Jurnal Kinabalu Bil.31. 101-121. Disember 2025
e-ISSN: 2600-867X© Zakaria Kawi, Asmady Idris & Abdul Said Ambotang

MALAYSIA'S EDUCATION PHILOSOPHY FROM THE WESTERN PHILOSOPHICAL PERSPECTIVE: A LITERATURE REVIEW

ZAKARIA KAWI[1]
ASMADY IDRIS[2*]
ABDUL SAID AMBOTANG[3]

[1]*Faculty of Social Sciences and Humanities, Universiti Malaysia Sabah, 88400 Kota Kinabalu, Sabah, Malaysia. E-mail: Zakaria.kawi@gmail.com*
[2*]*Faculty of Social Sciences and Humanities, Universiti Malaysia Sabah, 88400 Kota Kinabalu, Sabah, Malaysia. Corresponding Author*[*]*: asmadyi@ums.my*
[3] *Faculty of Psychology and Education, Universiti Malaysia Sabah, 88400 Kota Kinabalu, Sabah, Malaysia. E-mail: said@ums.edu.my*
Submission Date: 22 April 2024 \ *Revised Date: 30 December 2024 \ Acceptance Date: 03 November 2025 \ Publication Date: 31 December 2025*
DOI: https://doi.org/10.51200/jurnalkinabalu.v31i1.7125

ABSTRACT A state has the autonomy to implement educational practices appropriate to their economic, social, and political requirements. The paper reviews Malaysia's education philosophy exclusively from the Western perspective (the other source being theological). Tracing the definition from the classical to modern thinkers, it uses the conceptual framework of international law as defined by Article 38(1) of the Statute of International Court of Justice (ICJ, 1945), one of the principal organs of the United Nations (UN), and the Vienna Convention on the Law of Treaties 1969. It assesses the education philosophy derived from the Child Rights Treaty (CRC 1989) which Malaysia adopted in 1995 and the provisions of which have been domestically legislated. In addition, empirical data from the *travaux préparatoires* (legislative history) of the CRC 1989, the UN system, various monographs and journal articles will form the backbone of the materials for the discussion. Among others, John Dewey's concept of growth will form the basis of the analysis while discussing the concept of education as laid out by long-established thinkers. Critical thinking, an essential element of quality education and one of the key attributes Malaysian students need to possess, will also be highlighted. The paper will conclude, albeit, rather positively, that Malaysia's education philosophy, like that of other developing countries takes into account the contemporary provisions of international law and the principles laid out by the UN system and its specialised agencies.

Keywords: UN Child Rights Convention, Malaysia, Article 29, Education Act 1996, Western Education Philosophy.

INTRODUCTION

Philosophy of education or education philosophy is about the aims or purposes of education. All countries in the world, including Malaysia, have their own philosophies of education, reflecting the inherent exercise of their sovereignty. The United Nations (UN) General Assembly (UNGA) Resolution 35/56 of 1980 on the "International Development Strategy for the Third UN Development Decade" declared that "…countries (are) to implement education policies appropriate to their economic and social (cultural, and political, my emphasis) requirement (UNGA, 1980)" which are in line with states' sovereignty or independence to determine their own institutions of government and these institutions are largely established

under domestic legislation (Krasner, 2004). Lile (2021) posits rightly that education is the most important function of the State and local governments.

In this regard, Malaysia's philosophy of education is now entrenched in the fifth preambular paragraph of the Malaysia's Education Act 1996 which provides that:

> *Education in Malaysia is an ongoing effort towards further developing the potential of individuals in a holistic and integrated manner so as to produce individuals who are intellectually, spiritually, emotionally and physically balanced and harmonious, based on a firm belief in and devotion to God. Such an effort is designed to produce Malaysian citizens who are knowledgeable and competent, who possess high moral standards, and who are responsible and of achieving a high level of personal well-being as well as being able to contribute to the betterment of the family, the society and the nation at large* (MoE, 1996a).

This now becomes the National Education Policy (NEP) (MoE, 1996a), which was promulgated following Malaysia's ratification of the 1989 Convention on the Rights of the Child (hereafter, 'CRC / Treaty) (UNCRC, 1989). Developed or developing countries, like Malaysia, have their own intellectual traditions and their specific ways of institutionalizing the concept in the academic area and the resulting structures for the implementation of the system: the institution; the policy; teacher training and development; the curriculum; pedagogy; public assessment, research and planning, etc. While Malaysia's management of the education system is highly centralized at the Federal level, with each level of education (pre-school, primary, secondary, vocational, and tertiary) having its own public examinations (Siegel et al., 2018; Hussin, 2009), there has been some anticipation that some degree of decentralization to school-based management would take place as a critical strategy given the possible advantages it would generate (Bajunid, 2008). However, the end of primary school (Year 6) examination known by its acronym *UPSR (Ujian Penilaian Sekolah Rendah)* and the end of Year 9 (*Sijil Rendah Pelajaran - SRP*) have both been abolished in 2020 and 2021, respectively, thus effectively allowing students who remain in school to move on without any obstacle to complete eleven years of education, that is, until the *Sijil Pelajaran Malaysia (SPM* – Form 5) level. In October 2025, the first group of more than 29,000 Yr. 6 students from Sarawak sat their first *UP-DLP* examinations since the teaching of Science and Mathematics resumed six years ago in its primary schools.

By exploring key western philosophical perspective on education, this paper argues that the aims of education in Malaysia should encourage, among other things, on the acquisition and understanding of knowledge, focus on the development of critical and creative thinking skills, promote personal growth and autonomy, cultivate an ethical, respectful and social responsibility for an individual's personal well-being, his or her family, society, and nation at large – these are among the attributes Malaysian students should have as envisaged in the Malaysia Education Blueprint (MEB) 2013-2025 (MoE, 2012; Ibrahim, 2022).

LITERATURE REVIEW

Conceptual Framework: International Law and States

The conceptual framework of this paper is depicted by the intertwined institutions of International Law, States as international community or community of States, and State's sovereignty, which are inseparable: Buzan (2004) considers international law as the "bedrock

institution on which the idea of international society stands or falls". Kaczorowska (2010) defines international law as a "body of rules and principles binding upon … states in their relations with one another" (Kawi et al., 2022) and they include "rules relating to the functioning of international organisations…" and those "relating to individuals and non-states …" (Kawi et al, 2022, p. 7). They are generally called public international law as they have been created through interactions between States (Klabbers, 2021; Woosley, 2017). Article 38 (1) of the Statue of the International Court of Justice, one of the six principal organs of the United Nations, defines international law that includes conventions or treaties (ICJ Statute, 1945). The Vienna Convention on the Law of Treaties (VCLT 1969) of which Malaysia is a State Party since 1994, defines *treaty* as "an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation" (Article 2 (1) (a), VCLT, 1969; Aust, 2000). The Convention on the Rights of the Child, which was adopted by the UN General Assembly (Res. 44/25), now sets the global standards for the protection of the human rights of the child (a person below 18 years of age) and its 2000 Protocols fall under this definition. The Treaty which was ratified by Malaysia in 1995, supplants Malaysia's philosophy of education and this will be discussed in greater details below (Kawi et al., 2022).

The core word embedded within the aforesaid conceptual framework is the 'State' (Brown, 2019). According to Crawford (2006), the criteria for statehood are fulfilled by an entity having: a defined territory; a permanent population; a stable government, and a substantial degree of independence of other States. This definition corresponds with that provided by Article 1 (1) of the 1933 Montevideo Convention on the Rights and Duties of States. On 31 August 1957, the Federation of Malaya (succeeded by Malaysia in 1963) fulfilled these criteria when it achieved independence from the United Kingdom of Great Britain and Northern Ireland, the former colonial administration.

Closely associated with the word 'State' is the word 'sovereignty' which means a State's right to do as it wishes, particularly within its own territory, free of external constraint or interference – they can agree to be bound by a treaty or wish not to accept it (Brown, 2019; Beaulac, 2003; VCLT, 1969). The existence of States arises from shared agreements and understanding about the concept of sovereignty that establishes via mutual recognition, the central defining features of statehood: territoriality, domestic supremacy and international autonomy (Navaro & Green, 2013): they posit that the norm of sovereignty is thus constitutive of the central actors of international community – the States (Navaro & Green, 2013).

