

Unveiling the Complex Human Rights Issues of Child Labor in Pakistan

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Abstract

We explore child labor in contexts where it is hazardous, involves unpaid family work, and is prevalent in local industries. The main goal of this study is to develop theoretical insights to understand the causes of concealed hazardous child labor in such settings, ultimately aiding in its eradication or control. Viewing child labor as a fundamental human rights issue, we analyze it as a multifaceted social phenomenon by integrating two academic approaches: the subaltern tradition in history and Prof. Amartya Sen's economic theories of entitlement, capability, and function. Our findings reveal that kiln workers are largely invisible to society, with their marginalized existence offering them few opportunities for improvement. This leads to a sense of hopelessness that erodes their self-esteem, making them believe that their basic human rights are negotiable. We conclude that improving the conditions of kiln workers requires creating an environment where they can exercise their legal, political, and economic rights. This can be achieved through a collaborative approach led by the government and supported by unions and non-governmental organizations.

Introduction

With the growth of industrialization, it was anticipated that child labor would gradually vanish from most developed and developing countries. Nonetheless, child labor remains a persistent issue, and its incidence has even risen in many regions worldwide (Basu & Tzannatos, 2003). According to the International Labor Organization (ILO), there are 168 million child laborers globally, with 85 million of them engaged in hazardous work. Additionally, over eighty percent of these child laborers are found in developing regions such as Asia, the Pacific, and Sub-Saharan Africa (ILO, 2016). The ongoing prevalence of child labor has spurred global efforts to eliminate this problem through ILO conventions and international programs led by the UN and other organizations.

We contend that the estimated number of child laborers does not account for those in rural areas, informal economies, and family work settings, which may significantly exceed the reported figures (Edmonds, 2008, p. 3607; Webbink, Smits, & de Jong, 2012). Moreover, child labor in these unrecognized environments can be hazardous, and its hidden nature complicates understanding its causes and persistence. We assert that this form of child labor is fundamentally a human rights issue and requires a broader socio-political-economic perspective for comprehension and resolution. Following a recent ILO report (2013), we contribute to the literature on child labor by: highlighting the issue of hidden hazardous child labor in the brick-making industry in Pakistan, constructing a narrative from a bottom-up perspective within its socio-political-economic context, and treating child labor as a basic human rights issue.

To achieve our objective of developing a bottom-up narrative, we utilize the Subaltern research tradition from history. Additionally, to contextualize the problem of hidden hazardous child labor, we apply the theoretical concepts of Entitlements, Capabilities, and Functioning as proposed by

Prof. Amartya Sen (1981, 1995, p. 52) and further elaborated by Prof. Martha Nussbaum (2003, 2011).

The study is structured as follows: first, we explore the theoretical foundations of our study, discussing existing literature on child labor, its gaps, our conceptual framework, and our intended contributions; second, we detail our methodological choices; third, we analyze and interpret our data; finally, we propose possible solutions and draw conclusions.

2. Theoretical Underpinnings

In the past two decades, numerous scholarly works have identified a wide range of factors contributing to child labor, including: poverty (Akarro & Mtweve, 2011; Basu, Das, & Dutta, 2010; Basu & Van, 1998; Cathryne, Travers, & Larson, 2004; Edmonds, 2008; Webbink, Smits, & de Jong, 2015); poor quality of education (Jafarey & Lahiri, 2005); low returns on schooling (Edmonds, 2008; Srinivasa Reddy & Ramesh, 2002); parental illiteracy, especially among fathers (Burra, 1995; Webbink et al., 2012, 2015); large family size (Kifle, Getahun, & Beyene, 2005); generational factors where adults who were child laborers are more likely to send their children into child labor (Emerson & Souza, 2003); insufficient government funding for education (Guha-Khasnobis, Mehta, & Agarwal, 1999); lack of credit availability for families (Edmonds, 2008); resource scarcity (Webbink, Smits, & de Jong, 2013); reliance on low production technology and labor-intensive work (Edmonds, 2008; Guha-Khasnobis et al., 1999); high inequality levels (Dessy & Vencatachellum, 2003; Swinnerton & Rogers, 1999); unequal opportunities; economic growth in developing countries (Kambhampati & Rajan, 2006); societal norms accepting child labor (Agenor & Alpaslan, 2013; Basu, 1999; Emerson & Souza, 2003); intense competition emphasizing labor costs (Nardinelli, 1982); and the physical dexterity of child laborers suited for intricate, low-skill tasks (Brown, Deardorff, & Stern, 2003, p. 193). Table 1 reviews these studies, including findings from ILO research.

