



Child Labor in Brick Kilns Hyderabad

Introduction

Child labor continues to remain a pressing concern in the developing world where millions of children are exposed to work activities that are detrimental to their physical and emotional development. Apart from being psychologically, emotionally and physically harmful, underage employment undermines a child's prospects of future well being. Majority of the children who become involved in work activities are deprived of their right to education which exposes them to a vicious cycle of poverty and economic exploitation. In more extreme forms of child labor, children are virtually enslaved in debt bondage, begging and prostitution rings and recruitment in armed conflict. These 'worst forms of child labor' are a major cause of criminal activities like child trafficking, prostitution and child pornography. Child labor, especially its worst forms are mostly concentrated in the informal sector of the economy as state institutions lack the purview and/or capacity to monitor the underage employment of children in mostly amorphous settings.

Child labor is a complex problem and there are multiple reasons for its prevalence. Poverty is the most compelling reason behind underage employment as the poorest of the poor lack enough resources to make ends meet. In this context, the income provided by working children is often critical for the family's survival. Other reasons may include barriers to education, values and traditions that promote employment of children, market demands and economic upheavals, and poor implementation of child protection policies and legislation. According to ILO's global estimates, around 215 million children¹ were involved in child labor in 2012 with a 115 million² engaged in hazardous occupations.

Child Labor has thrived in Pakistan in various manifestations. The formal sector has been somewhat regulated by anti-child labor legislation and labor inspections; however, large number of children are still involved in the informal sector. The thriving non formal sector in Pakistan has become a hotbed of worst forms of child labor as children are regularly made to work in brick kilns, coal mines, the fishing/prawn industry, begging and prostitution rings; and recruited into armed conflict as child soldiers and suicide bombers.

There are no official updated statistics on the prevalence of underage employment in Pakistan as the last National Child Labor Survey which estimated that there were 3.3 million child laborers in the country was undertaken in 1996. Since then, soaring inflation rates, rising unemployment and migration resulting from military conflict and natural calamities has resulted in an upsurge in the number of underage employees.

¹ Child Labor: International Labor Organization 2012.
<http://www.ilo.org/global/topics/childlabour/lang--de/index.htm>

² Over 115 million children involved in dangerous jobs: ILO Report. Pakistan Today. 11 June 2011
<http://www.pakistantoday.com.pk/2011/06/11news/national/over-115m-children-involved-in-dangerous-jobs-ilo-report/>

The latest estimates by international organizations show that child labor is thriving in Pakistan. ILO reports that there were around 12 million child laborers in Pakistan in 2012³. Similarly, UNICEF points out that the number of underage employees in 2012 exceeded 10 million⁴. According to Child Rights Movement (CRM), there were around 9.86 million children and adolescent workers between the ages of 10 to 19 years in Pakistan; 2.58 million of these children were between the ages of 10 to 14 years while thousands were even younger than the age of ten years⁵. Pakistan also has the second largest number of out of school children globally with 7.3 million children of primary school going age not attending school⁶. Burdened by poverty, these children are vulnerable to being exploited in underage employment.

Similarly, increase in child labor is directly linked to natural calamities and wars. The 2005 earthquake, the 2010 and 2011 floods along with militancy in Khyber Pakhtunkhwa and FATA resulted in large scale displacement of families. These families had to resort to desperate measures to make ends meet; in many cases children were made to work in desperate attempts to support family income. This often leads to children being trapped in hazardous occupations, many of which are categorized as 'worst forms of child labor' by the ILO.

Worst Forms of Child Labor: Bonded Labor

Child labor takes many forms; however, a priority is given to eliminate the worst forms of child labor as defined by Article 3 of the ILO Convention No.182. The Convention broadly defines worst forms of child labor as;

- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict.
- The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.
- The use, procurement or offering of a child for illicit activities, in particular for the production or trafficking of drugs as defined in the relevant international treaties.
- Work which, by its nature or the circumstances in which it is carried out is likely to harm the health, safety or morals of the children⁷.

Bonded labor, also known as debt bondage is based on pledging one's labor in return for a debt incurred in the form of cash or payment. Child bonded labor is said to take place when children are made to work under conditions of debt bondage. Bonded labor is outlawed by the 1956 UN Supplementary Convention on the Abolition of Slavery, Slave Trade and Institutions and Practices similar to Slavery. Apart from the international convention, most countries have passed national legislation to abolish bonded labor. However, in spite of legislation and policies to address bonded labor, slavery and practices similar to

³ Number of child laborers exceeds 12 million in Pakistan. Business Recorder, 10 October 2012
<http://www.pakistantoday.com.pk/2011/06/11/news/national/over-115m-children-involved-in-dangerous-jobs-ilo-report/>

⁴ Millions pushed into child labor in Pakistan. Express Tribune. 7 February, 2012.
<http://tribune.com.pk/story/332927/millions-pushed-into-child-labour-in-pakistan/>

⁵ Child Rights Movement (CRM) Pakistan (2012) Universal Periodic Review (UPR) Pakistan (p.6)

⁶ More than 7 million primary school age children in Pakistan missing out on education. Unicef, 7th April, 2012

⁷ ILO, 'Worst forms of child labor'

slavery have persisted throughout the world, especially in the developing countries. According to the ILO, in 2012, around 215 million children were engaged in child labor, with 115 million involved in hazardous occupations, including bonded labor.

Throughout history, bonded labor has remained entrenched in South Asia and is especially prevalent in India, Pakistan and Nepal. The caste system in Nepal and India and rampant feudalism in Pakistan have contributed to serfdom and exploitation of the poor. Bonded labor has contributed gross human rights violations and strengthening of poverty in South Asia. The rampant human rights violations in these countries have not been limited to adults as children have been exclusively targeted by criminal elements involved in operating industries that rely exclusively on bonded labor.

Child bonded labor has two possible origins. A child's labor can be directly pledged as security for a loan. This reduces chances of loan default, as a parent who has pledged his child's labor in return for money will be more likely to return the cash because of fear of reprisals on his/her child. In the second case, a parent's loan can be intergenerationally transmitted to a child after the parent's death. Moreover, whole families could be made to work in bonded labor units, a practice which is widely prevalent in the brick kiln sector of Pakistan.

