Bonded Laborers: Women as Victims A Curse that Lingers on Author

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Abstract

The occurrence of bonded labor and slavery in women is a widespread issue despite the fact that it is termed as a Human Rights violation. Slavery may be defined as total control of one person by another person, for economical exploitation as stated by Kevin Bales (1999). The existing forms of slavery, including debt bondage, serfdom, trafficking of women, and child bondage are prohibited as per the laws of the International Labor Organization. Although Pakistan has passed laws against any kind of bondage/slavery almost two decades ago, it is most unfortunate that these laws are not implemented properly. This is an archival research, which aims to explore the sufferings of women victims of bondage specifically of women working in Brick Kilns and Agriculture, with the objective of raising their unheard voices. Bondage is a cycle which remains unending due to illiteracy, poverty and lack of implementation of laws. The *Begaar* (a term used in Urdu) is a traditional form of bondage, which is transferred from generation to generation in a family. The masters of such slaves are usually vicious and pitiless who exploit minority women sexually. The prevalence of Forced Labor exists equally in international as well as national community therefore [2]documentation of the status of bonded labor highlighting its effect on women victims is the need of the hour.

Keywords: Debt Bondage,Capitalism, Brick kilns, Low wages, Human Rights, Illiteracy, Exploitation,Lack of implementation of laws,

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Introduction

Stating that “being a woman is not yet a name for being human” Mackinnon pleaded for a “full human status for women” in 2007, yet women are still seen in bondage, intimidated, discriminated and unable to exert their rights.Although slavery was banned and pronounced unlawful a century ago it is still prevalent in contemporary forms worldwide. The widely acclaimed Universal Declaration of Human Rights banned all types of bondage in 1948, yet modern world is still experiencing dangerous forms of slavery including child labor, trafficking, bonded work and chattel subjugation (Anker, 2004).In today’s modern era according to estimation by International Labor Organization approximately 12.3 million people are in bonded or forced labor, half among these labors are women and girls (Hossain, Zimmerman, Abbas, Light, & Watts, 2010). Criticizing and condemning bonded labor, Fatima and Qadir so eloquently expressed “With their bodies and souls, to agonizing debts they were sold".

In Oxford Thesaurus the word bondage means slavery, or subjugation and in Webster’s dictionary (ninth edition) it means state of being bound, usually through compulsion (as of law or mastery); it also defines a bonded man as one bound to serve without wages, Qazalbash (2010). International Labor Organization (2001) defined bonded labor as laborers who provide services under states of servitude emerging from financial crisis caused by

loan or advance. So debt is the underlying reason of servitude,due to which the worker's family has to work for a specific lender for a specified or unspecified period until the loan is paid completely. Thus the bonded laborer relinquishes his/her entitlement to occupation, right to move freely, and right to take and offer his or a relatives' property or product of his labor at market value. These are a gross infringement of globally documented human rights as the privilege not to be held in slavery, the privilege not to be confined illegally and the right to join trade unions (Karim, 1995) constitutes the fundamental rights of humans. Furthermore, bonded workers are usually intimidated and subjected to a wide range of physical mistreatment by owners. Power and abuse, both by the owner and neighborhood police are used to pressurize and dishearten the bonded worker from using any legal help.

As indicated by ILO (2012) recent figures about 21 million individuals are victims of bondedlabor over the world, half among these are women and girls who are caught in occupations in which they were forced or cheated into and in which they are trapped. Furthermore, the Asia-Pacific region represents the biggest number of bonded workers on the earth 11.7 million (56 %) of the world, trailed by Africa at 3.7 million (18 %) and Latin America with 1.8 million victims (9 %). 18.7 million (90 %) are abused in the private economy, by people or companies. Of these, 4.5 million (22 %) are

trapped in sexual exploitation and 14.2 million (68 %) bonded workers are exploited in agribusiness, construction, domestic work or industry.

According to the Global Slavery Index (GSI) 2013, bonded labor is present in large scale in Pakistan. The GSI additionally demonstrates that out of the 29.8 million servitudes worldwide, 2.2 million (7 percent) are present in Pakistan who are mistreated, misused, assaulted, tormented and killed. Of the ten most densely populated nations with contemporary slaves, Pakistan is on number three after India and China. Institute of Social Justice 2015 reported that although there is recognition of this menace by the government in terms of setting free 1871 bonded workers including 425 women and 944 girls in 2013 in Pakistan a lot more needs to be accomplished.

