

COMBATING CHILD LABOUR IN MALAYSIA: ADDRESSING ROOT CAUSES THROUGH LEGAL, ECONOMIC, AND EDUCATIONAL REFORMS

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Abstract: *Child labour remains a persistent and critical issue globally, including in Malaysia, where it threatens the well-being, education, and future opportunities of children. Defined by the International Labour Organization (ILO) as work that impairs children's development, education, and health, child labour is deeply rooted in poverty, socio-economic disparities, cultural norms, and weak legal enforcement. Despite Malaysia's legal frameworks, such as the Children and Young Persons (Employment) Act 1966 and labour ordinances in Sabah and Sarawak, gaps remain in enforcement, especially regarding vulnerable populations like refugees and stateless children. This report explores the multidimensional aspects of child labour, including its definitions, contributing factors, effects on children's physical and mental health, and broader socio-economic implications. It emphasizes that child labour perpetuates cycles of poverty, reduces educational attainment, and undermines national development by weakening human capital formation. Challenges such as poverty, informal employment, globalization, and ineffective enforcement further complicate efforts to eradicate child labour. The report concludes by recommending a multi-faceted approach involving legal reform, poverty alleviation, access to education, public awareness, and international cooperation. Only through integrated, sustained, and inclusive efforts can Malaysia effectively combat child labour and protect the rights and future of all children.*

Keywords: *Child labour, social development and education access*

Introduction

Society's problem of child labour becomes a concern in the present and the future insofar as children's well-being, education, and opportunities for the future are in jeopardy all over the world (Alemayehu & Fekadu, 2019). As work that is hazardous to children's health, education, social development or moral character as defined by the United Nations, it remains an obstacle to social and economic development. The International Labour Organization (ILO) established that there are about 160 million children that are engaged in child labour in 2020, out of which 79 million are practicing the worst forms of child labour (Claudia Cappa, 2021). Such children resign themselves to dropping out of school and deprived childhood to ensure that they contribute to their family income this just contributes to a cyclic persistence of poverty and social disparity especially in the developing and transitional countries.

The Children and Young Persons (Employment) Act 1966 is an important law which seeks to prevent the misuse of children and young persons through employment. It provides prohibitions on hours of work suitable for young persons, categories of employment and places of work which are suitable for young persons (Ministry of Human Resources, 2019). But it allows the employment of children and young persons to work under prescribed circumstances and conditions and restricts hazardous work, based on risk assessment and safety measures. For Sabah and Sarawak Labour Ordinance respectively, are the legal provisions outlining legal employment relations and rights for both, adult and child employment in the two states. To achieve this these ordinances must be brought on par with international standards and the Children and Young Persons (Employment) Act 1966 for combining all types of protection for such children (S Chandrarajan, 2023). Currently, 5-17 years 160 million children are still alive for child labour, slightly higher than in 2016, boys are 12% affected while girls are 8%. Sub-Saharan Africa is still the most affected region with approximately 24% of children working due to lack of jobs and feeble operational policies, ignorance of education, and essential health facilities. In Asia, socio-economic disparities cause child labour affecting education and increasing the children's vulnerability to health consequences of hazardous work environments. If all these problems are not solved child labour continues to be a cycle whereby future generations end up being poor, illiterate and subjected to problems.

In the global standings, studies from 2016 and 2020 show growing trends, with a child labour incidence rate of 9.6 per cent and impact more prominently on children aged between 5 to 11 years, particularly boys. Sub-Saharan Africa continues to be the hotspot due to the interned result of poor income, low female literacy and exclusion. However, due to a lack of fragmented data, it is difficult to fully understand the problem, but other studies reveal similar trends in Malaysia. And worse, refugee children, a most vulnerable group, are denied legal personage and basic rights like education resulting in increased vulnerability to exploitation. UNHCR Malaysia estimates that in May 2019, 25,499 refugee children under the age of 18, of which 23,823 are of school-going age, were marginalized in accessing education and protection (Birgitte Poulsen-Krogh, 2019; Claudia Cappa, 2021).