In his article entitled *Transnational Diffusion: Norms, Ideas and Politics*, Giraldi (2013) posits that international interdependence is at the core of international relations and that States interact with one another and explore the nature, causes and consequences of their collaboration. This collaboration resulted from the realisation that problems faced by States and their population can only be resolved through international cooperation which often needs to be multilateral, as well as permanent in nature (Evans 2010, p. 281; UNGA Res. 2625 (XXV), 1970). Often, States face similar problems: it is about poverty, economic and social development, unemployment, poor standard of education, etc. (UNESCO, 1990, 2000, 2014 & 2015; UNGA A/RES/66/288, 2012). The creation of the Global Partnership for Education (formerly 'Education for All') in 2002 is a succinct example in how developed countries (global North) come together to assist developing countries (global South) in improving the performance of their education systems. Menashy (2019) defines 'partnership' as a positive, cooperative, collaborative and inclusive relationship among the actors.

As members of the international community, States are bound by common interests, common values, the common set of rules and the working of the common institutions of which they are members – the English School Theory as professed by Hedley Bull in his first monograph, *The Anarchical Society: A Study of Order in World Politics.* New York (Bull, 2012). For Bull, Buzan says, the word *institution* does not necessarily imply an organisation or administrative machinery; it is about a "set of habits and practices shaped towards the realisation of common goals" – which underpins collaboration and a means of maintaining that collaboration among States (Buzan, 2004). According to Buzan, Bull places 'institutions' at the centre of his English School Theory; they are: diplomacy, international law, the balance of power, war, and the role of the great powers (Buzan, 2004). What does the Charter of the United Nations (UN) say on the issue of collaboration among States?

The UN Charter and various declarations of the UNGA make this clear: they require member States to cooperate in matters relating to social, economic, cultural development (one of the four pillars of the UN: the others: human rights, rule of law, and peace and security). Malaysia, as a Member State of the United Nations, UNESCO, the World Bank, and so on, is bound by the principle of *pacta sunt servanda* (agreement must be kept) in international law (Davison-Vecchione, 2019). The duty of States to cooperate with one another, among others, is laid out in the 1970 Declaration on Principles of International Law concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations, especially in the economic, science and technology in order to advance educational development, particularly in developing countries (UNGA, 1970).

In its 2021 publication, *Reimagining Our Futures Together: A new social contract for education,* UNESCO asserts that education systems inculcate a belief that transient advantages are preferrable instead of understanding States' interdependence, togetherness, and caring for one another and the planet (UNESCO, 2021). In view of this, UNESCO, as the UN specialised agency that promotes cooperation and solidarity, among other things, in education, has called for a new *social contract* for education that is underpinned by complementary elements, namely, the right to education (quality education and lifelong learning) and a commitment to education as a public societal endeavour and a common good (see its definition below) (UNESCO, 2021). In his monograph, *Of the Social Contract and Other Political Writings*, Rousseau defines *social contract* as the 'general will' in two ways: firstly, "… what the people, voting as a body of sovereign legislators in their assembly, decides the law to be" - that is, a collective democratic process, and secondly, the 'general will' *corresponds to a fact of the matter where the common interest lies,* - that is, the law derives from the citizens and it applies to all so that each person is a maker of the law as well as being subject to it. UNESCO (2021) posits that as a "… shared societal endeavour, education builds common purposes and enables individuals and communities to flourish together". Grayling (2019) posits that the 'general will' is about the consensus of the people in the democratic sense. He also suggests that it is about a 'common purpose or interest' (p.254). Articles 28 and 29 on the right to and aims of education of the Treaty (which will be discussed below), are the *shared societal endeavour* that bind all State Parties (a total of 196), including Malaysia.

Although Malaysia as a State has the sovereign right to act in accordance with its own wishes internally, in the areas of education, Malaysia as a member of the international community is bound to follow the standards or norms established by the United Nations and its specialised agencies (UN Charter, 1945; UNESCO Constitution, 1945; WB Articles of Agreement, 1944; Art. 28(3) of the CRC Treaty).

During 2022-2023, the researcher undertook research in the libraries of the United Nations Office at Geneva (UNOG, IBE-UNESCO) and Paris, UNESCO'S Headquarters. UNESCO, the UN specialised agency that promotes cooperation and solidarity in education, science, culture and communication, provides a rich repertoire of historical as well as standards and norms on quality education (UNESCO, 1945); in addition, the IBE-UNESCO documentation centre in Geneva provides contemporary information on each Member State's education systems (in the form of papers submitted to the International Conference on Education (ICE) which describe the applicable constitutional and legislative provisions, the current policies and reforms that have been undertaken or proposed, and the implementing institutions within each education system. The researcher also obtained a copy of monograph on education philosophy from the UNESCO Institute of Lifelong Learning in Hamburg. In addition, the Library of the United Nations Office of Geneva (UNOG), among others, keeps the legislative history of the Treaty which is also an important reference for this article.

Although there is relevant literature on education generally in Malaysia, there is, however, a dearth of information relating to the aims of education, particularly, relating to Article 29 of the Treaty. In Nordin's and Othman's 2003 monograph entitled *Falsafah Pendidikan dan Kurikulum* (Education Philosophy and Curriculum), the authors briefly discussed the education philosophy both from the western and Islamic perspective, naming among others, the classic philosophers (Socrates, Plato and Aristotle) as well as the western well-known personalities such as Immanuel Kant (1724-1804), Karl Marx (1818-1883), John Dewey (1852-1959), among a few (Nordin & Othman, 2003, p. 3-5). Nordin and Othman discussed at length the national philosophy of education which historically built upon the policies set by the Razak Report 1956 and later the Rahman Talib Report, 1960, that established the concept of education for all (but not yet made compulsory at that time), a curriculum with common content syllabuses, and Bahasa Malaysia as the medium of instruction to replace the English language (MoE, 1985). In 2003, primary education was made compulsory for 6-12 year old Malaysian citizens following the amendment to the Education Act 1996 in 2002 (see Education (Amendment) Act 2002). More recent materials include the MEB (MoE, 2012) and the English Language Reforms in Malaysia (The Roadmap) 2015-2025 (MoE, 2015).

METHODOLOGY

The researcher visited the United Nations institutions in Geneva, Switzerland and Paris, France to look for the relevant literature. In Geneva, the main library at the UN Office (Palais des nations) and the Centre for Documentation at the International Bureau of Education (IBE) provide access both to the hardcopy material and digital collections and likewise the UNESCO's library in Paris. Through the staff of the IBE, the author was also able to obtain some information from the UNESCO's Institute of Lifelong Learning, based in Hamburg, Germany. The UMS repository also provided information used in this article.

RESULTS AND DISCUSSION

The literature reveals the origin of the word philosophy, defines as *love of wisdom* and has its root in ancient Greece from the presocratic period to the latter classical philosophers. The word *educate* has its origin in '*éducãre*' (Latin) and the literature also provides the discussion on its meaning as defined by various authors. The right to or aims of education have its formal origin in the 1948 UN Universal Declaration of Human Rights and later repeated in the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966): these legislative provisions were later included in the Convention on the Rights of the Child (as articles 28 and

29) which has been ratified by Malaysia – they are universal norms which have been adopted by 196 developed and developing countries, including Malaysia.

Philosophy and Education

Understanding the meaning and scope of these two words is imperative before analysing the contents of the New Education Policy (NEP). The word philosophy derives from the Greek word *philosophia;* love of knowledge or wisdom in Latin (O'Connor, 2017; Bailey, 2014; Shand, 1993; Ewing, 1985). According to Ludwig Wittgenstein (1889-1951), philosophy is an activity or process that seeks to clarify an idea or suggestion (Ayer, 1973; Fann, 2015; Allen & Goddard, 2017). The process uses reasoning to understand what knowledge and moral judgment are and that of reality (Bailey, 2014). When philosophising, two questions are directed at the proposer of the idea or suggestion, firstly, by asking what do you mean and secondly, by asking the person how does he know it (White & White, 2022). According to Professor Robinson (2004), Immanuel Kant (1724-1804), a German philosopher, devoted most of his entire life to three questions: "what can I know, what ought I to do, what can I hope?" Although Ulich (1961) posits the word 'why' is 'little', it, however, stimulates and prompts the mind to think deeper in exploring into subjects. Philosophy is about clarifying thoughts: for example, Socrates was concerned to answer questions such as "What is justice?" or "What is knowledge (Ayer, 1973)?" Without reasoning, thoughts will not be clear and distinct (Fann, 2015; Bailey, 2014). A few words on the origin of philosophy that appeared about 2000 years ago in Greece.

