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**LAW AND CHILD LABOUR IN MALAYSIA:
A CASE STUDY IN BALAKONG NEW VILLAGE**

By

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SYNOPSIS

Child Labour is a widespread global phenomenon. Many international organisations, particularly the United Nations and International Labour Organisation have included the abolition of child labour in their agenda.

In Malaysia child work is regulated by the Children and Young Persons (Employment) Act 1966. This Act is designed to protect children at work against exploitation and work hazards. However, this Act does not seem to be effective. This study is an attempt to show that the ineffectiveness of the law could be due to its inability to respond to local social and cultural factors, which influence the practice of child labour.

Poverty is often cited as the root cause of child labour. However, this study shows that this may not be accurate. This study shows that some social and cultural factors are better explanation of Chinese children' s participation in work activities. In turn, these social and cultural factors make the law ineffective because the law is formed on the belief that poverty is the root cause of child labour and on western concepts of individual rights.

Chapter One gives a general background of the study while Chapter Two provides a description of children' s work activities and working conditions in Balakong.

Chapter Three examines the determinants of child work. The writer shows that contrary to common belief, poverty is not the root cause of child work in Balakong. Rather, social and cultural factors are better explanation of children' s participation in work activities.

The positive and negative impacts of work on child workers are examined in Chapter Four. Chapter Five surveys the relevant international and national law which regulate child work. The effectiveness of the law is also examined. The concluding Chapter summarises the findings and policy implications of the study and recommends some measures to deal with the problem of child labour.

SINOPSIS

Kegunaan buruh kanak-kanak adalah satu fenomena yang tersebar luas di dunia. Banyak organisasi-organisasi antarabangsa, terutamanya Pertubuhan Bangsa-Bangsa Bersatu dan Persatuan Buruh Antarabangsa telah memasukkan pembasmian kegunaan buruh kanak-kanak dalam agenda mereka.

Di Malaysia kegunaan buruh kanak-kanak dikawal di bawah Akta Kanak-kanak dan Orang Muda (Perkerjaan) 1966. Akta ini sepatutnya melindungi kanak-kanak dalam perkerjaan daripada pengeksploitan dan bahaya kerja. Tetapi Akta ini nampaknya tidak begitu berkesan. Penyelidikan ini cuba menunjukkan kelemahan Akta ini mungkin disebabkan oleh kerana ia tidak mementingkan faktor-faktor sosial dan kebudayaan yang mempengaruhi kegunaan buruh kanak-kanak.

Kemiskinan selalu dikatakan adalah punca utama kegunaan buruh kanak-kanak. Tetapi penyelidikan ini menunjukkan bahawa faktor-faktor sosial dan kebudayaan adalah sebab utama kegunaan buruh kanak-kanak di kalangan masyarakat cina di Malaysia. Di Malaysia faktor-faktor sosial dan kebudayaan ini menyebabkan undang-undang yang mengawal kegunaan buruh kanak-kanak kurang berkesan, kerana undang-undang ini dibentuk dibawah kepercayaan bahawa kemiskinan adalah punca utama kegunaan buruh kanak-kanak dan konsep hak-hak individu Barat.

Bab Satu tesis ini memberi latar belakang penyelidikan ini. Bab Dua menghuraikan pekerjaan kanak-kanak dan keadaan perkerjaan di Balakong.

Bab Tiga adalah bab yang terpenting kerana ia memeriksa penentu-penentu pekerjaan kanak-kanak. Dalam bab ini pengarangnya menunjukkan bahawa, bertentangan

dengan kepercayaan biasa, kemiskinan bukan punca utama kegunaan buruh kanak-kanak di Balakong, tetapi faktor-faktor sosial dan kebudayaan adalah keterangan lebih baik.

Bab Empat meneliti kesan-kesan positif dan negatif pekerjaan terhadap kanak-kanak. Bab Lima meninjau undang-undang antarabangsa dan dalam negeri yang mengawal kegunaan buruh kanak-kanak. Kesan undang-undang ini akan diperiksa dalam bab ini. Bab penutup akan memberi ringkasan pendapat-pendapat dan implikasi polisi penyelidikan ini, serta menyarankan langkah-langkah untuk mengatasi masalah kegunaan buruh kanak-kanak di Malaysia.