The problem of child labour in the context of this report is still topical for Malaysia. However, there are certain positive changes in the country regarding the modernization of labour laws at the national level by international norms (Yashodhan Ghorpade & Amanina Abdur Rahman, 2024). There are still issues that relate to the implementation and overseeing of the gaps in the legal structures, especially in containing the disguised bureaucracy in which child labour is rife (Chen & Xin, 2022). Therefore, a need to improve the child protection framework, especially in areas related to policies to prohibit and protect vulnerable children. Effective actions also

need to be planned with assistance from information retrieval and monitoring mechanisms to complement understanding of the overall nature of the issue. Creating awareness in society about the impacts of child labour and embracing education, particularly the children's freedoms while denying them a second income chance through the protection of their rights (Giang et al., 2021). Unification of all such efforts can greatly reduce incidences of child labour in Malaysia to a greater extent.

In summary, child labour is an emergent issue that needs global intervention because it has underlying social and economic issues as well as adverse developmental repercussions in the long run. In Malaysia, the remedy to this problem is to strengthen the laws, increase the availability of data and enhance the efficiency of the enforcement measures. They can be initiated by the government, intergovernmental and non-governmental organizations and society to ensure that all children without discrimination have equal opportunities for a better future. To a certain extent, this anti-child labour approach can play a role in minimizing the effects of child labour on the society and economy and at the same time advance the cause of child and sustainable social and economic development.

Discussion

Concepts and Definition of Child Labour

Child labour refers to the employment of children in activities that are detrimental to their growth, health, and education (Mihigo et al., 2024). The International Labour Organization (ILO) defines child labour as hazardous work that hinders a child's development and schooling (Ajefu & Massacky, 2023). UNICEF emphasizes children's vulnerability to exploitation due to their age and legal incapacity (UNICEF, 2023), with poverty, cultural norms, and economic instability often driving child labour. This term encompasses both acceptable work that does not interfere with education and prohibited work regulated by national laws (Humphries, 2023). ILO Conventions 138 and 182 set minimum age standards and prohibit hazardous work for children (Rikhotso et al., 2022; Chandrarajan, 2023). However, enforcement of these standards remains challenging, particularly in least developed countries (LDCs) where economic pressures often blur the lines between permissible and hazardous work (Takakura, 2023; Poulsen-Krogh, 2019; Hanafi et al., 2024).

Legal frameworks for child labour rely on clear definitions, yet context-specific terms can complicate enforcement. Malaysia's Children and Young Persons (Employment) Act 1966 restricts the employment of young persons but often falls short of international standards (Ministry of Human Resources, 2019; MacEachen et al., 2022). The prevalence of informal employment and economic pressures further complicate enforcement efforts (Ghorpade & Abdur Rahman, 2024). Although Malaysia has ratified ILO Convention 138, addressing informal child labour remains a significant challenge (Hoque, 2024). Discrepancies between Malaysian laws and ILO standards persist, particularly regarding hazardous work for children under 18 and minimum working age requirements (Alemayehu & Fekadu, 2019; Rikhotso et al., 2022). Refugee and stateless children in Malaysia are especially vulnerable due to the country's non-ratification of the UN Refugee Convention.

Comprehensive strategies addressing poverty and illiteracy are essential in combating child labour. Malaysia's legislative efforts are insufficient without complementary social initiatives, such as conditional cash transfers, which can alleviate financial pressures on impoverished families (Hoque, 2024). Aligning national laws with international standards, strengthening

enforcement mechanisms, and promoting education are critical steps for Malaysia to effectively address child labour (Alemayehu & Fekadu, 2019).

Social and cultural factors also influence children's participation in the labour force (Kaur & Byard, 2021). Child labour is often viewed as a necessity in impoverished families and destitute communities, where young people contribute to family welfare similarly to other family members (Abdullah et al., 2023; Mihigo et al., 2024). However, child employment deprives children of education, health, and hope for a better future, while perpetuating the cycle of poverty. In many developing countries, children are employed in sectors such as agriculture, domestic work, and manufacturing due to factors such as illiteracy, non-enforcement of child labour laws, and social acceptance of child employment by many employers (Giang et al., 2021). Beyond the economic drivers, child labour has significant social implications, shaping children's expectations of themselves as future workers and altering their perceptions of education and family roles. Childhood experiences of labour can lead to low aspirations for education and career advancement (Chen & Xin, 2022). Consequently, children entrenched in labour are often denied their rights to education, health, and personal development. Furthermore, child labour poses an economic threat to a nation as it undermines the development of human capital by reducing educational attainment among future generations (Alemayehu & Fekadu, 2019). Therefore, effective solutions must consider the broader social system, addressing both child labour and its less obvious enablers to foster a sustainable resolution.

