

Labour Market Issues for the ASEAN Region

John Walsh¹

Shinawatra University

ASEAN is moving towards an Investment Area and Free Trade Agreements which should significantly boost economic development across the ten nations of the region. Governments at the individual and joint levels are seeking ways in which they can improve the productivity of their manufacturing and services sectors, while also promoting higher value-added activities within their territories and by the firms based there. Doing so relies upon the creation and fostering of a high-quality ASEAN labour market but, currently, insufficient attention is being paid to the integration of education and industrial sectors and to the production of managers able to work within international-standard companies and to develop within them. Additional areas of concern the role and management of migrant labour in the region and the degree to which freedom of association and unionization has an impact upon productivity and the promotion of social as well as economic development. This paper considers the principal issues and prospects concerning labour markets across ASEAN and highlights the areas in which ASEAN-wide policies are currently working well and areas in which the recently signed agreement with the International Labour Organisation (ILO) indicate improved co-operation is required.

Keywords: ASEAN, labour markets, government policy, private sector involvement

Labour market policies are important component parts of a country's policy framework and its efforts at economic and social development. However, a coherent and integrated labour market policy regime is rarely erected across an economy because it requires co-ordination across so many different functional areas which are often kept separate for ideological reasons, while also requiring state agencies and powerful elites to yield power to the 'small people' of Southeast Asia which they are customarily unwilling to do. This paper investigates the extent to which such policy regimes have been created in the ASEAN region, what prospects there are of furthering their development and what are some of the distinctive features of the experience of labour in the region.

The paper continues with a discussion of the nature of labour market policy and then continues to discuss the transnational regulatory framework in which policy development must necessarily take place. This is followed by an investigation of some of the defining and characteristic features of the labour markets of Southeast Asia.

¹ Assistant Professor (Ph.D.), School of Management, Shinawatra University, Bangkok, Thailand.

Labour Market Policies

Labour market policies (LMPs) are government policies aimed at improving the ability of people within the labour market of the country involved to meet the demands put upon them. This is intended to be a loose definition because countries with strong¹ governments will be able to change the economic conditions affecting the people of their country such that they either provide opportunities for people to undertake value adding activities or else to change demand requirements more closely to meet existing supply conditions. The nature of such policies varies according to particular conditions within countries and their various developmental goals. In an age of intensifying globalisation, labour market policy is involved with moving people from activities which are challenged by increasing competitiveness from overseas based industries into alternative activities in which the host country maintains an advantage. The ability of individuals within the overall labour market to respond to this kind of change of course varies and such variation is likely to follow demographic details such as age, education and income. Those with more ability to change will, of necessity, do so.

LMPs may be divided between the active and the passive. Active LMPs include such measures as: technical and vocational training, skills training and re-education, active matching of existing supply and demand for work or brokerage and intermediary services aimed at improving that matching process and its efficiency and direct employment generation within state-owned enterprises or through providing incentives to private sector organisations. Passive LMPs include the provision of unemployment insurance schemes and other welfare provisions, as well as maintaining a legal regime that protects workers from exploitation and provides some basic rights in terms of discrimination and predatory employment practices. Further, as part of the International Labour Organisation (ILO), the Thai government is obliged to meet the minimum core standards that membership requires and these are, specifically: freedom of association and the right to collective bargaining; the abolition of all forms of compulsory or forced labour; the abolition of all forms of child labour and the elimination of discrimination as related to workplace-based activities. These activities should be organised by a central governmental agency (or more than one) with the required expertise, resources and technical capacity to meet the charges laid upon it. In Thailand, the active LMPs are primarily managed by the Ministry of Labour, while the Ministry of Social Development also has a role in meeting passive LMP obligations.