Weeks (2019) claims that the origin of Western Philosophy is based on the ideas of a group, he calls, the "Milesian school" – thinkers led by Thales of Miletus (c.624-546 BCE), a Presocratic philosopher, from the Greek province called Ionia, which is part of the present day Turkey (Garvey & Stangroom, 2012). The Presocratics were the predecessors and contemporaries of Socrates: Thales, a presocratic was often referred to as the "first philosopher" because of his reliance on "observation and reason" (Grayling, 2019, p. 13); he was an astronomer, engineer and statesman. The other key figures of the Presocratics, include Anaximander (c.610-546BCE), Anaximanes (c.585-528BCE), who were said to be looking to nature itself "using reason and observation to fathom the natural world" (Weeks, 2019, p. 15). Weeks (2019) also mentions Pythagoras (c.570-495 BCE) as being another famous Presocratics, a mathematician known for his theorem of the right-angled triangles – that the square of the hypotenuse is equal to the sum of the squares of the other two sides. The other well-known Greek philosophers were Socrates, Plato and Aristotle: Socrates (469-399 B.C.) was famous for his dialogue and questioning; Plato (427-347 BC), an accomplished mathematician and was acknowledged for his topics such as ethics, politics, and epistemology - his writings revealed Socrates' ideas (Waterfield, 2023; Seaford, 2020; Weeks, 2019; Garvey & Stangroom, 2012; Shand, 1993), and Aristotle (384-322 BC) who was known for a broad range of disciplines, including politics, biology, and ethics; the study of the latter helps to improve human lives and their awareness of emotional and social skills enables human being to put their general understanding of well-being into practice (Zalta & Nodelman, 2024; Noddings, 2018; Law, 2013; Garvey & Stangroom, 2012).

Schofield (2012) in his monograph "*The Philosophy of Education: An Introduction*" describes the concept of "education" at length (see pages 29-41), claiming the root word 'educate' originates from the Latin word 'éducãre', meaning to 'rear' or 'bring up' (Lile, 2021). Schofield also refers to the thoughts of various philosophers on the topic, among them, Plato and Milton – the latter posits that a comprehensive education prepares a person to act fairly,

competently, and with generosity; Lodge thinks education as an experience of a living organism in a usual surrounding; Ducasse uses the phrases *'to lead out'* or *'to bring out'* through training instruction and indoctrination. Teaching and indoctrination are among the methods used to transmit education: teaching is about inculcating insight, while the latter, devoid of insight, is unacceptable based on moral standard (Schofield, 2012, p.177). The researcher would agree with Schofield in that the word 'indoctrination' was used during late 1949 and in 1950s to describe the infiltration by the Clandestine Communist Organisation (CCO – with affiliation to the Communist Party of China) to develop the CCO cells or sympathisers among the youths for its cause in Chinese schools, unions, politics, and the print media in Sarawak which was worrying to the British Colonial Administration at the time (Porritt, 1997). To indoctrinate is to repeat an idea to someone until they accept it (McIntosh, 2013). Elechi (2014) argues that learners must be treated with respect, not forced but are permitted to make a choice in order for teaching to be acceptable (p. 143). International standard has declared this to be the case.

It is recalled that Article 12 of the Treaty confers the right to the child to express or form his or her own views in matters affecting them (Tobin, 2019; Hodgkin & Newell, 2007). Providing the opportunity to children to express their own views can help improve their capacity for critical thinking (see explanation below) (Tobin, 2018). The Committee on the Rights of the Child asserts that Article 12 is a general principle of fundamental importance as it applies to the interpretation of all other articles as well as all aspects of the implementation of the Treaty (Hodgkin & Newell, 2007).

In addition, Ulich (1890-1977), the former James Bryant Conant Professor Emeritus of Philosophy at Harvard University, describes 'education' as the continuous interaction among people in the real world (Ulich, 1961, p. 7). Stating that education can occur in a formal or non-formal setting, UNESCO (1974/2024) posits that education is a right that cannot be relinquished; it is a lifelong society-wide journey in which individuals achieve their fullest potential in personality, dignity, mental and physical capacities, and it is a process that benefit, not only the local and national, but also the regional and global communities and ecosystems. What more is there on the meaning of education?

While claiming that man is the only being who needs education, Kant (1724-1804), a German philosopher, states that it is about the caring, raising, protecting, and educating the child who has the ability to do different things in life. According to Kant, man is also equipped with the discretion which is required to conduct himself in society. Elsewhere, the courts in the Global North have contributed to the interpretation of the word 'education': on the one hand, the European Court of Human Rights states that education is the entire process of passing on the beliefs, culture and other values by the adults to their children (Lile, 2021). On the other hand, the US Supreme Court, while stating that education is the most important function of the State and local governments, determines that education is the primary means of, firstly, instilling the child with cultural values; secondly, equipping him for subsequent professional training, and thirdly, enabling him to adapt to his environment (Lile, 2021).

To widen the discussion on the meaning of the word 'education', Schofield (2012) refers to Peters' three-criteria proposal (1919-2011): (i) education should include knowledge and understanding together with an active cognitive perspective that is not passive; (ii) it rules out some procedures of transmission on the ground that they lack voluntariness on the part of the learner, and (iii) it also excludes certain methods of teaching because they do not involve the awareness and willingness of the learner (Schofield, 2012, p. 36).

Schofield (2012) explains that the first criterion is about passing on something that is of value. He says, the phrase 'education implies' is different from the phrase 'education is…', the latter is a descriptive definition; the former suggests one characteristic of education that excludes others. As to the second criterion, the 'cognitive perspective' requires one to see "all aspects of the situations": it must involve 'knowledge and understanding' otherwise, it cannot qualify to be called 'education'. As regards the third criterion, some kind of 'methods' are used to transmit or pass on knowledge, and Schofield refers to the words 'instruction', 'training', and 'indoctrination' (for the latter, see above) (Schofield, 2012, p. 37): he argues that it does not limit to only one method of transmitting the knowledge.

In addition, Peters (1973) introduces the concept of an "educated" person. Among the criteria such a person possesses include, having a body of knowledge and understanding not just merely of knowing 'disjointed' facts, and less still by being called merely a "well-informed" person; being educated is more than just being highly skilled; an educated person must understand the "reason why" of things. He is of the view that being educated is not about reaching a final destination but continuing the journey with a new perspective (Peters, 1965).

Education has also been associated with the word "growth". John Locke (1632-1704) deemed an individual a *tabula rasa* or a 'blank sheet' and that he or she, 'nine parts of ten', is created, whether good or bad, by his or her education (Palmer et al., 2001). According to the Cambridge Advanced Learner's Dictionary, to 'grow' is to increase in size or to become more advanced or developed (McIntosh, 2013). The 'growth' of a human being is his/her process of developing (McIntosh, 2013). Professor Boisvert, as quoted by Blum (2017), posits that 'growth' is an ongoing process of realising developing potential, and it is a tangible and significant journey. Blum calls it the 'end' that becomes a "… part of the process, one stage in the continuum of growth (Blum, 2017)." Blum further explains that 'growth' signifies, not only about the individual, but also about his / her relationship with others (Blum, 2017). John Dewey (1859-1952), who was the dominant American philosopher through the two World Wars and the Great Depression, spoke of education as synonymous with 'growth' (Dewey, 1915; Noddings, 2016; Fesmire, 2015). Despite being criticised for stating 'growth' as the aim of education, Dewey insisted that 'growth' is its own end (Noddings, 2016). Noddings (2016) describes Dewey's word 'growth' in his most important biological metaphor to the effect that growth encourages further growth, and each phase of growth has its own purpose - it evolves with time and is never ending (Blum, 2017). Peters (1973) agreed with the dynamic nature of the concept of growth but argued that 'growth' itself is an empty ideal – for growth to be educational it must be directed towards worthwhile knowledge which Dewey's term alone does not guarantee. The creation of the right environment, one that is synonymous with a 'home' where one 'feels safe, secure, loved, at ease', as emphasised by Maria Montesorri (1872-1952), underpins the child's proper growth (Palmer et al., 2001).

