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# Labor Rights in Islam: the Plight of Bonded Laborers in the Brick Kiln Industry of Tehsil Pattoki

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#### KEYWORDS

bonded labor; Islam; justice; child labor; labor laws; Tehsil Pattoki

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#### Abstract

Labor laws are an essential part of the Islamic framework as well as the conception of civil rights in Pakistan. Islam gives a dignified position to work, and its principles of justice advocate for just working hours, fair wages, a reasonable service contract, freedom to form associations, etc. Despite these religious and constitutional commitments, bonded and child labor is rampant in the brick kiln industry of the country. The present study discusses the plight of these trapped workers in light of survey data collected from 220 respondents belonging to the brick kilns of Tehsil Pattoki. The survey findings are categorized on the basis of nature of work and working hours, and different vulnerabilities of its respondents. The desk review of Islamic teachings with reference to labor provides a contrast to the situation at hand. After identification of these gaps, the study offers recommendations, most of with policy-making, pertaining which deal to rehabilitation and reintegration of the workers currently trapped in this morally reprehensible practice.

# Introduction:

Labor rights have been an area of keen interest across the globe irrespective of diverse social contexts. The present study aims to explore labor rights as stipulated in Islam. It is also interesting to analyze the plight of bonded laborers in the brick kiln industry of Tehsil Pattoki and contrast it with Islamic injunctions. Islam has a comprehensive set of guidelines regarding labor rights and the framework of employeremployee relations. The first part of the paper is focused on Islamic injunctions, which are explored through the technique of extensive desk review. The second part is more concerned with empirical data gathered through the field survey of selected brick kilns of Tehsil Pattoki. Data gathered from the field survey unveiled the deplorable conditions of brick kiln laborers. The last part of the paper deals with a detailed discussion of the survey findings, conclusions and suggestions. The recommendations are based on the gaps found among the actual Islamic guidelines, state laws of Pakistan, and the existing status of laborers in the brick kiln industry.

# Labor rights in Islam:

Islam is the state religion of Pakistan. According to the constitution of Pakistan, no law can be put in to practice until and unless it is in compliance with the injunctions of Islam.<sup>1</sup> Before looking into Islamic framework of labor laws, it is important to note that Islamic law is derived from four different sources: Ouran, Sunna (tradition of holy prophet), Iima (consensus) and Qiyas (analogy). This multiplicity of sources provides for a sound legal basis that is both extensive and open to evolution through consultation.<sup>2</sup>By looking into the Islamic framework of labor and employment relationships, we can understand the complexity of bonded labor that is prevalent in Pakistan. Although slavery is prohibited in our present age of human rights, today's agriculture, sports, and brick kiln industries in Pakistan exhibit a modern kind of slavery in practice through forced and bonded labor.<sup>3</sup> The irony of the situation lies in the fact that Pakistan is an Islamic country and the prevalent practices are in complete contradiction of Islamic teachings. Islam has always urged for laborer and workers rights. This contradiction may stem from the country's colonial history. In this regard, Ahmed (2011) has argued:

The absence of Islamic principles in labor codes stems from the fact that most of the current Muslim countries were colonized at some point in the past century, and post-independence labor codes were usually just transplanted from the colonizing European nations without linking them to Islam.<sup>4</sup>

The argument is quite valid in Pakistan's case too, where colonial masters had always preferred customary laws over Islamic ones to sustain their rule.<sup>5</sup>These colonial preferences lead Pakistan into becoming a legally pluralistic country.<sup>6</sup>This work aims to holistically analyze the stance of Islam about labor rights. To make the analysis process more easy and understandable, the Islamic framework of labor rights has been discussed under different themes. The themes are as follows:

- 1. Islamic conception of work
- 2. Concept of social justice and labor rights
- 3. Equality and labor rights
- 4. Fair and timely wages
- 5. Favorable working conditions
- 6. Service contract
- 7. Freedom to form associations
- 8. Social security services
- 9. Responsibilities of laborers
- 1. Islamic Conception of Work

In Islamic teachings, work has always been given immense importance, as it is the essential source of sustenance. Dignity and respect have been attached with work. Allah has promised high rewards to those who work hard to earn their livelihoods. Some Islamic commentators even go on to accord work the status of 'jihad' and see workers as 'mujahideen' in the way of Allah.<sup>7</sup>Similarly, another hadith glorifies the importance of work in the following words:

