

Bonded labour in agriculture: a rapid assessment in Sindh and Balochistan, Pakistan

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Special Action Programme to
Combat Forced Labour

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Working Paper

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a rapid assessment in Sindh and Balochistan,
Pakistan**

by

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Foreword

In June 1998 the International Labour Conference adopted a Declaration on Fundamental Principles and Rights at Work and its Follow-up that obligates member States to respect, promote and realize freedom of association and the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour, and the elimination of discrimination in respect of employment and occupation.¹ The *InFocus Programme on Promoting the Declaration* is responsible for the reporting processes and technical cooperation activities associated with the Declaration; and it carries out awareness raising, advocacy and research – of which this Working Paper is an example. Working Papers are meant to stimulate discussion of the questions covered by the Declaration. They express the views of the author, which are not necessarily those of the ILO.

This Working Paper is one of a series of Rapid Assessments of bonded labour in Pakistan, each of which examines a different economic sector. The aim of these studies is to inform the implementation of the Government of Pakistan's National Policy and Plan of Action for the Abolition of Bonded Labour, adopted in 2001. The research was conducted under the guidance of the Bonded Labour Research Forum (BLRF), a distinguished group of Pakistani research and development specialists, convened by the Ministry of Labour, Manpower and Overseas Pakistanis with the support of the ILO. The Rapid Assessments were undertaken by independent Pakistani researchers, who were selected by the BLRF for their competence and experience in the different sectors. Maliha Hussein and her collaborators were responsible for preparation of this paper on bonded labour in the agriculture sector in Sindh and Balochistan provinces.² It should be read in conjunction with a companion paper that covers Punjab and North West Frontier Province.³

The research programme was overseen by Caroline O'Reilly of the *Special Action Programme to combat Forced Labour (SAP-FL)* of the Declaration Programme in Geneva. Ali Khan worked as Research Coordinator for the duration of the research process, based at the ILO in Islamabad.

SAP-FL is providing on-going technical assistance to support the Ministry of Labour and its partners to implement the National Policy and Plan of Action, so as to bring about the effective eradication of bonded labour in Pakistan.

March 2004

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¹For the Declaration text, please see our website : <http://www.ilo.org/declaration>

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³ See Declaration Working Paper No. 25: Bonded labour in agriculture: a rapid assessment in Punjab and North West Frontier Province, Pakistan, by G.M. Arif

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Chapter One: INTRODUCTION

This rapid assessment is part of a series of studies commissioned by the International Labour Organization (ILO) to assess the significance and nature of bonded labour in Pakistan. Existing estimates of the number of bonded labourers differ widely, and only limited serious economic or social research has been undertaken on the issue. This study attempts to assess the situation regarding bonded labour in the agriculture sector in Sindh and Balochistan and should be read in conjunction with another study on Punjab and the North West Frontier Province⁵. The study follows the broad terms of reference and approach specified by ILO. The research was carried out by a four-member team between November 2002 and January 2003.

Chapter Two: METHODOLOGY

This study is based on a review of secondary information, rapid field surveys and interviews with key informants in Sindh and Balochistan. Several studies of the agriculture sector in Sindh provided some insight into the nature of bonded labour in the agriculture sector. Resource persons in Sindh and Balochistan, working with various development programmes and the Human Rights Commission, also provided information on the prevalence and nature of bondage in the different districts and identified characteristics that contribute to bondage. Meetings were held with officials from the Departments of Labour, Interior and Agriculture in the two provinces for an overall assessment and for their perceptions and analysis of the situation.

Sindh Province consists of 21⁶ districts while the Balochistan Province consists of 26⁷ districts. Rapid field surveys were undertaken in 11 districts of Sindh and seven districts of Balochistan, representing about 52 percent of the districts in Sindh and 27 percent in Balochistan. Table 1 provides a complete list of the districts visited. The selection of districts was based on detailed interviews with key informants and on the field team's own experience. It was fairly easy to establish the pattern and boundaries of bonded labour in both provinces. However, as the pattern of bondage appeared somewhat more fluid in Sindh, the researchers chose to review a random selection of districts, as well as those districts where bondage was said to exist, to confirm its existence or absence. As for Balochistan, informants had confirmed that bondage is restricted to the few intensively irrigated districts in the eastern border adjoining Sindh, with little evidence of it in *barani* districts or those with a predominance of orchards. Thus, Balochistan districts were selected to investigate the nature and the manifestation of bondage in a tribal society of the type found in Jhal Magsi and Dera Bugti. During fieldwork, the reluctance of *haris* in Nawabshah and Larkana to discuss the issues openly and frankly was a problem.

⁵ Working Paper No. 25: Bonded labour in agriculture: a rapid assessment in Punjab and North West Frontier Province, Pakistan, by G.M. Arif

⁶ Census Bulletin-1, Population Census Organization, Government of Pakistan, July 1998.

⁷ Ibid.

Table 1: Districts surveyed in Sindh and Balochistan provinces

Sindh province	Balochistan province
1. Shikarpur	1. Quetta
2. Larkana	2. Sibi
3. Sukkar	3. Dera Bughti
4. Khiarpur	4. Jaffarabad
5. Naushero Feroze	5. Nasirabad
6. Nawabshah	6. Bolan
7. Dadu	7. Kachi
8. Hyderabad	
9. Badin	
10. Sangar	
11. Mirpur Khas	

Map 1. Sindh Province



Map 2. Balochistan Province



The most important players in the agriculture sector in Sindh and Balochistan are the landlords and the tenants. In Sindh and Balochistan, the general term for landlord is *zamindar*. The term for tenant, in Sindh, is *hari* (literally, the wielder of the plough) and, in Balochistan, *buzgar* (although the latter term is used more broadly for day labourers as well). The *hari* and the *buzgar* are share-tenants who till the land of others in exchange for either a physical share of the crop, as in the case of wheat, or a share of the revenue, as in the case of cotton. The *zamindars* are landowners, varying from absentee landlords with large holdings tilled by *haris* and managed by an overseer, or *kamdar*, to small occupiers who cultivate the land with family labour or with the aid of a small number of *haris*. Interviews were held with all the major players in the agriculture sector in Sindh and Balochistan, including *haris*, *zamindars*, *kamdars*, *jamedars*, or labour contractors, human rights and political activists, NGO workers and lawyers. The interviews included detailed discussions with men and women who had been rescued from bonded-type situations and given refuge in special camps in Hyderabad in Sindh. Semi-structured interviews were held with households engaged in bonded labour to get an in-depth understanding of the arrangements that led to

bondage of different kinds. Separate interviews were held with women from bonded households to understand the gender implications of bondage.

Chapter Three: CHIEF CHARACTERISTICS OF THE PRODUCTION PROCESS

Historical context

The organization of the agriculture sector has strong historical roots, going back to the manner in which the East India Company secured its revenue-base in the sub-continent. This organization has, however, evolved in reaction to the technologies of the green revolution, mechanization and a market orientation. It is important to understand both the historical context and this gradual evolution to appreciate how conditions have arisen that encourage bonded labour, particularly in Sindh. The acute water shortage in Balochistan has led to the development of a more extensive agricultural production system whose features do not generally encourage bondage.