Bonded Labor in the Brick Kiln Sector

In Pakistan, bonded labor is most visible in the brick kiln and agriculture sectors where whole families, including children are made to work in inhuman conditions. There are no official statistics on bonded labor in Pakistan; the latest estimates by the Human Rights Commission of Pakistan (HRCP) revealed that there were three to eight million bonded laborers in Pakistan, most of who were engaged in the agriculture and brick kiln sectors⁸. UNICEF statistics estimate that there were around 250,000 child bonded laborers in the brick kiln sector alone⁹.

Brick making is one of the oldest industries of the subcontinent. Fired bricks were used by the ancient people belonging to Egyptian and Mesopotamian civilizations. Although the design, shape and weight of the bricks have undergone numerous changes; the production technology has undergone very little changes. Furthermore, the industry is usually located in remote or rural areas, the brick kiln industry represents unique mode of industrial relations, which replicates the feudal serf relationship¹⁰.

The *peshgi* system of debt bondage whereby an advance payment (currently given in the form of cash) is given to a bonded laborer in return for work is centuries old. The practice is extremely exploitative because of the high interest rates associated with *peshgi* credit. Apart from the *peshgi* system, labor may also be pledged as a customary or social obligation or in return for any economic benefit accrued by one's relatives or immediate family members¹¹.

Work in the brick kilns is performed by families who live in the form of small communities, in and around the brick kiln. The head of the family makes an agreement with the brick kiln owner and receives the remuneration for the work performed by the family unit. The same pattern of labor is practiced in brick kilns all over Pakistan.

⁸ Three to eight million people work as bonded laborers in Pakistan. Express Tribune, 2nd January 2012.

⁹ Over 250,000 children work in brick kilns. Azam Khan 3rd October 2010. <http://tribune.com.pk/story/57855/over-250000-children-work-in-brick-kilns/>

¹⁰ Muhammad Javaid Iqbal, 'Bonded Labor in the Brick Kiln Industry of Pakistan' published in *The Lahore Journal of Economics*, Vol 11: 1. Summer 2006, pp. 99-119.

¹¹ <http://www.ciwce.org.pk/bonded-labour/>

Bonded laborers in brick kilns have to go through a strenuous work routine which involves fetching mud from a distance, soaking it in water, molding it into bricks, transporting the finished product to the kiln and finally baking and grading each brick. Usually, it takes a whole day for a family of five laborers to make a thousand bricks¹². Brick making is a labor intensive process and it requires a few technical skills. Moreover, there is an elaborate division of labor in the brick making process and children are involved in specialized tasks.

Brick Making Process: The Involvement of Children

Brick making is a labor intensive process and requires the work of the whole family unit. The brick making process is briefly described below¹³;

Unbaked Bricks: The process starts with fetching clay from a distance and blending it with water in appropriate quantities. The lump of clay thus prepared is then properly molded in a *sancha* (metal mold for a single brick) or a *qalib* (wood or metal mould for four to five bricks). Molded bricks are then sun dried. The labor of women and children is intensively employed in this first step of brick production as the former (with the assistance of children) are involved in the kneading of mud for brick preparation. Very young children are specifically involved in tasks that require no technical skill like carrying lumps of mud to adults and watering the clay before kneading.

Stacking up: Sundried bricks are loaded on donkey carts (owned by *kharkars* or donkey owners) by children and adult laborers and then taken to the brick kiln.

Baking: Bricks are covered with a mixture of mud and bake dust by adult workers and then baked for some days. Baking is done by a team of four or five salaried workers. The kiln is fired by coals, waste or wood.

Removal from Kiln: Baked kilns are then removed (in a work cycle of six days a week) by half a dozen adult laborers and stacked nearby. The bricks are then checked for quality and damaged or deformed bricks are then removed.

As is evident from the process described above, children's work in brick making is limited to the early stages of work activity; however, the tasks assigned to underage laborers take a heavy toll on their physical and emotional development. Furthermore, these children are also deprived of their basic rights to health and education and are vulnerable to different forms of violence and abuse.

SPARC against Child Labor

Child labor has continued to remain a crucial issue in Pakistan as millions of children are employed in work activities which infringe upon their basic rights to health and education. Furthermore, underage employment, especially in the unmonitored informal sector, exposes children to violence and abuse, which undermines a healthy physical and psychological development. These issues make child labor a major child rights and child protection issue in Pakistan.

SPARC is Pakistan's leading child rights organization. It works in a number of areas pertaining to child rights and child protection. Since its inception in 1992, SPARC has remained consistently engaged with

¹² 'Modern Day Slavery: Bonded Labor Continues at Brick Kilns'. Shamsul Islam 3rd November 2012. <http://tribune.com.pk/story/459923/modern-day-slavery-bonded-labour-continues-at-brick-kilns/>.

¹³ Wasey, Sehar. (2008) 'Bonded Child Labor in Brick Kilns around Islamabad' Unpublished Thesis for the Completion of Masters Degree in Governance and Organizational Sciences for the National University of Modern Languages Islamabad.

relevant stakeholders to address child labor in Pakistan. SPARC has lobbied with government functionaries and elected representatives to enact and implement legislation on underage employment. In this regard, SPARC has consistently called for a comprehensive child labor legislation which is in line with Article 25-A (free and compulsory education for all citizens up till the age of 16 years) of the Constitution of Pakistan. SPARC's relentless demand for expansive and effective child labor legislation has gained strength after the 18th Amendment whereby the provinces have been empowered to legislate on underage employment. Furthermore, SPARC has also remained at the forefront of advocacy for effective bonded labor legislation.

SPARC recognizes the need to increase awareness and sensitivity on child labor. For this purpose, the organization has followed a multi-pronged strategy of sensitization through awareness campaigns, distribution of IEC materials and supporting or undertaking research studies. In this regard, research studies on underage employment are especially effective in understanding the root causes of the problem along with its effects on children.

The following study has been undertaken as part of SPARC's 'Developing Linkages with Universities' project. The project aims to promote research on children and their issues by encouraging university students to undertake research on child rights and child protection as part of their Masters dissertation. This research was undertaken by a student of the Department of Anthropology, Quaid-e-Azam University Islamabad. The student spent considerable time in the field (3 months), living with and observing bonded laborers in five brick kilns of Hyderabad district. The result is an in depth qualitative analysis of child labor in brick kilns which sheds light on the underlying factors behind the employment of children in bonded labor, the types of exploitation and violence that they have to contend with, and the ineffectiveness of government laws and policies in addressing a crucial issue like child bonded labor in brick kilns.