Importance of Addressing Child Labour for Social Development

Child labor eradication is one of the key principles of social development because it is a factor that affects child health, schooling and overall welfare (Elsayed, 2024). Basic knowledge, skills and other important values in a child are expected to be acquired in childhood but children who are involved in labor are unable to access these essential experiences in childhood (Hoque, 2024; Klymak, 2023). Hence, they miss an opportunity to cultivate a better future. This loss is not only in terms of human capital because educated and healthy children turn into less effective and low-earning adults who in turn continue to replicate the cycle by inducing the circle of poverty and social integration (Camilo & Zuluaga, 2022). Every nation that supports child labor denies itself human capital which is so crucial when it comes to development and economic growth.

The negatively impacted health of children who are engaged in child labor often has severe repercussions in their future (Letsie et al., 2021). The adverse health effects associated with exposure to unhealthy and hazardous working conditions include chronic diseases, major physical injuries, psychological complications as well as several illnesses (Das, 2022). Besides, child labor deprives children of opportunities to learn mentally and physically in future years of their lives (Kozhaya & Martínez Flores, 2022). Preventing these health issues by eliminating child labour helps make sure that children are provided with a safe environment in which to grow and thereby produce wholesome citizens. It is When a society puts its focus on improving the health of children, it is eventually rewarded with a healthy and more productive population several years down the line.

Apart from cases of personal welfare, eradication and prevention of child labor will promote social justice (Cunningham et al., 2024). All children regardless of social or investment status must have the chance of attaining their dreams and achieving their goals. Child labor deprives them of this right perpetuating other injustices of social injustice and rendering vulnerable

individuals and groups in society to lack good education and decent jobs (Fuseini & Daniel, 2020). The United Nations and the International Labour Organization (ILO) explained that the theme of ending child labour is consistent with related sustainable development goals which include ending poverty by 2030 (SDG 1), ensuring inclusive and quality education for all (SDG 4) as well as promoting jobs, growth and innovation among others (SDG 8) (Jamal, 2023). The above goals are all to produce a society that is fair as well as accommodating to everyone.

In summary, child labor is not from the single-goal perspective of aiming to spare children from being exploited but creating an educated, good, and sustainable society. When people eradicate child labor, they train the next generation, mentors, creators, agents of change, and employees (Shahraki et al., 2020). This investment enhances the development of people and lays down the social change process in society. Education and caring for our future generation, the children act as a very solid foundation to the ultimate economic development of any society. It turns out to become the record of humanity's aim to improve children's rights and ensure changes in the environment making people capable of building a better world and existence.

Factors Contributing to Child Labour

The use of children in the labour market is a cycle of social, economic, cultural as well as systemic survival that continuously feed on each other in a cycle of exploitation and poverty (Das, 2022; Metta et al., 2023). The principal driver is poverty, but other structural and environmental factors also play their part. Thus, an understanding of these factors in detail will show how it sustains child labour, especially within the context of Malaysia.

Child labour is prevalent in almost all countries in the world and in Malaysia poverty is one of the top causes. The matter stands worse in rural settings and with poor and vulnerable populations across the country including indigenous people and those without legal documents. For instance, young people in the agricultural sector are usually involved in physically demanding tasks by their parents to feed the family (Klymak, 2023; Shahraki et al., 2020). A UNICEF survey conducted in 2020 noted that due to the economic pressure brought about by the COVID-19 pandemic, many families mainly in the informal sector, had to move to the more impoverished status hence dropping out of school, children had to work (United Nations Children's Fund (UNICEF), 2023).