It is possible to identify several distinct types of labour market policy regimes which are used in different countries of the world. The American or Anglo-Saxon Labour Market may be characterized by increasing flexibility in entering or leaving employment, placing greater emphasis on facilitating the creation of new jobs and the placing of responsibility on individuals to match themselves to new jobs, wherever they may be found and whatever requirements they might have. This Anglo-Saxon model may be contrasted with a Swedish or Scandinavian model, which places much more emphasis on the

¹ Defined as being able to impose its own will upon the external environment and, indeed, to affect that environment.

mutual bonds joining employees and employers and providing assistance when people either need to move into another job or else require retraining or skill upgrades to remain in the current position. Labour unions are given much more power in the Scandinavian model than in the Anglo-Saxon model and are given responsibility for joint negotiations for wage changes and for employment changes. Governments under this system favour both employers' and employees' representatives equally. A third model is that which emerged from the Japanese experience of economic development. In the Japanese model, most of the responsibility for development of human resources is taken by firms, with governments acting primarily to allocate resources to different industries and actors within those industries. Unions act within organisations and are much weaker when extending across more than one establishment and the overall system is characterized by its hierarchical structure. Most ASEAN states vary between an East Asian style of labour market and one dominated by the central, command economy model. In neither case are workers' views given much credence outside of the sanctioned industry or company-level unions and it is clear that there remains a great desire for liberation politics in many countries across the region which has yet to be satisfied.

Transnational Agreements

Mr. Gek-Boo Ng, Regional Director of the Asia and Pacific Regional Department of the International Labour Organization (ILO), in a personal interview, stressed the importance of the tripartite structure of government, employers and workers' organizations in negotiating agreements in the ASEAN region as anywhere else in the world. He pointed to four priority areas for the ILO in the Asia-Pacific Region, which encompasses Southeast Asia:

- (i) Productivity, competitiveness and jobs. As ASEAN countries generally move from manufacturing to services to the knowledge-based economy, there is an enhanced need for greater productivity and the improved use of technology in facilitating that upwards progression. This aims to increase both the total number of jobs and to try to ensure that those jobs are of good quality in line with the Decent Work for All campaign.
- (ii) Youth unemployment. In the recent past, youth unemployment was double or triple the rate of adult unemployment and, while that proportion has been brought under control to some extent, there still remains a potential problem. Since many ASEAN populations retain a young demographic profile, it is clearly important to continue to address the issue of youth unemployment in the region.
- (iii) Labour migration. It is impossible to deny the trends that demonstrate the continued importance of labour migration in the region. Figures indicate that 13.5 million ASEAN workers have travelled to work overseas and five million of those remain within the region (ILO, 2007, p. 49). Migration leads to a number of social issues for both the receiving and the donor countries, which need to be tackled.

- (iv) Labour market governance. This is very much part of the core activities of the ILO, which is concerned to a great extent with the management of labour markets and, as mentioned above, the introduction of and fostering of the tripartite system of representation.

As a region, ASEAN poses a number of challenges because of the very mixed level of development and governmental styles and regimes. This has to some extent improved over the lifetime of ASEAN's existence as confidence-building measures have enabled a higher and more sustained level of discourse among its members. Additionally, the degree of technical capacity within the organisation has also improved. Organizations such as the ILO can play an important role in this process through providing research, technical capacity-building, know-how and advocacy in areas that fall within its sphere of interest. Tangible successes that have resulted from this process include the creation of OSHnet (the Occupational Safety and Health network) which promotes OHS within the region and with a view to enabling ASEAN countries to comply with ILO Convention No.187. To this end, the ILO-ASEAN Framework signed in March 2007 seems likely to be a significant milestone. This will enable ASEAN states to receive to a greater extent ILO-supported expertise in terms of OSH, HIV/AIDS and other workplace issues. ASEAN states have committed themselves to flexible and progressive workforces, albeit with some protections put in place for workers. At the nineteenth meeting of Labour Ministers of ASEAN in Singapore in May, 2006, the meeting was opened by H.E. Lee Hsien Loong, Prime Minister of Singapore, who observed that:

“First, workers should be life-long learners, equipped with new skills that would provide employment opportunities for life. Second, the push for greater flexibility and competitiveness should never be done at the expense of workers' safety. Third, stable and harmonious industrial relations are crucial to sustaining growth and ensuring a favourable investment climate for companies to invest and do business in the region (ASEAN, 2006).”

This commitment to both pro-employers and pro-employees is facilitated not just by the ILO and ASEAN itself but by a number of different external frameworks and agreements, including the ASEAN-Japan Programme on Industrial Relations, the ASEAN-ROK Human Resource Development Programmes for ASEAN Officials and the ASEAN-China High-Level Seminars on Social Security, among others. A variety of Free Trade Agreements have also been signed between individual ASEAN members (and in some cases by ASEAN as a whole) and external partners and many of these have implications for labour market governance broadly defined within the region.