The next chapter will present a detailed account of the methodology employed in the study along with a brief profile of the study locale.

Methodology

Rapport Building

Rapport building is the mainstay and defining feature of this research study which was conducted over a period of two and a half months. During this period, the researcher stayed with and developed friendly relations with the respondents to develop a certain level of trust and understanding with them. This made them more comfortable, relaxed and open to suggestions.

Rapport building with the respondents remained instrumental in allowing the researcher to probe into the underlying factors that contribute to child bonded labor in brick kilns. Furthermore, the observations made during the course of research contributes to richness of data in this study; a feature which would have remained missing if the research was conducted in a short time period.

Sampling

Sampling for the study was influenced by the consent of research respondents and brick kiln owners. Bonded labor is criminalized under the Bonded Labor System (Abolition) Act (BLSAA) 1992. The high prevalence of bonded labor in brick kilns is a result of the ineffective implementation of the law, corrupt or inefficient local administration, and nexus between brick kiln owners and politicians. In this context, brick kiln owners often prevent NGO personnel and researchers from accessing the kilns. Furthermore, in many cases, bonded laborers themselves have reservations about talking to researchers and activists because of the future consequences of their statements.

Keeping in view the above mentioned limitations, the researcher relied on purposive or judgmental sampling to select target brick kilns and research respondents. This meant that only those respondents who were willing to participate in the research were selected. In this regard, special preference was given to families who had children working as bonded laborers in the kilns. A total of five brick kilns were selected for the study. Access to the kilns was facilitated by SPARC's regional office in Hyderabad. A total of 20 families were selected from each kiln to provide information on bonded labor in general and child bonded labor in particular.

Primary Data Collection

Primary data was collected through structured questionnaires, informal interviews conducted through unstructured or open ended questionnaires, focus group discussions and case studies. The use of both qualitative and quantitative research tools allowed for a holistic research in which detailed statistical information was buttressed by in-depth data on child labor in the brick kiln industry.

Structured Questionnaires

Structured questionnaires were used for undertaking socio economic census surveys in target brick kilns whereby one survey form was used to collect information from a single household. The structured questionnaire employed in conducting the socio-economic survey dealt with specific information

pertaining to the age, gender, religion, caste, birth registration, marital status, family structure, education, occupation (work performed in the kiln), income, availability of health facilities, settlement pattern and knowledge of bonded labor laws and policies. At the end of the survey, quantifiable information on the socio-economic profile of the target population was obtained which set the context for the study and provided a detailed socio economic profile of the target population.

Open Ended Questionnaires/ Interview Guidelines

Open ended questionnaires were used to conduct in-depth interviews with parents of child bonded laborers, child bonded laborers, state officials, NGO officials and members of the Bhatta Mazdoor Union. This allowed the researcher to accrue detailed information on the issues faced by bonded laborers in general and child bonded laborers in particular. Furthermore, an open ended format allowed state officials and NGO representatives- who were at the forefront of interventions to abolish bonded labor- to give their opinion on the effectiveness of various laws and policies.

Qualitative questionnaires were useful in obtaining information which would have remained unexplored if a structured and highly formal questionnaire was used. The breakdown of the types and number of respondents interviewed during the course of research is given below.

Respondent	Number of Interviews
Government Officials	03
NGO Officials	03
Brick Kiln Owners	02
Bhatta Mazdoor Union	02
Parents	10
Child Bonded Laborers	15

Focus Group Discussions

Informal group discussions were conducted with bonded laborers to get a deeper understanding of issues afflicting families in debt bondage. In order to maintain an informal and comfortable environment to elicit maximum responses from the participants, the focus groups were undertaken in an informal setting where people were willing to sit and answer the queries put forward by the researcher.

A friendly group environment allowed participants to express their opinions freely. Moreover, presence of multiple respondents resulted in a rich variety of responses based on personal life experiences. While undertaking focus group discussions, the facilitator/researcher took special care to facilitate maximum participation.

Informal Data Collection

The research relied on field notes to record ‘contemporaneous notes of observations or conversations taken during the course of qualitative research’¹⁴. Depending on the situation, the field notes taken during the course of research varied from verbatim record of conversations taken by hand to brief salient points or features that could be elaborated later on. The researcher also relied on jottings or scratch notes to note down major or important observations during the course of research.

¹⁴ <http://srmo.sagepub.com/view/the-sage-dictionary-of-qualitative-management-research/n45.xml>

Photography

Photographic evidence was collected to lend credibility to research activities by collecting visual images of important personalities, work activities in brick kilns, and children working in the brick kilns. These images lend reliability and credibility to the data collected during the course of fieldwork.

Locale

The study was conducted in five brick kilns in the Union Council (UC) Tando Hyder of District Hyderabad. The names of the brick kilns are not given to protect the identity of the owners (an ethical research requirement). The district can be regarded as an epicenter of the brick kiln industry in Sindh whereby the brick kilns of Hyderabad supply bricks for construction work in Karachi and rural Sindh. The list and number of Brick Kilns in Hyderabad are provided in Annexure.

An average brick kiln usually covers an area of one acre. This area is carefully selected as the soil surrounding the kiln should not be in a waterlogged area that is prone to flooding. The land surrounding the kiln should also be resistant to erosion. Usually five to six acres of leased land around the kiln is reserved for supplying clay for brick making: top soil, up to three feet deep is used for the purpose. After a sufficient amount of soil has been taken, the pit can be used by farmers for paddy cultivation¹⁵.

The five brick kilns selected for the study in Hyderabad did not have leased land in its surrounding. Clay for brick making is bought from Badin and Tando Allahyar districts. This is because most of the top soil in the areas surrounding the target kilns had been used up and owners had to rely on individual dealers for clay supply. All of the brick kilns included in the study were located near the main roads to facilitate in the transportation of bricks.

Before discussing the details of child labor in brick kilns, it is pertinent to provide an overview of the Hyderabad District.