No one eats better food than that which he eats out of the work of his hand.<sup>8</sup>

As the present research is concerned about labor rights holistically, it is important to note that Islam has dignified every type of work: no job is of a lesser nature, as its dignity and respect is derived from hard work. Islam applauds the manual labor of Prophet Noah regarding boat construction<sup>9</sup>, talks about the work of prophet Dawood (David) as a tailor<sup>10</sup>, mentions the work of Prophet Musa (Moses) as a shepherd,<sup>11</sup> and talks about the intellectual labor of Prophet Yousaf (Joseph) as a treasurer or finance minister of Egypt<sup>12</sup>. The incidents as recounted in the Quran signify that all workers deserve equal respect for the contribution they make towards social good regardless of our prejudicial perceptions about social standing and other superficial markers of staus.

### 2. Concept of social justice and labor rights

Islam is a religion that holds the concept of social justice, referred to as *adl* (follow a balanced way) and *qist* (recognizing that everyone is entitled to some rights), very close. These principles go beyond considerations of religious affiliation, caste, creed, gender, etc and are to be upheld even if one has to take a firm stance against those in power like going against their family.<sup>13</sup>If applied to the workplace, these principles advocate for a fair wage and just working hours, both of which are absent in Pakistan's brick kiln industry.

# 3. Gender equality and labor rights

The idea of equality in Islam is one that builds on its tenets of justice. It advocates for just and equal treatment of workers without any differential treatment on the basis of gender, religion, caste, etc. The commandments for equality in work are fairly straightforward in Islam. Concerning gender equality and work, it is stated in the Quran:

For men there is a reward for what they have earned (and likewise) for women there is reward for what they have earned.<sup>14</sup>

At another place it is said that:

Never will I suffer to be lost the work of any of you, be he male or female.<sup>15</sup>

# 4. Fair and timely wages

Islam establishes that all work is to be done in return for a wage. Under this, we find examples in the Quran that mention both wages and a set time period of employment. A notable example in this regard is that of Prophet Shoaib (A.S.), who worked for eight years for a specified wage.<sup>16</sup>This establishes wages as a right, not subject to an employer's benevolence. A just wage in return for work is emphasized elsewhere in the Quran too. For example:

Those who believe and perform honorable deeds (good work) ...

their earnings will never be withheld from them.<sup>17</sup>

Additionally, Prophet Muhammad's (P.B.U.H) commandments highlight that this wage should be fixed prior to the beginning of work.<sup>18</sup>

It has also been emphasized in Islam that for a wage to be fair it has to be sufficient to meet the needs of the employee. This principle of fair payment is traditionally derived on the basis of Qiyas from Quranic verses pertaining to payment of alimony and child-rearing expenses by a man to his divorced partner, which are required to meet basic necessities of life in accordance to the needs of that time.<sup>19</sup>This principle can be rightly compared to modern conceptions of a minimum living wage.

Relating to the previous two Islamic principles of fair wages is the requirement to pay employees on time. Its spirit has been lucidly captured in a hadith of Holy Prophet (P.B.U.H), as narrated by Abdullah ibn Umar:

Give the worker his wages before his sweat dries.<sup>20</sup>

# 5. Social security services

Alongside making provisions for a just and fair wage, Islam stipulates that all citizens of a country are to be afforded basic means of living. In this regard, it dispenses significant responsibilities to the state, which is responsible for collecting zakat (obligatory charity) from those who possess wealth beyond a certain limit and redistribute it accordingly amongst a society's most vulnerable. With reference to this, the Quran says:

Alms (Zakat) are for the poor and the needy, and for those employed to administer the funds; for those whose hearts have been recently reconciled to Truth; for those in bondage and in debt; in the cause of God; and for the wayfarer: thus is it ordained by God, and God is full of knowledge and wisdom.<sup>21</sup>

From this verse, it is clear that alms are for the most vulnerable members of society. This emphasis on assuring livelihoods of everyone leads us to fairly deduce that for those in employment, Islam requires their employers to meet their basic social security needs-a practice, like all other Islamic injunctions, absent in bonded labor.