Before the advent of the British Empire, peasant proprietorship was considered the birthright of the *hari*. The *zamindar* was a mere collector of the royal, or *jagir*, lands. The glossary of the Fifth Report of the East India Company (1813) calls the *zamindar* “An officer who under the Mohammadan Government, was charged with the superintendence of the laws of the districts officially considered.”⁸ The Muslim and Hindu conception of agricultural landownership was embedded in the principle that the field is the property of the man who first brings it under cultivation. The East India Company set aside this principle and land was given out, on lease, by annual public auction to the highest bidder. The permanent settlement of Lord Cornwallis in 1793 converted the original cultivators into tenants and rent collectors into *zamindars*. After the British occupation of Sindh around the middle of the nineteenth century, the *hari* was downgraded from the status of cultivator to that of sharecropper when, the *waderas*, traditional headman, and the village chieftains were given property rights over the land under his jurisdiction.⁹ The so-called Mutiny of 1857 against the British made it important for colonial administration to ally with these *zamindars* and grant them state-supported powers over their tenants. Thus, the British policies created the institution of private property, awarding landlords arbitrary powers of eviction and leaving tenants at their mercy.

From then on, land, with the *haris* on it, became a saleable commodity. New areas could be purchased from the state and settled with local or migrant populations. Having created conditions that made the tenant’s title uncertain, the state felt compelled to intervene with measures to protect the tenant in the landlord’s estate by giving him fixity of tenure and protection from arbitrary rent hikes and illegal exaction. The First Rent Act of 1859 and the Tenancy Act of 1885 in East Bengal mark the beginning of this policy of protection in favour of the tenants, followed, in the 1920s, by a series of Acts in India aimed at securing the tenants rights. But, in Sindh, no such legislation was passed until 1975. Some writers¹⁰ contend that Sindh has been reluctant even to grant those small concessions that other provinces conferred on tenants some 75 years ago. In June 1943, a Tenancy Committee set up by the government, recommended that tenancy rights should be conferred on the *haris*. No action was taken on this report. Another committee, set up in 1947, found that the “granting of permanent rights of tenure to *haris* may unduly disrupt the rural economy without raising the standard of living of *haris* or raising agricultural standards.” Even then, it was clear that the system of *batai*, or crop distribution, was defective in that it offered no incentive to the *hari* to invest capital or labour in any permanent improvement of land or in preserving its natural fertility.¹¹

⁸ Hari Report by M. Masud. Page 17. The author was Assistant Collector and Collector for over eight years in Bombay Presidency and Sindh in the 1940s.

⁹ A Pro-Poor Development Project in Rural Pakistan: An Academic Analysis and a Non-Intervention. Journal of Agrarian Change. July 2002. Kristoffel Lieten and Jan Breman.

¹⁰ Ibid.

¹¹ Masud. M., op.cit.

In Balochistan, the British settled only in the canal-irrigated Nasirabad district adjoining Sindh province. In most of the dry *barani* areas, where no permanent settlement was undertaken, the tenant and landlord relationships developed very differently. A few revenue estates were created in Kharan and Lasbela, but the relationships between the tenants and the landlord were managed very differently. The *sardari* system, prevailing in much of Balochistan, led to the creation of the *shishak* system, by which tenants gave one-sixth of their agricultural produce to the *sardar* under whose patronage they lived. However, this system has now been abolished voluntarily. In addition, the land-labour ratio in Balochistan is such that it did not create the same pressures as in other parts of Pakistan. Water has always been the key constraint to agriculture in the province and a high premium attached to water availability. Thus, tenants who helped develop the traditional *karez* system of underground irrigation were given a significant share of the agriculture produce. As a result of these factors, arrangements in the agriculture sector in Balochistan are very different from those in Sindh.

In 1950, the Sindh Assembly passed the Sindh Tenancy Act to address tenancy rights, duties of tenants and *zamindars*, and the division of produce between them. However, the Act was never implemented. In 1972, Zulfikar Ali Bhutto issued Martial Law Regulation No 115, requiring seed be provided exclusively by the *zamindar*. The *zamindars* strongly opposed this change and, in 1977, after the imposition of martial law, the system of seed-supply reverted to the old system. Presently, the supply of seed is shared equally between the *hari* and the *zamindar*. After 1972, no new law has been enacted to regularize the tenancy relationship. A Balochistan Tenancy Ordinance in 1978 was promulgated to regulate the rights and liabilities of tenants and landlords in the province of Balochistan. In 1992, a Bonded Labour System (Abolition) Act of Majlis-e-Shoora received the President's support. This Act ensures that, in return for *peshgi*, or an advance, or in pursuance of a customary or social obligation or for any economic consideration received by him or any of his family members, a worker does not forfeit his freedom of employment, proper compensation, right to move freely or right to appropriate or sell at market value any of his property or product of his labour or the labour of a family member dependent on him.

The traditional tenancy arrangement was premised on equal treatment of land and labour.¹² All costs relating to labour as well as draught power were the responsibility of the tenant. In exchange, the tenant received a 50% share in the output from which his share of the costs was subtracted. The traditional *hari* economy was organized around the use of the tenant's bullocks for ploughing, with one quarter of the share of the output going to the tiller and one quarter to the cost of maintenance of his animals. Traditionally, other inputs (e.g., seed, fertilizer and pesticides) were self-supplied at no extra cost. The modernization of agriculture has added additional costs for the tenant without, necessarily, a concomitant increase in his share of the produce. New cash crops (e.g., cotton, sugarcane, vegetables and fruits in lower Sindh) have largely replaced earlier food-grain production and tractors have replaced bullocks – all requiring larger cash outlays. So, although the introduction of new inputs has made farms much more productive, it has also made farming more costly and more risky.

A typical sharecropping contract requires that the *hari* bear the cost of tillage and land preparation and half the cost of seed, fertilizer and pesticides. Thus, the use of purchased agricultural inputs and mechanization has dramatically shifted the burden and cost of farming. The combination of a changing labour-input cycle, the higher cost of inputs and the more lucrative cash-value of crops, coupled with closer supervision, has undermined traditional *hari*-based agriculture.¹³ The *hari* is now expected to pay the market rate for hiring tractors for ploughing. As the *hari* cannot afford to pay these cash costs upfront, he accepts a loan from the *zamindar*. Thus, a relationship that was initially premised on equality has gradually been converted to a relationship of inequality, prone to economic and social exploitation.

¹² Land Tenure, Rural Livelihoods and Institutional Innovation: Haris Gazdar, Ayesha Khan and Themrise Khan. May 2002.

¹³ Kristoffel Lieten and Jan Breman, 2002. op.cit.

An analysis of land-tenure patterns from 1960 to 1990 shows a dramatic decline in tenancy and a corresponding increase in owner cultivation. In 1960, 22 percent of the farms were owner-cultivated; by 1990, this figure had increased to 51 percent. Tenancy declined not only in terms of the number of farms, but also in terms of the proportion of area tenanted out. In 1960, only 22 percent of the area was owner-cultivated; the rest was farmed by tenants – either landless (64 percent) or owning some land (14 percent). Owner-cultivated area more than doubled by 1990 (59 percent), whereas area cultivated by landless tenants declined to less than half its share (29 per cent). Sharecropping land has declined from 58 per cent in 1960 to 26 percent in 1990. Land under fixed-lease has shown an increase from two percent in 1960 to eight percent in 1990.¹⁴ Several explanations are advanced to explain these changes, chief among them being changes in land-labour ratios, mechanization and pre-emptive action to prevent tenants of long standing from claiming their right to land.

An agricultural census is conducted in Pakistan every 10 years. However, it is generally asserted that official figures for large landownership and marginal tenants are not reliable. Some observers assert that official statistics on tenancy leave out the various forms of concealed tenancy on the big farms, and that tenancy, thus, has not diminished to the extent indicated by official statistics.

The agriculture sector in Sindh

Sindh has a geographical area of 140,914 sq. km, out of which 60 percent is arid. Actual cultivation takes place on eight million acres. The major crops are rice, wheat, cotton, sugarcane, oilseeds, vegetables and fruits (i.e., banana, mangoes, guava and dates). Sindh's economy is relatively industrialized with agriculture contributing 23 percent of the provincial GDP. It is estimated that 80 percent of the rural population depends upon agriculture and its allied businesses. In 1990, Sindh accounted for 15.8 percent of the agricultural farms in Pakistan and for as much as 34.2 percent of tenant farms. Agriculture in the province is largely underdeveloped. Per acre yield is about 30-40 percent of the potential production. Due to a lack of drainage facilities and other factors, 75 percent of cultivable land is degraded, causing a serious threat to food security, income and employment of the farming community, particularly of small landowners and *haris*.