Population and Administrative Units

According to the last government census, the total population of Hyderabad was 1,498,865 persons in 1998. The total estimated population of the district in 2011 was 1,853,816 persons¹⁶. The total urban population of the district as of 2011 was 1,199,092 persons (80% of the total) while 299,773 people (20% of the total) lived in rural areas. The average household size of the district is 5.7¹⁷. Almost 52% of the total population of the district is male and 48% are females. Moreover, almost 40% of the total population of the district is below 15 years of age. The 1998 census estimated the population growth rate of the district at 2.02% per annum. This meant that the population of Hyderabad would double in 35 years. In 2010, the population of the district was estimated to be 1,919,053 persons, showing a 28% increase in a period of 12 years.

The economically dependent population of Hyderabad (persons below 15 years and above 65 years of age) forms around 44% of the population of Hyderabad whereas the total working population of the

¹⁵ Wasey, Sehar. (2008) 'Bonded Child Labor in Brick Kilns around Islamabad' Unpublished Thesis for the Completion of Masters Degree in Governance and Organizational Sciences for the National University of Modern Languages Islamabad.

¹⁶ OCHA/UNDP (2012) Pakistan Floods- Hyderabad District Profile

¹⁷ Ibid

district is 55% of the total populace. This shows that around 75% of the people in Hyderabad are dependants.

Currently there are four Talukas, 53 Union Councils and 85 mouzas.

Geography

District Hyderabad is surrounded by districts Tando Allah Yar and Tando Muhammad Khan on the east, district Matiari on the North, district Jamshoro on the North West, district Thatta on the South West and District Tando Muhammad Khan on the South. The Indus flows on the west side of the district.

The topography of Hyderabad is dominated by a uniform soil surface which is devoid of mountains or hills. The district is part of the lower Indus plain and comprises of fertile croplands with an altitude of 50 meters above sea level. The fertile soil of the district is complimented with an efficient canal system which contributes to the high agricultural productivity of the region. On the whole, the climate of the district is moderate with temperatures reaching 44°C in the summer months of May and June. The highest recorded temperature in Hyderabad is 48°C.

Culture-Ethnicity, Religion and Politics

The population of Hyderabad is predominantly Sindhi (55% of the total population is Sindhi) and follows the cultural values of the region. The city of Hyderabad is often regarded as the cultural capital of Sindh. Other ethnicities in the district include; Urdu speaking or *Mohajirs* (32%), Punjabi (6%), Pukhtun (4.7%), and Baloch (3.2%). Among the above mentioned the Urdu speaking community is mainly concentrated in Hyderabad city and is predominantly associated with trade and commerce. The population of the District is overwhelmingly Muslim (82%), followed by Hindus (12%) and Christians (4.7%).

The politics of Hyderabad is dominated by the Pakistan People's Party (PPP) and Mutahida Qaumi Movement (MQM). Both these parties have traditionally contested on ethnic lines with the Urdu speaking community voting for the later. In the 2013 elections, the MQM managed to win two national and four provincial assembly seats while the PPP secured one national and provincial assembly seats. Manifestos of both these political parties promise to improve the state of human and child rights in the country. In fact, the MQM manifesto explicitly states that after coming into power, the party will work towards abolishing bonded and child labor.

Road Network Infrastructure

A developed road network is indispensable for economic development. It links rural and urban areas and provides access to health, education and other state facilities to people from remote areas. Furthermore, an efficient road network forms the backbone of intercity trade and commerce.

Taking into context the total area covered by the district, the road infrastructure in Hyderabad is severely inadequate- the total district area is 1,021 sq km whereas there are only 189 km of good quality roads. A National Highway (Indus Highway N55) connects Hyderabad to all major cities of the province. A Super Highway (M9) connects the city to Karachi. The district headquarters of Hyderabad are connected to the taluka headquarters through metalled roads.

Some of the major roads connecting Hyderabad to other districts in Sindh include;

- Road from Hyderabad to Mirpur Khas via Tando Jam and Tando Allah Yar. This road is further connected to district Umerkot.
- Road from Hyderabad to Badin via Tando Muhammad Khan.
- Road from Hyderabad to Kati Bunder via Thatta, Makli, Gharo.

- Road from Hyderabad to Upper Sindh (Matiari, Hala, Sakrand, Moro, Nawabshah, Naushero Feroze, Kandiaro, Ranipur, Khairpur, Sukkur) via National Highway N5.
- Road from Hyderabad to Dadu via Indus Highway (N55). Major towns lying on this road include Jamshoro, Majhand, and Sewan.

The brick kilns included in the study were located in UC Tando Hyder. Access to the kilns was through a metalled road which was connected to the main highway connecting Hyderabad to Mirpurkhas via Tando Jam and Tando Allah Yar. The location of the brick kiln not only allowed the prepared product to be transported to other cities but also facilitated in the transfer of raw material (clay) from Tando Allah Yar to the brick kilns.

Sources of Livelihood

Hyderabad is largely an urban district with 80% of the district's population residing in urban areas. The people living in urban areas are engaged in diverse occupations including trade, commerce, industry, and government and private institution employments. The major industries in the district include; the glass bangles industry, oil mills, flour mills, light engineering and plastic works industry. The remaining 20% of the population living in rural rely on agriculture.

Hyderabad contributes significantly to the overall agricultural production of the district. A developed canal irrigation system and agriculture friendly climate in the district makes it highly suitable for the cultivation of both *Rabi* and *Khareef* crops. The major agricultural products of Hyderabad include cotton, rice, sugar cane, wheat, gram and oil seeds.

There is a strict segregation of male and female economic roles in the urban sphere whereby women are largely confined within the domestic sphere. However, this rather strict regulation of female mobility is comparatively loosened in the rural areas where women work with their families in the agriculture sector. There are a large numbers of street children in the urban areas of the district. This number has increased exponentially after the 2010 floods in Sindh which forced people from the flood affected areas to move to urban centers¹⁸. Child labor is rampant and institutionalized in the district whereby children are made to work in homes, brick kilns, carpet making, and bangle industry.

Food Security

The availability of adequate food to all members of a society irrespective of their economic status is an accurate measure of food security. Child dependency (ratio between children and economically active adult members) is one of the limiting factors in meeting the daily needs of households and is an important factor to measure a population's access to food. The household expenditure on food items in Hyderabad is nearly 62% of the total household expenditure which indicates high inflation which hinders access to food.