Bonded labor in Pakistan has long been a gravefactor in brick kilns, carpet industry agribusiness, farming, fisheries, stone/block pounding, shoeproduction and in weaving machines (Labor News, 2010). Unfortunately, gender dynamics in bonded labor in Pakistan have not been widely explored due to which statistics of women involved in bonded labor from reliable sources are not available. Regrettably, Feudal lords and landowners feel pride in having bonded workers, particularly young workers as they regard them as their property whom they visit from time to time. The social catastrophe in Pakistan, as opposed to other South Asian nations is that bonded work is acknowledged by the general public. There is absence of political concern

and societal attention towards the end of this issue. The Feudals and the powerful people of society, oppose policies to free the bonded workers, as that will imply ending a system which benefits them.

Considering the statistics regarding bonded labor, this paper seeks to find answer to "How traditional feudal systems uniquely exploit women? This has been answered through an analysis of gender-based violence against women working in the brick kilns and agricultural sector. This paper highlights slavery in the present context and reaffirms that women in a patriarchal structure are living in subjugation. Additionally, brief narratives of the women in bonded labor are also reported in order to explore personal experiences. While the global trends regarding slavery have been referred to, the emphasis is on Pakistan.

According to Sohail, (2014) existing forms of slavery are a result of capitalism which is encouraged and endorsed by the state. This advanced subjection is a result of total disregard for the mortality rates of its citizens and it is practiced by a brutal control over the lives of people for the purpose of industrialgrowth. Women working under feudal agreement in Sind and Punjab, make industrialist accrual conceivable. Indeed as Maria Rosa Dalla Costa wrote that the work inside a laborer's home revives conditions for duplicating, sustaining and maintaining the renewal of an enslaved working class (Sohail, 2014).

It is imperative to conduct studies on women, who are the part of informal sector of economy in all regions, signifying 50.5% of the 1.52 billion laborers in unstable livelihood which are mostly without legal and financial security. In case of traditional family set up, the responsibility of earning is added to the customary houseworkduties of women workers. Around 70% of individuals living in poverty mostly are women from rural background and though women's contribution in agricultural workforce is substantial, they only receive 5% of the benefits from this source. Women's participation in the workforce, both paid and unpaid is basic to the survival and security of poor families and provides a vital path by which families can avoid destitution. Thus enhancing the status of women will not only upgrade the welfare of their kin but additionally (Guyer 1988; Thomas 1992; Haddad, Hoddinott&Alderman, 1997) paid livelihood can uplift the status of women themselves (UN Millennium Project, 2013).

Background

Bonded labor occurs in several regions across the globe. It flourishes in South Asian nations like Pakistan, Nepal, and India as well as in Paraguay, Bolivia and Peru (Ahmed& Zeeshan 2015) South Asia harnesses bonded labor not only in commercial sectors like agribusiness, the service industry and rural production but also in the generation of materials for industry or construction (Upadhyaya 2004), for example mines and brick kilns. Beside

poor people, bonded workers materialize from marginalized groups, for instance dalits or 'low-castes ‘as in India or Nepal (Robertson and Misra, 1997) or from minority religions and people who are not natives of Pakistan. Bonded work has a "financial" side as well as sociological and political features. Frequently, laborers from these clusters borrow money from their landowners for survival which leads to servitude(Upadhyaya 2004).In the subcontinent, the Rajas and Maharajas had been practicing bonded labor when the British took over (about 200 years ago). The British not only accepted it, but also supported it for their political objectives as they did not want to lose control over the skilled laborers. In Pakistan the political and power strongholds have always governed the rule of law and an extremely strong feudal and tribal structure is deeply rooted here. The community often follows the tribes, castes and clans instead of the Government (Zia, 2010).

In Bangladesh, India and Pakistan group of people were driven out of their native regions, in light of laws associated with proprietorship and misuse of forest land. The land allotment was seen as a political move to reposition mountain inhabitants to areas near India. In Pakistan, numerous villagers were made destitute in light of the fact that machines were introduced in agribusiness (Bales, 1999).These social isolations, communal practices, political actions and financial conditions strengthened and reinforced bonded work in the customary agrarian economy. The

modification in labor practices have headed towards 'new', 'non-conventional' or "growing" type of bonded labor (Upadhyaya 2004).