ASEAN Labour Market Policies

ASEAN labour markets vary considerably from the transition economies of Vietnam and Laos, where the main issues surround the movement of people from the command economy to a variant of the market economy, to the advanced education and lifelong learning found in Singapore, which aims

to provide intellectual capital to overcome lack of necessary input such as land and natural resources. However, perhaps the most common model of the labour market is that found to some extent in Thailand, the Philippines, Malaysia and Indonesia, which is based on providing reasonably diligent and skilled labour for the export-oriented manufacturing sectors. This has been generally successful but has led to diminishing returns over time. Agrawal's summation of the experience of the Indonesian labour market is typical of the process followed in these countries:

“Policy measures Indonesia adopted in 1986 led to boom in manufacturing exports and foreign direct investment and put Indonesia on the path to rapid export-oriented, labor-intensive growth. In the second half of the 1980s, because of abundant cheap labor, real labor costs did not rise but worker productivity did, partly through improved education and training of the workforce.

There are increasing signs that in the early 1990s Indonesia's competitiveness is being eroded by several factors: rising labor costs, low worker productivity, and increasing industrial unrest (Agrawal, 1995).”

Of course, if technology transfer from inward investing partners takes place at a good rate, then the diminishing rate of returns to worker productivity can be delayed for some time, while continual expansion of the labour market can also depress wage increases for some years. However, labour market trends over the past decade suggest that this period has already been completed:

- The share of agricultural employment declined everywhere between 1995 and 2005, although agriculture remained the largest sector in terms of employment, except in Malaysia, the Philippines, and Singapore.
- Other than in the Lao People's Democratic Republic, the share of service-sector employment increased significantly, indicating that in most ASEAN economies, this sector was the main source of employment growth.
- With industrial employment, the story becomes mixed. The share of industrial employment increased in Cambodia, the Lao People's Democratic Republic, Thailand, and Viet Nam, while it declined in other countries.
- The largest movement of workers from agriculture to industry and services occurred in Cambodia and Viet Nam, the countries with the fastest economic growth since 1995. Given the different labour productivity records in the two countries, it appears that, while increased productivity resulting from sectoral shift had a positive effect on Viet Nam's aggregate productivity growth, such gains were instead dampened by labour supply pressures in Cambodia (ILO, 2007, pp. 15-16).

The exporting countries have also maintained a generally favourable attitude towards exporting migrant workers as well. Indeed, the Philippines has made a specific effort to produce a surplus of health professionals aimed at the overseas labour markets, where their language skills and comparatively low cost give them a competitive advantage.

Integrating Women into the Workforce

According to Arrifin (1992), the process of colonization and industrialization resulted in changes to gender relations in traditional societies such as Malaysia previously was: "... with the process of colonialism came capitalism and the commercialization of agriculture which altered the productive conditions of the pre-colonial society. Labour became a marketable commodity and production for sale took on greater importance as compared to subsistence production. These changes in the relations of production also brought about some changes in gender relations. The demarcation between commodity production and domestic labour became all the more clear-cut causing a separation of labour based on gender, that is, men getting involved in commodity production while women were left to carry out domestic chores. Women were progressively confined to the home front as their direct participation in the market economy declined (Ariffin, 1992, p. 31)." However, although women were first excluded from the labour market by capitalism, certain mechanisms acted to bring women into monetized economic activities. These included the expansion of educational opportunities that often accompanied the post-colonial political environment, the expansion of the urban landscape and of manufacturing activities for which women were deemed to be particularly suitable and the enactment of certain national development plans, such as the NEP (Ariffin, 1992, p. 33). The extent to which women have entered the labour market in ASEAN naturally varies on a country-by-country basis, although rates are generally quite high and this matches Southeast Asian society's tolerant attitude towards women in the world of work. Nevertheless, the participation rates in Indonesia, Malaysia and Brunei, all largely Islamic societies, are significantly lower than other societies, particularly Viet Nam and Cambodia, which lead the way in this respect.