Health Facilities

There are 55 government health facilities in Hyderabad. These health facilities only serve 14% of the total population estimated in 2010. This creates serious problems for vulnerable segments of the society like women and children who are deprived of quality health care. The research will later reveal that children working in brick kilns had little or no access to health facilities.

Education

¹⁸ 'Surviving the Streets: A Study of Street Children in Pakistan' SPARC Publications, Islamabad

The overall literacy rate (for the population of 10 years and above) in the district is 69%; higher for males (75%) and comparatively lower for females (62%). Furthermore, the urban literacy rate (75%) is higher than the rural rate (40%). The total enrollment of students in the government schools of district Hyderabad is 169,467 (Male: 85,399, Female: 84,068).

There are 904 primary schools in Hyderabad with an enrollment of 109,160 students (56,673 males, 52,487 females). Moreover, there are 81 middle schools in the district with an enrollment of 8,605 students (4,129 boys, 4,476 girls). The number of secondary schools and the enrollment in such schools is comparatively higher: there are 82 secondary schools in Hyderabad with an enrollment of 38,692 students (18,232 boys and 20,460 girls). The study will reveal that the children working in brick kilns did not have access to public or private schools. This will be discussed in detail.

Administrative Setup

The district administration of Hyderabad is headed by the District Coordination Officer (DCO) who also performs the functions of the District Magistrate and Collector. The DCO is responsible for coordination between various government departments in the district. On the judicial side, the DCO is supported by the Additional District Magistrate while the District Officer Coordination (DOC) and the District Deputy Officer Revenue (DDOR) provide support in matters of district revenue.

The district police are headed by the Deputy Superintendent Police who is assisted by Additional, Assistant, and Deputy Superintendents in the performance of his duties. There were 14 police stations in the district during the time of research.

The District and Sessions Judge was the head of the judicial administration and was assisted by the Additional District and Sessions Judges and other Senior Civil Judges.

History of Natural Disasters in Hyderabad

Before discussing child labor in the district it is important to provide a brief history of natural disasters in Hyderabad. An overview of natural disasters can identify a major underlying factor behind the prevalence of child bonded labor in the district. For instance, natural disasters like floods can force people from the affected areas to migrate to urban areas. Deprived of a livelihood and shelter, a vast majority of these poor migrants are forced to work in low paying jobs and are often exploited by criminal elements. This often leads to their involvement in dangerous and exploitative occupations like prostitution, begging and forced or bonded labor.

River Indus, after receiving water from its tributary rivers, causes floods in the northern and southern parts of Sindh. The upper regions of the province include Jacobabad, Shikarpur, Kashmore, Larkana, Kamber Shahdadkot on the right bank of the river while Ghotki, Sukkur, Khairpur, and Naushero Feroze lie on the left bank. The districts in lower Sindh that are prone to riverine flooding include: Dadu, Jamshoro and Thatta on the right bank of the river and Tando Muhammad Khan, Matiari and Hyderabad on the left bank. The 2011 floods affected Hyderabad whereby UCs, Hasso, Husri, Moolan, Tando Hyder, Latifabad-25 and Qasimabad-4.

A study conducted by SPARC on the street children of Pakistan identified that a large number of the flood affected had migrated to urban areas like Hyderabad. The research study was undertaken in 2012, in the aftermath of the 2010 and 2011 floods. The effects of the floods in forcing families to work as brick kiln laborers will be discussed later. This is especially pertinent as the brick kilns included in the study are located in UC Tando Hyder, which was affected by the 2011 floods.

Socioeconomic Profile of Brick Kilns

A socio economic survey was undertaken in the target brick kilns to provide an overview of the social and economic status of the brick kiln worker families. The socio economic profile of the brick kilns provides the important context for understanding the involvement of children in bonded labor. For instance, the profile highlights; the age, gender, educational and health statuses, caste, religion, marital status, family structure, types of work performed at the kiln, working hours, income type, settlement pattern, and knowledge about protection mechanisms against bonded labor.

An overview of the above mentioned factors lays down the social and economic factors under which children work in the brick. This will give a more holistic insight into the plight of child laborers in brick kilns.

Population and Gender

According to the findings of the census survey, majority of the bonded laborers in the target kilns were males. The table below reveals that almost 63% of the population of the target kilns was male. Male workers are considered more valuable than females by the brick kiln owners as they perform more technical and strenuous tasks like loading, carting, stacking, and firing or baking (*jalai*) of bricks. Females instead were responsible for molding the clay into bricks, a task in which they were assisted by children. The detailed breakdown of gender in the brick kilns is given in the table below;

Gender	Frequency	Percentage
Males	271	62.29%
Females	164	37.70%
Total	435	100%

The table below presents a gender breakdown of children below 16 years of age who were working in the kilns. The current minimum age of employment under the federal Employment of Children Act 1991 is 14 years. The categorization of a child as a person below 16 years of age is consistent with SPARC's policy of increasing the minimum age of employment to 16 years. The organization has proposed this amendment in the upcoming provincial laws on child labor, in the aftermath of the 18th Constitutional Amendment. The frequency of children working in the kilns is given in the table below. It is important to mention that among the two age groups of children given in the table below, children between the ages of eight to 16 years were more active in the work force.

Age Groups	Frequency	Percentage
Below eight years	37	28.90%
Eight-16 years	91	71.09%
Total	128	100%

On the whole, children in brick kilns were relegated to perform comparatively less technical and labor intensive tasks in the brick making process. Most of the children, irrespective of their gender were involved in preparing clay for brick making and assisting adult females in the brick molding process.

Male children also accompanied the donkeys carrying the molded bricks to the kiln before they were burned or heated by the adult laborers: this task was strictly a male activity. The gender distribution of child laborers in the kilns is given in the table below.

Gender	Frequency	Percentage
Male	82	64.07%
Female	46	35.93%
Total	128	100%

Family Structure

The brick kiln industry thrives on the bonded labor of family units. After incurring a debt, the whole family, including children, work as a single unit to pay off a debt taken by an adult. Two major types of families can be observed working in the brick kilns as bonded labor units namely; nuclear, joint and extended families. Before revealing the findings of the census survey, it is pertinent to give an overview of the two types of family structures or bonded labor units;

Nuclear Family Bonded Labor Unit: In a nuclear family bonded labor unit, the father, mother and their child or children work together to pay off a debt.