The academic merit of the cited works is well-established. However, we contend that the current literature on the causes of child labor falls short in four key areas. First, these studies list numerous factors contributing to child labor but often fail to examine it in context. We argue that child labor arises from complex socio-political-economic conditions and should be analyzed as a contextual, multi-faceted social issue with numerous interacting variables. Second, the existing literature does not address the causes of hidden hazardous child labor, which, as we will discuss later, is nearly invisible at local, national, and international levels and poses significant dangers to children. Third, the current research does not present the perspective of the main actors, namely child laborers and their families. We believe that resolving hidden hazardous child labor requires an actor-centric approach, which provides more valuable insights than the typical top-down methods used to address issues affecting disenfranchised groups (Boje & Khan, 2009; Khan, Munir, & Willmott, 2007). Lastly, although the ILO and other international bodies view child labor as a human rights issue, the existing academic literature lacks a comprehensive theoretical framework for analyzing child labor from this perspective.

Given these shortcomings, we aim to study child labor as a social phenomenon using qualitative methods to understand this complex and multi-dimensional issue. Specifically, we seek to understand the reasons behind hidden hazardous child labor, which has been largely overlooked in existing research. We apply an actor-centric approach to examine this problem and use a broad theoretical framework to analyze child labor as both a socio-political-economic and a human rights issue.

To achieve our objectives, we draw on two theoretical paradigms: the subaltern tradition and Prof. Amartya Sen's theories of entitlement, capability, and functioning.

The subaltern research tradition, which began in the 1970s by historians from England and India, aims to study societies, cultures, and histories from the perspective of marginalized groups (Ludden, 2003; Prasad, 2003). Historians in this tradition use various methodologies and theories to eliminate elite bias (Ludden, 2003), give voice to marginalized populations, and provide an alternative to top-down history (Ludden, 2003).

This tradition was particularly applied in India, leading to historical works that informed contemporary national debates on land reforms, local democracy, and other public policy issues (Ludden, 2003). However, despite its unique perspective, the subaltern approach has two limitations: it creates a strict division between the top and bottom, ignoring intermediate levels, and it focuses exclusively on the least powerful, distancing itself from transformational politics and social change (Ludden, 2003).

We use the subaltern tradition to build a narrative from the perspective of child laborers and their families, believing that this actor-specific approach will create a more accurate narrative of this hidden, marginalized, and disenfranchised group. However, we mitigate the rigidity of the subaltern perspective by conceptualizing the problem of child labor in concentric circles, with child laborers and their families at the center, and incorporating the views of other relevant stakeholders in the outer circles.

Prof. Sen (1995) introduces the entitlement approach to explain famines in Bengal, arguing that in a market economy, entitlements represent the commodity bundles a person can legally obtain. Entitlement has two components: endowments, which include the ability to trade, produce, labor, and inherit, representing ownership of productive resources and wealth; and exchange entitlement mapping, which represents the ability to exchange owned commodities for others through trade or production. A family will starve if its initial bundle lacks sufficient food and its endowments cannot be altered through work or trade. Alternatively, a family can starve if its endowments worsen due to loss of work, wage reductions, or rising food prices. The socio-political-economic structure of society and a family's position within it can influence exchange entitlement mapping (Sen, 1981). Sen argues that famines result from a failure of entitlements for a substantial portion of the population and that solutions lie in enhancing, securing, and guaranteeing basic entitlements rather than increasing food production alone (Sen, 1981).

Sen's Capability approach offers a broad normative framework for evaluating individual well-being and the socio-political-economic context that affects it (Robeyns, 2005). Policy initiatives should develop people's capabilities to function, providing effective opportunities to engage in desired actions and activities (Robeyns, 2005). Functioning refers to the achieved state of being, such as being literate, healthy, or not poor. The distinction between functioning and capability is similar to achievements versus the useful options facilitating those achievements. A capability set includes various capabilities, and individuals with similar capabilities might achieve different functionings. The crucial aspect is that individuals should have the freedoms and valuable opportunities (capabilities) to lead the lives they wish to lead (Robeyns, 2005).