Labour Migration and Trafficking

As mentioned previously, labour migration is an important part of the economies of the Southeast Asian region. More than 13.5 million people work overseas from sending countries in ASEAN – and perhaps more than that if all unregistered or unofficial migrants were taken into account. Although there is an ASEAN-level agreement on migration and on human trafficking, as well as bilateral agreements between some of the member countries, much of the regulation of labour migration depends on the relationship between the states involved. Such relationships may be significantly moderated by political concerns. For example, violence in Southern Thailand attributed to Islamic insurgents has resulted in thousands of deaths over the last few years; many Cambodians have travelled to the country and the southern region in particular for work. A significant number of those

Cambodian migrants are Muslims and this has sparked the interest of the Thai military junta which accuses them, in some cases, of contributing in some way to the insurgency. Similarly, the fate of Indonesian migrant workers in Malaysia is affected by the waxing and waning of friendship between the two governments involved. Recently, calls for a minimum wage in Malaysia (Netto, 2007) have highlighted the government's policy towards migrant workers, which may be characterised as using the migrant workers to depress wages across the economy and thus provide a competitive advantage.

There is a need for ASEAN states not just to realise that it is necessary to upgrade the quality of their human resources to step away from low-cost export-oriented manufacturing and assembly and move towards the knowledge-based economy but also to organise migrant labour laws to ensure that the policy is not undermined by a variable but very large supply of low-wage workers. Around the world, many developed countries are able to provide a higher standard of living for their citizens because of the subsidies provided to domestic help and child care, among other areas. These subsidies are provided by the presence of migrant workers, who excite both positive and negative responses among receiving countries. It may be asking too much to expect ASEAN governments to solve the many complex issues relating to labour migration when the rest of the world has been unable to manage this but it is reasonable to expect there to be an open and rational debate of the issues.

Freedom of Association

Although the ILO stresses the importance of the tripartite approach to making sustainable and equitable labour market policies, many ASEAN states do not live up to the commitment because of the suppression of workers' rights. This suppression has come about for a variety of reasons but it is true that, in the era of independence, many states felt themselves to be threatened by the possibility of Communist revolution and hence enacted powerful internal security regulations to enable state agencies to take decisive action against anyone suspected of aiming to threaten the state. A by-product of this possession of state power is that trade unionists and labour activists can also be labelled as enemies of the state and their rights curtailed. Across the region, it has been much more likely that employers are friends of government than are workers and, hence, this power is rarely ceded in the name of democracy or social development. A powerful and actionable commitment to freedom of association would enable better labour market policies to be made. Pressure to do this by international treaties may bring about change to some extent. Those countries which have made strides towards workplace democracy have generally been able to enjoy the benefits of this. Recently, the President of the Philippines, Gloria Macapagal-Arroyo, observed that the tripartite system had enabled Philippine workers to obtain the third highest level of wage increases in Asia and that it facilitated ongoing attempts at job creation, notwithstanding the naysayers in business and in parliament who have predicted that it will lead to the collapse of Small and Medium-sized Enterprises and all kinds of economic problems (Sto. Domingo, 2007).

Occupational Safety and Health

Singapore and perhaps Kuala Lumpur apart, anyone who has spent time walking around the cities of ASEAN will be aware of the safety standards involved in most construction work. Workers perch on rickety bamboo cane towers, holding on by their legs as they struggle to reach difficult to access areas. Arc welding equipment is wielded overhead by workers who may bother to hold goggles in front of their eyes from time to time but are indifferent to the sparks falling on the pavements below. Reports of accidents and fatalities are rife and it is not hard to believe that a significant proportion of the 2.2 million workplace deaths that the International Labour Organization (ILO) has reported take place annually happen here.

Yet, slowly, and far from consistently, some improvements are taking place overall. It is difficult to compare countries directly because of their different types of industrial structure, their different reporting requirements and the ability to encourage employers to comply with the reporting requirements. Further, bearing in mind the changes to the world of work caused by industrialization, then it would be expected that more accidents would take place as more people are brought into an industrial and mechanized workplace. However, there comes a point, at least so it is to be hoped, at which accountable governments are required to take action to reduce workplace accidents, to punish anyone who may be found to be guilty of negligence and to increase healthcare such that any accidents which do take place are ameliorated by rapid and efficient response, as well as subsequently making available workers' compensation schemes. This process has already begun in Thailand and Malaysia, although Indonesia and Vietnam are still on the upwards slope of the process (and less developed ASEAN nations will still be slogging up the road for the foreseeable future).