#### 6. Favorable working conditions

In terms of working capacity, Islam is of the view that workers should not be burdened with undue labor. They should not be made to work beyond their limits. A Quranic verse succinctly relates this to divine responsibilities towards man, adding to the principle's significance. It is said:

God only assigns a soul something that it can cope with.<sup>22</sup> Another important story in this regard is that of Prophet Musa (A.S). As narrated in the Quran, his employer told him:

I don't want to be hard on you (by placing more burden of labor on

you) and you will find me an honorable man if Allah so wishes.<sup>23</sup>

These references to burdening a worker are interpreted by many as to capping working hours, another important standard in modern employment frameworks.

### 7. Service contract

To safeguards the rights of all those engaged in an enterprise, Islam stipulates the use of contracts. These can be both oral and written; however, drawing up written contracts is highly encouraged. At several places, the Quran emphasizes the sanctity of these contracts, by directing people to fulfill their obligations<sup>24</sup> and keep their promises.<sup>25, 26</sup>The inability to follow through one's commitments is frowned upon and discussed in verses on divine punishment on the day of judgement.<sup>27</sup>These Quranic injunctions indicate that one is to establish a contract of service in

light of the best information available. Moreover, this choice should be independent so that the person is able to uphold their promises. Similarly, it establishes the illegality of contracts drawn up through dubious means, which has been discussed in Prophet Muhammad's (P.B.U.H) hadiths too. On the basis of this, a scholarly tradition has established that:

Islam does not permit any agreement which is to the detriment of any party.<sup>28</sup>

### 8. Freedom to form associations

One does not come across extensive commentary on the permissibility of labor unions and associations in popular discourses in the Quran and Sunna. Many argue this to be stemming from the detachment of traditional Islamic scholar from working-class concerns.<sup>29</sup>The Quran itself does make references to such associations, for example it mentions a *naqib* (union leader) when discussing appointment of leaders among the Jews.<sup>30</sup>Further inferences for the permissibility of such collectives are based on Quranic injunctions that call upon collective conscience and actions of its believers in undoing evil. Al-Banna, an Egyptian union leader, draws heavily from such calls to collective work and argues that even if Islam does not actively advocate for worker unions, it is no way averse to the idea either. These can in fact argued to be highly approved of if one is to extrapolate from other Islamic injunctions.<sup>31</sup>

# 9. Responsibilities of a laborer

Within its framework of employment relations, Islam also gives immense importance to the responsibilities of a laborer. It instructs alls its able-bodied followers to earn a halal income to meet their needs, which can only be so if they fulfill their contractual commitments honestly. In reference to this, all work is accounted for by performance appraisal as Islam holds all people accountable for their actions.<sup>32</sup>

Apart from responsibilities towards employers, Islam also instructs its followers to not work for worldly gain and instead, work for the greater good.<sup>33</sup>This not only disallows morally ambiguous modes of earning but also encourages them to not be envious and specialize in their skills with a commitment to the hereafter.<sup>34</sup>Enhancement in craftsmanship and improvement in the quality of work has been explicated upon by Prophet Muhammad (P.B.U.H) as well. He is reported to have said that:

Allah blesses a person who perfects his craft (and knows how to do his job right).<sup>35</sup>

#### Labor Rights: Pakistan's national and international obligations:

With reference to labor rights, Pakistan has many national and international obligations. Pakistan has ratified Universal Declaration of Human Rights, ICCPR and ICESR. International Labor Organization is the responsible institution for safeguarding and assuring labor rights across the globe to achieve the minimum labor standards Pakistan has ratified thirty-four ILO conventions, including its eight fundamental conventions.<sup>36</sup>

The constitution of Pakistan guarantees the following protections to secure labor rights in Pakistan.

- Article 11 forbids all forms of slavery, forced labor and child labor;<sup>37</sup>
- Article 17 allows for freedom of association and the right to form unions;<sup>38</sup>
- Article 18 allows its citizens to join any lawful profession or occupation and to start any kind of lawful business and trade;<sup>39</sup>
- Article 25 talks about gender equality and prohibits any kind of discrimination on the basis of sex alone;<sup>40</sup>
- Article 37(e) assures just and humane work conditions, it further ensures that women and children are not exposed to or employed in conditions hazardous to their sex and or age. It also safeguards maternity benefits for women in employment.<sup>41</sup>

The Constitution of Pakistan and all its international obligations advocate for a safe environment and fair wages for workers.