Robeyns (2005) comprehensively surveys Sen's writings, explaining that individual entitlements (endowments and exchange mappings) are the means to achieve capabilities (opportunity sets), which are then used to attain desired functioning (achieved state of being). The process starts with converting goods and services attained through entitlements into capabilities, influenced by personal conversion factors such as intelligence, skills, and education, and the socio-political-economic context, including societal norms and attitudes. Once certain capabilities are achieved, converting them into functioning depends on an individual's vision and availability of free will, influenced by personal history and psyche, and further shaped by the socio-political-economic context.

This discussion clearly emphasizes the importance of basic human rights in the entitlement-capability model. Sen argues that development requires the removal of major sources of unfreedom, including poverty, tyranny, poor economic opportunities, social deprivation, neglect of public facilities, and repressive state actions (Sen, 1995). In most developing countries, the poor lack access to substantive freedoms needed to develop basic capabilities to avoid poverty (Sen, 1995). Nussbaum (2011) further develops this argument, asserting that capabilities are closely linked to human rights and central to social justice. She argues that equality and social justice require not only negative rights but also positive rights that enable disenfranchised groups to achieve minimal capabilities for their desired functioning (Nussbaum, 2011). These basic rights should be endorsed and guaranteed by the state (Nussbaum, 2011).

We apply Sen's perspectives to hidden hazardous child labor, arguing that this approach allows us to understand a complex social phenomenon within its socio-political-economic context. Additionally, as developed by Nussbaum, this approach enables us to assess child labor as a basic human rights issue, considering both available and missing rights.

Methodological Choices

Given the exploratory nature of this research, it is conducted as a qualitative inductive study (Schutt, 2006) with a case study design aimed at achieving a detailed description of a social phenomenon, specifically hidden hazardous child labor in the brick-kiln sector in Pakistan. Qualitative research is suitable for exploring the social construction of reality, studying a phenomenon in its natural setting where reality is shaped by the meanings assigned to it by relevant social actors (Eisenhardt & Graebner, 2007). This approach is adaptable, designed to evolve during

the research process to address unforeseen events (Eisenhardt & Graebner, 2007). To maintain flexibility, we employ the principles of grounded theory (Strauss & Corbin, 1990), an exploratory approach that helps develop a theory-driven understanding of complex contextual problems (Charmaz, 2006). This involves entering new settings, collecting and analyzing in-depth data to build detailed descriptions, and identifying context-sensitive patterns (Birks & Mills, 2015). The researcher connects observed trends to make sense of the context from an emic perspective (Charmaz, 2006). Combining case study and grounded theory approaches sharpens existing theory and uses the case study to make conceptual contributions to understanding hidden hazardous child labor (Siggelkow, 2007).

This study follows the Straussian technique of grounded theory (Strauss & Corbin, 1990), which involves an inductive-deductive approach to theory building. Before fieldwork, a literature review and existing theories guide the formulation of research questions, participant selection, and data collection (Strauss & Corbin, 1990). The study utilizes the entitlement theory and subaltern perspective to define its theoretical and methodological framework. The entitlement perspective suggests that familial child labor and debt-bondage in the brick-kiln sector indicate deprivation of entitlements and basic rights (Nussbaum, 2003). Entitlements and exchange entitlement mapping are influenced by an individual's socio-political-economic context. Therefore, our research focuses on understanding the context of brick worker families and its impact on their entitlements or lack thereof.

The subaltern approach provides subjective relativism in understanding the context of the disenfranchised, reconstructing history from the perspective of marginalized groups (Ludden, 2003). In our study, the views of child laborers and their families represent this perspective from below. We address the rigidity of the subaltern tradition by viewing brick-kilns as microcosms and constructing an analytical description from the perspective of kiln families. This "perspective from below" (Ludden, 2003) reveals hidden realities of our main protagonists. We then compare and reconcile these views with those of other stakeholders within the brick-kiln environment, such as kiln-owners and their administration. Lastly, we seek, assess, and reconcile the perspectives of stakeholders outside the brick-kiln context, including labor unions, NGOs, the government, and the brick-kiln-owners association.