The nature of injuries also varies according to the country concerned, reflecting the different types of economic activities that take place in each place. In Singapore, for example, noise-induced deafness appears to be the principal cause of injury, followed by industrial dermatitis and excessive absorption of chemicals; in Thailand, meanwhile, the biggest single cause of injury comes as a result of lifting or moving heavy objects, followed by contact dermatitis and 'diseases from ergonomic hazards,' which refer to injuries sustained as a result of the posture adopted to work or the actions required to do that work. In Vietnam, on the other hand, the main problem affects miners and results in lung disease. In any case, ASEAN-wide, it is the manufacturing sector in which the majority of workplace accidents take place and, given the composition of manufacturing workplaces, it is not surprising that it is young people who are disproportionately affected and also men rather than women. The limitations on data collection mean that it is difficult to verify whether young men are less willing to use safety precautions properly and, also, whether vulnerable groups such as illegal migrants are also disproportionately affected and also suffer from weaker health responses. It is also the case that government health inspectors generally find it much easier to gain access to larger and officially registered workplaces than smaller ones and those which are not properly registered as such.

Consequently, there is again a chance that people working in such places may not receive appropriate levels of protection.

Each ASEAN member has developed its own, individualized OSH program, assisted by the ILO and other bodies. These programs are tailored for industrial structure and emergent issues. The ILO maintains these priority areas for developing OSH programs:

- Occupational injury and disease reporting systems should be strengthened to better understand the real magnitude of OSH problems and to establish responsive national policies for improvements.
- Practical OSH measures are needed to protect vulnerable groups of workers, including youth and migrants.
- Participatory training methods focusing on simple, low-cost solutions should be utilized.
- Effective programs for hazardous occupations such as construction, mining, and agriculture should be further established and implemented.
- Stronger, more concerted actions by ASEAN Member Countries and the ASEAN Community are required to further accelerate the creation of safe, healthy, and competitive work environments throughout the region.
- Finally, given the identified problems with injury reporting systems and the data comparability issues across countries, ASEAN Member Countries should take advantage of their extensive experience and undertake joint studies of efficient occupational injury reporting systems for better analysis, comparison, and policy making.

It is clear that the role of government is central in ensuring that appropriate levels of OSH are created and policed. The private sector also has responsibility and, in addition, the need for visionary management which sees high levels of OSH as a competitive advantage, offering less down time, fewer long-term welfare requirements and more transparent forms of corporate social responsibility.

Working Hours

Seventy years ago, the economist John Maynard Keynes declared his belief that his grandchildren would be enjoying three hour working days. That of course has not happened, despite the enormous improvements in workplace technology and employee productivity. Instead, people around the world seem to be working harder and longer than ever before. Confined in internal factories and offices, people become decoupled from the natural rhythms of the world, perhaps even unaware of the weather or what time it might be. This has clear implications for mental and physical health as workers suffer increasing stress, leading to cardiovascular diseases and family life suffers. New generations of

children grow up with absentee parents and suffer in turn from lack of positive role models and poorer socialization skills.

New research from the International Labour Organisation (ILO) has provided evidence that working weeks are not decreasing almost anywhere in the world. In the ASEAN region, Indonesia has a weekly limit of 40 working hours; Singapore permits 41-6 hours; Cambodia, Laos, Malaysia, Philippines, Thailand and Viet Nam allow 48 hour working weeks. These limits have been reduced very slightly over the past two decades. Of course, the statutory limit is of little relevance if it is not properly policed. Statistics for this are, clearly, difficult to obtain. Anecdotal evidence suggests that, generally, many ASEAN governments are making some slow and uneven progress towards less improper regulation of labour markets. Examples of this are court cases in which employers are found to have abused domestic help, uncovering abuses in the treatment of migrant workers and the very occasional fine of companies exposing their employees to environmental hazards.

Thailand has the third longest average working week in the world. Generally, developing countries, Thailand and Philippines included, tend to have longer working weeks than average, while developed countries tend to have shorter weeks – Singapore is a notable exception. Not only are working weeks longer, but retirement provisions, time off from work and general working conditions are also worse in such countries. The ILO authors observe that “...in the informal economy, which provides at least half of total employment in all regions of the developing world, with about three-fifths of it self-employment, some 30 per cent or more of all self-employed men work more than 49 hours a week. Meanwhile, women in developing and transition economies are resorting to informal self-employment to realize reduced hours as means to reconcile their work and family responsibilities. With the exception of Thailand, at least one-quarter of all self-employed women is working less than 35 hours per week in the developing countries studied, the report says, and the figure is approximately one-half or more of all self-employed women in half of these countries (Lee, McCann, & Messenger, 2007).”