The National Education Policy (NEP) and the Convention on the Rights of the Child (CRC) Treaty

Let us look at the NEP and the Treaty, particularly, Article 29 on the "Aims of Education". But first, some explanation on the applicability of International Law in Malaysia: Treaty provisions do not apply directly without an enabling legislation, that is, a law passed by Parliament and duly assented to by the Yang Di-Pertuan Agong (JAC, 1963; Chapter 4, article 44 of the Federal Constitution) (Kawi et al., 2022). Kawi et al. (2022) further state that this dualist doctrine considers international law and municipal law as two separate and independent systems – international law is applicable between sovereign States, whereas municipal law is

applicable within a State to regulate the activities of its citizens (Shuaib, 2012; Kaczorowska, 2010, p. 146-147; Aust, 2000). This principle has been adequately stated by the Malaysia Court of Appeal in *Air Asia Berhad v Rafidah Shima Mohammed Aris* (2015), where it ruled that although the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was ratified by Malaysia on 5 July 1995, it could not apply directly because the provisions of the treaty have not yet been incorporated into domestic law by an Act of Parliament at the time of the judgment (Fong, 2016, p. 203; Kawi et al., 2022). Malaysia's accession to the Treaty in 1995, which entered into force on 19 March 1995, six years after its adoption by the United Nations, ushers the beginning of a new era for its children – for their care, protection rehabilitation, participation and development based on binding norms that are now universally applicable (Kawi, et al., 2022). Although the Federal Constitution does not specify on the supremacy of either international law or municipal law, however, in the event of any conflict between them, the national statute will prevail (*PP v Wah Ah Jee*). This does not mean that international law is devoid of any use nationally - principles laid out in a treaty of which Malaysia is not a State Party, can still be used in interpreting Malaysian law (Fong, 2016, p. 202).

It would be necessary to discuss the principles laid out in the NEP (see above) and Article 29 on the "Aims of Education" of the Treaty which Malaysia has ratified. The fundamental principles and goals of the NEP have been translated into educational programmes and activities to achieve the below objectives by the Malaysian Ministry of Education (MoE, 1996b): firstly, to equip students who are skilled, knowledgeable, literate, and balanced in physical, emotional, and spiritual aspects; secondly, to cultivate national values and shared ideals that promote unity and loyalty towards the nation; thirdly, to produce skilled human capital that is necessary for economic and national development, and fourthly, to instil moral values in students so that they can actively participate in nation-building (Bajunid, 2008).

The MoE has translated these objectives into its Vision and Mission Statement: "Quality begets learned individuals for a prosperous nation; Upholding a quality education system that develops individuals to their full potentials and fulfills the aspiration of the nation" which has cascaded to the district and school level which now have their own vision and mission statements. Let us now look at Article 29 of the Treaty.

Article 29 on the aims of education, provides in sub-section (1) that States Parties agree that the education of the child shall be directed to the development of: (a) the child's personality, talents, mental and physical abilities to their maximum potential; (b) the child's respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations; (c) the child's respect for his parents, his or her own cultural identity, language and values, or the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own; (d) the child's personality and talents for responsible living in a free society, emphasising understanding, peace, tolerance, gender equality, national, and religious groups, as well as individuals of indigenous origin, and (e) the child's respect for the natural environment.

The Article reflects the consensus among States of the world about the fundamental purposes of education as can be vouched from the *Legislative History of the Convention on the Rights of the Child* (UN, 1989; Hodgkin &Newell, 2007). According to the Committee on the Rights of the Child, the aims as set out in Article 29 promote, support, and protect the core value of the Treaty (UNCRC, 2001; UN, 1989). The Article is founded on the merger of Article 26 (2) UDHR and Article 13(1) of the ICESCR, the predecessor provisions to that of the Treaty

(Lile, 2021; Moeckli et al., 2010). The Committee on Economic, Social and Cultural Rights *notes that these educational objectives reflect the fundamental purposes of the UN as enshrined in Articles 1 and 2 of the Charter* (UNCESCR, 1999).

It is noticed that the word "development" appears four times and the word "preparation", once in Article 29. However, the Education Act 1996 uses the words "develop" and "developed" once, the word "development" three times in its preambles and whereas the NEP uses the word "developing" only once. While the significance is apparent, these words have neither been defined in the Treaty nor by the Education Act. To obtain the clarification on the meanings of the words, the researcher would refer to his earlier writing in which he refers to Mercer's (2018) definition and is quoted verbatim below:

> "…neither the Convention nor the 2001 Act defines the word 'development'. According to Mercer (2018), the word 'development' derives from French word (développer / développement) meaning 'unwrapping', unfolding or 'unfurling'. He says, it suggests a process that takes place over time. When used to refer to human beings, development is about a series of physical, mental, emotional and behavioural changes that take place as human being grows older (ibid.). In this regard, a strong system of education helps nurture and mould the child to enable it "to participate in and contribute positively towards the attainment of the ideals of a civil Malaysian society" (the third preamble of the 2001 Act). (Kawi et al., 2022)

The Cambridge Advanced Learner's Dictionary defines 'develop' as "to (cause something) to grow or change into a more advanced, larger, or stronger form, thus, 'development' is the process in which someone or something grows or changes and becomes more advanced (McIntosh, 2013)."

While the main thrust of the two (NEP and Treaty) is similar the education of the individuals to be knowledgeable, competent and skilled human beings in order to contribute to their own well-being, family, society and nation, there are marked differences between the NEP and Article 29 of the Treaty, especially its sub-provisions in 1(b), 1(d) and 1(e). How do these aims compare to those of other developed or developing countries?

Norway's first point is "to prepare the population for work" (Royal Ministry of Education, Research & Church Affairs – RME-RCA, 1996) and so does South Africa (Dept. of Education, 2004), Japan (MoE, 2001), South Korea (MoHERD, 2004), and Senegal (Law No. 91-22 of 1991). In order to face the challenges of the 21st century, Japan, for instance, has laid down two principles: 'going back to basics' and undertaking actual reforms, by creating, among other things, an education system that fosters and improves, in the Japanese people, a well-rounded character and ability to become future leaders, as well as develops school that is suitable for the new age (MoE, 2004). In Sweden, reforms that were introduced at the beginning of the 21st century, *inter alia,* aim to ensure that its education system provides knowledge and development opportunity for all and that everyone has the right and opportunity to make progress (MoES, 2004). Obtaining good qualification is a passport to a good job (Bailey, 2014). Quoting Norman, Bailey argues that work is central to people's lives; it shapes how they are perceived by others and that essentially your identity is determined by what you actually do. More importantly, it is one's contribution to the economic, social, cultural and political development of one's country (MoE, 2001; MoHERD, 2004). These countries speak about their national values, which Malaysia also emphasises.

This illustrates that economic development – the production of skilled labour force and the fulfilment of the social and cultural aspirations of the citizens – occupies the top priority in the governments' education philosophy (Gonzalez & Lee, 2024; Don-Hee Lee et al. 2022; Ryan, 2019; Tanaka, et al. 2017; Mason & Caiger, 2011). All these countries, including Malaysia, are State Parties of the Treaty and all want to ensure that their peoples are knowledgeable, competent and skilled which will, not only, benefit their citizens, but also their families, societies and nations at large. These objectives, in fact, fulfil the general aims of education that include: helping individual learners to develop; serving the needs of society, passing on from generation to generation knowledge, skills and aptitude (my emphasis) and developing ways of knowing and understanding as the common heritage (MoE, 2012; Marples, 1999). The 1985 Cabinet Committee Report also stressed on the manpower needs of Malaysia (MoE, 1985, p. 140).

The Right to Quality Education and Critical Thinking

It has been the aim of the Malaysian Government to ensure that all its children or learners are provided with and benefitted from quality education (MoE, 2012). Quality education has been envisaged by international norms that have been agreed to by States during the World Conference on Education for All (EFA) (UNESCO, 1990), the World Education Forum – The Dakar Framework for Action on EFA (UNESCO, 2000); The Global EFA Meeting – The Muscat Agreement (UNESCO, 2014), and the Incheon Declaration and Framework for Action for the Implementation of Sustainable Development Goal 4 or Education 2030 (UNESCO, 2015). This fundamental aim has been underpinned by the various reforms that have been made in the past, including the publication of the MEB (MoE, 2012), and The Roadmap (MoE, 2015). Quality is one of the five system aspirations of the MEB (the others being: access, unity, equity, and efficiency), aiming to achieve educational excellence. These reforms have adopted Western standards, including the application of the *Common European Framework of Reference for Languages (CEFR): teaching, learning, assessment* (CoE, 2001, 2020) in the teaching and learning of languages, especially English as a second language since 2015 - countries in the region, including China, Japan, South Korea, Vietnam, and Thailand have adopted the CEFR. But what is 'quality in education'?