Using theoretical and convenience sampling, we selected and interviewed 20 respondents, as detailed in Table 2. This sample included: two child workers, two female workers, six male adult brick-kiln workers (whose children also worked with them), four brick-kiln owners (two of whom were also officials of the brick-kiln owners association), two union officials, two NGO officials, and two Punjab labor department officials. Theoretical sampling, a method of purposeful case selection in grounded theory studies (Charmaz, 2006), involves developing codes, themes, and categories from initial data analysis and then selectively choosing interviewees who can provide relevant data until reaching saturation or redundancy (Charmaz, 2006). We initially selected two brick-kilns in rural District Sheikhpura, Punjab. Workers were chosen based on availability and willingness to be interviewed, with a focus on those whose families worked at the selected brick-kilns. Female workers were interviewed in the presence of their families due to cultural considerations, as both data collectors were male.

The interviews with kiln families were relatively unstructured, using open-ended questions to gather in-depth information and following relevant leads based on interviewees' responses. An interview guide ensured coverage of main topics, including child labor understanding, hazardous nature, work and living conditions, healthcare, debt-bondage, and economic, social, and legal issues. As respondents shared their feelings of social, political, and institutional isolation and weak agency, these themes were added to subsequent interviews. Seven more kiln workers, including women and child workers, were interviewed until information redundancy was achieved. Next, we interviewed kiln owners, revising the interview instrument based on workers' interviews and adding questions about the owners' association. Finally, broader stakeholders outside the kiln milieu were interviewed, and the interview instruments were revised accordingly.

Interviews were conducted and recorded in Urdu and Punjabi, then transcribed first in Urdu and later in English. A third party reconciled the translations with the original transcriptions.

Qualitative data analysis is an iterative process, moving from the initial theoretical framework to a nuanced understanding of the phenomenon (Charmaz, 2006). We began by dividing the data into sections representing different stakeholders and started coding. Initial coding categories were based on interview guide questions. Themes were developed by deconstructing data at the sentence level, followed by creating sub-themes and specific dimensions. Theoretical coding helped understand relationships between categories and sub-categories (Charmaz, 2006).

We wrote a series of memos that were consolidated into three master memos: views "from below" (children and parents), views "from above" (owners and their association), and views "from outside" (union officials, NGO officials, and government officials). These memos were compared to develop the findings presented in the analysis section.

To ensure reliability and validity, we created a case study database, documented data collection and analysis procedures, conducted coding and memo writing separately, and reconciled combined schemes and memos. Throughout the analysis, we maintained a reflexive attitude and sought negative evidence (Yin, 2003).

Analysis: hidden hazardous conditions, isolation, diminished capabilities and functioning, and human rights

According to the ILO report (Citation2013), Pakistan ranks as the third largest producer of fired and green clay bricks, producing an estimated 100 billion bricks annually. This massive output involves approximately one million workers in brick-making, with at least one-third of them being children under 18 years old. This contrasts with an estimated total of six million child laborers across Pakistan (Khan & Lyon, Citation2015).

Our analysis begins by addressing the concealed dangers of child labor within brick kilns. We will delve into the specific context of child labor in these kilns, where families are socially isolated, limiting their entitlements and capacities to achieve desired functioning. We will then explore how the debt-bondage system perpetuates their isolation, pushing them further into a cycle of restricted

capabilities. Ultimately, we argue that the plight of these kiln families is rooted in the absence of fundamental freedoms and essential capabilities.

4.1. Hazards of Work in Brick Kilns

The hazardous nature of work in brick kilns for child laborers has been extensively documented by the ILO report, which reveals that over 90 percent of child workers labor five to six days a week, with younger children working an average of five to eight hours per day, and older children nine to twelve hours. These conditions, coupled with inadequate nutrition and healthcare, contribute to chronic health issues such as respiratory problems, eye and ear infections, headaches, fever, weakness, fatigue, dizziness, body aches, and anemia. Physical injuries are common, exacerbated by insufficient medical care and substance abuse. The harsh working conditions also lead to psychological distress among child workers, including fear, anxiety, stress, low self-esteem, hopelessness, and helplessness. Moreover, illiteracy and limited opportunities for skill development are prevalent among these children.