# Fieldwork Plan: Research Methodology:

The primary research was conducted in order to develop a thorough understanding of the dynamics of brick kiln industry in Tehsil Pattoki and compare the on-ground situation with Islamic injunctions. An extensive fieldwork plan was made to collect the data. The study intended to identify the everyday state of affairs of brick kiln workers and draws a holistic and quantifiable picture of their daily lives with reference to daily expenditures, access to health care, reasons for working in this particular industry, etc. The survey findings were then evaluated in light of Islamic injunctions and modern sensibilities of labor well-being.

A multistage sampling technique was used for the recruitment of participants. Purposive sampling was used as the primary sampling technique because the objective of the study was to gain in-depth understanding into the dynamics of brick kiln industry. In the second stage, respondents were selected from within the already identified brick kilns by using quota sampling.<sup>42</sup>

By using this technique, 18 brick kilns in nine Union Councils (UCs) of Tehsil Pattoki were identified. The selection was based upon ease of access and the willingness of the kiln residents to share information for research purposes; as no ideal choice existed, the

selections were based on relative comparisons. From within those kilns, 220 respondents were selected for the survey.

The quantitative data primarily generated through the household survey was entered into a spreadsheet specifically designed for the study. The data was cleaned by using lookups, filter, and pivot analysis, and the cleaned data were analyzed using SPSS (Statistical Package for Social Sciences) and Microsoft Excel by running cross variable analysis and other data summarization tools.

#### **Findings:**

The study findings provide an illustration of the daily lives of those trapped in bonded labor at brick kilns, by providing an account of their weekly schedules and tasks in the brick-making process, earnings, loaning patterns with reference to family size and common major expenditures, status of savings, education levels, access to healthcare, and social life in terms of forming collectives and associations. All the survey results are illustrated through pie charts and graphs. These findings are further explicated in terms of gender relations and different categorizations of brick kiln workers on the basis of skills required for different tasks. The section highlights the vulnerabilities of the respondents by capturing their lack of access to any capital that does not center on owing money to or repaying brick kiln owners.

#### **Brick-making process**

Investigating the ten step brick-making process further highlights the unsafe working conditions as well as discriminatory patterns of labour division. It was found that mostly all family members were involved in the brick making process. However, it was noticed some steps can be performed by unskilled laborers while other steps required skilled labor for its completion. Mostly women and children performed the first three steps mentioned in the diagram below. A detailed appraisal of brick production can highlights the actual conditions of the labourers working there. The production process is followed through a particular schedule in the brick kiln industry. First three days of the week (Monday to Wednesday) are fixed for the preparation of mud bricks. A usual day at a brick kiln starts before sunrise and ends late in the evening.

Figure 1: Brick-making process

rigure 1. Briek making process		
	Processes	
Step One	Clay Preparation for bricks	
Step Two	Transforming clay into balls- pera making	
Step Three	Casting clay balls into the brick mould	
Step four	Mud brick preparation by taking it out of the mould	
Step Five	Sun drying the mud bricks	
Step Six	Transportation to the kilns	
Step Seven	Filling the kiln with bricks	
Step Eight	Covering mud bricks with keri	
Step Nine	Baking mud brick in the kiln	
Step Ten	Taking baked bricks out of the kiln	
Step Eight Step Nine	Covering mud bricks with <i>keri</i> Baking mud brick in the kiln	

# Type of Labour required for each production process

The ten-step brick production process, elaborated above, requires varying intensity of inputs from different types of labor i.e. *Patheras, Bharaiwalas, Keriwalas, Jalaiwalas, and Nikasiwalas.* The table below provides information regarding the extent of skills required for each type of labor.

Figure 2: Division of labor in brick-making on the basis of skills required

Role	Type of labor		
	Skilled	Semi Skilled	Unskilled
Patheras			
Bharaiwalas			
Keriwalas			
Jalaiwalas			
Nikasiwalas			

# Economic reflection of the brick-making process

- According to the survey, a family with 3-4 helping hands can make 1500-2000 bricks per day.
- Average earning per thousand bricks ranges between PKR 450-500 per day.

# **Frequency distribution of loans**

Out of the total respondents, 184 had borrowed money from their brick kiln owner. The frequency distribution of the loans is given in the table below. The loan is considered to be the proxy to the degree of bondage; as according to the study subjects, the higher the loan the more vulnerable they will be.