Joint Family Bonded Labor Unit: A form of extended family arrangement in which the parents, their children, their children's children work together as a single bonded labor unit.

The survey findings reveal that majority of the labor units in the surveyed kilns were working as nuclear families. The table below reveals that around 14.48% of the laborers in the sampled brick kilns were living in a joint family arrangement while the rest were living as nuclear families. This was because of the residential constraints imposed by the brick kiln owners on bonded laborers whereby the latter were provided with housing arrangements to accommodate a single family only. The table below presents the number of individuals living in nuclear and joint families respectively.

Categories	Frequency	Percentage
Nuclear Family	369	84.82%
Joint Family	63	14.48%
Total	435	100%

Settlement Pattern

There were two types of housing facilities for bonded laborers in the surveyed brick kilns based on the nature of the building material namely pakka and kacha houses. Pakka houses are made from bricks that are damaged or defected in the process of manufacturing. These houses are not durable as strengthening material like cement is not used in their construction. Kacha houses are constructed from mud and straw. These houses are severely damaged in rains and floods.

The survey findings reveal that majority of the laborers (93.79%) in the sampled brick kilns were living in kacha houses. This was because of two reasons. Firstly, the brick kiln workers did not have enough money and construction material to build kacha houses. Secondly, majority of the laborer families were living in 'housing colonies' established by brick kiln owners. The houses in these colonies were all kacha.

Furthermore, although majority of the laborers were living in structures provided by brick kiln owners, they were not obligated to pay rent.

The poor quality housing arrangement for bonded laborer families deprived them of their basic right to adequate shelter. Children had to face the brunt of these harsh circumstances as they had to live in poor housing conditions with no or inadequate protection from sun, rain, floods and mosquitoes.

Categories	Frequency	Percentage
Kacha	408	93.79%
Pakka	27	6.20%
Total	435	100%

Water Supply

There was no developed drinking water supply in any of the surveyed brick kilns. Families had to use hand pumps to get drinking and washing water.

Literacy

Majority of the brick kiln workers were illiterate. The table reveals that almost 95% of the workers included in the survey did not go to a school. Moreover, not a single woman or child included in the sample was literate. The situation was further compounded by a complete absence of any educational facility in the vicinity of the target brick kilns. This scenario had severely negative consequences for the children as they did not get a chance to choose alternative sources of livelihoods and escape their bondage.

Economic considerations for brick kiln owners and parents were major reasons behind the complete absence of education among children living and working in brick kilns. In this regard, children were cheap labor for brick kiln owners and labor support for adult workers. The economic benefit accrued from children will be undermined if children were allowed to go to school. Furthermore, the harsh living conditions and work routine in the kilns made getting a school education almost impossible.

The result of the abysmally low literacy rates for adults and children working in the brick kilns was that they totally lacked knowledge about their basic rights and had no other occupational options. This reinforced a vicious cycle of debt bondage in which generations were trapped in slavery because of no other alternatives.

Categories	Frequency	Percentage
Literate	24	5.83%
Illiterate	411	94.48%
Total	435	100%

Income Levels and Mode of Payment

The bonded labor families were being paid as a unit. Women and children were not paid separately for their services and only the head of the household received remuneration for the services rendered by the whole family. According the workers included in the survey, they were being paid around Rs.400-500 for 1,000 bricks. These rates were lower than the Government specified minimum wage for brick kiln

workers (Rs 616 for 1,000 bricks). Furthermore, payments were made on a weekly basis- laborers were paid on the basis of the number of bricks they had made with their families throughout the week.

Skill Acquisition

There was no formal method of skill acquisition in the brick kilns, most of the skills were acquired informally and the children learned by watching their parents work. In this regard, the children started by carrying and preparing clay for making bricks and gradually progressing to more technical tasks like molding and baking bricks.

Livestock

A small proportion of families working in the brick kilns owned livestock including goats/sheep, chicken, and donkeys. The donkeys were used for carrying bricks and material whereas goats and chicken served as primary sources of milk, eggs and meat. Considering the low income levels of bonded laborers in the surveyed brick kilns home reared goats and chicken were important sources of protein for the otherwise undernourished families, especially children.

The details of various animals owned by the bonded laborers are given in the table below;

Categories	Frequency	Percentage
Poultry	31	44.29
Goat/Sheep	15	21.43
Cow	23	32.86
Donkey	1	1.43
Total	70	100

Child Labor in Brick Kilns

Brick kilns rely on the labor of entire families to keep functioning. This makes the brick kiln industry more intensive in its demand of labor from women and children. In contrast, families work together in the agriculture sector, especially during the sowing and harvest seasons but the demand on the labor women and children is less intense. Moreover, women and children may be confined strictly to the domestic sphere while working in other sectors but this is not possible in the brick kiln sector where they continue to perform specific tasks assigned to them inside the brick kilns.

Children were employed to support their families in the brick kilns. Majority of the children interviewed during the course of research revealed that they were either forced to perform various tasks by their parents and kiln owners or they had no other choice but to support their families trapped in bonded labor. None of the children were working in the kilns of their own free will.

This was evident in the case of Babar, a ten year old working in one of the target brick kilns. Babar worked with his brother to carry baked bricks from the kiln on his donkey. He stated that work in brick kilns involved strenuous physical activities and prevented him from attending a school. He further stated that he was interested in going to a school and getting educated but his father forced him to help his older brother in the brick making. In short, poverty had prevented him from realizing his dreams.

Children do not engage in the more technical aspects of brick making. Most of the technical work like shaping bricks from clay, baking them in a furnace, removing bricks from a furnace and vice versa are performed by adult workers. However, children's involvement in the initial non technical aspects of the whole process make them an important link in the brick making process chain whereby they are often referred to as the second pillar in the household economy of bonded laborers working in brick kilns.

Before discussing the involvement of children in bonded labor in brick kilns, it is important to give a brief overview of the process of debt taking which entraps whole families into bondage.