Another is the absence of quality and affordable education which remains one of the major push factors for child labour (Ajefu & Massack, 2023). This can mean schools are located at a considerable distance from children's homes in remote areas of Malaysia and the cost of transport is exorbitant, especially to poor families. This makes the children drop out of school and work all through to be able to access these services. Besides, the refugee and stateless children in Malaysia are denied legal formal education any time they desire to attain it. In its report for 2019, UNHCR stated that out of refugee children of school-going age, 23,823 were out of school and at risk of exploitation (Birgitte Poulsen-Krogh, 2019).

Additionally, there are competencies for violation of labour laws which are the major causes of child labour, but they are rarely effective. Malaysia's Children and Young Persons (Employment) Act 1966 provides for maximum working hours and prohibited employment activities for children but the Ministries of Agriculture & Agro-based Industry, Domestic Trade & Consumer Affairs, and Small Industries in specific sectors as noted above remain largely unpoliced (Institute of Liver and Biliary Sciences, 2023). Refugee children are especially vulnerable to exploitation because they are undocumented, and most labour laws do not apply

to them. Lack of enforcement of these provisions keeps these exploitative practices going especially for people working in the informal economy (Kozhaya & Martínez Flores, 2022).

Child labour is also fuelled by cultural and social beliefs as well as practices (Claudia Cappa, 2021). Culturally inclined norms prevailing in the rural setting regarding the use of children as a labour force consider it as a channel of training a child. This cultural acceptance may lead to child abuse in family-owned businesses, petty businesses or trading (Birgitte Poulsen-Krogh, 2019). For instance, native people in Sabah and Sarawak engage children to work on farms as a cultural virtue among them. Although this work may not seem all that awful for the children, it robs them of education and perpetuates the cycle of poverty. Migration and statelessness bring special risk factors that make children a convenient target (Alemayehu & Fekadu, 2019). There are many irregular migrants in Malaysia most of whom are residing in vulnerable situations. Their offspring are denied an education and other social amenities which compels them to work (Hoque, 2024). Even so, the situation among Rohingya refugee children in Malaysia is alarming. Lacking protection or rights to receive education, many of them turn to low-wage employment, working in construction, or street selling, and become exploited.

In conclude, the social problem of child labour has several root causes in Malaysia: poverty, inadequate supervision and control over the use of child labour, tradition, and systematic denial of opportunities for any discriminated group, including refugees or stateless persons, with children of immigrants from Southern Thailand and Indonesia at the highest risk. Solving these problems in most countries demands the combination of different measures connected with decreasing the poverty level, increasing the quality of education for everybody, and giving people more effective labour laws. At the same time, it is crucial to help vulnerable people and guarantee children's equal opportunities in life.

Effects of Child Labour

The consequences of child labour on health, education and society are serious, long term and persistent. Such effects are detrimental not only to individual child development but also to the developmental perspectives of society and the economy. This section provides an analysis of these impacts with concrete illustrations as well as research evidence.

Employment of the child also has the food and the physical and mental health of the child consequences on the child (Devi, 2019; Mihigo et al., 2024). There are children who 'work' in dangerous situations, they are exposed to physical hazards such as being trapped by machines and contact with poisonous substances and can hardly get enough food since they work for extended hours without resting (Kaur & Byard, 2021). For instance, children in Malaysia can be found working in agricultural firms and manufacturing firms where they are exposed to hazards such as the operation of dangerous chemicals and expanding the body in contractive movements that are health risks and cause long-term diseases. Besides, mental health also gets the same treatment as the physical health of society in this sense (Feeny et al., 2021). Working children are stressed, depressed or have any other form of emotional problems due to working and having no school and are sometimes emotionally or physically abused by the employer (Aung & Tewogbola, 2019). For example, UNICEF reported in 2021 that neglected and exploited children who work in informal urban economy sectors are likely to suffer from depression and post-traumatic stress disorder in future (Claudia Cappa, 2021).

Consequently, child labour is a great source of change in education as a sector (Kaur & Byard, 2021). Because of working and doing house chores child labourers especially females hardly

attend school or drop out, thus these kids do not perform as well academically as per supposed to (Mihigo et al., 2024). Malaysian children from the poor bracket of the society, refugees or indigenes are more vulnerable. For example, early school leaving is apparent to refugee children in Malaysia because of economic constraints and basic needs to support their families. This lack of education leads to low productivity of children and denies them the chance together with knowledge and skills for their opportunities in future as well as be promoted to higher poverty levels (Letsie et al., 2021; Metta et al., 2023). Such children are socially delayed from their fellow students in developmental and interpersonal skills that would assist them learn how to become responsible citizens, economically productive members of society, as well as healthy (Abdullah et al., 2023).