Our data corroborates the ILO findings and provides further insight into the perilous conditions of kiln work. Children born into kiln families are integrated into the brick-making process from a very young age, often beginning to assist their parents as soon as they can walk and understand basic instructions. As one father stated, "They start helping as soon as they are able to lift a brick." Describing his health, a child worker expressed,

"My legs hurt a lot, and I also have back pain. I have pain in all my joints... Yes, we also get injured many times... After a few minutes of rest, we have to return to work... This work is very exhausting."

Another child worker lamented,

"My back hurts a lot because of the work... A lot of the work involves walking to bring bricks to the cart. The body gets warm in the water and then cools down. Then the joints start hurting... It feels like I have a fever, but I still have to work out of necessity. It's like how a horse pulling a cart gets tired after walking all day."

When asked about precautions taken to prevent injuries and illnesses among children, a father replied,

"We take no precautions, whatever happens... When they work in the sun, they get a fever. Children have to work; what can be done? If they don't drink water for some time, it can be harmful. Even if they are thirsty and drink more water, that could be harmful. If kids get fever and get too sick, we don't have money for their treatment."

The long-term effects of working in kilns are starkly evident from this statement by a father,

"At just 42 years old, my bones feel like they are dead. Every joint hurts, and I feel like I could have a stroke any moment."

Lastly, a woman worker highlighted the dire living conditions that adversely affect the health of the entire family,

"Donkey and horse excrement are in the water. We wash our hands in that water and eat our food. Living conditions are appalling; there is one room where 10 people live. Donkeys are tied up in the same room. They (the children) don't receive medical care and live in deteriorating conditions."

These narratives underscore the severe challenges faced by kiln workers, particularly children, and emphasize the urgent need for interventions to protect their rights and improve their living and working conditions.

4.2. Concealed nature of kiln labor

Table 3 offers a general overview of child work and child labor categorized by age, type of work, and work conditions as defined by the ILO. Scholars argue that the categories presented in Table 3 represent only a fraction of the actual child labor situation globally, especially in developing countries (Edmonds, Citation2008; Smolin, Citation2000). A more prevalent form of child labor, not fully recognized by international bodies, is hidden child labor. This includes work within households, family businesses, subsistence farming, and activities involving entire families (Smolin, Citation2000). Such labor is often considered non-hazardous and is believed by some to contribute to children acquiring essential life skills (Ray, Citation2000).

At the global level, kiln work remains largely underexplored, often categorized as family labor where children contribute to household income. International organizations have limited involvement in addressing child labor within informal sectors like family-based work (Edmonds, Citation2008). Few studies funded by international agencies provide quantitative insights into the hazardous conditions prevalent in Pakistan's brick kilns (see Table 1) (ILO, Citation2011, Citation2013; Khair, Citation2005; Khan & Lyon, Citation2015). However, these studies rarely delve into the contextual reasons why thousands of adults and children engage voluntarily in this exploitative sector, often at the expense of their health, development, and legally protected rights. Additionally, our findings indicate that while many within and outside the kiln environment are aware of child labor, they either rationalize it or ignore it due to personal and institutional constraints, interests, and agendas.

Parents often disassociate themselves from the responsibility of involving their children in work, attributing it to pressures from kiln owners and the need to enhance productivity. As one father explained, "While it's considered wrong for children to work, necessity forces us to take them." Another parent stated, "When we need to mold 1000-2000 bricks, two people can't manage alone. We have to involve the kids to meet the workload and pay off our advances based on the brick piece rate."

In contrast, kiln owners and officials from the brick kiln owners' association deny the presence of child labor in their kilns or sector in general. They claim adherence to laws prohibiting child labor and argue that the nature of kiln work, such as handling heavy bricks, precludes children's involvement. As an official from the kiln owners' association asserted, "There is nothing children can do here. This work requires young, strong individuals. How can a 5-7 year old handle a shovel or a cart filled with mud?"

The denial of child labor's prevalence by both parents and kiln owners is facilitated by the entrenched system of debt bondage, a topic we will explore later. Outside the kiln environment, child laborers and their families remain socially and legally invisible. Detailed discussions on their social and political isolation will follow in subsequent sections, highlighting the lack of comprehensive acknowledgment or effort to address the issue of child labor by external actors.

