

Interventions for Child Labor in the Indian Brick Kiln Industry

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Abstract

Hazardous child labor is defined by the International Labor Organization as work by which its nature is harmful to the health, safety, and moral of children. Hazardous child labor is notably found in the brick kiln industry of India, an industry in which blocks of clay are baked into bricks. Children are found at every step of the production process, particularly brick molding—this work is often intensive and harmful. Families rely on their children to increase their productivity, largely due to debt bondage within the Indian brick kiln industry. Debt bondage is a primary cause of child labor in the brick kiln industry, and intervention policies should target ways to eliminate this practice. There are many other reasons for child labor in the Indian brick kiln industry, including barriers to educational opportunities and social implications that stem from the ancient caste system, causing Scheduled Castes (SCs) and Scheduled Tribes (STs) more likely to engage in work within the brick kiln industry. It is beneficial for intervention policies to prioritize eradicating debt bondage by empowering families to say no when confronted with the opportunity to engage in such labor; however, this can only be accomplished if alternative working options are available for these families. There have been previous efforts to increase working opportunities in rural areas of India, such as the National Rural Employment Guarantee Act, but the act has been largely ineffective. The Indian government should develop more extensive and far-reaching policy to ensure optimal implementation of this plan. Additionally, increased access to education for children and families would be beneficial. Because child labor is correlated with a lack of education, lowering educational fees and costs associated with schools will allow families to put their children through school, leading to more employment opportunities for children later on in life.

Keywords: Child Labor, Brick Kiln Industry, India

1. Introduction

Child labor is a multifaceted problem that must consider both the specific industry and target region when devising intervention policies. Child labor is most prevalent in developing nations throughout Asia, Africa, and Latin America.¹³ Although national governments have established intervention policies to target child labor, many of these policies inevitably fail and are often misdirected. The brick kiln industry in India represents one of the worst forms of child labor—according to a 2018 report of preliminary case study interventions in Kathmandu Valley by Larmar et al., approximately 50% of workers are under 14, and are exposed to potential respiratory and dermatological-causing hazards, suffer from malnutrition, and engage in work that requires high musculoskeletal effort.¹¹ A 2013 study analyzing work-related injuries among children working in the brick kilns in Nepal published by Joshi et al. found that children face significant exposure to clay dust, sand, and fumes due to their work; exposure frequently occurs during soil excavation, clay molding, and transportation of baked bricks.⁸

Child labor can be damaging to the growth and development of young children and often comes at the price of their education, limiting these children from pursuing other potentially rewarding careers in the future. Therefore, it is important to establish more effective intervention policies and programs to reduce the frequency of child labor in India through an analysis and account of the common determinants of child labor. A 2016 study conducted in District Jhang

by Latif et al. describes reasons why children enter the labor market include “poverty, illiteracy, unemployment, lack of family planning, dis-satisfaction with education system, absence of social security and many others”.¹² Families are forced to send their children to work in the brick kilns to make ends meet because they are not being paid a living wage. This often results from bonded labor (debt bondage), as impoverished families receive advances and pledge their labor to pay back the loans at unfair rates.¹² Debt bondage often occurs because social circumstances and biases such as the caste system, rather than families’ ability or achievement.¹⁴

Intervention policies must prioritize eradicating debt bondage and providing sufficient resources for children in impoverished regions in order to mitigate child labor. These resources include increased educational opportunities, increased working opportunities for parents in rural areas, and increased wages for highly intensive labor.

2. Debt Bondage and the Advance System

Largely unregulated by the government, debt bondage leads to families receiving advances and having to pay them back through intensive labor in the brick kilns. However, these families—often migrant workers who are susceptible to the cunning that recruiters employ—are exploited in the process and use child labor to keep themselves afloat. Therefore, mitigating debt bondage includes establishing viable working alternatives for these families outside of the brick kilns, rather forcing them to resort to industries that ultimately require child labor.