The loss of child labour from a societal and economic analysis has been historic. During holidays and other long periods, they cannot be allowed to equal their freedom from the cycle of poverty (Baland et al., 2020; Posso, 2023). These people become a liability to their families, communities and national health systems because lack of education denies them a chance for better paying and more secure employment as they grow. Economically, the product given through child labour cuts the stock of human capital (André et al., 2021). For instance, in Malaysia the children allowed to work are barred from any kind of training at all whether it is relevant to the society or has the potential of enhancing the skills of the labour pool (Tang & Zhao, 2023). It has impacts not only on separate families, but also on the overall development of the economy of the country which has a big percentage of the people of young age. An ILO study conducted in 2020 pointed out that countries can achieve spectacular economic growth in the long run if they remove Child labour and invest in education primarily in the developing world including Malaysia (S Chandrarajan, 2023; United Nations Children's Fund (UNICEF), 2023).

In summary, the social costs of child labour are something that the health, education, and social systems of any country that continues this practice will bear. Solving these problems presupposes the development of ambitious strategies and actions that ensure Children's Right to Education, Health, and Protection (Claudia Cappa, 2021). Eradicating child labour is not only for the right reasons but also a sound business decision regarding the future social economic development of Malaysia and any other country impacted by this practice.

Challenges in Combating Child Labour

There are many limitations in campaigns to eradicate child labour, and they arise from socio-economic factors, cultural beliefs, globalization factors and lack of adherence to standards on labour. These various problems are interrelated and simply cannot be solved over the short term with a single approach which makes the problem persistent and challenging to solve.

The lack of elimination of child labour is still blamed on poverty (Devi, 2019). Most children in households with low income secure a cash income and their parents rather compel them to go to work than to school (Cunningham et al., 2024; Fuseini & Daniel, 2020). For example, the children in the rural areas of Malaysia, some of them rely on farming for instance, such children must stay in the farming fields to help their parents earn income for their family needs. This only perpetuates poverty because such a child cannot attend school and has a greater opportunity to obtain better-paid employment. This problem gets worse when there are informal forms of employment arrangements. Business sectors, including agriculture, domestic work, small-scale trades, and other informal economic sectors, do not normally come under the observation of the legal structures that should prevent child labour (Giang et al., 2021; Metta et

al., 2023). A UNICEF report in Malaysia reveals that children with no documentation like refugees or stateless are at high risk of being exploited in sectors where most employers violate labour laws (Claudia Cappa, 2021).

Child labour is prevalent in the developing nations and has been attributed to the increased influence of globalisation (Borelli et al., 2023). The demand for cheap human resources from the supply chain has been highly felt from around the world, particularly in the textile, agricultural and manufacturing industries which have been noted for child exploitation (Bellés-Obrero et al., 2023). Currently, the labour standards world over are low and a vast array of multinationals are relocating their production to areas that do not protect workers, which inherently leads to child exploitation. For example, some Malaysian children have been found working in plantations of palm oil, and small factories affiliated to global supply systems (Birgitte Poulsen-Krogh, 2019; MacEachen et al., 2022). They take advantage of the delay that politics gives them and the poor implementation of the anti-children labour laws to make their profits. Measures against this threat entail embracing corporate governance and implementing Supply chain accountability, that is, complying with ILS-affecting strategies of monitoring supply networks (Chen & Xin, 2022).

There are laws as provided by the labour laws for example protecting children, but implementation of these laws is what becomes hard. In most of the developed countries including Malaysia, such laws are enacted by the state and most of such governments are either disabled have no capacity or have no political muscle to enact and implement those laws appropriately (Mangsor et al., 2021; Posso, 2023). Flaws and vices of the labour inspection systems also lower the bar to beat violators further. For instance, the Children and Young Persons (Employment) Act 1966 of Malaysia established rules concerning child work and acceptable circumstances for employment throughout Malaysia, in addition to the sectors known to be unlawful for children (Institute of Liver and Biliary Sciences, 2023). This is however skewed by poor enforcement, especially in rural and hard-to-reach areas (Feeny et al., 2021). Because there are no frequent inspections and severe consequences for violators, child employment can remain rampant at the hands of employers.