4.3. Context: Social and political isolation

Workers we interviewed conveyed a profound sense of isolation, often expressing sentiments like "no one can help us," "we are helpless," and "only God can help us" when describing their substandard living and working conditions. They appeared skeptical that anyone outside the brick kiln environment could offer assistance. This raises a critical question: Why do these workers, as citizens of Pakistan and members of a society with familial and kinship ties, face difficulties in avoiding child labor and accessing basic entitlements? We argue that their social and political isolation undermines their agency, deprives them of their rights, and pushes them into economic exploitation and deprivation, exacerbated by the debt bondage system that perpetuates their dependency on the brick kiln industry and limits their ability to escape poverty and child labor. In essence, their cycle of debt and dependence is enmeshed in layers of social, political, and legal isolation, stripping them of social power and fundamental rights.

4.3.1. Social isolation

Brick kilns are typically situated in Pakistan's conservative, hierarchical, agrarian rural settings. Social status, entitlements, and rights distribution in these communities are heavily influenced by factors like land ownership, caste, religion, and kinship networks. For example, brick kiln workers, belonging mostly to marginalized communities, endure abuses from kiln owners due to their lower social standing. As one respondent noted, "They are Jatts (a superior caste), and we are black (an inferior caste)," highlighting the entrenched social hierarchy and the resulting exploitation. Moreover, many kiln workers are illiterate and unskilled, often losing their land leases due to exploitation by landlords, which further isolates them socially. Despite attempts to integrate into village communities, their association with brick kiln work stigmatizes them, leading even their own relatives to shun them socially and refuse marriage alliances.

The social isolation experienced by brick kiln workers consolidates their position as societal outcasts, denying them basic entitlements and human rights. This isolation persists despite legal protections theoretically afforded to them as citizens. The next section will examine their political and institutional isolation in greater detail.

4.4.2. The Debt-Bondage System

The debt-bondage system, often referred to as the “advance system,” starts when families borrow money from kiln owners as advance payment on their future wages. As one worker noted:

"Yes, every laborer here is repaying an advance. Some have borrowed Rs. 10,000 [\$100], some Rs. 20,000 [\$200]. Larger families borrow up to a hundred thousand rupees [\$1000]."

Another worker explained:

"The advance is a necessity and is a principle at every kiln. They encourage advances to trap whole families into the work."

Loans are issued to the male head of the household and recorded in the kiln's books. To increase family income, the entire family works at the kiln. They are paid per one thousand bricks produced, but at rates much lower than those set by the government. After loan deductions, families receive weekly payments. These low rates and deductions force families into mere subsistence.

In some instances, the owner leases out the kiln, adding another layer of exploitation. This arrangement allows the owner and contractor to shift blame for mistreatment of labor.

Furthermore, advances are given only to “trustworthy people,” complicating the situation for low-caste migrant workers. To secure loans, these families often need a guarantor from the local community, who takes a small cut of their earnings. Families may also prove trustworthiness through hard work and compliance, agreeing to exploitative terms to avoid losing advances. As one owner stated, “If someone takes the advance and then threatens legal action, they won't get advances again.”

Kiln-owners deny allegations of debt bondage, claiming they are helping low-income families with much-needed funds. However, given the evidence of debt-bondage practices, their claims seem implausible. The kiln-owners not only protect their investments but also maintain control over these families to maximize labor output.

4.4.3. Lack of Agency, Despondency, and Dehumanization

The debt-bondage system and isolation strip kiln families of agency. Fathers, as heads of families, navigate a highly exploitative system. Parents admit they force their children to work due to the sheer workload required to repay advances, as one father said:

"If there are 1000-2000 bricks to make, we can't do it with just two people. We need the kids to help."

While it may seem that parents lack altruism toward their children, they are often left with no alternatives. Another father commented:

"We prefer our kids work with us to earn. Society criticizes this, but we need them to make ends meet. If we had other means, like cattle or a business, we wouldn't make the kids work."

This situation forces workers into a fatalistic acceptance of child labor, believing change is impossible. As one father remarked:

"Children have to work. Only God can help us. Our elders died from this work, and our kids are breaking down too."