The importance of cotton in generating export revenues has prompted considerable price liberalization in the last few years, leading to higher prices and greater production incentives. Producer prices for wheat, however, are still largely determined by a minimum support price implemented by provincial Food Departments. However, it is claimed that agriculture is becoming uneconomic for small farmers and *haris*. Inflation, currency devaluation, adverse terms of trade, unrealistic support prices, high cost of credit and inputs, water-logging and salinity, increased taxes and other factors together adversely affect production.¹⁵

The agriculture sector in Balochistan

Balochistan, the largest and least developed of Pakistan's four provinces, covers nearly half of the country's area and contains only 5.8 percent of the population. The province consists of mountainous highlands, arid rangelands and desert lowlands. Rangelands, which are generally unsuitable for agriculture, comprise three-fifths of Balochistan's territory and are held in common by particular tribes. Although agriculture is the mainstay of Balochistan's economy, employing 67 percent of the labour force, the lack of water severely constrains agricultural development, and only 1.5 million of Balochistan's 35 million hectares are under cultivation. Climatic conditions range from dry to hyper-arid, and annual rainfall varies

¹⁴ Gazdar et al, 2002.

¹⁵ Mushtaque Ahmed Mirani. A Study on Bonded Labour in Sindh. Action Aid (UK)

from 50 millimetres in the west to 400 millimetres in the east. Soils are mostly thin and calcareous, low in organic matter and prone to erosion.

Balochistan farmers can be split between *khushkaba*, those who grow rain-fed crops and also run small livestock flocks, and *sailaba*, those who have access to irrigation water and grow irrigated crops. The main rain-fed crops are wheat, sorghum, rapeseed, mustard and fodder. The main irrigated crops are wheat, rice, apples, apricots, peaches, grapes, pomegranates, dates and vegetables. Only 37 percent of Balochistan's cultivated land is under perennial irrigation; most of the farmers in the province rely on erratic partial irrigation.¹⁶

Chapter Four: CHIEF SOCIAL AND ECONOMIC CHARACTERISTICS OF THE LABOUR FORCE AND EMPLOYERS IN AGRICULTURE

Labour force characteristics

Pakistan has a large rural-urban gap in terms of social and economic indicators of development. Differences in poverty and human development indicators have persisted or widened – among regions, between rural and urban areas and among men and women.¹⁷ The dominant economic characteristic of the agricultural labour force in Sindh and Balochistan is extreme poverty and low social indicators of development. Poverty is pervasive and deep, especially in rural Sindh,¹⁸ In contrast to the large manufacturing, finance and private sectors of Karachi, rural Sindh is characterized by poor social services, large gender disparity, landlessness and high dependence on the public sector. Whereas 19 percent of urban Sindhis are poor, as many as 37 percent of rural Sindhis are poor, compared to Pakistan's average of 33 percent. Within Pakistan, Sindh has the largest rural-urban gap and the largest gap in human development. It has the highest per-capita incomes, but its human development indicators in rural areas were among the worst in Pakistan in 1999.¹⁹

More than half of the rural population in Pakistan is landless, while 2.5 percent of landowners control over a third of agricultural land in holdings that exceed 50 acres. Rural poverty is the highest among those who own no land, improving steadily as the ownership of land increases. Inequity in landownership is also thought to be a major reason why overall agricultural yields in Pakistan remain low. In Sindh, 64 percent of rural households are landless.

The poor not only tend to be landless/small landholders working under special contracts of sharecropping, they also have more difficulty in managing risk and are unable to diversify their production.²⁰ The percentage of households raising both crops and livestock is substantially higher for the non-poor in both Sindh and Balochistan. In Sindh, few households rely on livestock alone and the number of households dependent on crops alone is significantly higher for the poor than for the non-poor. Balochistan farmers show greater diversification; however, the proportion of poor households raising both crops and livestock is about half that of non-poor households.²¹

The poverty profile in Sindh and Balochistan suggests that the typical poor man or woman lives in a rural area, has little assets or land, depends on wage income, and has a significantly larger household than

¹⁶ Pakistan – Balochistan Community Irrigation and Agriculture Project. World Bank.

¹⁷ Poverty in Pakistan in the 1990s: An interim Assessment Summary of the Report. World Bank. January 2002.

¹⁸ The definition of poverty is in terms of the Calorie Based Approach which defines the poverty line as the minimum expenditure required to achieve a daily intake of 2250 calories per day.

¹⁹ Sindh Structural Adjustment Credit Project. Programme Document. World Bank. May, 2002

²⁰ World Bank, 2002. op.cit.

²¹ Pakistan Integrated Household Survey. Poverty in the 1990s. Federal Bureau of Statistics, Government of Pakistan. April, 2001.

does the non-poor or even the average poor person of Pakistan as a whole. The poor person in Sindh and Balochistan also tends to be employed, in the urban areas, mostly in the informal sector and, in the rural areas, as agricultural wagedworkers. In rural Sindh, the concentration of poor is the highest among households where the head is an unpaid family worker (60 percent), sharecropper (50 percent), or owner-cultivator owning less than two hectares of land (40 percent).²² The poor in the two provinces also suffer from low-quality public services, with relatively low access to safe drinking water and sanitation facilities: they are less likely to use closed sources of drinking water, have toilets in the household, and be connected to a drainage system. Availability of such amenities is also split along a rural-urban gap that is even worse than in the rest of Pakistan. Only seven percent of the rural population in Sindh and 18 percent in rural Balochistan have access to piped water.²³

Literacy rates among the lowest income quintiles were 35 percent in Sindh and 33 percent in Balochistan in 1998-99. Gross and net enrolment rates at the middle level were lowest among both males and females in rural Sindh and rural Balochistan in 1998-99. Rural Sindh had the highest infant mortality rate in Pakistan, at 114 deaths per thousand live births, and rural Balochistan had an IMR of 80. Only five percent of poor women in the lowest income quintile in rural Sindh and three percent in rural Balochistan had ever used family-planning methods.

A household survey by the Asian Development Bank²⁴ based on a stratified sample²⁵ in five districts of Sindh where there is a preponderance of bonded labour (Badin, Dadu, Mirpurkhas, Thatta and Umerkot), found that 60 percent of the households were *haris*. Furthermore, if US\$1 per person per day is applied as the poverty measure, four-fifths of the households in the area live below the poverty line. This survey also reveals a lack of access to the basic necessities of life. One-quarter of the survey population lived in a *jhupuri*, (huts made of twigs) and other makeshift arrangements. Only 26 percent of households have drinking water from hand pumps and wells; the rest make do with water collected from the river, canals and ponds. Health indicators are poor, with high levels of infant mortality and high fertility rates. Female literacy is less than 10 percent. Over 82 percent of school-aged children do not attend school. Families spend close to 80 percent of their annual budget on food and live in a state of material deprivation and malnutrition.

