

The Role of Western Societal Expectations on Southeast Asian Labour Legislation

Klaus M. Schmidt Flores

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Riviermarkt 5, 2513 AM The Hague, Netherlands



+ 31 62 72 41006



info@ghrd.org



<https://www.ghrd.org>

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INTRODUCTION

Throughout recent history, Western societal expectations have increasingly influenced labour market standards in Southeast Asia. Western nations utilise the implementation of trade agreements, chain demands, and consumer activism practices to promote their industry expectations. With this, prioritising protecting human rights and implementing corporate social responsibility customs, enforcing ethical labour practices.

Southeast Asian nations are vital to the global supply chain due to their crucial role in manufacturing goods for export markets, primarily targeted at satisfying the demand created by Western customers. As South East Asian labour laws have been increasingly influenced by Western societal aspirations for the protection of human rights standards, this report will examine the impact Western expectations have had on Southeast Asian labour laws. Highlighting important policy changes, enforcement practices, and the shifting of societal attitudes on ethical and moral labour practices, as well as those regarding the manners of corporate social responsibility.

1. Historical Context

Western societal norms and customary practices have influenced the development of labour legislation in Southeast Asia, dating back throughout the colonial era as well as the post-colonial age. A historical background must first be established to understand the dynamics of labour laws in the region.

1.1 Colonial Era: The Imposition of Western Labour Practices

Throughout the late 19th and early 20th centuries, having established control over most of the Southeast Asian region, the European colonial powers brought Western labour and economic models focused on the advantageous utilisation of the region's resources. Such as the widespread implementation of labour practices during which the nationals of several Asian nations were hired to perform labour in unfavourable and harsh circumstances. During this period, approximately 3.7 million individuals, mainly from Africa, China, India, and Japan, in addition to other regions, were subjected to such labour arrangements (Allen, 2017).

Furthermore, the legislative structures put in place by the colonial governments made it easier to administer and control these labour forces. These structures were often structured to serve and protect the economic interests of the colonial powers, usually at the expense of the indigenous populations' rights and welfare. An example illustrating the larger trend of labour exploitation during this era would be the instances occurring within the southern Philippines under U.S. colonial rule from the beginning of the 20th century. During this time, labour management played a crucial role in establishing and maintaining colonial authority within the Philippines region (Charbonneau, 2021).

1.2 Post-Colonial Era: Transition and Western Influence

Following World War II, the decolonisation process began in Southeast Asia, with nations achieving independence between 1945 and 1960. The goal of the newly independent countries was to set up democratic systems based on Western models of government. However, this shift involved a complex transition (Office of the Historian, n.d.). Primarily because these nations had to balance the needs of their citizens with the lingering effects of colonial legal systems. For example, Indonesia's post-colonial government nationalised Dutch assets between 1957 and 1959 as a response to decolonisation (White, 2017). The action represented a significant departure and historical shift from colonial economic practices and policies aimed at asserting control over the nation's resources and labour. Additionally, Malaysia and Singapore, on the other hand, continued to have more lenient regulations for foreign businesses, demonstrating how a balance between regional interests and Western influence can be strategically structured (White, 2017).

2. Contemporary Development

Southeast Asian labour laws have been permanently impacted by the historical imposition of Western labour practices during the colonial era and the subsequent effect of Western societal norms in the post-colonial period. Struggling from the aftermath of the era, in addition to the effects of colonial labour laws, many regional countries currently struggle in attempting to fulfil international labour standards, as well as meet global expectations (Frederick, n.d.). The continuous developments of the regional labour standards highlight the intricate relationship held between historical influences and contemporary efforts to protect workers' rights in Southeast Asia.

In recent decades, due to globalisation, the interconnectedness of Southeast Asian economies with Western markets has increased. As a result of growing demands from Western consumers, advocacy groups for ethical sourcing and production methods have been placed under scrutiny. Primarily because these corporations are incentivised to adhere to international labour standards, the meeting of Western consumer-driven demand has changed the legislative norms of several Southeast Asian nations. For instance, in 2020, Indonesia implemented the Omnibus Law on Job Creation, seeking to bring in international investment despite facing scrutiny over possible compromises to labour rights. The Indonesian government in 2024 decided to address the criticism from both domestic and foreign sources by decreeing that elements such as the creation of sectoral minimum wages and outsourcing principles needed to be revised (Teresia, 2024). Another exemplification of this comes to be, as Malaysia has consequently faced scrutiny due to its national labour policies, especially regarding migrant workers. As barriers have been placed on nations' imports due to reports of forced labour in particular sectors, such as the production of palm oil, incentivising national review to focus on the improvement of labour laws meeting international standards (Malaysia, 2024).

3. Business and Human Rights Perspective

The relationship between corporate interests and human rights is one of the most important topics when discussing labour law standards. Western societal expectations have sparked the innovation of frameworks that encourage corporations to promote human rights within their operations. One of the foundational sources that has outlined the obligations pertinent for governments and corporations to uphold and defend human rights is the United Nations Guiding Principles on Business and Human Rights (OHCHR, 2011). As a result of the implementation of these principles and Western influence, Southeast Asian nations have begun incorporating human rights due diligence into their regulatory and legal systems (UNDP, n.d.).

However, challenges continue to arise as negative impacts arise from the need of Western markets to satisfy a demand for inexpensive goods flooding the market. The problem of labour exploitation in Southeast Asian nations has been worsening due to this aggressive pursuit of cheaper wholesale costs. An example of Western retailers transforming Southeast Asian markets would be the rising pricing costs linked to a decrease in revenue and exploitative working conditions within shrimp farming in countries such as India, Indonesia, and Vietnam (Rising, 2024).

4. Conclusion

As aforementioned, Western cultural norms have been an influential manner to Southeast Asian labour laws. Despite Western cultures being a factor leading to constructive changes in line with global human rights norms, they have also incorporated negative work practices in addition to the implementation of economic pressures leading to exploitative working conditions. The balance between these previously mentioned commercial interests and human rights requires the cooperation of governments, corporations, and civil society to foster an economic growth environment. One which does not compromise human rights or dignity conditions to achieve sustainable growth progress.

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