally, tertiary legal materials such as legal dictionaries and encyclopedias, to support the understanding of the legal concepts used. This article uses qualitative analysis, namely by describing, interpreting,

and constructing legal materials and case facts to answer the legal problems that have been formulated.

C. RESEARCH RESULTS

Labor Rights Violated In Cases of Exploitation in the Circus World

In cases of labor exploitation in the circus world, several workers' rights are often violated. One of them is the right to a living wage; circus workers receive pay that is far below the minimum standard, or are not paid at all. In addition, the right to safe and healthy working conditions is often also ignored. Circus workers are often asked to perform dangerous attractions, such as walking on a tightrope, performing stunts, or interacting with wild animals, without proper safety equipment or adequate safety training. The right to humane working hours is often violated, as workers are forced to work long hours without adequate rest. This increases the risk of physical fatigue, injury, and even mental disorders. Workers in the circus world often lack the freedom to choose or terminate their employment contracts, thereby violating their right to dignity and humane treatment because workers are treated like "performance instruments" without respect for their fundamental human rights. All of these forms of violations reflect the need for serious attention to labor protection in entertainment industries such as circuses.

For example, international investigative reports reveal that many circus workers are recruited from developing countries with promises of lucrative employment. Essentially, workers generally expect higher wages to enhance their living standards. (Sutedi, 2015). Upon arrival, they found conditions far from their expectations, such as unpaid salaries, confiscated identity documents, and threats of physical and mental violence if they tried to flee. There have been cases where workers' identity documents, such as passports, were confiscated by circus management, preventing them from leaving or seeking legal help. This case falls into the violation of the right to protection from forced labor, as workers are forced to survive in a poor work environment under threats, intimidation, or detention. In addition, children are also often victims of exploitation, forced to perform in high-risk performances without proper legal protection. Physically, children are empowered to generate profits for certain people by being allowed to do jobs that are not appropriate for their age, It is not uncommon to get physical stress that can stunt growth and even threaten life (Wimartha et al., 2023).

Cases like this highlight the weakness of labor practice supervision in the entertainment sector. Meanwhile, the protection of children is an effort to guarantee and safeguard their rights, enabling them to live, grow, develop, and participate optimally by the dignity and worth of humanity, while also receiving protection from violence and discrimination (Sari, 2022).

Realizing this, Indonesia has regulated legal protection for child labor, which is regulated in several legal provisions. The following will describe the framework that regulates legal protection and the form of legal protection provided for child labor. (Kaimudin, 2019). Therefore, governments and international organizations need to tighten regulations, educate workers about their rights, and ensure the existence of safe and effective reporting channels to prevent further abuses in the circus world.

Efforts to address labor exploitation in the circus world must be carried out comprehensively and sustainably with various coordinated strategies. One of the important steps is to encourage the implementation of strict certification and supervision of circus companies, so that they are required to comply with labor standards both at the national and international levels. In this process, the involvement of non-governmental organizations and human rights protection institutions is significant in conducting routine inspections and providing legal assistance to workers who are victims of exploitation. The community, as spectators, also plays a significant role by supporting ethical circus performances and upholding workers' rights. In addition, public education about the working conditions behind the entertainment world must continue to be encouraged to build collective awareness, so that social pressure on exploiters is stronger. Through close cooperation between the government, organizations, communities, industry players, and the public, it is hoped that exploitative practices in the circus world can be suppressed, and workers' rights can be fulfilled in a fair and dignified manner.

In the case of exploitation of former circus performers OCI (Oriental Circus Indonesia), some of the reported labor rights violations include:

- Identity rights and origin, some victims do not know their true identities until adulthood because they were employed since they were children and separated from their parents.
- The victim suffered physical and psychological violence, including being electrocuted and smothered for two weeks.
- Right to education and development, children who are employed do not get adequate access to formal education and proper development.

• The right to a living wage, there is no clarity on a fair wage system for circus workers (Ayu & Fika, 2025)

Parties Responsible for the Exploitation of Labor in the Circus Industry and Forms of Accountability

When referring to cases of labor exploitation in the circus industry, several groups can be blamed for the violations of workers' rights. In general, the rights of workers that should be protected include the right to work, the right to fair wages, the right to association and assembly, the right to safety and health protection, the right to due process, and the right to equal treatment. (Vaustine et al., 2024). The circus owner and management can be directly responsible because they design and organize work systems and procedures, determine wages, manage working conditions, and decide how to treat their workers. Husni in Asikin (1993:51) defines the employment relationship as follows: the relationship between the worker and the employer when an employment agreement has been reached, which is an agreement in which a worker binds himself to the employer to be given wages, and the employer declares his ability to employ the worker by paying wages. (Khakim, 2020). If they actively ignore safety standard regulations, pay less than the minimum wage, or withhold workers' documents to prevent them from seeking employment. They are violating labor rights and should be held accountable, both legally, morally, and in the eyes of the public. Owners and management cannot avoid these incidents or violations because managing workers is a core part of their business operations.