According to a study byPILER-ILO2004 the prevalence of bonded labor is high in agriculture and brick kiln sectors where the individual or family works and lives under debt bondage in Pakistan. The overwhelming majority of bonded labor in the province of Sind belongs to the low-caste Hindu communities. In other provinces low-caste Muslims and Christians comprise the majority of bonded labor. As indicated by the National Commission on Justice and Peace there are approximately 6 million bonded laborers in Pakistan, out of which nearly half belong to religious minorities, mostly Christians and Hindus (Ercelawn and Nauman, 2001).

Bonded Labor in Agriculture

The official figures for Pakistan indicate 1.5 million agricultural households live under debt while unofficial sources estimate 1.7 million haris as under debt bondage according to a report by Pakistan Institute of Labor Education & Research PILER (2004). Women farmers are oppressed due to their weak socio-economic status, lack of education, and the ruthless circumstances under which they work, such as cotton picking and working in brick kilns. In the rural provinces of Pakistan, rape among female bonded laborers is extensive, and there are little legal options to address the problem (The News, 2013).

Workers are trapped through a loan advance taken in return for future work (Ercelawn and Nauman, 2001) .They stay obliged, as they barely figure out how to reimburse the sum total of what that has been loaned and the cycle of bondedobligation continues. The bonded workers in share-cropping in lower Sind are recognized as haris; they are minority Hindus and Bhills. Both are labeled "Indians" and are not enlisted as occupants which in turn makes them even more powerless against maltreatment furthermore,they cannot assert their rights over land(Upadhyaya, 2004).

Bonded Labor in Brick Kilns

Bonded labor is widespread in estimated 5,000 brick kilns in Punjab and around 1,000 kilns in the remaining three provinces. Most of the brick kilns owners evade registration of their establishments under law to deprive workers of safeguards and legal rights as cited in a report by PILER (2004). As indicated by a study led by Sustainable Development Policy Institute about 64% of brick kilns laborers live beneath poverty line. Somewhere in the range of 80% are without water at home, 60% had no toilet, and 82% are without appropriate sewerage and all relied on wood as fuel for cooking. Majority of the laborers do not have access to education and health. Molders have health issues like spinal pains because of the body posture demanded for work. Most of them work to pay back their loan. Just 16% laborers have a formal contract. All relatives (men, women and offspring of the family) work

together, laboring for 10 hours every day to make 1,000 molds of block for a meager payment of around Rs. 300 to Rs. 350. They work in brutal conditions without sanctuary or restroom (Infochange News and Features Network, 2011).

The laborers by and large are unskilled and landless individuals who are drawn to the possibility of a substitute work other than agriculture, and by the money advances. Since half of their earned money is subtracted to reimburse the credit, frequently extra loan advances need to be taken, which cannot then be returned. Thus, advances transfer from generation to generation. At times, one brick kiln buys the worker by paying his loan, it is like a business of slaves (APFL, 1989).Through this it can be inferred that Wilkinson's (2003) elaboration of commodification as a social practice for regarding humans as products or properties that can be purchased, sold or leased is truly practiced.

Loans are usually not excused even in the case of demise. If Kilns are not functional for brief periods "after a season" or for other reasons workers are not allowed to work anywhere for the time being. Another highlighted concern is the emerging cases of brick kilns laborers offering kidneys to repay their loans. These cases were found in Northern Punjab, yet same incidents in other areas of Punjab are also reported(PILER-ILO,2004). As of

now, in Pakistan, exactly 700,000 men, women and children are thought to be in debt-bondage at nearly 4,000 brick kilns (APFL, 1989).

Women as Victims

According to a research byPILER-ILO 2004, gender is a basis of discrimination for marginalized groups. Migrant/refugee women, women under bondage (in agriculture and brick kiln sectors) and female child workers suffer from particular forms of exploitation linked to gender (trafficking as sex workers, sexual violence). Female workers in marginalized groups tend to be in double jeopardy as inside the home they face increased oppression from male kin arising out of their own insecurity and in the outer world they are more prone to exploitation as cheap labor.

The aspect of gender in brick kilns has so far remained unnoticed. While both men and women are at the risk of forced labor, the women especially endure the impact of advances and loan taken by their men. As women have little control in the family financial matters and are mostly uneducated, with limitations on their mobility, they become easy victim of forced labor (Janjua, 2014) .So situation of female laborers are not satisfactory despite their major role in Kilns work all over Pakistan as they usually participate in shaping of mud bricks. According to Syeda Ghulam Fatima, general secretary of the Bonded Labor Liberation Front, Brick kilns in Pakistan have nurtured bonded labor because in this occupation pregnant

woman and children are compelled to work in a brutal situation which shows the government's incompetence to administer and improve things for workers (Mehsud, 2015).