Agricultural experts estimate that 0.8-1.0 million *hari* families cultivate land under sharecropping in Sindh. An estimated 0.7 million *haris* are Muslim and 0.1 million are non-Muslim in Sindh.²⁶ The non-Muslim *haris* belong to the *Kolhi*, *Bheel*, *Menghwar* and *Oad* castes. Most non-Muslim *haris* live in Umerkot, Mirpur Khas, Sanghar, Tharparkar and Badin districts. The settled *haris* have inherited their tenancy status from their ancestors through long-term residence on the same piece of land and generally live in villages. The field surveys found these settled *haris* to be generally well aware of their rights and able to negotiate fair terms in accordance with the prevailing tenancy arrangements. The settled *haris*, with other sources of income, are less prone to indebtedness and bondage and, socially, are better integrated within the village community. However, the nomadic *haris* from the minority community are in very vulnerable positions: unable to meet their requirements from their existing sources, prone to high levels of indebtedness and living in conditions that approximate bondage (i.e., without freedom of movement and completely dependent upon the landlord in terms of basic requirements and choice of occupation).

There are three major ethnic groups in Balochistan, the Baloch, the Pathan, and the Brahui, as well as many smaller ethnic groups, all of which are divided into tribes. These tribes are further subdivided into

²² Sindh Structural Adjustment Credit Project. Programme Document . World Bank. May 2002.

²³ Pakistan Integrated Household Survey. Round 3: 1998-99. Federal Bureau of Statistics. Government of Pakistan. October 2000.

²⁴ Household Survey Report. Raasta Development Consultants and Agrodev Canada Incorporated. February, 2000.

²⁵ 687 households in 56 villages.

²⁶ Mushtaque Mirani. Action Aid (UK).

clans. Arable land is privately owned and is generally traded only within clans. In some parts of the province, outsiders cannot even buy land. The tribal nature of society predominantly dictates the social relationships in the province. Some²⁷ maintain that bondage cannot exist in a tribal society because the tribal norms would not allow such a relationship to persist. However, in certain parts of Balochistan, patterns of bondage similar to those found in Sindh do exist and tenants who are overwhelmingly dependent upon the landlord are also found in small numbers in selected districts.

Types of agricultural workers

Various types of labour contracts prevail for different operations in the agricultural production process that includes both skilled and unskilled workers and regular versus casual workers. Unskilled labour is employed on a regular basis. Such labour is used particularly for livestock feeding, application of fertilizer, sowing, irrigation, etc. Sometimes the regular wage labourer is used to supervise the casual and seasonal labourer employed on the farm in harvesting, picking, threshing, loading, etc. The salary for such labourers is Rs.1000-1500 per month. There is a slight variation in wages from farm to farm. The field survey also indicates that lowly paid individuals are used to bring fodder from the fields for cattle, to look after the animals and take care of other domestic chores. Nomadic *haris* from minority communities are much more liable to undertake seasonal and casual labour. Settled *haris* do not generally engage in this type of labour and prefer to work with one landlord on a more or less permanent basis. Nomadic *haris* move and resettle, depending upon individual household decisions. They can move on a seasonal basis from farm to farm or settle in one location for an extended period and then move again, normally taking the entire family along. If the family has a house (i.e., a thatched straw hut) in Thar and feels secure, family members may be left behind, but, in practice, only a small number of men migrate alone.

In addition, male and female casual labour is also employed on a regular basis during peak seasons. With the changing crop patterns and the resulting increase in crop intensities, an increase in the use of casual labour for specific operations was reported. Some of the arrangements are fairly complex and tenants often engage in a combination of labour and tenancy arrangements to maximize their earnings. During the field survey, one labourer indicated that he only worked on specific crops. He would migrate from his home district in Tando Muhamamd Khan to pick cotton in Kotri as a daily-wage labourer; once the cotton season was over, he would return home and plant melons on a sharecrop basis or on leased land.

Female casual labour is also hired as seasonal labour. Until the 1950s, female labour was confined to a few specific jobs in agriculture (such as, planting, harvesting and threshing rice; harvesting wheat; and picking cotton). At present, however, in most places in Sindh, female labour is engaged in almost all agricultural operations. The gender composition of the work groups depends upon the crop. For picking cotton, groups of women are hired. For the harvest of sugar-cane, mixed groups of men, women, children and the elderly are all hired. For the harvesting of the chilli crop, men and women work in mixed groups. According to reports, casual labour is generally hired on a contract basis rather than on normal daily wages. Jobs such as picking vegetables and fruit are mostly undertaken on a contract basis. In the Tharparkar district of Sindh, the seasonal migration of female labour to pick cotton and harvest wheat was reported. These groups of workers receive advances from the labour contractor who is, in turn, given an advance by the landlord. Harvesters often reside on the field in temporary dwellings for the duration of the season.

There are two types of skilled full-time labourers: the land-manager and the tractor-operator. The land-manager, also known as *kamdar*, is employed by the landlord to manage the land and labour. He is usually a regular employee and experienced in crop-production. His duties include the arrangement and supervision of labour for which he receives a fixed salary based on his experience and management skills. As *kamdars* are completely in charge of land and labour in the absence of a landlord, they are given two to three acres of land, free of cost, for their own cultivation. Normally, food is not included in the contract but, as food is

²⁷ Zulfiqar Magsi. Ex-Chief Minister, Government of Balochistan and elder of the Magsi Tribe..

cooked at the farm for other labourers during peak working days, the *kamdar* is also served. The hiring of tractor-operators began after the green revolution. The salary of a tractor-operator ranges from Rs. 1500-2000 per month as cash and 200 kg of wheat annually. It was reported that young land owners also pay the tractor driver an extra Rs.10-15 per day during the peak working season as pocket money for cigarettes and going to the movies.

Characteristics of the employers

Zamindars in the agriculture sector in Sindh and Balochistan vary from small to large landowners. While 54 percent of the owners in Pakistan own five acres or less, 39 percent own between six and 25 acres and only 7.5 percent own more than 25 acres of land. Their socio-economic status varies, depending on how much land and other assets they own as well as their social and tribal affiliations and farming system. While some of the smaller *zamindars* are similar to *haris*, others stand quite apart in terms of their socio-economic profile. While some are indeed fair and do not exploit their tenants, others are clearly exploitative and unfair. Small and middle-level *zamindars* tend to treat their *haris* well and help them in social emergencies.

As explained earlier, many of the large *zamindars* operating in Sindh acquired their land from the colonial British; this system of private ownership of agriculture land was continued after Independence. In selected areas of Balochistan and Sindh, the nexus between religious and spiritual leadership, tribal affiliation and land-ownership has placed the large landlords in powerful positions. These same large landowners have been the first to get licenses and financing to establish the major industries in Pakistan. Some of the *zamindars* have also acquired political power by standing in elections. The skewed pattern of landownership is such that 7.5 percent of owners own 46 percent of the farm area in Pakistan.²⁸ They are able to use their powerful positions to block any attempts at land reform or at enforcement of the tenancy act that would accord *haris* their due rights.

Chapter Five: MODES OF ENTRY OF WORKERS INTO THE SECTOR

More than 80 percent of the rural population is thought to depend upon agriculture and its allied businesses and the sector shows relative ease of entry and exit. The most common mode of entry is for a worker to inherit his father's occupation, essentially continuing the family tradition of tenant farming. In both Sindh and Balochistan, *maurusi haris* can legally claim the right to till land previously farmed by their ancestors. Agriculture is also looked upon as a sector of last resort and many workers unable to find employment elsewhere join the sector. Households in Thar, who depend essentially on livestock and the extensive rain-fed grazing lands, are also compelled to come out in search of jobs in agriculture during drought years.

Entry into the sector simply requires a verbal arrangement between the landlord and the tenant or worker. The expansion of labour-intensive crops like sugar cane and vegetables has increased demand for labour. *Pure haris* have generally entered the agriculture sector with the increased cultivation of sugar cane crop in some of the districts of Sindh. Prolonged drought in rain-fed areas like Tharparkar and the lower areas of Dadu District has also compelled the population of those areas to migrate in search of work to the irrigated areas of the province. Casual labour hired for sugar cane harvesting eventually begins to work on a more regular basis.