In a 2018 study regarding how recruitment into the brick kiln industry takes place, Bhukhuth and Ballet explained how recruitment into the brick kiln industry takes place.² Bhukhuth and Ballet stated that there is an indirect hiring process, in which employers hire brokers to hire laborers; laborers receive advance credit from the brokers and must repay their debt by working as brick kiln employees.² Bhukhuth and Ballet stated that the industry is inherently risky, as there is a chance of being bonded for debt.² Indirect recruitment is a major drawback of the industry that leads to debt bondage and child labor. Parents don’t know who is in charge, and they receive very uncertain outcomes when they take advances. However, because of their extreme poverty, these families simply have to hope for the best. This ultimately leads these families to being trapped in a cycle of never-ending bondage. Therefore, it is important to acknowledge that debt bondage is a symptom of not-knowing; often families are duped by employers and they never know the real outcome and what they’re getting out of the process. Intervention must highlight alternatives for these families. Bhukhuth and Ballet asserted that once workers accept an advance, they must work each week to pay back the advance, which is approximately 50-60% of the weekly wage.² Bhukhuth and Ballet claimed that although debt bondage has been banned in India since 1985, it has occurred illegally for decades in the brick kiln industry due to a lack of alternative options for families.² In a 2008 study, Upadhyaya expanded upon the definition of bonded labor set forth by Bhukhuth and Ballet, comparing such labor to contemporary slavery.¹⁴

Upadhyaya attributed bonded labor to three primary reasons: poverty, discrimination, and failure of the government to protect the rights of vulnerable citizens.¹⁴ In a 2016 field study conducted in Bihar, Kumari analyzed the common reasons for debt bondage in India, stating that owners utilize this practice to ensure they have sufficient labor to perform heavy physical work; moreover, the seasonal nature of the work contributes to debt bondage because the work typically begins in November, when laborers desire to work in agriculture, leading to cheap labor for other activities.¹⁰ Kumari stated that once workers take advances, they must pledge their labor in order to repay their debt, but these workers are often exploited.¹⁰ Upadhyaya stated that debt bondage is often intergenerational (transferred to future generations) and seasonal (workers are exploited for particular time period).¹⁴ The intergenerational nature of debt bondage demonstrates that there is very little social mobility in the brick kiln industry; children are denied the opportunity to engage in a career outside of the brick kilns, even into adulthood. Upadhyaya claimed that the minimal wages paid in bondage cover the most basic living costs and the accumulation of spiraling and non-transparent advances and subtractions against the minimum wage lead to debt bondage, often for long periods of time; there are about 9.5 million people in forced labor.¹⁴ Upadhyaya asserted that new forms of bonded labor have emerged in informal and unregulated economies of India, largely affecting the chronic poor and landless.¹⁴ Upadhyaya stated that employers or landlords utilize a lack of transparency to further exploit the work force and apply principles of debt bondage.¹⁴ Upadhyaya argued that in India, bonded labor laws have been introduced but have not ended the practice, and occasionally resulted in more subtle or hidden forms of bonded labor.¹⁴

In a 2017 report covering many intervention policies and organizations that have been implemented to reduce child labor, Boateng claimed that advocacy from non-governmental organizations was a major reason that the Government of Pakistan established bonded labor laws and a concrete, time-bound plan to combat debt bondage.⁴ Boateng stated that these acts include the Prohibition of Employment of Children Act and the Bonded Labour Systems (Abolition) Act.⁴ Boateng’s claim demonstrates that advocacy from nonprofit organizations can be highly effective in motivating

governments to implement policy, as exemplified by the Government of Pakistan. Advocacy can also be applied to reducing the frequency of child labor within India, as the voices of the people often can have a profound influence on social issues, especially in a country like India with similar dynamics as Pakistan. Bhukhuth and Ballet stated that policy can be an effective way to mitigate debt bondage; for example, the National Rural Employment Guarantee Act provides employment opportunity in villages.² Kumari argued it is indispensable to enforce intervention in places that migrant workers come from, as well as where they end up.¹⁰ Kumari asserted that it is important that workers are provided with quality healthcare to avoid debt that is accumulated for medical reasons.¹⁰ Kumari summarized her proposed intervention stating that an increase in wages of brick kiln workers, a decent work environment, regularly employed (non-migrant workers), and kiln stability (working at the same kiln) would improve the quality of life for brick kiln workers (and in turn decrease the need for child labor).¹⁰

3. Increasing Compensation and Improving Working Conditions in the Brick Kilns

As a result of not being paid a living wage, families must utilize child labor. Parents must rely on their children to ramp up their productivity, as wages in the brick kiln industry are paid by the number of bricks produced at very low rates. Intervention, therefore, needs to focus on improving the industry's compensation towards families, ways for families to receive other benefits that they are denied from their work, and overall working conditions in the brick kilns.