Saeed et al, 2007 explored women's experiences in bondage. It is clear that the key reason for their labor is monetary hardship and the debate involves how deprived community look for their occupation, the way they are appointed, the income sharing between the agriculturist and the landlord, the way money records are kept and altered to support the owner. They tried to investigate the experiences of violence, assault and harassment from the

Feudal lords. These are acts of exploitation as according to Sensat cited in Wilkinson (2003) when a man displays power and engages a woman in acts of deference and submissiveness in order to boost his ego, the woman feels degraded and abused which is exploitation.

It is depressing to realize that while landowners are enjoying their power as feudal lords in our society, "women" are still considered as second grade humans. Since bonded women reported a high level of sexual abuse and rape by the landowners, the authorities need to realize that misuse of power, aggressive offences and coercive actions against women are as significant in demeaning a woman as illegal bondage (Saeed et al, 2007).Here Wilkinson's (2003) statement that people can be exploited for their weakness or vulnerability is applicable. There are many women who suffer because of being

married into families who are in bondage; try as they may to free themselves as well as their family members from this oppression, it becomes impossible to fight against the adversity of their fate. These women have endured a lot of hardships and deprivations resulting in the pain, which will remain forever in their hearts. Some of such stories are narrated below,

Zarena Bibi who is a resident of Hadali village in district Khushab is a thirty four years old woman living with her husband and having three daughters and two sons. Her in-laws family was working as a bonded labor on Brick kiln when she married. She has worked in a bhattta since the time of her marriage. As her father in law took a loan of two millions from the bhatta owner at the time of her wedding all members of her family are now obligated to work on that Brick kiln without any choice. Here is her story the way she narrated it,

*"*We are not allowed to send our children to school, because they also have to work with us on Brick kiln and we cannot visit our family / friends without the permission of Brick kiln owner."“Three years back, my paternal aunt died at the peak season of brick making; at that time our owner did not allow me to attend my aunt's funeral". "Likewise in last Ramzan, my father was extremely ill but I did not get the permission to visit my parents' village.Our loan will never end, she added in a very hopeless way". Further she shared that in August 2015, her father in-law and husband again took a loan of thirty thousand rupees for the reconstruction and repairing of home which was

destroyed due to heavy rains and flood in their village. She also added that one brick making charges are 2.5 rupees but they are paid one rupee per brick making, “this is the way we are trying to manage our loan deduction, its interest and our livelihood”.“We have to work about15 to17 hours per day in order to arrange our meals of two times”. She feels hopeless and laments that their slavery will never end.

Another story outlining the same issues is also from **Khushab**

Ms. BaghBarhi is a forty four years old lady who belongs to a very poor family. She got married at the age of 17 years to a husband who belonged to a family who were serving as bonded labor. So from the time of her wedding she is working as bonded laborer. In last twenty seven years, her family has been unable to compensate the loan taken from the bahtta owner. She even had to work during pregnancy, and she and her other female family members have suffered sexual harassment many times. Unfortunately in 2004, her father in law suffered from kidney pain for which her family had no money to afford treatment even from an average hospital.

“We gave him treatment from a quack (hakeem) but he was unable to recover. He was in severe pain and we did not have a single penny to take him to the hospital and afford expenses of medicines. It was difficult to see him endure his pain so we admitted him in a nearby hospital and took a loan of forty thousand for his treatment. Now again we are trapped in slavery for

years. All our family members are in bondage and hardly managing our survival. We are getting lesser labor than other laborers for such services. We are paid half the market rate and are not allowed to choose any other occupation. My elder daughter got married last year and other two sons and one daughter are working at the bahtta. Our mobility is strictly controlled, we bear abusive language and sometimes munshi of bahtta owner deducts our labor at his own end. My daughter and I have to work in the home of munshi , whenever they have any festival at their home and we are not paid for that services".

"I feel sorry for my children as they will live the same pathetic life which I experienced, we do not know what a free person feels like"

Bandiayal is one of the most deprived and under developed union council of district Khushab as all resources and land is owned by the Bandial family. Here people are still living as *harris,* families are living like slaves from hundred years ago. Ms. Rubina is one of the residents, was born in a *harri* family. She is thirty three years old, uneducated and has three children.