In their comparative study of Brazil, China and Russia, entitled "Politics of Quality in Education", Kauko, *et. al*. (2018) are of the view that the "question of quality in education has become one of the most important framing factors in education and has been of growing interest to international organisations and policy makers for decades". The phrase *quality in education* remains abstract (Kauko, *et. al*., 2018). There is no consensus as to what the word *quality* actually means. Although international treaties often touched on *educational quality*, they were generally silent on how well the education system should perform in meeting the objectives (UNESCO EFA, 2005). As a lead agency in education, does UNESCO provide any hint on this important issue?

As a specialised institution that promotes international cooperation in education, science, culture and communication, UNESCO has laid some guiding principles as regards education quality. The evolution of the *concept of quality* within UNESCO first appeared in 1972 in the report of the International Commission on the Development of Education (ICDE), entitled *Learning to be: The World of Education Today and Tomorrow* (Faure, *et. al*., 1972) (hereafter Faure Report). To improve the quality of education, it is imperative to have systems in which the principles of scientific development and modernisation could be learned with due

regard to the socio-cultural contexts of the learners (Faure, *et. al*., 1972); the word 'science' implies normative and interpretive perspective (Cohen *et. al*., 2018).

More than two decades later, in another ICDE Report to UNESCO, *Learning: The Treasure Within* (Delors, *et. al*. 1996) (hereafter Delors Report), the Commission saw *education through life* has been founded on four pillars: (i) *learning to know* – being knowledgeable on a wide variety of subjects that will be useful for lifelong learning; (ii) *learning to do* – the acquisition of competence and skills that are useful in life; (iii) *learning to live together* – having the knowledge on each other's ethnic background, including culture, beliefs and values, that is essential for working together and managing conflict, and (iv) *learning to be* - knowing about one's responsibility and independence, and that each individual has talent, aptitude to communicate with others, and leadership potential, that have to be tapped (Delors et al., 1996; UNESCO, 1972). The Delors Report (1996) concludes that these four pillars are the foundation of an integrated and comprehensive view of learning, and therefore, constitutes *education quality*.

Since the formulation of the Dakar Framework for Action in 2000 (DFA), quality education has taken a fresh international discourse (Tawil*, et. al.,* 2012). In contrast to the global approach in the 1990s, which was to achieve universal enrolment for primary education, the DFA was aiming to "improving all aspects of the quality of education" in order to achieve measurable learning outcomes in literacy, numeracy and life skills that are essential (Tawil*, et. al.,* 2012). Does critical thinking contribute to or enhance the quality of education? The answer should be in the affirmative given the aim to develop high order thinking skills among learners in Malaysia (Moe, 2012; MoE, 2015).

Both the MEB and the Roadmap seek to improve students thinking skills through the introduction of new curricula for primary and secondary schools, the levels where critical thinking skills could develop. It has been stated that the focus in higher education is on subject matter teaching rather than in critical thinking (Pithers & Soden, 2000). At an international conference, a keynote speaker stated that a research conducted in Southeast Asia found that critical thinking ability among students is "very low" (APCERSSH 2023; Rozalan & Saat, 2015; Chee Choy & Phaik Kin Cheah, 2009). The aim of education is to produce "good thinking" skills which will help students to "think well" and "think for themselves" (Pithers & Soden, 2000). But what is the meaning of the word "think"?

It has been stated that the word "think" is one of the most used words in English language and it has several meanings, such as: to have ideas; to reason; to judge; to conclude; to imagine, etc. (Grigg & Lewis, 2019). On the one hand, Edward de Bono (1976) describes "thinking" as the *deliberate exploration of experience for a purpose.* On the other, Pithers and Soden (2000) are of the view that thinking is the ability of an individual to identify, among others, what questions are worth pursuing or whether to use a particular question or the other during a self-directed search for knowledge. It is about the "generic competencies" (in the case of Australia) which includes problem solving, communicating information, working with others, and using technology - which are at the core of lifelong learning in order to improve students' flexibility and adaptability when entering the workforce; or it is also known as "generic abilities" or "key skills" (in the United Kingdom / by its Higher Education Quality Council)(Pithers & Soden, 2000).

A critical person is one who has the ability to accurately comprehend academic texts, write independently, construct a coherent argument, and engage in logical reasoned thinking

(Hills, 2011). 'Good thinking' and 'thinking well' are both bound together with the idea of 'critical thinking' (Pithers & Soden, 2010). In addition, the individual has the ability to analyse and evaluate information and understand issues from different points of views other than one's own (Hill, 2011). Hill posits that thinking skills can be taught. He suggests several methods that can be used to teach thinking skills in schools: i) *General* approach – this involves teaching thinking skill in abstract free from any subject matter; ii) *Immersion* approach – this occurs where teachers design their lessons so that critical thinking is included; iii) *Infusion* approach – this method embeds critical thinking in a normal lesson, and iv) *Mixed* approach – the combination of the *general* approach with the *immersion* approach (Hill, 2011). Should students first have a strong foundation of knowledge before being able to learn and engage in critical thinking?

Critical thinking and a strong foundation of knowledge are among the key attributes for Malaysian students to possess according to the MEB (MoE, 2012) - this is consistent with the views that students should first acquire or be exposed to a critical mass of knowledge (of different subjects: art, science, history, geography, English, etc.) as these different types of knowledge would help students develop their ability to inquire deeper using different forms of questioning, including: "why", "why not", "So what", and by being able to make inferences, deduction and induction from the different subjects' texts (Clayton, 2021). Clayton envisages three different types of learning are taking place at the same time in a classroom, comparing them as the three layers of flow in a 'river': at the top is the knowledge transfer from the teacher to the students who are learning to know about the different subjects as stated above. This process of acquisition by the learners of the different knowledge through teaching, explaining, and testing, the process of which he says, is 'visible' and 'fast moving'- is about knowledge and comprehension; the second layer below is also visible and he calls this 'skills and literacies' where activities, practicing, and feedbacks take place, though somewhat slower than the top layer - the students develop various skills that enable them to access and manipulate the knowledge they are receiving, and at layer three at the bottom of the river, Claxton says that these 'habits and attitudes' are being created towards learning – raising questions about multiple issues such as about one's ability to do something quickly or asking what to do when being faced by difficult questions in a lesson, and so on. In addition to this attribute, the MEB also aspires Malaysian students to possess skills in problem-solving, leadership, in languages, and communication (Harari, 2018; MoE, 2012). This is also about "intelligence" which has been defined as "...the sum total of mental capacities such as abstract thinking, understanding, reasoning, learning and memory formation, action planning and problem solving (Editors, 2023)". Martin Luther King Jr. (1929-1968), America's famous civil rights leader had famously stated that: "The function of education is to teach one to think intensively and to think critically… intelligence (alone, my emphasis) is not enough. Intelligence plus character… is the goal of true education" (Grigg & Lewis, 2019). It would be fair, therefore, to conclude that the existence of a good level of critical thinking among students would reflect the quality of education that has been given – the standard of teaching and the learning outcomes.

CONCLUSION

The paper discusses the National Education Philosophy of Malaysia, which was promulgated in the Fifth Preambular paragraph of the 1996 Education Act, following Malaysia's ratification of the Treaty in 1995. It then provides the conceptual framework of the paper based on the intertwined relations between International Law, States and (territorial) Sovereignty that are inseparable. The origin and meaning of (the Western) philosophy was traced, featuring the important classical and the modern philosophers and their views on the terms 'philosophy', and

'education' which is defined as a *lifelong societal process*. The NEP is about the aims of education in Malaysia – among others, that seek to develop and produce knowledgeable, competent, and skilled individuals who are imbued with moral character; individuals who fully understand their own personal responsibility, towards their families, societies and nation. Article 29 – Aims of Education - of the Treaty which supplants the NEP, further provides for the development of individuals that respect the UN Charter, their parents, culture, country of origin or residence and the civilisations at large, and the natural environment to ensure sustainability which successive generations can enjoy. The words "education", "being educated", "growth", "develop", "development" were analysed, providing the different views of famous authors, philosophers, and institutions in the Global North. The article also underscores the importance of critical thinking in fostering quality education in Malaysia in order to equip Malaysians towards problem-solving, decision-making, and quality lifelong learning as envisaged in the Sustainable Development Goal 4. Having a strong foundation of knowledge, critical thinking also helps nurture individuals towards independence and informed persons, fostering social and cultural understanding. Incorporating critical thinking into the curriculum is in harmony with international standards and prepares individuals for the complex unforeseen challenges of the twenty-first century. To conclude, Malaysia NEP is supplanted by the Treaty and is largely similar to many developed or developing countries in the region and elsewhere in the world.