Category of Loans	Percentage of Loan
Less than equal to Rs. 50,000	31%
Between Rs.50,001 and Rs.100,000	44%
Between Rs.100,001 and Rs.150,000	10%
Between Rs.150,001 and Rs. 200,000	10%
Between Rs.200,001 and Rs.250,000	1%
Between Rs.250,001 and Rs.300,000	4%
Above Rs.300,000	1%

Figure 3: Frequency distribution of loans

The table below provides information regarding the type of activities for which money was borrowed, along with the average loan amount. The majority of the loans were taken for wedding, and healthrelated expenses followed by day to day expenditures.

Type of Activities	Percentage of Loans Numbers	Average Loan Amount PKR
Day to day expenditures	14%	108,192
Expenditures on death	4%	96,429
Health Expenditures	18%	67,939
Debt swap	8%	66,933
Wedding	44%	108,744
Shelter	4%	72,000
Others	8%	83,200

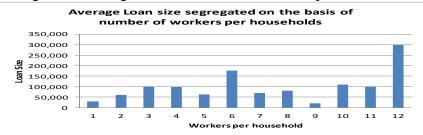
Figure 4: Distribution of loaning for different expenses

Majority of the adult respondents interviewed were of the view that there is no other source of borrowing money and the brick kiln owner is the most agile source of borrowing. Moreover, no proper saving is done, as according to them, the major chunk of their income goes to debt servicing and consumption expenditures.

In terms of the debt-paying capacity, on average it needs 16 months to repay a loan of Rs.25, 000. There is a wide variation between the times taken to repay the loan, ranging between 2-24 months. This variation is explained by the fact that a family with a greater number of workers can repay the loan much quickly.. The graph below corroborates

this finding by highlighting that a family with more working members can negotiate a higher loan. Similarly, a big working family has lesser day to day expenses due to collective expenditures and does not require a big loan, which improves their negotiation power when dealing with their potential lender.

Figure 5: Average loan size based on workers per households



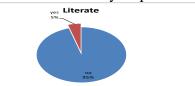
#### Vulnerabilities of social life

The vulnerabilities of brick kiln workers are a function of their lack of education, lack of saving, lack of social welfare in terms of health services, lack of any social protection mechanism, lack of proper association, and lack of skills other than the brick making. All these factors combine the collective extent of vulnerability. Moreover, the more vulnerable a family, the higher is the probability of them entering into debt bondage, and in turn child labor. The extent of various forms of vulnerabilities is graphically depicted below.

#### Literacy level

From a total of 220 surveyed workers, it was found that only 5% were literate and even a vast majority of the literate 5% was even under the primary level. The remaining 95% had never attended a school or gotten a chance to acquire education informally.

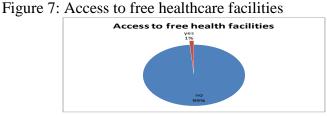
Figure 6: Literary level of the study respondents



### Access to free health facilities

99% of the surveyed respondents had no access to free healthcare. It was found that these dire circumstances meant that treatment was rarely sought and in most cases, it was only opted for when the disease had progressed acutely. While this often proved to be fatal, it also meant that most families had to take loans, that too negotiated from a very weak standpoint and hence, on uncommonly unjust terms, for some hope at life

as the last straw and then work towards repaying it. In this way, the debt trap remained stringently in place.



# Savings for emergency situation

None of the respondents saved any money to meet any unforeseen circumstances, as most of them were seeking to pay back the loans that had landed them in this situation in the first place. The absence of savings put them in a situation where they were highly susceptible to enter into debt bondage triggered by any shock: death in the family, health expenditures, etc.

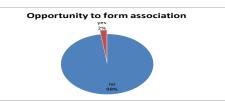
Figure 8: Savings patterns of the respondents



# **Opportunity to form associations**

Freedom to form associations is a fundamental right of laborers, guaranteed both by Islam and the Constitution of Pakistan. The opportunity to become a part of an association decreases the vulnerability of laborers, as they can unionize and collectively stand against their unjust treatment by brick kiln owners. Data suggested that there were little or no opportunities for workers to become members of an association to raise their concerns. According to the survey, 98% of the respondents felt that they were afforded no opportunities to form associations or organize otherwise. The workers felt that it was due to the highly demanding work hours and tyrannical control of the owners over their social lives.

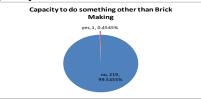
Figure 9: Perceptions about opportunities available to form an association



# Capacity to do work other than brick-making

To get rid of forced labor and monotonous life of brick kiln workers must have some other skills. The data highlighted that almost no one among the respondents had the capacity to do something other than brick making. In this context, their vulnerability was enhanced, and they were left with no bargaining power.