Haris who are indebted to the *zamindar* are also often sold on to other *zamindars*, with or without their consent, if the landowner needs money or wants to get rid of his *haris* for some reason. In some cases,

²⁸ Poverty in Pakistan in the 1990s: An interim Assessment Summary of the Report. World Bank. January 2002.

indebted *haris* themselves contact potential buyers and arrange their own sale. *Haris* generally agree to their sale blindly, without bothering to get information on the character of the potential buyer, the conditions of his lands or his farming practices. They secure an advance from the buyer, in addition to the amount that they owe to the *zamindar*. Thus, their indebtedness multiplies. Once they are sold, they cannot be free until they repay the debt or again arrange their sale to another *zamindar*. This cycle can continue interminably. The sale price is fixed for the entire household of the *hari* and is equivalent to the outstanding debt. No premium is charged over and above this amount.

Labour contractors who arrange for labour for landlords have also developed as a recognized intermediary institution in the agricultural sector in Sindh. The labour contractor, or *jamedar*, fills the landlord's seasonal requirements for labour for such crops as sugar cane. The *jamedar* charges the landlord a finder's fee per labourer, usually in advance. Some agents also charge landowners a specific share of the crop, for example, a share of the cotton picked would be paid to the labour contractor. In some arrangements, part of the labour payment is paid upfront as a cash advance and the rest is paid later, either in cash or as a share of the crop. In order to ensure the supply of labour at critical times in the agriculture cycle, landlords extend advances to the *jamedar* as well as directly to the labourers, thereby binding both.

It is common for tenants to transfer their services from one landlord to another. In lower Sindh, when a landlord needs tenants, he has to pay an advance of between Rs. 5,000 to Rs 10,000 per family. This money is used to clear any previous debts the tenant family may have incurred with the previous landlord. In upper Sindh, landlords tend not to give large advances to tenants while employing them and are less responsible for provision of subsistence needs. The difference in the amount of loans in upper and lower Sindh is due to the fact that upper Sindh consists mostly of settled *haris* who are better established and better off than those in lower Sindh. Consequently, tenants tend to maintain business relations with shopkeepers in nearby towns or with traders of crops. Hence, movement of tenants from one landlord to another may be relatively easy and more frequent. Although a landowner can change a tenant at any time, tenants are typically permanent with a particular landlord and are regarded more or less as family members. There are tenants as well who work on a less permanent or short-term tenancy basis and move from farm to farm.

Another trend is the gradual transformation of the sharecropping contract into basically a labour arrangement. Although the dominant modality is still the traditional 50-50 distribution, in lower Sindh in particular, the so-called *chothiari* contract (25 percent of the yield), which is highly exploitative of the *haris*, seems to have become increasingly favoured by landlords who are taking a more active interest in agricultural production. This transformation may signal a shift to wage-labour, essentially a strategy on the part of landlords to get rid of their sharecroppers. In Balochistan, the influx of Afghan refugees over the last 20 years has provided a source of cheap agriculture labour that has pushed down wage rates

Chapter Six: TERMS AND CONDITIONS OF EMPLOYMENT

Social and economic context

Social and cultural factors play an important part in defining the land and labour arrangements in the agriculture sector in Sindh. The traditional headmen (or *wadera*), or the religious leader (or *pir*), and the *zamindar* dominate major aspects of political, social and economic life in the village.²⁹ The nature of the relationship between the headmen and *haris* is much influenced by individual personality traits and whether the social milieu condones exploitation due to wide differences in asset ownership, income differentials and literacy levels. Limited employment opportunities outside the agriculture sector and widespread unemployment do not improve the relationship. For example, the continuing drought in Sindh and Balochistan in recent years has adversely affected agricultural productivity and *hari* families have limited

²⁹ Often the *Wadera* and the *Zamindar* are the same person.

capacity to cope with their vulnerability. As a result, the *zamindar* often provides consumption and production loans to *hari* households and expects additional labour services to be provided in return. Many tenants also receive loans or credit from shop-keepers on the guarantee of the landlord. The inability of the *hari* to finance production costs and the need to borrow money even to provide food and other basic needs, leads to chronic indebtedness. Such transactions lock the *hari* and *zamindar* in a long-term contractual relationship.

Nomadic *haris* from minority groups tend to be dependent on the *zamindar* for loans for both production and consumption. Settled *haris* do not normally incur such debts. However, almost all *hari* families interviewed during the field survey in the camps in Hyderabad who had fled bondage indicated that they owed money to the *zamindar*, debts carried over for many years. Although *hari* families work on a half-share tenancy basis, they rarely receive half-shares from the production due to the deduction of input costs and debts. Not a single *hari* interviewed in the camps in Hyderabad felt that he got his/her fair share of the agriculture produce. A crucial aspect of the bonded labour story is that it highlights the use of apparently legitimate and voluntary economic transactions as the means of extracting forced labour.³⁰ In some cases the landlord is able to recover the entire harvest as repayment of the *hari's* share of the input costs, or as repayment of earlier loans. These *haris* receive further loans of grain to sustain themselves, compounding the debt as part of the cycle of debt bondage.

However, different types of sharecropping arrangements result in quite diverse levels of poverty and bondage. The Sindh Tenancy Act 1950 and the Balochistan Tenancy Ordinance 1978 classify *haris* or *buzgar* according to the duration of their contracts. Permanent *haris*, called *maurusi haris* in both Sindh and Balochistan, are classified as those who farmed on at least four acres of land under the same landlord for a continuous period of three years. Their tenancy cannot be revoked if they pay their rent regularly. For this reason, it is common to rotate temporary *haris* from one farm to another in different seasons to prevent them from making any claims to the land they cultivate. *Lathbund buzgar* work on marginal lands in Balochistan and can claim a share of the marginal lands that they bring under cultivation, even if they do not own this land. Seasonal *haris* are employed for one season only and cannot be evicted for that season. They are referred to as *tabemarzi buzgar* in Balochistan, meaning “under the will”, due to the uncertain nature of their tenure status. Wage-labourers are casual labours for the season and have no legal protection. *Maurusi haris* predominate, although they are not registered and there are no figures to indicate their numbers. So, in spite of the tenancy acts, permanent *haris* have no recourse to insist upon their own registration and their rights.

Types of tenure

Four main arrangements exist in the agriculture sector in Sindh and Balochistan: self-cultivation, lease/rental, sharecropping and contract wage labour. Sharecropping is the most common arrangement, followed by contract wage labour and the fixed lease/rental.

There are three types of sharecropping systems prevalent in Sindh, namely the 50:50 basis, the 75:25 basis and the one-eighth basis. The dominant system, sharecropping on a 50:50 basis, whereby the tenant and the landlord share the output equally, is a traditional practice, which has changed little over the years. With the arrival of new technology, certain changes have occurred in the input-supply conditions, either formally via land tenancy reforms or by consensus between landlords and tenants. The specific arrangements are given in Table 2 with respect to input and output shares of each party.

Sharecropping on a 75:25 percent basis means that crop production is shared between landlord and tenant on 75:25 basis respectively. This arrangement is better known in Sindh as the *chauthra* (literally, one-fourth) system. The normative explanation of *chauthra* is that, in this form of tenancy, the *hari* does

³⁰ Gazdar et al. page 36.

not provide draught power. In the traditional half-share tenancy, the *hari* is presumed to own a pair of bullocks (*joro*) for draught power. In fact the *joro* is the common term used to refer to a unit of production under *harap*. The quarter-share system was supposed to accommodate *haris* who did not own bullocks or draught animals, entitling them to one-quarter of the produce and the landlord to three quarters. The landlord's bullocks would be used for ploughing and land preparation, with the *hari* providing the labour. The responsibilities of the sharecroppers under *chauthra* are the same as those described earlier for the 50:50 sharecroppers. The landlord bears 75 percent of cash production expenses and provides oxen or a tractor for ploughing, while the tenant provides all the labour requirements and only 25 percent of the share of inputs. The quarter system is not common in Sanghar or Khairpur districts but has become the norm in certain other parts of Sindh, notably the rice-growing regions of Thatta. However, *chauthra* is still found to a limited extent in lower Sindh (Badin, Tharparkar, Mirpurkhas, Sanghar, Hyderabad and the southern part of Nawabshah districts). This system is, however, reportedly being replaced by self-cultivation with the *zamindar* relying on casual labour, tractors and other agricultural machinery.