ACKNOWLEDGEMENT

We would like to express our sincere gratitude to UMSGreat for their generous grant, which provided crucial support for this research. We are deeply thankful to Ms. Petra van den Born, Reference Librarian at the UNESCO Library in Paris, for her invaluable assistance in granting me access to their extensive digital and hard-copy collections. Our sincere appreciation goes to Mr. Henri Bourgoin, Documentalist, Knowledge Management and Creation at the IBE-UNESCO Documentation Centre in Geneva, for his timely help and guidance while undertaking our research at the Centre. Furthermore, we are grateful to the staff at the UNESCO Institute of Lifelong Learning in Hamburg, Germany and the UN Library in Geneva, whose collaboration facilitated access to the digital copies of the literature cited in this article.

REFERENCES

Abbas, T. (ed.)(2011). *Islam and Education.* London / New York: Routledge.

Allen, A. & Goddard, R. (2017). *Education and Philosophy: An Introduction*. London: SAGE.

Amir, A. N. & Rahman, T. A. (2023). Islamisation of Knowledge in Historical Perspective. *Al-Insyroh: Jurnal Studi Keislaman*, 9(1), 26-50.

APCERSSH. (2023). Second Asia Pacific Conference on Educational Research, Social Science and Humanities, Bangkok, 24-25 September 2023.

ASEAN. (2012). Human Rights Declaration. [Online URL: https://www.asean.org] accessed on June 20, 2021.

Aust, A. (2000) *Modern Treaty Law and Practice*, Cambridge, Cambridge University Press.

Ayer, A. J. (1973) *The Central Questions of Philosophy.* London: Penguin Books.

Bailey, R. (ed.) (2014). *The Philosophy of Education: An Introduction*. London: Bloomsbury Publication Plc.

Bajunid, I. A. (ed.) (2008). *Malaysia: From Traditional to Smart Schools – The Malaysian Educational Odyssey*. Kuala Lumpur: Oxford Fajar Sdn Bhd.

Barrow, R. & Woods, R. (2022). *An Introduction to Philosophy of Education.* (Fifth Edition). New York / London: Routledge. DOI: 10.4324/9781003120476.

Blum, S. (2017). A revitalised educational conception of growth in the twenty-first century for contemporary education praxis in Nebraska. [Online URL: https://www.digitalcommons.unl.edu/teachlearnstudent83] accessed on December 19, 2022.

Buergenthal, T. (2017). Chapter 1 – International Human Rights in an Historical Perspective. In Symonides, J. (ed) (2017) *Human Rights: Concept and Standards* (in Association with UNESCO). London: Routledge and UNESCO Publishing.

Bull, H. (2012). *The Anarchical Society: A Study of Order in World Politics.* (Fourth Edition). New York: Palgrave

Buzan, B. (2004). *From International to World Society.* Cambridge: Cambridge University Press.

Cohen, C.P. (1997). The United Nations Convention of the Rights of the Child: A Feminist Landmark, *William & Mary Journal of Women and the Law*, 3(1), 29-78. [Online URL: https://scholarship.law.wm.edu/wmjowl/vol3/iss1/3] accessed on May 30, 2021.

Council of Europe (CoE). (2001). *Common European Framework of Reference for Languages (CEFR): Learning, teaching and assessment*. CoE Publishing, Strasbourg.

Council of Europe (CoE). (2020). *Common European Framework of Reference for Languages (CEFR): Learning, teaching and assessment*. *Companion Volume.* CoE Publishing, Strasbourg.

CLII. (2019a). Malaysia Interpretation Act 1948 & 1967 (Act 388). London: Commonwealth Legal Information Institute (CLII). [Online URL: https://www.commonlii.org] accessed June 20, 2021.

Darling-Hammond, L. (2010). *The Flat World and Education: How America's Commitment to Equity Will Determine Our Future.* New York: Teachers College.

Davison-Vecchione, D. (2019) Beyond the Forms of Faith: *Pacta Sunt Servanda* and Loyalty, *German Law Journal,* Vol. 16(5): 1163-1190.

De Bono, E. (1976). *Teaching Thinking*. London: Pelican.

Dewey, J. (1915). *Democracy and Education.* Prabhat Books.

Doek, Jaap E. (2003) The Protection of Children's Rights and the United Nations Convention on the Rights of the Child: Achievements and Challenges, *Saint Louis University Public Law Review*: Vol. 22(2): 235-252. (Online URL: https://scholarship.law.slu.edu/plr/vol22/iss2/4) accessed on May 30, 2021.

Don-Hee Lee, Sam-Geun Kwak, Jae-Woong Kim, Dong-Joon Park, Jung-Ho Yang & Myung-Hee Lee. (2022). *Education in South-Korea: Reflections on a Seventy-Year Journey.* Singapore: Palgrave Macmillan.

Dweck, Dr. C. (2009). *Mindset: The new psychology of success.* New York: Robinson.

Dweck, Dr. C. (2017). *Mindset: Changing the way you think to fulfil your potential.* New York: Robinson.

Editor. (2025). Over 29,000 pupils sit for UP-DLP, *The Borneo Post*, October 16, 2025.

Editors. (2023). *Science Direct*: Online URL : https://www.sciencedirect.com. Accessed 7 November 2023.

Editors. (1996). *Ensiklopedia Penyata Rasmi Parlimen (Encyclopedia of Hansard),*

Dewan Rakyat (Lower House), Parlimen Kesembilan (Ninth Parliament), Penggal Pertama (First Session), Jilid 4, 29.11.1995 – 21.12.1995.

Elechi, G. E. (2014). Richard S. Peters' Concept of Education and the Educated Man: Implications for Leadership Recruitment in Nigeria. *Developing Country Studies,* 4(23), 140-145.

Engle, E. (2011). The Convention on the Rights of the Child. *QLR,* vol. 29(3): 793-820. (Online URL: https://www.heinonline.org) accessed on May 30, 2021.

Ewing, A. C. (1985). *The Fundamental Questions of Philosophy.* London: Routledge & Kegan Paul PLC.

Fann, K. T. (2015) *Wittgenstein's Conception of Philosophy*. Singapore: Patridge Publishing.

Fatah Yasin, R. F. & Jani, M. S. (2013) Islamic Education: The Philosophy, Aim, and Main Features, *International Journal of Education and Research*, 1(10), 1-18.

Fesmire, S. (2015). *Dewey.* New York: Routledge.

Fong, J. C. (2016). *Constitutional Federalism in Malaysia.* Selangor: Sweet & Maxwell – Thomson Reuters.

Garvey, J. & Stangroom, J. (2012) The Story of Philosophy. UK: Quercus.

Glasgow, G. P. (ed.). (2023). *Multiculturalism, Language, and Race in English Education in Japan: Agency, Pedagogy, and Reckoning.* Hong Kong: Candlin and Mynard.

Gonzalez, Dr. J. & Lee, Y. (2024). *South Korea: The Price of Efficiency and Success.* USA: John Gonzalez.

Grayling, A. C. (2019) *The History of Philosophy: Three Millenia of Thought from the West and Beyond.* UK: Penguin Books.

Grigg, R. & Lewis, H. (2019). Teaching Creative and Critical Thinking in Schools. London: SAGE.

Harari, Y. N. (2018). *21 Lessons for the 21st Century.* London: Jonathan Cape.

Hashim, C. N. & Langgulung, H. (2008) Islamic Religious Curriculum in Muslim Countries: The Experiences of Indonesia and Malaysia, *Bulletin of Education & Research*, 30(1): 1-19;

Hodgkin, R. & Newell, P. (2007). *Implementation Handbook for the Convention on the Rights of the Child.* New York: UNICEF.

Hussin, S. (2009). *Dasar Pembangunan Pendidikan Malaysia: Teori dan Analisis*. Kuala Lumpur: Dewan Bahasa dan Pustaka.

Ibrahim, A. (2022) *SCRIPT: For a Better Malaysia – An Empowering Vision and Policy Framework for Action*. Shah Alam: Institute Darul Ikhsan.

ICFE. (2021). *Reimagining Our Future Together: A New Social Contract for Education*. Paris: UNESCO.

JAC. (1963). *Malaysia Federal Constitution*. Kuala Lumpur, Judicial Appointments Commission (JAC). [Online URL: https://www.jac.gov.my] accessed on June 20, 2021.

Japan MOE. (2001). Development of Education in Japan – Report submitted to the *46th Session of the International Conference on Education*. MEXT, September 2001.