The government, as well as owners and management, have a huge role to play in monitoring and protecting workers' rights. It is the role of the government to create, enforce, and enforce fair and humane labor laws. Suppose the government neglects to supervise, fails to regulate, fails to impose sanctions on violators, or even turns a blind eye when the violation occurs. In that case, it can also be said to be complicit in allowing the exploitation to take place. Forms of government accountability should include policy reforms, increased supervision of the entertainment industry, and providing access to legal aid and social protection for workers.

In addition, labor recruitment agencies are also not far from responsibility. Many examples of exploitation cases occur from the beginning of the contract, when the agent provides false information and promises to workers about salaries and working conditions. Because, for entrepreneurs, the most important thing is to create efficiency in all fields, including labor costs, which is recognized in the economy and how, with small capital, can provide significant profits (Miarsa et al., 2023). Agents who engage in fraudulent practices or

labor practices with the aim of exploitation should be scrutinized and criminally punished. The form of accountability consists of introducing the agent concerned into the legal process, revoking their business licenses, and providing compensation to victims harmed by their practices. No less important, the public as entertainment consumers also has a moral responsibility. When society continues to support unethical performances without questioning the working conditions of its workers, it indirectly reinforces an industry that ignores human rights. Public accountability is manifested in the form of consumer awareness, which leads to the choice of supporting only circuses or performances that treat their workers fairly and transparently.

This form of accountability for exploitation cases can be done in several ways. Circus owners who are found to have committed violations must face legal consequences, including fines, revocation of business licenses, or prison sentences in cases of serious violations. The government must take responsibility by improving the labor protection system and providing easily accessible complaint services for victims. Rogue recruitment agencies should be subject to criminal and civil sanctions. Meanwhile, the public can take part in raising awareness, boycotting circuses that exploit workers, and participating in voicing justice for victims of exploitation. With the collective responsibility of all parties, it is hoped that justice for the workers in the circus can be truly realized.

In the context of Indonesian law, those who can be held accountable for the exploitation of labor, especially children, include:

- Circus manager or owner: As a party who recruits and hires children without regard for their rights, circus managers can be subject to criminal sanctions under the Child Protection Act.
- Parents or guardians: If proven to know and allow their children to be exploited, they can also be held legally accountable.
- Governments and related agencies: Lack of oversight and enforcement by government agencies can be considered a negligence in protecting children's rights (Ariagana, 2020).

Legal Protection Efforts and Mechanisms to Ensure the Restoration of the Rights of Victims of Labor Exploitation

One way the government can intervene to ensure the welfare and justice of workers is by providing them with legal protection. The creation of labor laws is one of the key initiatives undertaken by the government. The primary purpose of government supervision is to enforce law and order and enhance the welfare of the workforce (Putri, 2021). To ensure that their violated rights have been restored, victims of labor exploitation must obtain legal protection. Article 28D paragraph (2) of the 1945 Constitution states that everyone has the right to work and receive fair and decent remuneration in employment relationships. The enforcement of national labor laws that regulate wage standards, working hours, safety, and worker freedoms is the first step in efforts to protect the law. Employment relations based on Article 1, number 14 of 2003 concerning Manpower are the relationship between employers and workers/laborers, based on employment agreements, which have elements of employment, wages, and orders (Rustam & Handoko, 2022). The government is obliged to optimize the functions of employment agencies and supervisory agencies to identify exploitative practices early, as well as provide easy access for victims to report violations. In addition, the state must ensure that existing regulations are adjusted to international standards, such as the International Labor Organization (ILO) Convention, so that workers' rights are optimally protected in various sectors, including the entertainment industry, such as circuses.

Then, there is Protection by the Witness and Victim Protection Agency (LPSK): LPSK can protect victims based on the request of victims, investigators, prosecutors, or on their own initiative. Criminal law enforcement: Exploiters may be subject to criminal sanctions by the Child Protection Act and the Employment Act. Restoration of victims' rights: Victims are entitled to rehabilitation, compensation, and restitution for the losses suffered (University of Muhammadiyah Surakarta, 2025).

The legal protection mechanism for victims of exploitation also includes the provision of free legal aid. Many victims of exploitation come from those who do not have the economic resources to defend their rights legally. Therefore, the state or legal aid organization must be present to assist in the legal process, ranging from complaints, investigations, to litigation. This assistance includes the provision of lawyers, legal counseling, and translation facilities for victims who are migrant workers. In addition, special mechanisms such as labor courts or labor dispute resolution mechanisms must be optimized so that victims can obtain a fair decision in a reasonable time.