Policy recommendations made by the authors include:

- reducing long working hours to lessen the risk of occupational injuries and illnesses, and their associated costs to workers, employers, and society as a whole;
- adopting family-friendly working time measures adapted to national circumstances, such as flexi-time, emergency family leave, and part-time work;
- promoting the development of high quality part-time work, shaped by local institutions and traditions and informed by the principles and measures found in the ILO's Part-Time Work Convention, 1994 (No. 175), which can help promote gender equality;
- adopting reasonable statutory hours limits that can contribute towards enhancing firms' productivity, and measures to assist enterprises to improve their productivity, in order to help break the "vicious cycle" of long working hours and low pay;

- considering measures that allow workers to devote more time to their families and to have more influence over their work schedules, in order to make formal economy jobs a possibility for more women.

Private and Public Sector Involvement in Training

There is an increasing role being taken by the private sector in providing skills and vocational training in the ASEAN region. The lack of skilled workers in countries such as Thailand has stimulated private sector bodies to establish their own training establishments. The Japan-Thailand Economic Partnership Agreement (JTEPA), meanwhile, contains a provision that four Japanese companies will offer training and apprenticeship places to Thai workers who will then be contracted to work at those companies for a set period. Interviewing in Thailand has indicated that the predilection of workers, skilled and otherwise, to job-hop as better short-term opportunities emerge is contrary to the philosophy of most Japanese companies to promote long-term in-house training. In Laos, for example, workers have been dispatched to Japan, Thailand, South Korea and Malaysia among other countries to benefit from training for subsequent enhanced employment. In addition, Vietnam has provided a wide range of support for Laotian officials and students in the effort to extend fraternal support to its comrades.

It seems certain that the private sector will increasingly intervene to ensure the narrowing of skills gaps and to minimize the risks of lack of appropriate human resources for long-term use.

Policy Agenda

Properly constructed labour market policies are closely integrated with the education systems of a country. Consequently, an urgent approach suffers from the lack of a long-term perspective which requires marrying a vision of the future of the economy with the ability to alter the education system of that country. Of course, it is never too late to make a start on such a policy. First, accurate statistics will be required for current and projected demand for labour. A strategic vision will also be required concerning what kind of economic activities are required in the country. For Cambodia, Laos, Vietnam and, hypothetically, Burma, the strategic vision is to continue to integrate into the global economy by entering the factory age. This kind of Taylorist, Fordist approach requires a labour market which joins diligence and discipline with a basic level of education (perhaps six or nine years of basic mandatory education) together with the opportunity for upgraded vocational training as factories change their methods of operation. The factory age can be expected to last for a decade or so and, consequently, it is necessary for those countries to consider the post-factory age already and to identify the type of economic activities which should succeed low value-added manufacturing. It is this step which Thailand has so singularly failed to take while Singapore and, to a lesser extent Malaysia, have

managed to take. This is the creation and adoption of the strategic vision which maximises competitive advantage which is achievable and, perhaps just as importantly, sustainable.

All ASEAN countries would benefit from a greater level of democratization, featuring more informed and free public and political discourse backed up by a higher quality of media. Not only will this raise domestic and international confidence in the economies concerned but it will enable parents and young people to make better judgments concerning their educational choices and aspirations. Needless to say, the more that corruption and opacity of decision-making can be rooted out the better.

The Japanese-Thai Economic Partnership Agreement (JTEPA) offers an example of a bilateral trade agreement which unites public and private sector training agreements for a long-term partnership. It is clear that both sectors are very much required to join together in providing the needed portfolio of training activities required for a modern economy.

Conclusion

There is scope for improving the quality of labour market policies with respect to the areas addressed above. For Occupational Safety and Health, private sector involvement in training and skills development and the movement towards workplace democracy, progress is likely to be driven by international treaties and agreements as much as by internal dynamics, important though these may be. In other cases, there will need to be more work internally to develop policies which are sustainable and lead to competitive advantage over the medium and long terms. Further research is certainly required to determine the contexts in which labour policies can be developed based on evidence and sound principles rather than through ideology or unexamined and perhaps inappropriate assumptions.

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