Japan MOE. (2004). The Development of Education in Japan – *National Report of Japan,* Tokyo: Ministry of Education, Culture, Sports, Science and Technology.

Kaczorowska, A. (2010) *Public International Law*. London: Routledge.

Kant, E. (2003). *On Education.* New York: Dover Publications, Inc.

Karp, J. (1998). Concepts Underlying the Implementation of the Convention on the Rights of the Child, *Loyola Poverty Law Journal,* Spring 4, 113-140.

Kawi, Z. Mohd., Idris, A., Ambotang. A. S. & Ebrahimi, M. (2022). Malaysia Legislates the Rights of the Child: Challenges, Progress and Impact. *Baltic Journal of Law and Politics,* (15)3: 2033-2052. DOI: 10.2478/bjlp-2022-002140. [Online URL: https://versita.com] accessed on December 27, 2022.

Kilkelly, U. (2011). The CRC at 21: assessing the legal impact. *Northern Ireland Legal Quarterly,* 62(2): 143-52.

Klabbers, J. (2021). *International Law.* Kindle Edition. Cambridge: Cambridge University.

KPWKM. (2021a). *Child Act 2001*. Kuala Lumpur: Ministry of Women, Family, and Community Development (Kementerian Pembangunan Wanita, Keluarga dan Masyarakat – KPWKM). [Online URL: https://www.kpwkm.gov.my] accessed on May 30, 2021.

KPWKM. (2021b). *Child (Amendment) Act 2016*. Kuala Lumpur: Ministry of Women, Family, and Community Development (Kementerian Pembangunan Wanita, Keluarga dan Masyarakat – KPWKM). [Online URL: https://www.kpwkm.gov.my] accessed on May 30, 2021.

Krasner, S. D. (2004) The Hole in the Whole: Sovereignty, Shared Sovereignty, and International Law, *25 Mich. J. Int'l L.*: 1075-1102.

Law, S. (2013). *The Great Philosophers: The lives and ideas of history's greatest thinkers.* London: Quercus.

Lile, H. S. (2021). *International Law on the Aims of Education: The Convention on the Rights of the Child as a Legal Framework for School Curriculum.* New York: Routledge.

London Archive. (1963). *Malaysia Agreement*. London: Cmnd. 2094.

Mason, R. H. P., & Caiger, J. G. (2011). *A history of Japan* (Rev. ed.). Tuttle Publishing

McIntosh, C. (2013). *Cambridge Advanced Learner's Dictionary*. Cambridge: Cambridge University Press.

Menashy, F. (2019). *International Aid to Education: Power Dynamics in an Era of Partnership*. New York: Teachers College Press.

Mercer, J. (2018) *Child Development: Concepts and Theories*, London: SAGE.

Moeckli, D., Shah, S. & Sivakumaran, S. (eds.) (2010). *International Human Rights Law*. Oxford: Oxford University Press.

MoE. (1979). *Major Trends: Educational Development 1976-1978*. Kuala Lumpur: Planning and Resources Division.

MoE. (1985). *Report of the Cabinet Committee: To Review the Implementation of Education Policy*. Kuala Lumpur: Berita Publishing Sdn Bhd.

MoE. (1989). Malaysian Country Paper: Development of Education 1986-1988, *41st Session of the International Conference on Education*, Geneva, 9-17 January 1989.

MoE. (1990). Malaysia Country Paper: Development of Education 1989-1990, *42nd Session of the International Conference on Education,* Geneva, 3-8 September 1990.

MoE. (1992). Malaysia Country Paper: Development of Education 1991-1992, *43rd Session of the International Conference on Education,* Geneva, 14-19 September 1992.

MoE. (1994). Malaysia Country Paper: Development of Education, *44th Session of the International Conference on Education,* Geneva, September 1994.

MoE. (1996a). Education Act. [Online URL: https://www.moe.gov.my] accessed on June 20, 2021.

MoE. (1996b) Strengthening The Role of Teachers In A Changing World. Malaysia Country Paper for the *45th Session of the International Conference on Education*, Geneva, 30 September to 5 October 1996.

MoE. (2001). The Development of Education in Japan – National Report of Japan – Report submitted to the *46th Session of International Conference on Education*. Tokyo: Ministry of Education, Sports, Science and Technology (MEXT).

MoE. (2004). The Development of Education: National Report of Malaysia. *The 47th Session of International Conference on Education,* 8-11 September 2004, Geneva, Switzerland.

MoE. (2004). The Development of Education in Japan – *National Report of Japan*. Tokyo: Ministry of Education, Sports, Science and Technology (MEXT).

MoES. (2004). The Development of Education – *National Report of Sweden* (U2003/4288/IS).

MoE. (2012). *Malaysia Education Blueprint 2013-2025, Ministry of Education, Putrajaya*. [Online URL: https//www.moe.gov.my] accessed July 26, 2020.

MoE. (2015). *English Language Education Reform in Malaysia (The Roadmap)*. Putrajaya: ELSQC / MOE.

Mohamad, Dr. Mahathir. (2011). *A Doctor in the House: The Memoirs of Tun Dr. Mahathir Mohamad*. Kuala Lumpur: MPH Group Publishing Sdn Bhd.£

Moore, A. (2021). Mindset new psychology of success: changing the way you think mindset success (First Edition - Kindle). Imprint: Independently Published.

Noddings, N. (2018) *Philosophy of Education.* New York: Routledge.

Nordin, A. B. & Othman, I. (2003). *Falsafah Pendidikan dan Kurikulum.* Kuala Lumpur: Pencetakan Maziza.

OAS. (1933). Montevideo Convention on the Rights and Duties of States (165 LNTS, 19: The treaty was adopted at the Seventh International Conference of American States on 26 December 1933 in Montevideo. It entered into force on 26 December 1934). Online URL: https://www.treaties.un.org. Accessed on May 30, 2024.

O'Connor, D. J. (2017). *An Introduction to the Philosophy of Education.* London: Routledge.

OHCHR. (1959). Declaration of the Rights of the Child 1959, resolution 1386 (XIV), A/RES/14/1386, 20 November 1959. [Online URL: https://www.un.org] accessed on May 30, 2021.

OHCHR. (2003). General Comment No. 5 on general measures of implementation of the CRC (arts. 4, 42, and 44, para. 6). [Online URL: https://www.ohchr.org] accessed on June 20, 2021.

OHCHR. (2013). General Comment No. 14 on the right of the child to have his/her best interests (Article 3(1)) taken as a primary consideration, CRC/C/GC/14, May 29 2013. [Online URL: https://www.ohchr.org] accessed on June 20, 2021.

OHCHR Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), New York, 18 December 1979. [Online URL: https://www.treaties.un.org] accessed on June 20, 2021.

Palmer, Joy A. (ed.), Bresler, L. and Cooper, David E. (Advisory eds.). (2001). *Fifty Major Thinkers on Education: From Confucius to Dewey.* London and N. York: Routledge Taylor & Francis Group.

Peters, R. S. (2015). *Ethics and Education*. London: Routledge.

Peters, R. S. (ed.) (1973). *The Philosophy of Education.* Oxford: Oxford University Press.

Pithers, R.T. & Soden, R. (2010). Critical thinking in education: a review. *Educational Research.* 2 Dec. 2010. Online URL: *https://www:tandfonline.com*. Access on December 1, 2024.

Plato. (1991). *The Republic: the complete and unabridged Jowett translation*. New York: Vintage Books.

Poland: Ministry of Education and Upbringing (MEU) (1986). *Development of Education in the years 1984-1986.* Geneva: IBE-UNESCO.

Proefriedt, W. (1981). Book review: Barrow, R. (1981) *The Philosophy of Schooling*. Atlantic Highlands, New Jersey: Humanities Press, p.211.

Robinson, Prof. D. N. (2004). *The Great Ideas of Philosophy, Part 1 of 5*. Virginia: The Teaching Company.

Rousseau, Jean-Jacques. (2012). *Of The Social Contract and Other Political Writings.* In Christopher Bertram (ed) and Translated by Quintin Hoare. London: Penguin Classics.

Royal Norwegian Ministry of Education, Research and Church Affairs (RNMERCA). (1996). The Development of Education 1994-1996, Norway National Report to the *44th Session of the International Conference on Education,* Geneva, September 1996.

Rozalan, S. A. & Saat, M.M. (2015). The Perception of Critical Thinking and Problem-Solving Skill among Malaysian Undergraduate Students. *Procedia,* 172: 725-732.