It is necessary to employ non-litigation methods in conjunction with legal methods to protect and restore the rights of victims. A neutral organization can mediate, negotiate, arbitrate, or adjudicate disputes between victims and exploiters. This mechanism is crucial because it provides victims with a quick way to obtain compensation, restitution, or the ability to resume employment without having to go through a lengthy and exhausting legal process. In certain countries, governments or International organizations even offer compensation programs for victims of labor exploitation, especially in cases where the offenders cannot afford to pay compensation.

In addition, victims must experience social and economic recovery in addition to legal protection. In addition to financial losses, victims of exploitation also suffer social and psychological losses. Therefore, rehabilitation efforts, such as trauma recovery programs, new skills training, and reintegration into a safe and healthy work environment, must be part of protection efforts. To build an integrated service center that provides legal, medical, psychological, and *financial* support to victims, the state, social institutions, and human rights organizations must collaborate.

In the context of future prevention, legal protection efforts must also involve public education campaigns about workers' rights and the dangers of exploitation. By increasing legal awareness among workers and the general public, it is hoped that the risk of exploitation can be minimized. The government should also impose an obligation for companies, including the circus industry, to periodically conduct training on human rights and employment for its management and employees. With comprehensive legal protection efforts, effective redress mechanisms, and continuous prevention, the fulfillment of the rights of victims of labor exploitation can be better ensured.

In some countries, the protection mechanism for victims of labor exploitation has been regulated in quite detail. For example, in the United States, there are special programs such as the T visa, which is a non-immigrant visa granted to victims of human trafficking, including victims of labor exploitation. Through the T visa, victims are granted legal protection, the right to temporary residence in the U.S., access to social services, as well as the opportunity to apply for permanent resident status after a few years. In addition, victims receive legal assistance and rehabilitation programs through social organizations that partner with the government.

Meanwhile, in Australia, the government manages the Fair Work Ombudsman system, which functions as a national employment oversight body. The agency provides workers with free access to report exploitation and obtain legal assistance. The Fair Work Ombudsman is also authorized to investigate cases of exploitation, prosecute violators, and ensure the reimbursement of unpaid wages to victims. In addition, victims of labor exploitation who are migrants are also migrants.

In Australia, the government administers the Fair Work Ombudsman system, which serves as the national employment watchdog. The agency provides workers with free access to report exploitation and obtain legal assistance. The Fair Work Ombudsman is also authorized to investigate cases of exploitation, prosecute violators, and ensure the reimbursement of unpaid wages to victims. In addition, victims of labor exploitation who are migrants are also protected from the threat of deportation when they dare to report, thus providing a sense of security to seek justice without fear of losing their legal status.

In the Philippines, the government established the Overseas Workers Welfare Administration (OWWA), an official body tasked with protecting the rights of migrant workers from Filipinos working abroad, including if they experience exploitation. OWWA provides legal assistance, emergency protection, repatriation, and social and economic reintegration programs after victims return to their home countries. In addition, the country also has special laws, such as the Republic Act No. 9208 on anti-trafficking, that strengthen protections for victims of labor exploitation.

In the European Union, protection for victims of labour exploitation is carried out through various regional mechanisms. EU member states are required to implement Directive 2009/52/EC, which provides penalties for employers who employ illegal immigrants in exploitative conditions. In addition, the EU is also developing a cross-border cooperation network, such as the European Labour Authority (ELA), to strengthen labour supervision and coordinate the handling of exploitation cases in vulnerable sectors, including the entertainment industry.

Each of these examples demonstrates that effective protection mechanisms necessitate a combination of robust laws, secure reporting systems, legal and social support, and genuine political commitment. A comprehensive mechanism not only serves to restore victims' rights, but also plays a major role in preventing future exploitation. Therefore, in the context of the circus industry that often operates across countries, closer international cooperation is needed to ensure that no more workers are deprived of their rights and dignity.

D. CONCLUSION

This study shows that labor exploitation in the circus industry reflects a serious violation of workers' basic rights, including the right to a living wage, safe working conditions, freedom from forced labor, humane treatment, and the right to education for children. Cases of exploitation involving children, document detention, and physical and psychological

violence indicate the weak legal protection and supervision in this sector. The responsibility does not only lie with the circus manager, but also includes recruitment agencies, the government and the public as consumers. Effective legal protection must include law enforcement, free legal assistance, restoration of victims' rights, and social reintegration. Legal protection mechanisms and the restoration of victims' rights have been available in the form of national and international regulations, but their implementation is still not optimal, because weak supervision and victims' access to justice often leads to abuses. Therefore, a comprehensive and sustainable approach is needed to address this problem.

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