The Peshgie System

Peshgie is the money taken by a person in a time of need which traps him/her in debt bondage. The peshgie loans come with very high interest rates which can accumulate over a period of time and force the next generations of bonded laborers to work and pay off the debt of their parents. This particular phenomenon is important to note as it is the main method of recruiting laborers to the kilns. Even skilled laborers who require urgent funds for some large expenditure would turn to Peshgies for immediate cash. The terms of the loan are then set and the laborer is bound to the kiln till he or she pays off the debt.

The bonded laborer families interviewed during the course of research pointed out a number of reasons for taking peshgies. This revealed a system of exploitation which engulfed whole families to work in conditions of slavery. Some of the reasons which force people to take loans are;

- Key informant interviews and detailed discussions with bonded laborers revealed that kiln owners offered advances or loans to destitute families as a means of getting them out of a previous debt or for helping them in meeting their basic needs. This gives the kiln owner a source of cheap labor while a previously unemployed and destitute family is provided with the source of livelihood.
- In many cases traditional systems of exchange force poor families in debt; which forces them into accepting exploitative loans from kilns owners. In this regard, births, deaths and marriage are seen as occasions that need to be marked with displays of wealth to achieve status in the

community and therefore result in laborers getting further loans. The *jahaiz* or 'bride wealth' in particular is one of the main expenditures associated with traditional marriage and can lead to couples raising families in bondage. In this case, children can inherit their parents' debt.

- Most kiln workers do not own property and are unskilled in other occupations so are reluctant or unable to search for other opportunities. Peshgies are particularly harmful as they promote a vicious cycle in which they not only enslave the laborer but can even act as a form of job security in which the worker may willingly take on debt as the kiln owners are unlikely to evict indebted laborers.
- The lack of alternative employment opportunities is acute. During the rainy seasons when production is stopped, laborers are allowed to supplement their allowance in order to meet basic needs, however employment is scarce and they are unable to take their families with them. The women and children stay behind at the kiln as a form of collateral.

Hence it is clear that the system of Peshgie is one that is cyclical and feeds itself. Laborers and their families are caught up in this debt spiral and can even continue living in it for generations.

Children in the Brick Making Process

Children are mostly involved in fetching clay from a distance and mixing it with appropriate quantities of water to prepare the brick making material. Children are initiated in the process at a very early age. They start off informally by playing in the clay and accompanying their parents when they go to work. They are slowly inducted in the process, starting with carrying mounds of clay to prepare brick making material. They learn through observation and taking part in the process and by the time they reach adulthood, they are fully involved in the more technical aspects of brick making. It is pertinent to mention that children are often involved in some of the most labor intensive processes involving loading and unloading of prepared and unbaked bricks. Aside from the hazards of heavy lifting, children face other health issues such as stunted growth and impaired development.

Furthermore, although children rarely get involved in taking kilns inside the furnace, they are often asked to 'dust' the hot, baked bricks to remove the unwanted film of dust from the prepared product. This often leads to burned hands and other injuries. This situation is aggravated by the fact that children (and adult workers for that matter) work without any Personal Protection Equipment (PPE) which leads to serious injuries and unprotected exposure.

Economic Marginalization

Women and children form the most vulnerable and economically marginalized group in the labor hierarchy in brick kilns. For instance, women and children in the brick kilns did not receive separate remuneration for their work in kilns. The money earned by the family unit was paid to the head of the household. This prevented women and children from using the money for their personal benefits as the male head of the household is more interested in maximizing the household income to pay off the debt. For example, a 14 year old boy Murtaza produces up to 600 bricks a day but has to give his entire earnings to his father because of debt. This made women and children the most oppressed group of workers in the kilns whereby they were exploited by their employers and important decisions about their lives were taken by the head of the household who had control of economic resources.

This limited the life choices of children working in brick kilns and often condemned them to continue working as bonded laborers for the rest of their lives. Some children who managed to initiate a new life by going to schools and searching for alternatives were often pulled back in the same cycle. This was evident in the case of Nawaz, a 12 year old boy who was working in one of the target kilns along with his nine family members. Nawaz stated that he had been working from 5 am to 6 pm every day for two years. He was supported in his daily tasks by three brothers and four sisters. Nawaz revealed that his father had stopped him from attending a school (he had been to a school for two months) as he wanted his son to contribute more to the household income. The boy said that 13 hours of work every day now prevented him from doing anything other than his tasks in the brick kiln.

Internal Child/Human Trafficking and Brick Kilns

The brick making industry operates in the form of a network of interconnected kilns allowing for the trafficking of bonded laborers between kilns. The internal trafficking of bonded laborers is triggered by multiple factors but the non-payment of debts remains the most common cause. Furthermore, internal trafficking of bonded laborers is not limited to the exchange of laborers between brick kiln owners: in many cases kiln laborers and their families are sold to landowners to work as bonded workers in the agriculture sector.

In majority of the trafficking cases, a bonded laborer family that has failed to pay its debt is bought by another brick kiln owner who pays the family's debt to their former employer. The family is then made to work in the new kiln where the head of the household takes a new loan to feed his family, reinitiating the bonded labor cycle. Internal trafficking between kilns or between a kiln and a farm can have disastrous consequences for children, especially when the employer decides to sell a single family member (usually the head of the household) to a kiln owner thereby breaking up the family unit.

In some cases, transfer between kilns is initiated by the bonded laborer himself. This often happens after a family unit is broken up (due to sale of one of the family members), after which, the remaining family members try to get transferred to the same kiln. This effort may also be undertaken if the laborers come to know that a certain kiln owner pays better or the working conditions are less demanding. However, immediately after getting transferred, these laborers incur new debts and are trapped in a cycle of bondage again.

In other cases, freed or escaped bonded laborers returned to work in brick kilns after failing to find an alternative livelihood. Although this tendency cannot be regarded as trafficking yet it reveals the lack of options for brick kiln workers after they are freed or escape from bondage. For instance, Heeran, a 12 year old girl was working in one of the surveyed kilns. She explained that her family had escaped bondage and settled in the Azad Nagar Hari Camp in Hyderabad; however, lack of employment opportunities for the family forced it to start working as bonded laborers again.