Child laborers are at the bottom of the kiln community's social order. Lack of documentation makes them easy to ignore. Kiln owners and fathers blame each other for child labor, but children have no say in their own work, leisure, or education. Children start working at kilns from a very young age, becoming acclimatized to their exploitative environment. This results in a mindset where they dehumanize themselves, comparing their situation to "slaves of the Pharaohs" and "beasts of burden."

4.4.4. The Generational Spiral of Debt

Debt-bondage perpetuates a cycle of misery across generations. One NGO interviewee noted:

"[The kiln-owner] uses oppression and exploitation to ensure the cycle of bonded labor continues for generations."

Loans are essential for kiln families with no other economic options to survive the off-season. They are paid two-thirds of the official rate, and weekly deductions for loan repayments further reduce their income. For any additional needs, they must borrow more. These arrangements trap families in a cycle of debt and dependence.

Interviewees did not report any family successfully paying off their debts. Becoming an adult in this context means taking on family debt, either when getting married or when the father becomes too old or ill. As one interviewee said:

"First, it was my father's name in the register. He grew old, so now it's my brother's and mine."

The generational acceptance of their harsh reality is evident in comments like:

"Our children's knees and knuckles are completely disabled. We're physically broken, and so are our kids."

4.5. Entitlements, Basic Capabilities, and Human Rights

Typical kiln families are often illiterate or have only basic education. Without other skills, capital, or access to credit, their main asset is their labor, which they trade for advance loans and sometimes food. While theoretically, advance money could be used to start a small business or improve

education, it is usually spent on surviving the off-season or family needs like marriage or sickness. The debt-bondage system pushes them further from their goals of avoiding poverty and child labor with each generation.

A key question is: Why can't these families avoid child labor and poverty?

The answer lies in their socio-political conditions and basic human rights. Their context affects their capabilities and functions, failing to deliver basic rights, which diminishes their capabilities further. As migrant workers from religious minorities and lower castes, they face societal rejection. Even if they improve their basic entitlements, they struggle to achieve better capabilities and functions. For instance, some kiln children with education still work at kilns because societal barriers prevent them from progressing.

Their context also psychologically hinders them from achieving higher functioning. Generational poverty shapes a mindset of resignation and limited initiative to escape poverty. Workers often compare themselves to slaves, showing an acceptance of their subjugated status. They express little hope of better employment or help from the state, civil society, or their communities.

Sen argues that basic rights are distributed through entitlements and that economic and status poverty are interlinked, causing each other. He connects the capability approach to human rights and advocates removing repressive social features that hinder disenfranchised groups from reaching their potential.

Nussbaum extends Sen's model, arguing that every person should be treated as an end, not a means to others' needs. She identifies basic rights that represent human dignity and should be equally extended to all, especially disenfranchised groups. These rights should be supported by state and non-state actors to ensure individuals can exercise their legal and constitutional rights.

Nussbaum lists basic capabilities necessary for exercising all other rights in a just society. These include: Freedom of Physical Integrity, Freedom of Thought and Emotions, Freedom of Adequate Social Existence, and Freedom of Adequate Control over Environment. Kiln families lack these freedoms, facing health risks, violence, social isolation, and restricted mobility and employment options.

5. Conclusion

Our research aimed to find solutions for hazardous child labor. While a single study cannot achieve this, we have highlighted the hidden issue of hazardous child labor in kilns. By incorporating the voices of marginalized workers and other stakeholders, we have constructed a comprehensive narrative. Our theoretical framework suggests that improving conditions for these workers requires ensuring their basic human rights.

We recommend several actions. The government should enforce laws against child labor and enhance the capabilities of kiln workers by providing access to medical facilities, national identity

cards, education, skill development, and government jobs. An awareness campaign should inform society about the plight of kiln workers, similar to India's efforts to reform societal treatment of scheduled castes.

NGOs should encourage education, documentation, and rights awareness among these families. They should offer occupational training and skill programs. International organizations and donors can support these initiatives by creating strategic business plans for educational and skill development programs, ensuring they are goal-oriented with short-term and long-term targets. Further studies are needed to understand and address this problem comprehensively.

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