In a 2005 quantitative and qualitative survey in Tamil Nadu, Bhukuth claimed that despite their being a high demand for labor, wages have not increased; rather, owners utilize the advance system to manipulate wages.¹ Bhukuth asserted that upon taking an advance, workers must pledge their labor to the broker, working to pay back their debt.¹ Bhukuth claimed that advances are often provided based on past productivity, leading parents to utilize child labor to increase their production of bricks and therefore spur productivity.¹ Bhukuth argued that if workers can repay more than the amount received, they can return with extra money; since this is the goal, children are used to increase child labor.¹ Because wages are based on brick production rates, it opens the possibility of increasing wages through child labor. If intervention policies can make salaries fixed rather than variable, families will benefit immensely. However, this policy may be difficult to implement, as many kiln owners would not pay their workers fixed rates because there would be less motivation for workers to meet high quotas of bricks produced. Therefore, it would be beneficial to these workers if payment per number of bricks produced is increased, as families within the industry are often paid at unfair rates. With more extensively enforced policy, the illegal practice of the advanced system can be nullified. In her 2016 field study conducted in Bihar, Kumari described the process as exploitation, which can be demonstrated in the low wages, unfair hours, devastating living conditions, absence of medical care, and more.¹⁰ In a 2003 study of brick kiln operations in Northern India, Gupta added that workers are almost forced into accepting the wages offered to them, given their poverty and unemployment.⁶

In the 2003 OECD social, employment, and migration working papers, Edmonds stated that by improving market opportunities, higher wages can be given to laborers, which will allow for a return to education with these improved opportunities.⁵ Edmonds claimed that with higher levels of community participation in this work, there is a greater probability that a child will work for wages, reducing the exploitation that they commonly face.⁵ Kumari asserted that the wages fail to align with the labor of brick kiln families, and that there should both be an increment in wages and overall work environment at the kilns.¹⁰ Kumari stated that with increased wages and an improved working environment, more people would be drawn towards the field and it would offer a better life for them.¹⁰ This view of the industry is from a positive lens, demonstrating that there is capability for productive and fair work in the brick kilns. Brick production is necessary, and in countries like India, there has been a very traditional way of producing these bricks. Therefore, with intervention policies targeting improving conditions rather than seeking to eliminate or ban the practice of child labor head completely, the most beneficial results will be attained.

In a 2006 case study of bonded laborers in the brick kiln industry of Southeast India, Bhukhuth and Ballet stated that brick kiln owners purposefully recruit workers from an environment in which they have an influence on and can manipulate into paying them lower wages, such as migrant workers.³ Bhukhuth and Ballet claimed these workers will not fight for higher wages due to their vulnerability, leading to their exploitation and preventing them from leading dignified lives.³ Therefore, a component of intervention policies can focus on education of these populations so that they know their rights and are successfully able to assert themselves when confronted with illegal processes and exploitation. According to a 2009 study of migrant workers in Punjab, India, Kainth asserted that despite labor legislation such as the Minimum Wages Act of 1948 applying to migrant workers, there has been no concrete implementation of the act.⁹ Kainth stated that migrant workers are typically not even paid minimum wages and live

in huts without access to adequate cleaning and nutritional supplies.⁹ Intervention policies need to address the conditions working populations are subject to—especially because young children are forced to grow up and work in these environments alongside their parents.

4. Improving Educational Accessibility

Hazardous child labor is often correlated to a lack of education; too often, when children are forced into intensive field work, it comes at the price of school. However, in many rural societies in India, even access to education is an issue. When education is available, parents are unsure whether they will receive a return on their investment by sending their children to school due to the costs associated with school, so they send them to work in the brick kilns instead. Therefore, intervention must focus on improving both access to education and the security for parents that their children's education is worth the investment. The latter can be primarily be achieved by making educational fees more affordable for parents, so that they don't face additional debts that negatively impact their quality of life.