Table 2: The responsibility of the landlord and tenant under various tenancy contracts

Activities	50: 50 contract responsibilities (%)		75:25 contract responsibilities (%)	
	Landlord	Hari	Landlord	Hari
Land	100		100	
Water	100		100	
Land preparation		100		
Application of water to field crops		100. Some times the <i>hari</i> applies irrigation water to orchards free of cost.		100
Application of water to orchards (belonging to landlord)	100			
Fertilizer	50	50	75	25
Application of fertilizer		100		100
Farmyard manure (FYM)	100		100	
Transportation of FYM		100		100
Application of FYM		100		100
Seed	100 for wheat and cotton. For sugarcane 50.	For sugarcane 50.	75	25
Sowing		100		100
Watering		100		100
Hoeing		100		100
Pesticides	50	50	75	25
Application of pesticide		100		100
Water charges	100		100	
Land revenue	100		100	
Harvesting of crop		100. Some times in case of sugarcane 50% cost is borne by landlord.	75	25
Threshing of crop	50	50	75	25
Transportation for marketing	50	100 Loading. Sometimes the <i>hari</i> pays 50% of transportation of sugarcane to mill.	75	25
Output sharing	50	50	75	25

Source: Field survey by research team

Under half-share tenancy, gross output is ostensibly shared equally between the two parties at harvest time. Contracts can be for one season, but the usual convention for the minimal contract period is for one year, that is, two crop cycles. Sharecroppers are not greatly involved in crop marketing or the purchase of farm inputs; usually left to the *zamindar* or his overseer. Cotton is always marketed by the *zamindar*. The *zamindar* may or may not tell the *hari* what price the crop fetches. The price structure and interest rate are set by the *zamindar* and the calculations are done in his books. Most of a sharecropper's wheat share is retained for home consumption and, while wheat is sometimes sold by *haris*, most do not have much marketable surplus.

In some areas of Balochistan, the *sardari* system once prevailed whereby a one-sixth share, or *shishak*, would go to the *sardar*, or tribal leader, in recognition of his ownership and patronage. If the tenant was in a stronger position, this share could be reduced to one-seventh or one-eighth. A movement in Balochistan to abolish this share was opposed by a strong political-feudal lobby rendering the ordinance to abolish *shishak* ineffective. In many places the *sardar* has voluntarily waived the *shishak* and it is no longer common in most parts of Balochistan. The *shishak* system was abolished in Dera Bugti due to the additional revenues generated from Sui gas production. In other areas it was abolished either due to pressure from tenants or on a voluntary basis by the leader. In parts of Balochistan irrigated by the *karez* system of underground canals, the tenants, responsible for digging the *karez*, have a much higher share in the produce. In these areas, tenants receive two-thirds of the share, the unwritten implication being that if the tenant has a two-thirds share in the crop, he would have the same share in the land.

Leasing of land for cultivation in return for payment of a cash rent also exists. In Sindh, the fixed lease/rental is known as *maqata*. Almost 15 percent of the total land-labour contracts in Sindh are land-lease contracts. The rest are owner-cultivated, owner-cum-tenant-cultivated and cultivated only by tenant. A landlord who cannot cultivate his own land may lease the land. The period, rent and other conditions of the lease differ. For such a contract, an informal lease agreement takes place between landlord and lessee. The rental value of the land is very closely associated with the availability of good irrigation water. The minimum period of lease is one year and it is common to have leases of three to five years. Major lease conditions in Sindh specify that tenants cannot be removed by the owner. If the new contractor brings his own tenants or workers, he is allowed to take away his tenants or workers at the end of the lease.

If land is leased out for more than two years, the lessee applies farmyard manure to the land to keep its fertility intact. The lessee is obliged to take care of the trees along the watercourse and periphery. He is authorized to prune the trees and use the sticks as fuel wood. The lessee is not obligated to plant any particular crop, nor is he authorized to use this water on any other land or to sell the water share of the landlord. If leased land includes a tube well in working order, then the lessee is liable to return the land with the tube well in good condition.

Systems of crop-leasing

The most common crops leased are vegetable crops such as tomato, onion, chillies, radish, etc., while other crops like sugar cane, melons, maize and potato, are also leased. Under such a contract, the crop is normally grown by the landlord/tenant but at the time of maturity, the crop is sold/leased out. Normally, the landlord imposes the condition that he should receive advance payment and that the crop should be harvested at a specific time. However, if the tenant is a lessee, he can pay the amount after the sale of the produce.

Orchards of mango, citrus, guava, banana, *falsa*, apples, cherries and dates are commonly grown in Sindh and Balochistan. The mango, citrus, apple and guava orchards are generally leased out for one season. The leasing agreement is done at the time of fruit setting and the payment is generally made in three instalments: the first instalment is paid at the time of agreement; the second is made at the time of the harvest, and the final payment is due before the harvest is completed. Other terms and conditions included

in orchard-leasing stipulate that the landlord is responsible for providing irrigation to the orchard. Treating with pesticides and other management of orchard is the responsibility of the lessee. Rents are paid on a per hectare basis, which vary with the condition and location of the orchards. A written agreement is made in this regard. In almost all orchards, lease agreements provide that the landlord may retain a certain amount of fruit for home consumption and distribution among relatives and friends.

The hari-zamindar relationship

While the *hari-zamindar* relationship is generally characterized as a business relationship, it has many features that are most un-businesslike and are greatly influenced by the social relationships and affiliations that pervade rural life in Sindh and Balochistan. In this context, the distinction between the *hari-zamindar* relationship in settled areas and one with the nomadic *hari* is clear. The *hari* in the settled area often enjoys close social links with the *zamindars* and they are often from the same clan, or *baraderi*. Settlements in rural Sindh are scattered into small villages, and each village has its own tradition and culture. The villages are comprised of *paras* and several households from the same caste live in the same *para*. Social relations are based on caste, tribe and language. While the rural society is heterogeneous in terms of ethnicity, tribes and caste, it is fairly closely knit. In Balochistan, the tribal nature of society guides social and economic interaction in districts where the tribal identity predominates. The *hari-zamindar* relationship is conducted within certain prescribed norms. However, close social interaction of this nature is generally absent from the relationship between the nomadic *hari* and the *zamindar* as they generally have no social links to bind them. Most nomadic *haris* are non-Muslims, belonging to low Hindu castes, from the Thar Desert. Their communities often live on the edge of villages and do not enjoy close interaction with the settled villagers.

The entire *hari* family is implicated in the contractual arrangement made between the *hari* and the *zamindar*. Under the Tenancy Act, neither the *hari* nor his family is required to provide free labour to the *zamindar*. However, as neither tasks nor working hours are strictly specified, determining what constitutes free labour and what does not is difficult. Field interviews revealed that the relationship is considerably *ad hoc*, subject to the individual whims and fancies of the landlord. The *hari's* women and children, especially those belonging to lower Hindu castes, are, in fact, expected to work in the field, tend livestock, collect firewood and undertake household chores when required.