Figure 10: Capacity/ skills to do work other than brick-making



#### **Recommendations on the basis of Study Findings:**

It is a matter of immense concern that despite its illegality bonded labor is prevalent in the brick kiln industry of Pakistan. The available legal and regulatory instruments prohibit bonded labor and child labor, but the political and administrative will is missing. There is a dire need to get an active response from political and administrative bodies of the country to resolve the chronic issues of bonded and forced labor prevalent in the brick kiln industry. The monitoring system envisaged in the law in the shape of vigilance committees needs to be activated with appropriate authority and power. Here it is important to note that the phenomenon of debt bondage is favored both by demand and supply sides, and it has become an industry norm and a generally accepted principle. In this regard, direct intervention of the Government of Pakistan is much needed. There is a strong need that the whole ecosystem of debt bondage is managed so that factors which promote debt bondage can be controlled and its perpetrators are dealt with accordingly.

Pakistan is an Islamic country. Islam has a very clear take about labor rights. Islamic framework of employer-employee relations is an exhaustive rights-based framework. Quranic directives and hadith both endorse and advocate for labour-friendly attitudes and social justice for laborers. It is high time to bring forth Islamic teachings. Utilizing religion is especially instrumental as Islam enjoys great appeal amongst the masses and hence, can be an effective tool for creating awareness. For this awareness to be more impactful, the role of the civil society needs to be structured in creating awareness among the stakeholders. Press clubs can be instrumental in this regard. Similarly, bar associations can provide free legal aid to the victims of forced and bonded labor.

However, simply enforcing the ban on bonded labor as well employment of children would not accomplish much. The state has failed these individuals and it cannot leave them in such vulnerable circumstances. Their reintegration into society and ensuring their wellbeing should be a key priority in this entire exercise. The Government of Pakistan has to ensure that these workers are pulled out of their past vulnerabilities so that they are not easily victimized by some other exploitative business or industrial venture. The vulnerability of brick kiln workers is extremely high as they lack any skill other than brick-making through which they can earn income. Illiteracy is also one of the contributing factors which promote exploitation, as most of the workers cannot keep account of their loans and its terms-payments already made, those remaining, compound interest, etc. Through a basic functional adult literacy program, there is a great possibility that such instances of exploitation may be reduced. Additionally, almost all parents trapped in bonded labor want to educate their children, but they are unable to afford it owing to the opportunity cost-foregone income the children might earn if they contribute to work. This and other similar issues can only be remedied if these workers are afforded a just livelihood. This can be accomplished through livelihood programs for brick kiln workers spearheaded by the state. If the state is unable to provide much on-ground support for these workers, the least it can do is to link these workers with the existing microfinance institutions, NGOs, etc., so that they have access to opportunities for economic development as well as some recourse to justice. The success of such livelihood programs, rests on the mobilization of workers and winning their trust. As a first step, labor associations need to be made functional, which is a fundamental right of workers recognized both by Pakistan's Constitution and Islam. These associations can be formed at a regional basis or however the workers prefer. These unions can become central to protecting rights of brick kiln workers by articulating their collective demands and negotiating the status of the proposed livelihood programs with state officials.

If the state seeks to rehabilitate these workers within the same industry without bondage and job safety with basic social security provisions, then it has to look at the industry's profitability and production processes as well. The workers are without any social security cover and are made to work in very unsafe conditions. The working conditions are poor partly due to the fact that the brick kiln industry is following old age production practices, and there are no measures of productivity enhancement through mechanization; instead, the focus is on making workers labor longer hours. In freeing these workers from bondage, the state needs to enforce workplace laws followed in other sectors. The need to abide by these workplace laws can further promote the need to modernize to keep up with the present scale of production.

In all the identified problem areas and recommendations above, it should be noted that keen attention is to be paid to the rehabilitation of women and children. Their vulnerabilities are significantly enhanced due to intersections of gender and age with labor exploitation. The state should adopt an affirmative approach in assuring that their interests are prioritized and that they are afforded equal platform in vocalizing their concerns through labor associations.