Ruan, J. & Leung, C. B. (eds.). (2012). *Perspective on Teaching and Learning English Literacy in China.* N. York / London: Springer.

Ryan, J. (2019). *Education in China: Philosophy, Politics and Culture.* Cambridge: Polity Press.

S. Chee Choy & Phaik Kin Cheah. (2009). Teacher Perception of Critical Thinking among Students and its Influence on Higher Education. *International Journal of Teaching and Learning in Higher Education,* 20(2):198-206.

Seaford, R. (2020) *The Origins of Philosophy in Ancient Greece and Ancient India: A Historical Comparison*. Cambridge: Oxford University Press.

Shand, J. (1993). *Philosophy and Philosophers: An Introduction to Western Philosophy*. London: Penguin Books.

Shuaib, F. S. (2012). The Status of International Law in The Malaysian Municipal Legal System: Creeping Monism in Legal Discourse? *ResearchGate.* [Online URL: https://www.researchgate.net.publication/328284901] accessed on February 8, 2022.

Siegel, H., Phillips, D. C., & Callan, E. (2018) *Stanford Encyclopaedia of Philosophy: Philosophy of Education.* Stanford: Metaphysics Research Lab, Stanford University. [Online URL: https://www.plato.stanford.edu] accessed on December 18, 2022.

Simma, B. & Paulus, A. L. (1998). The International Community: Facing the Challenge of Globalisation. *European Journal of International Law* 9: 266-277.

South Africa Department of Education (SADE) (2004). Development of Education: Country Report of South Africa to the *International Conference on Education,* Geneva, 8-11 September 2004.

South Korea MOE. (1996). *The Development of Education: National Report of the Republic of Korea.* Geneva: IBE-UNESCO.

Stemler, S. E. & Bebell, D. J. (2013) *The School Mission Statement: Values, Goals and Identities in American Education.* London: Routledge.

SUHAKAM. (2005). Convention on the Rights of the Child: Report of the Roundtable Discussion. [Online URL: https://www.suhakam.org.my] accessed on May 30, 2021.

Sweden MOES. (1979). National Report of Sweden to the *International Conference on Education, 37th Session,* Geneva: IBE-UNESCO.

Sweden MOES. (2004). The Development of Education: National Report of Sweden. Geneva: IBE-UNESCO.

Symonides, J. (ed). (2017). *Human Rights: Concept and Standards (in Association with UNESCO)*. London: Routledge and UNESCO Publishing.

Tanaka, K., Nshioka, K. & Ishii, T. (2017). *Curriculum, Instruction, and Assessment in Japan: Beyond Lesson Study.* N. York / London: Routledge.

Tobin, J. (Ed.). (2019). *The UN Convention on the Rights of the Child: A Commentary*. Oxford: Oxford University Press.

Tunku Sofiah Jewa, Buang, S. & Merican, Y. H. (eds) .(2007). *Tun Mohamed Suffian's: An Introduction to The Constitution of Malaysia*. Selangor: Pacifica Publication.

Ulich, R. (2017). *Crisis and Hope in American Education*. New York: Routledge.

Ulich, R. (1961). *Philosophy of Education*. New York: American Book Company.

UN (1948). Universal Declaration of Human Rights. [Online URL: https://www.digitallibrary.un.org] accessed on May 30, 2021.

UN (1945a). Charter of the United Nations. (Membership: 17 September 1957, Federation of Malaya / Malaysia (16 September 1963). [Online URL: https://www.treaties.un.org] accessed on November 26, 2022.

UN (1969). Vienna Convention on the Law of Treaties, 1969 (acceded on 27 July 1994, entered into force on 25 August 1994 (art. 84 (1)). [Online URL: https://www.treaties.un.org] accessed on May 30, 2021.

UN. (1966). International Covenant on Economic, Social and Cultural Rights (ICESR). Online URL: https://www.treaties.org. Accessed on 3 April 2024.

UN. (1989). *Legislative History of the Convention on the Rights of the Child.* Vols. I and II. New York / Geneva: United Nations.

UN ICJ. (1945b). Statute of International Court of Justice (ICJ). [Online URL:https://www.treaties.un.org] accessed on November 26, 2022.

UNCESCR. (1999). General Comment No. 13: The right to education (article 13 of the Covenant). ECOSOC E/C.12/1999/10, 8 December 1999.

UNCRC. (1989). Convention on the Rights of the Child adopted by the United Nations General Assembly Resolution 44/25, November 20. In Multilateral Treaties Deposited with the Secretary-General. [Online URL: https://www.un.org] accessed on May 30, 2021.

UNCRC. (2001). General Comment No. 1: The Aims of Education (article 29) (Adopted by the Committee on the Rights of the Child at the Twenty-sixth Session. CRC/GC/2001/1, 17 April 2001). [Online URL: https://www.digitallibrary.un.org] accessed on May 30, 2021.

UNESCO. (1974/2023). Recommendation concerning education for international understanding, co-operation and peace and education relating to human rights and fundamental freedoms (Revised: 42 C/40, 22 September 2023). Paris: UNESCO.

UNESCO. (1990). World Conference on Education for All. Paris: UNESCO.

UNESCO. (2000). World Education Forum: The Dakar Framework for Action – Education for All: Meeting Our Collective Commitments. Paris: UNESCO.

UNESCO. (2014). 2014 GEM Final Statement: *The Muscat Agreement.* Paris: UNESCO.

UNESCO. (2015). Incheon Declaration and Framework for Action for the Implementation of Sustainable Development Goal 4– Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all. Paris: UNESCO.

UNGA. (1970). United Nations General Assembly Resolution 2625 (XXV) relating to the Declaration on Principles of International Law Concerning Friendly Relations and Co-operation Among States in Accordance with the Charter of the United Nations. [Online URL: https://www.un.org] accessed on May 30, 2021.

UNGA. (1980). The United Nations General Assembly Resolution 35/56: International Development Strategy for Third UN Development Decade, 5 December 1980. [Online URL: https://www.un.org] accessed on December 18, 2022.

UNGA. (1986). The United Nations General Assembly Resolution 41/128: Declaration on the Right to Development, 4 December 1986. [Online URL: https://www.un.org] accessed on December 18, 2022.

UNGA. (1990). The United Nations General Assembly Resolution 45/625: World Declaration on the Survival, Protection and Development of Children and Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s. [Online URL: https://www.un.org] accessed on December 18, 2022.

UNGA. (1995). The United Nations General Assembly Resolution 50/6: Declaration on the occasion of the 50th Anniversary of UN, 9 November 1995. [Online URL: https://www.un.org] accessed on December 18, 2022.

UNGA. (1997). The United Nations General Assembly Resolution 51/240: Agenda for Development, 20 June 1997. [Online URL: https://www.un.org] accessed on December 18, 2022.

UNGA. (2012) The United Nations General Assembly Resolution 66/288 on the "The future we want," July 27. [Online URL: https://www.un.org] accessed on May 30, 2021.

UNGA. (2015). The United Nations General Assembly Resolution 70/1 on "Transforming our world: the 2030 Agenda for Sustainable Development," September 25. [Online URL: https://www.un.org] accessed on May 30, 2021.

Vigors, A. (2022). *The Thinking Classroom: Supporting Educators to Embed Critical and Creative Thinking*. Melbourne: Amber Press.

Waterfield, R. (2023) *Plato of Athens: A Life in Philosophy*. Cambridge: Oxford University Press.

Weeks, M. (2019). *Philosophy: The Concepts Visually Explained*. London: Dorling Kindersley Limited.

Winch, C. & Gingell, J. (2008) *Philosophy of Education: The key concepts.* New York: Routledge.

Woolsey, T. D. (2017). *Introduction to the Study of International law.* Miami: Hard Press.

Wroñska, K. & Stern, J. (2024). *Defending the Value of Education as a Public Good: Philosophical Dialogues on Education and the State.* London: Routledge.

Wroñska, K. & Stern, J. (2024). Introduction: Education and the State – Between Past and Future. In *Defending the Value of Education as a Public Good: Philosophical Dialogues on Education and the State.* London: Routledge.

Zalta, E. N. & Nodelman, U (2024). *Standford Encyclopedia of Philosophy.* Standford: Department of Philosophy, University of Stanford. Online URL: https://www.plato.stanford.edu/. Accessed on 29 March 2024.

Zewde, HE Sahle-Work. (2021). *Reimagining our futures together: A new social contract for education*. Paris: UNESCO.