Arrangements for labour and tenancy work are verbal, with little or no written record of understandings or transactions. Field investigations revealed that what record-keeping does exist (i.e., record of inputs supplied to the tenant, crop produce and the share of tenants) is maintained for the *zamindar* by his *kamdar* or *munshi*; tenants, mostly illiterate, maintain no records. The *hari* has no recourse to any enforcement mechanism. In a contract system where one party is illiterate, the second often absent and a third keeps records that are often incomplete and inaccurate, disputes and disagreements may be expected. Indeed, interviews with tenants revealed that many *haris* contest their accounts with *zamindars*.

At the end of the harvest season, all accounts are notionally settled, with the *hari's* share of the inputs deducted from his share of the crop. Often, the *hari's* share is not sufficient to clear his loan and debt is carried forward, keeping the *hari* in perpetual indebtedness to the *zamindar*. In addition to agricultural inputs, the *hari* also must often pay back loans for food and medical expenses. However, no records of this nature were seen during the field survey. It was also observed that, regardless of the type of tenant, whether a *maurusi hari*, *pure hari*, *lathbund buzgar*, *tabemarzi buzgar* or a daily wage labourer, there is no difference in the manner in which the records were maintained. However, in case of lease agreements, terms and conditions are generally specified in writing.

The landlord is obliged to provide a piece of land for the tenant's house. If the *hari* is "inherited", land is sometimes made available for the tenant to cultivate fodder for livestock. However, this "benefit" depends very much on the individual landlord; the Tenancy Act has no stipulation. Although the Bonded

Labour Act specifically prohibits the provision of advances, or *peshgis*, landlords commonly provide credit for the tenant, not only for production purposes but also for consumption purposes and household emergencies. In most cases, this credit is interest-free. Another, and perhaps surprising, characteristic of the landlord-*hari* relationship, at least in areas where social ties are close, is that a landlord may feel personally responsible and insulted if the police arrest one of his tenants and will use his influence to get the tenant free whatever the cost - albeit with the understanding that any cost incurred is yet another loan to be passed on to the tenant. However, the research team came across tenants who claimed that they had been wrongfully implicated in a crime committed by the landlord or a member of his family.

Chapter Seven: EVIDENCE OF DEBT BONDAGE AND OTHER FORMS OF FORCED LABOUR

Official and political circles have been reluctant to accept the fact that bonded labour exists in the agriculture sector in Sindh and Balochistan. This reluctance stems from several factors. First, the bonded relationship tends to be generally perceived as a contractual business relationship. Second, the tenant-landlord relationship is extremely varied: not all tenants serve under conditions of bondage and even the definition of bondage itself is coloured by the spectrum of arrangements in the agriculture sector. Third, the strong feudal lobby and the political-feudal nexus have prevented the issue from gaining prominence. Fourth, official mechanisms put in place by the government to detect cases of bondage are generally not very successful due to the intricately bound economic, social and tribal relationships in the agriculture sector. As such, the government, particularly in Sindh, has declared that reports show no evidence of bonded labour. The director of the Human Rights Department in Sindh indicated that they have received only two complaints of bondage since the body's establishment in 1995.³¹ However, they admit that such cases do not generally come to the surface. Statements made by the Governor of Sindh in national newspapers, that there is no bonded labour in Sindh, are based on this lack of evidence within official circles³².

More recently, officials have begun to show gradual acceptance that bonded labour does exist in Sindh.³³ However, the cases of bonded labour presented to the High Court have been filed under *habeas corpus* not the Bonded Labour Act. According to the Labour Department of Sindh, part of the problem is that the Act and the Industrial Relations Ordinance of 1969 do not consider the *zamindar* an employer because land is generally held under joint ownership with other family members.

The Human Rights Commission of Pakistan (HRCP) provides the most concrete evidence of bondage in the agriculture sector in Sindh. The Commission has established camps in the outskirts of Hyderabad to provide shelter to families escaping bondage. These camps are inhabited by a large number of families principally from the districts of Mirpurkhas (including Umerkot), Sanghar, Badin and Hyderabad, and, to a lesser degree, from Thatta, Khairpur and Nawabshah. On average, the records of the HRCP indicate that they have assisted close to 2000 families in securing release from bondage on an annual basis.

Field interviews conducted as part of this survey indicate a spectrum of bondage in the agriculture sector. While the large majority of tenants have taken credit and can move only after the credit is returned, not all cases of debt strictly constitute bondage as the tenants can technically move after paying their debts. But due to inadequate record-keeping and the manner in which debts are repaid (through notional computation of the value of the produce which is then deducted from the amounts owed), there is always disagreement about the amount of money owed to the landlord. Many *hari* households feel that they are trapped in bondage due to inaccurate accounting designed to keep them in perpetual debt.

³¹ Mr. Mazhar Hussain. Regional Director and Nazir ul Islam, Deputy Director, Human Rights, Government of Sindh.

³² Governor of Sindh. The News (December 8, 2000) and the The Dawn (February 19, 2001).

³³ Mr Mushtaque Ahmed Samoo, Labour Department, Government of Sindh.

An assessment based on detailed interviews with key resource persons indicates the significance of bonded labour in the province of Sindh by district (Table 3). Most of the *haris* in Sindh are settled in villages and hamlets and have inherited their tenancy relationships. They own pieces of land along with their homesteads and are not dependent on the landlord for housing. Consequently, they are less likely to get embroiled in a bonded relationship. *Haris* most prone to bondage have migrated from Tharparkar, do not own their housing and are entirely dependent on the landlord for daily consumption requirements and for meeting emergencies. Four of the 16 districts of Sindh are likely to have medium to high levels of bondage whereas the remaining districts in Sindh have either no bondage or very little. The districts with higher levels of bonded labour are those adjoining Tharparkar.

Table 3: Field assessment of socio-economic conditions of *haris* in Sindh

District	Cropping pattern	Type of <i>hari</i>	Presence of <i>hari</i> (%)	Place of living	House made of	Children go to school	Keep animals	Take production loan	Take consumption loan	Do <i>begar</i> or <i>seri</i> ³⁴	Movement (free/restricted)	Under landlord's general threat
Dadu	Almost 50% is desert, rice-wheat, cotton	Settled	90	Village & farm	Mud in both cases	70%	80%	99%	10%	10%	90% Free	10%
		Migrated	10	Farm	Mud or bushes	10%	10%	100%	40%	10%	80% Free 20% Restricted	10%
Larkana	Rice-wheat	Settled	90	Village & farm	Mud in both cases	75%	85%	99%	10%	10%	80% Free	15%
		Migrated	10	Farm	Mud or Bushes	10%	10%	100%	20%	10%	80% Free 20% Restricted	10%
Shikarpur	Rice-wheat	Settled	90	Village & farm	Mud in both cases	70%	80%	99%	10%	10%	90% Free 10% Restricted	10%
		Migrated	10	Farm	Mud or bushes	10%	10%	100%	10%	10%	80% Free 20% Restricted	10%
Jaccobabad	Rice - wheat	Settled	90	Village & farm	Mud in both cases	70%	80%	99%	10%	10%	90% Free 10 % Restricted	10%
		Migrated	10	Farm	Mud or bushes	10%	10%	100%	40%	10%	80% Free 20% Restricted	10%
Ghotki	Cotton-wheat	Settled	70 Local 35 From Punjab	Village & farm	Mud in both cases	70%	80%	99%	10%	10%	90% Free 10% Restricted	20%
		Migrated	5	Farm	Mud or bushes	10%	10%	100%	40%	10%	80% Free 20% Restricted	20%

³⁴ *Seri* is a kind of *begar* work, which large landowners take from *haris* without any reward or payment. A large landowner asks a *hari* to cultivate a piece of land which may be as large as 12 acres only for him. The *hari* is not paid for this labor. Similarly, the *kamdar* may ask *haris* to cultivate 3-4 acres for him. No sharing of output is made. Other *begar* work includes personal chores