"People call us mazarhy (loag humy mazarhy kahty hain) our cast is muslim sheikh and people call us musali, we work in fields of our landlord. We do not get wages for our daily labor in fields. "The landlord gives us a specific quantity of grains and rice on session. This is all the resource we have for our survival. I have never been to a doctor in any case for my health issue,

as it would need money. The money that we have is also taken in form of loan from landlord. We are not able to give two time proper meal to our children. We do not have sufficient clothes to cover our children".

"We are not allowed to work on other than the landlord's lands. Once my husband decided to hunt for a paid job and went to city (Jouhrabd) without the permission of landlord. Right after three days of his departure from village, assistants of landlord came to my home with machinery and asked to leave home otherwise they will demolish my home. I begged to them and took time of two days to call back my husband to the village to work on their land". "After that we never were thought to take any step to think beyond this bonded work, because we have one roof for our children".

These brief stories reflect that bonded labor is an endless trap of exploitation in which the landless poor women are denied access to fundamental rights and institutional services consequently they have to depend on landowners and moneylenders for their own as well as their family survival. To end this subjugation in Pakistan, the government needs to ensure and develop a strong mechanism for the implementation of laws which already exist.

First of all forms of slavery and bonded labor are prohibited under the constitution of Pakistan,additionally Government of Pakistan has ratified 36 international labor conventions including ILO Conventions 29 & 105 and

International Convention on Civil and Political Rights for elimination of bonded labor. The Bonded Labor System Abolition act 1992 and the Sind Tenancy Act 1950, Besides, National Plan of Action for Bonded Laborers was also introduced in 2002; however lack of implementation is a big hurdle in changing the workers status in Pakistan (Upadhyaya, 2008). The Governments of Punjab and Khyber Pakhtunkhwa have additionally set Legal Aid Service Units to provide immediate help to the workers trapped in forced labor.

Bondage is a cycle, which remains almost forever due to illiteracy, poverty and lack of implementation of laws (Fatima &Qadir, 2014) this specially inflicts women who have a secondary role in labor force because of the division of labor as per Gender. It is very unfortunate that in Pakistan feudal and tribal systems still exist where women's role in economy is ignored (Zia, 2010). With regard to women, Zia (2010) maintains that homebased women workers and women in agriculture are all unable to avail any contractual protection for their basic employment. This includes contracts with intermediaries, as well as the actual industries themselves. It leaves them vulnerable to exploitation on many levels including not being able to access their rights of wages, leave, social security and even their right to resolutions of conflict as they do not have any substantive rights. This falls in clear violation not just of Constitutional rights but also of international standards. It

is necessary to widen the scope of the law to include laborers of all kinds in any industry or form of work. Furthermore, attention should also be given to regulate the working hours of women in informal sectors (Zia, 2010).Women parliamentarians should be especially involved in legislations regarding women in bonded labor. As firstly one of the reasons why Henderson & Jeydell (2010) support women representation in the parliament is that it has a direct impact on women's lives and secondly according to Hunt (2007) women's community based wisdom and commitment to the social good contribute to better decisions.

Lessening hardship and provision of amenities is the essential objective of advancement. However emphasis should be on homeless women and children as well, as servitude is most grave for families that live on brick kilns areas because they have no option and cannot bear the cost of shelter because of low livelihoods and high loan. Also the risk of harassment of female workers can increase in absence of lavatories. Thus, government should work seriously on providing shelters to them (Ercelawn & Nauman, 2004).

Bonded labor is the bitter reality of the 21st century. In a period in which developments in human rights are increasing widely,a vast number of Pakistani women are yet trapped in the endless loop of bonded work. There is an earnest need to initiate education programs for the workers of brick kilns.

This initiative can decrease bonded work in Pakistan. Education is the best instrument for girl's empowerment as girls after getting awarenessof their rights are not prone to be abused through subjugation. The key motive behind bonded labor is the financial reliance of the families on advances and loan from the owners. By expanding the women's access to microfinance, this can be reduced. The laborers, especially women and community should be given awareness about their rights and safe working conditions which can be done by launching awareness raising campaign through electronic, print and social media, publication and distribution of informative material can also for the eradication of this practice.

In 1808, Charles Fourier of France asserted as a general thesis: Social progress and historic changes occur by virtue of the progress of women toward liberty, and decadence of the social order occurs as the result of a decrease in the liberty of women.... [T]he extension of women's privileges is the general principle for all social progress as cited in Fraser (1999).

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