Child labour eradication therefore calls for radical measures that try to address the root causes of child labour hence social and structural aspects like socio-economic inequity and students' education system deficiencies (Eric Edmonds & Olivier Thévenon, 2019). Many children work because families cannot afford fees or because education is impossible in the developing world. Malaysian refugees and stateless children have other risks so they cannot be in normal schools and government social protection systems (de Hoop et al., 2019). Nevertheless, in the international economic system, the equation of profit is still a measure equal to the employment of reasonable standards of decency (Fumagalli & Martin, 2023). This transforms into a global structure through which the third-world nations are compelled to propose cheap labor with child labour inclusion to attract investors (Abdullah et al., 2023; Jamal, 2023). These structural impediments can thus not be remedied without international cooperation through shifts in the policies of trade liberalization and through backing for education and poverty-modification establishments in the concerned regions.

Overview, each of the following is a factor which when presented, will be discussed in the challenges that define fighting child labour as key (Eric Edmonds & Olivier Thévenon, 2019; Mihigo et al., 2024). That is why poverty, informal employment, culture, globalization, and insufficient child labour legislation embody the problem. To overcome these hurdles, a complex

approach towards poverty reduction policy, mandatory compliance to labour rights, appropriate sensitisation of the public, corporate governance and international cooperation are required. There is no question that child labour requires continuous and comprehensive attack so that the cycle can be broken and a much brighter future prepared for all children.

Conclusion

Child labour remains a formidable obstacle to sustainable development, inflicting profound harm on children's health, education, and social well-being. The hazardous conditions under which many children work have long-term detrimental effects on their physical and psychosocial development. Deprived of education, these children are unable to acquire the skills necessary for gainful employment, thus perpetuating the cycle of poverty. Eradicating child labour is imperative for fostering economic and social progress. Malaysia's legal framework, including the Children and Young Persons (Employment) Act, Sabah Labour Ordinance, and Sarawak Labour Ordinance, permits the employment of young persons under regulated conditions, such as the type of work, working hours, and days of employment. Section 12 of the amended Children and Young Persons (Employment) Act 2018 explicitly prohibits the employment of children below the age of 12, mandating their right to education (Chandrarajan, 2023). Although the term 'child labour' is not explicitly defined in these legislations, it refers to work deemed inappropriate for children and young persons (Poulsen-Krogh, 2019).

To effectively address child labour, Malaysia must implement multifaceted reforms. Economic reforms targeting poverty alleviation are essential, as financial hardships compel families to send their children to work. Introducing conditional cash transfers, subsidizing education costs, and providing vocational training incentives can mitigate economic pressures and reduce reliance on child labour. Improving access to quality education is equally critical. Overcoming barriers such as distance and cost through investments in infrastructure, elimination of school fees, and provision of transportation can enhance school enrolment and attendance, particularly in rural areas. Incorporating vocational training into school curricula and engaging local communities in educational initiatives can further enhance the relevance and accessibility of education. Transforming societal perceptions of child labour requires sustained public awareness campaigns. Promoting the value of education through media, flyers, and community programs can challenge entrenched norms and foster a culture that prioritizes children's education and well-being. Strengthening legal enforcement is vital for the eradication of child labour. Enhanced labour inspections, stringent penalties for violations, and collaboration among government agencies, the ILO, and NGOs can ensure compliance with labour laws and protect children from exploitation. Adequate resources for monitoring and enforcement are essential to safeguarding children's rights.

In conclusion, the elimination of child labour in Malaysia necessitates comprehensive measures, including poverty alleviation, educational enhancements, and robust legal enforcement. Collaborative efforts among the government, NGOs, and international organizations are essential to protect children's rights, ensuring they receive education and are shielded from exploitation. By addressing the root causes and fostering community awareness, Malaysia can build a future where every child is afforded the opportunity

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