# **Conclusion:**

This research paper provides a detailed appraisal of Islam's conception of labor and shows it to be one that prioritizes worker rights through its emphasis on service contracts, timely wages, social security services, and freedom to form associations. The situation in the brick kiln industry of Pattoki is further shown to be in complete contrast with Islamic teachings that Pakistan seemingly adheres to as well as the country's international commitments. The precarious circumstances of those in bonded labor are discussed at length in the section on findings. These would establish the practice as a highly unjust one, even if one were to disregard its principle immorality. The paper's recommendations are grounded in the concerns expressed by its respondents and foremost advocate for the abolition of this inhumane practice; the suggestions further discuss the ways of regularizing the current setup to integrate these workers into the mainstream. Although Pattoki was the study's only field area, similar patterns of bonded labor have been documented by other researches as well. Hence, the study not only discusses a pervasive problem that requires the state's immediate attention, its proposed suggestions also promise broader utility.

# References

- 1. Pak. Const., art. 2
- 2. Faridunji Mulla. Mulla's Mohamendan Law. 16thed. Mansoor Book House Law Book Publishers & Book Sellers, Lahore.
- 3. Malik, Nadeem. "Bonded Labor in Pakistan." Advances in Anthropology 06, no. 04 (2016): 127–36.
- 4. Ahmad, Iftikhar. "Religion and Labor: Perspective in Islam." *Working USA* 14, no. 4 (2011): 589–620.
- 5. Rubia Mehdi. Gender and Property Law in Pakistan: Resources and Discourses. Lahore: Vanguard, 2002.
- 6. Rubab, Iram. *Women's right of inheritance and practices in the Punjab* (MPhil thesis, University of the Punjab). Lahore: Unpublished, 2014.
- 7. Bayat, A. Work ethics in Islam: A comparison with Protestantism. The Islamic Quarterly 36, no. 01 (1992): 05–27.

- 8. Muhammad al Bukhari, Sahih Bukhari, Volume 3, Book 34, hadith no. 270.
- 9. Al-Kahf (18:77)
- 10. Saba' (34: 10-11)
- 11. Al-Qasas (28: 26-27)
- 12. Yusuf (12:55)
- 13. An-Nisā (4:135)
- 14. An-Nisā (4: 32)
- 15. Aal-E-Imraan (3:195)
- 16. Al-Qasas (28: 26-27)
- 17. At-Tin (95:6)
- 18. Al Bahaqi, Ahmad bin Husain, Al Sunan ul Kubra, Dar ul kutab al alilamia, Beruit, 2003, 6/199, hadith no 11654.
- 19. Ahmad, Iftikhar. "Religion and Labor: Perspective in Islam." *Working USA* 14, no. 4 (2011): 589–620.
- 20. Ibn Majah, Sunan Ibn Majah, volume 3, book 16, hadith no. 2537.
- 21. At-Tawbah (9:60)
- 22. Al-Baqarah (02:286)
- 23. Al-Qasas (28:27)
- 24. As-Saf (61: 2-3)
- 25. Al-Baqarah (02:177)
- 26. Al-Mu'minum (23:08)
- 27. Al-Isra (17:34)
- 28. Al Tabrani, Sulaiman bin Ahmad, Dar ul Harmain Egypt, 5/238 (hadith no 5193).
- 29. Belal, Abdel Rahim Ahmed. Islamists and trade unions, p.11. FES-Sudan, 2005.
- 30. Al-Ma'idah (5:12)
- Al-Faruqi, I. R., and G. Al-Banna. Towards Islamic labor & unionism: Three papers (1984). Cairo: International Islamic Confederation of Labor.
- 32. An-Najm (53: 38-39)
- 33. Ar-Rahman (55:60)
- 34. An-Nisa (4:32)
- 35. Muhammad alamin bin Abdullah, Tafsir Hadiq u alrooh wa Raihan, 2001, 21/262; Al baydawi, Shahab ul din ahmad bin muhammad al khafaji, Hashia al shahab ali tafsir al baydawi, 1069, 84/7. Beirut: Dar ul Sadr.
- ILO, 2019. Retrieved online from: https://www.ilo.org/islamabad/areasofwork/international-laborstandards/lang--en/index.htm (12/1/2019)
- 37. Pak. Const., art. 11
- 38. Pak. Const., art. 17
- 39. Pak. Const., art. 18
- 40. Pak. Const., art. 25
- 41. Pak. Const., art. 37 (e)
- 42. W. Lawrance Neuman. Social Research Methods: Qualitative and Quantitative Approaches. London: Pearson Education System, 2017.