Gender specific issues and Girl Child Protection

The existing state of oppression of females is exacerbated in the extreme conditions of the brick kilns. Women have many roles and at times can carry out more labor than the men as they are involved in '*Bhatta Labor*' (brick making) as well as managing the household. Despite an almost equal role in the economic activities, women are not allowed any say in monetary or family matters. Common cultural norms delineate strict gender roles in which the extra work that women do over and above brick kiln labor is perceived as their "duty" which should not require any reward or appreciation.

Girl children take on this role at an early age, being primary care givers if their siblings are ill and are expected to share their mothers' workload. These activities include cooking, cleaning and caring for young children. Other activities could also include supplementary jobs that the family does for extra income. These could include rearing of livestock and working in fields for agricultural landowners. Often, the brick kiln owner will use them as domestic labor in his household where they may have to look after children and clean which also leaves them susceptible to abuse. They are particularly vulnerable to domestic abuse from their fathers or husbands due to their perceived weakness and inferiority. If a laborer chooses to escape and leaves behind his family, they are prone to many forms of abuse. Girl children can be extremely vulnerable in these cases and there is no structure in place to protect them.

Failure of Labour Laws

Child Labour is rampant in Pakistan in many forms, predominantly in the informal labour sector for which legislation is still in progress. Even where legal safety nets exist on paper, they are rarely practiced effectively due to weak institutions and corruption. The 18th Amendment further held back legislative efforts for child labour as power was devolved provincially and each province has to design its own labour laws. Another factor that has hindered child labour efforts is Pakistan's absence from the ratification of various ILO conventions due to its inability to meet the promised goals.

Brick kiln work constitutes a form of employment called bonded labour as it involves taking a loan, in this case a peshgie. This is either voluntarily taken by the workers or they can be deceived into it and is a gross violation of human rights as workers are coerced through debt into staying at the kiln. Anti-slavery International has estimated that there are around one million labourers working in these conditions in Pakistan.¹⁹ Other sources such as UNICEF claim there are 250,000 child bonded workers at brick kilns since 2010.²⁰ The exact figure for the number of children working at kilns is unknown; however due to the widespread nature of brick making activities the reality may exceed any estimates made so far. Children are particularly vulnerable in this case as entire families are made to work off the debt and children can be pledged to the employer to contribute to paying off the loan. Other hazards to children, aside from the dangerous work environment, include sexual exploitation and trafficking as forced labour.

To combat this particular form of labour, the Bonded Labour System (Abolition) Act (BLSAA), 1992 was formulated which abolishes any traditional forms of debt bondage and states punishments for various offences. Although this Act has laid down specific stipulations pertaining to monitoring and reporting on incidents of 'traditional' bondage, the implementation has been sub-par. There is an over-arching issue of weak state institutions and bodies, due to Pakistan being a developing country, which directly effects the application of this Act. Referring specifically to the local phenomenon of brick kiln sector work, the Assistant Director of Labour Department claimed that it was not formally recognised, unlike other types of informal work such as domestic and agricultural labour. Registration of brick kilns is rare with only 78 establishments officially registered with the labour department. Monitoring visits can also be undermined through a rule that the kiln has to be notified ten days in advance of a visit by a Labour Officer who is also not allowed to take pictures at the site. One of the main reasons of the ineffectiveness of the BLSAA is the structural issue of families not willing to utilize it. Since children are accepted as a means to

¹⁹ Anti-slavery International, "Bonded Labor" (source: www.antislavery.org)

²⁰ Khan, Azam, "Over 250,000 children work in brick kilns" published in *Express Tribune*, October 3, 2010.

alleviate debt through work or other forms of bondage, families are discouraged from seeking aid from the Labour department in this regard. This unwillingness on the part of the primary beneficiaries of the legislation has a crippling effect on efforts to reduce child labour as a whole as it maintains the status quo and perpetuates the norm of children working.

The Employment of Children Act (1991) is also vague in referring to bonded labour which allows for loopholes such as the present case of brick kiln labourers to be exploited. Parents' role in enacting legislation for their children is paramount and where there is no check and balance on them then children are at their mercy. Labour Officers called for more accountability of parents and even punishments for forcing their children into bonded labour.

Firsthand accounts from Labour Officers present a clear case of an inefficient implementation model for the BSLAA. In the case of Mr. Zubair, a Labour Officer from Hyderabad, the inspection system has been amended since the 18th Amendment which called for devolution of power to the provinces. District level inspections were previously carried out without prior notification and these 'spot checks' not only gave a realistic picture but also acted as a deterrent to bonded child labour activities. However since the amendment, the directive from the Labour Department makes it incumbent on Labour Officers to write to the Director for permission before taking any action if a violation is observed. This bureaucratic process is further lengthened by the Labour Officer also having to write to the industry owner in order to start proceedings against him. Should they be denied permission from both the Director and the industry owner the only option left to the Labour Officer is to file an appeal to the Labour court and can only carry forward the case at the discretion of the court. Therefore the process of holding offenders to account is not only time consuming but discouraging to Labour personnel due to the vast amounts of red tape.

By nature brick kilns in particular are predominantly migratory ventures, moving from one site to the other as clay deposits essential for brick making run dry. Lack of a fixed location can make it difficult for inspectors to make routine visits. Furthermore, Labour Officers face security issues and are not provided with a vehicle to carry out their inspections.

The role of the media and NGO's in the enforcement of child labour laws is paramount however they also face specific hurdles when it comes to bonded labour. One of the main discrepancies lies in the supposed lack of coordination between the NGO's and government functionaries. Politicisation and self-interest can also play a part in their lack of trust. In the case of Sindh, the Sindh Employees Social Security Institution (SESSI) is one organization that seeks to provide social security cards which cater to basic needs to registered workers. However despite 318 registered kilns, no workers have been issued Social Security cards as it requires the brick kiln owners to contribute financially to SESSI. Another loophole which obstructs aid efforts is that brick kilns have yet to be recognised by the Labour Department as a formal industry which leaves the inspectors with fewer options to take action such as the Land Revenue Act.

Other accounts from NGO workers mention a dearth of sustainable projects for brick kiln workers. The Regional Head of Strengthening Participatory Organisation (SPO) spoke about the many short-term interventions on preventing child labour itself and not enough long-term projects to provide alternative options such as education for the children. Ultimately this results in families reverting back to the same conditions despite temporarily benefitting from these programs.