In a 2016 study conducted in District Jhang, Latif et al. claimed that a lack of education for children was a notable cause of child labor within the brick kiln industry; such families are unable to pay for education.¹² Latif et al. conducted a survey in which a respondent stated that even household utilities were difficult to pay for; books were often out of the question.¹² Latif et al. stated that another respondent replied that private school expenses were equivalent to the monthly income of his brother.¹² Latif et al. emphasized that private schools should provide free education to poor students, and that the government should manage the education of poor people to mitigate the frequency of child labor.¹²

In a quantitative and qualitative survey in Tamil Nadu, Bhukuth added to the reasoning of Latif et al., affirming that poor parents often do not invest in their children's education because they are unsure if they will receive a return on their investment.¹ Bhukuth cited previous studies stating that if capital markets were improved, parents would be more inclined in their children's education.¹ Referencing these studies, Bhukuth stated that commonly, when parents send their children to the labor market, they are unaware that they could potentially be sending their children to exploitative markets.¹ Bhukuth stated that however, because children are often sent to non-exploitative markets, parents in extremely impoverished circumstances will choose to send their children into labor rather than investing education when such uncertainty exists; it is worth the gamble for them.¹ There must be incentive for parents to choose to send their children into activities that combine work and schooling yet are not as beneficial for their income, especially when parents are struggling financially to extreme circumstances. Therefore, establishing government programs that provide children stipends and allow them to work on educational research projects that benefit their community may be a way to effectively combine work and education, providing them with outlets to use their skills in more technical ways; however, this solution would only work for children who are older (late teens but still under 18 to be considered in the definition of child labor). For younger children, as previously mentioned, free and accessible education would motivate parents to take a chance on being able to have a return on their investment. These programs and policies would be difficult to implement in India, but it is definitely worth funneling tax money and government resources towards creating outlets to eliminate the practice of child labor.

In a 2000 study conducted in Pakistan, where the dynamics of the brick kiln industry are similar to India, Ray depicted how education of parents reduces the likelihood of children engaging in labor; if parents are more educated, they are more likely to see the value of their children being educated as well.¹³ Ray's study aligns with the claims of Bhukuth, that parents—often those that are uneducated—will hold back on sending their children to school, unsure if school is worth the hefty costs.¹³ Ray asserted that, adult female education, in particular, can play a significant role in mitigating child labor and augmenting the frequency of child education.¹³ In his study, Ray noted what families often substituted child education for, with the price of rice and tea the most common substitutes.¹³ Ray further stated that with extended families functioning together being less common and smaller, nuclear families replacing these extended families, children are more vulnerable than ever to entering the labor market at the expense of his or her education.¹³

In a 2018 report of preliminary case study interventions in Kathmandu Valley, Larmar et al. provided examples of recent forms of intervention that have been targeted towards education for Indian children working in brick kilns.¹¹ Larmar et al. claimed that these interventions focused on increasing educational access through mobile schools and learning activity centers within the brick kiln communities.¹¹ Larmar et al. asserted that the organization The School Incentives for Carpet Factory Workers offers educational scholarships for children involved in child labor, increasing their educational opportunities.¹¹ Larmar et al. claimed that evaluations of these interventions are of low scientific rigor, but that there has been measured decrease rates of child labor in areas where educational opportunity is

increased.¹¹ Furthermore, in a 2001 experiment designed to ensure access to educational opportunities for child laborers in the brick kiln industry, Jayachandran stated that Bhonga Shalas were implemented in Maharashtra to provide elementary education for children and to fill in the gaps of education experienced by children of these migrant workers.⁷ Jayachandran claimed that these schools increase the number of jobs by enabling tribal youth to serve as teachers after intensive training and allow children to have the opportunity to learn.⁷ Although Bhonga Shalas are a good idea in theory, there has been little information on the extent of the reach of these programs. Therefore, it is important to collect more information about improving quality of educational programs and implementation of these programs to maximize efficiency of these programs to improve education.

5. Social Implications of the Caste System

Despite the caste system being outlawed in India by Article 15 of the Constitution, the social implications are still alive and can be felt today in India, particularly in child labor. Often families who work in industries like the brick kilns are not in impoverished situations because of these families' abilities, but the legacy these families are born into. Historically, in the Indian caste system, there has been very little social mobility; therefore, families of lower castes like Dalits are more prone to having to utilize child labor in comparison to families of higher castes. Therefore, a component of eliminating child labor can also be found in reducing social biases from the caste system.

In a 2008 study, Upadhyaya argued that the risk of debt bondage is increased by the prominent social and gender discrimination that still exists in India.¹⁴ Upadhyaya claimed that around 90% of these workers are from Dalit, minorities, and indigenous communities.¹⁴ In a 2003 study of brick kiln operations in Northern India, Gupta similarly described how these laborers belong to the category of illiterates from the ancient caste system of Hinduism.⁶ Gupta stated that approximately 74% of the workers in the brick kiln industry are illiterates and belong to a mix of Scheduled Castes (SC) and Other Backward Class (OBC).⁶ In her 2016 field study conducted in Bihar, Kumari described similar findings; she claimed that 83% of brick workers are Scheduled Castes (SCs) and 10% are Scheduled Tribes (STs), groups of historically disadvantaged people.¹⁰ Many lower caste families are trapped in an endless cycle of work in industries that do not promote wellbeing. Therefore, another important child labor intervention is working to eliminate caste-related bias. Despite the caste system having not existed in India for decades, there is still a pervasive bias against those of lower castes. Similar to how African Americans were subjugated in the United States, movements like the American Black Lives Matter movement can be used to fight for the rights and equality of Dalits. This would help eliminate biases, helping these families evade debt bondage.

Upadhyaya stated that traditional beliefs about the caste system are still pervasive, with groups at the bottom of the hierarchy unable to perform work of the groups at the top of the social hierarchy, the high caste.¹⁴ Upadhyaya stated that Dalits—untouchables—are often denigrated and expected to answer to those from higher castes; if they oppose these threats, the consequences are often more severe.¹⁴ Kumari provided narratives to exemplify real-life examples of caste-based discrimination.¹⁰ Kumari detailed the story of 36-year old Suresh Manjhi, who hailed from a low caste and was forced to take in debts from kiln owners and utilize child labor to provide for his family.¹⁰ Manjhi's story demonstrates that when families toil in the brick kilns, it is often a result of factors they can't control. For Manjhi, growing up in a household without opportunity, working in the brick kilns is almost a fulfillment of the legacy he was born into; the surname Manjhi belongs to the lowest castes. Often, workers who are found in such difficult circumstances are there because of their circumstances. The fact that four of Manjhi's children were born at the brick kilns implies their involvement in the brick production process, continuing the legacy. These children are deprived an education and the opportunity to actualize their potential, and simply follow in their parents' footsteps. To truly end the involvement of these children in the industry, it is necessary to help their parents.

Kumari claimed that the practice of lending and borrowing advances is common practice in rural settings, and landless brick workers experienced significantly higher debts than those who owned land.¹⁰ Kumari analyzed the caste system in relation to neo-bondage, discovering that 15% of neo-bondage debt was accumulated by SCs and 3% by STs.¹⁰ Kumari found that it was most often SCs and STs who had realized debt from multiple sources.¹⁰ Gupta asserted that most workers in the industry are illiterate, which can increase the risk of debt bondage; this is often a product of being a member of a lower caste.⁶ Gupta stated that often, workers must rely on contractors to write the summary of their day's work, due to the workers' illiteracy.⁶ Often, members of lower castes are not provided with the opportunity to succeed and are denied opportunities such as education. Therefore, these families are often not in their situation toiling away in the brick kilns due to their ability or achievement, but because of factors out of their control. Therefore, providing these workers with the means to succeed and demonstrate their potential could be the key to reducing caste-based stigma and discrimination.

6. Conclusion Appropriate Intervention

Child labor intervention within the Indian brick kiln industry must consider debt bondage, low family wages and poor working conditions, accessibility to education, and the deeply entrenched social stigma in India, such as the caste system.

Intervention must target the root of the issue, debt bondage. Increasing employment opportunity in rural areas will most profoundly provide families with alternatives intense labor to make a living. Intervention programs should focus on increasing access to education. Because education is negatively correlated with child labor, for many children it is truly one or the other. Therefore, building schools, lowering educational fees, and creating jobs in education through employment are all viable interventions. Increasing education will also reduce caste-based social stigma that stems from the belief that those of lower castes are illiterate and uneducated. Finally, increasing salary and improving working conditions will make it less likely that parents will send their children in labor.

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