District	Cropping pattern	Type of hari	Presence of hari (%)	Place of living	House made of	Children go to school	Keep animals	Take production loan	Take consumption loan	Do begar or seri ³⁴	Movement (free/restricted)	Under landlord's general threat
Sukkur	Wheat-cotton-date & mango orchards	Settled	70 Local 20 From Punjab	Village & farm	Mud in both cases	70%	80%	99%	10%	10%	90% Free 10% Restricted	10%
		Migrated	10 regular daily wage earner	Farm	Temporary bushes	No	No	No	10%	10%	80% Contracted	No
Khairpur	Wheat-cotton-mango & banana orchards	Settled	70 local 20 from Punjab	Village & farm	Mud in both cases	70%	80%	99%	10%	10%	90% Free 10% Restricted	10%
		Migrated	10	Farm	Temporary bushes	No	No	No	40%	No	90% Free 10% Restricted	No
Noushro Feroze	Wheat-cotton-S.cane & orchards	Settled	75	Village & farm	Mud in both cases	70%	80%	99%	10%	10%	80% Free 20% Restricted	10%
		Migrated	25	Farm	Mud or bushes	10%	10%	100%	30%	10%	80% Free 20% Restricted	10%
Nawab Shah	Wheat-cotton-s.cane	Settled	40 local 25 from Punjab & other	Village & farm	Mud in both cases	70%	80%	99%	10%	30%	90% Free	10%
		Migrated	35 from Thar	Farm	Temporary & bushes	5%	10%	100%	80%	30% Large landowner	20 % Free 80% Restricted	70%
Sangar	Wheat-cotton & s.cane	Settled	40 local 30 from Punjab & other	Village & farm	Mud in both cases	70%	80%	99%	90%	20%	90% Free	80%

District	Cropping pattern	Type of hari	Presence of hari (%)	Place of living	House made of	Children go to school	Keep animals	Take production loan	Take consumption loan	Do begar or seri ³⁴	Movement (free/restricted)	Under landlord's general threat
		Migrated	30	Farm	Temporary or bushes	5%	10%	100%	95%	30% large landowners	20% free 80% Restricted	70%
Umarkot	Wheat-cotton-s.cane	Settled	30 Local	Village & farm	Mud & bushes	30%	80%	99%	40%	30%	10% Free 90% Restricted	80%
		Migrated	70	Farm	Temporary or bushes	No %	20%	100%	95%	30%	10% Free 90 % Restricted	80%
Mirpur Khas	Wheat-cotton-s.cane-vege.	Settled	30 Local	Village & Farm	Mud in both cases	50%	70%	99%	30%	30%	10% Free 90% Restricted	60%
		Migrated	70	Farm	Temporary or bushes	No %	10%	100%	98%	25%	10% Free 90% Restricted	70%
Badine	S.cane-wheat-cotton	Settled	30 Local	Village & farm	Mud, bushes	50%	80%	99%	30%	30%	70% Free 30% Restricted	20%
		Migratory	70	Farm	Temporary or Bushes	5%	10%	100%	98%	20%	20% Free 80% Restricted	50%
Thatta	S.Cane-cotton-rice	Settled	75 Local	Village & farm	Mud in both cases	60%	80%	99%	20%	10%	70% Free 30 % Restricted	10%
		Migratory	25	Farm	Temporary or bushes	5%	10%	100%	90%	20%	30% Free 70% Restricted	40%
Hyderabad	S.Cane-wheat-cotton-veg.	Settled	70 Local 10 from Punjab	Village & farm	Mud and bushes	60%	80%	80%	10%	10%	80% Free 20% Restricted	10%
		Migratory	20	Farm or govt. land	Temporary or vushes	5%	10%	100%	90%	40%	10% Free 90% Restricted	50%

Key resource persons³⁵ say that bonded labour does not exist in Balochistan in the same sense as in Sindh, due to the pattern of social organization in the province and the lack of irrigation water. In most of the districts, orchards, planted and grown directly under supervision of the landlords and sold to the contractors on a contract basis, are the major agricultural activity. The contractors hire labour on daily or monthly wages. These daily wage labourers do not take loans from the contractors as these contractors typically are not from the local area and the interaction between the labourer and the contractor is not a long-term one. In districts where vegetables are planted, *buzgars*, or temporary tenants, do the work. Many *buzgars* are Afghan refugees who prefer to work for one to two years on a farm. They are well-established, take no consumption loans, thus, staying out of contractual arrangements likely to bind them. However, the *sardari* system prevailing in some parts of Balochistan creates its own pattern of bondedness in that no occupational choices exist apart from agriculture. Bondage can be found in the canal-irrigated districts, where traditional field crops are sown. As in Sindh, the *haris* in these areas take both production and consumption loans from moneylenders at interest rates of 2% to 5% monthly.

Only five of the 26 districts of Balochistan (Nasirabad, Jaffarabad, Jhal Magsi, Dera Bughti and Kech) are believed to have any bondage. The British made arrangements for land settlement in the canal-irrigated Nasirabad and as such, this area is somewhat prone to the type of bonded labour situation that exists in parts of Sindh. The landlords in Jhal Magsi feel strongly that bondage cannot exist in a tribal society because of the prevailing tribal norms of patronage and protection. However, the social bondage within a tribal society often approximates conditions similar to debt bondage. The term “social bondage” is used here to characterize the social obligation of unconditional respect and allegiance households feel they owe the *sardar*. An assessment of the significance of bondage in Balochistan reveals the following results (Table 4):

Table 4: Existence of bonded labour in Balochistan

Divisions & districts	Existence of bonded labour	Farming System
Quetta Division		
1. Quetta	0	Irrigation water limited. Orchards & some vegetables are grown on tubewell water.
2. Pishin	0	Very little area is irrigated by canal. Rest is through tubewells. No major crops are grown.
3. Killa Abdullah	0	Mostly dry area. Only stream water is available. No major agricultural crops are grown.
4. Chagai	0	No irrigation water available.
Zhob Division		
5. Loralai	0	Orchards are grown on small streams water.
6. Musa Khel	0	Dry area. No major agricultural crops.
7. Barkhan	0	Dry area. No major agricultural crops.
8. Killa Saifullah	0	Streams provide a little water. Mainly vegetables are grown.
9. Zhob	0	Dry area. No major agricultural crops.

³⁵ Tahir M. Khan. Human Rights Commission of Pakistan. Quetta. November, 2002.

Sibi Division		
10. Sibi	0	Canal irrigation water is available. Mostly self cultivation is practiced. Vegetables and melon are grown on contract or self.
11. Ziarat	0	Mainly forests. No irrigation system. Only a little area under orchards.
12. Kohlu	0	Hilly area. No irrigation system. Karez or spring water is available.
13. Dera bugti	0 to Low	In two Tehsils irrigation water is through small dams and annual streams. Main crops include: cotton, wheat, and fodder. Some area is totally under rainfed conditions where wheat or bajra is grown. Third Tehsil "Sui" is desert type and no major agricultural activities are carried out.
Nasirabad Division		
14. Jafarabad	0 to Low	Area is canal irrigated and green. Rice and wheat are major crops.
15. Nasirabad	0 to Low	Area is canal irrigated and green. Rice and wheat are major crops.
16. Jhal Magsi	0 to Low	Area is canal irrigated. Rice and wheat are major crops. Some area is totally under rainfed conditions and wheat and millets (Bajara & Sorghum) is grown.
17. Bolan	0	Area is irrigated by streams. Mainly vegetables/melons are grown on contract basis.
Kalat Division		
18. Kalat	0	Mainly orchards/vegetables on tubewell water.
19. Mastung	0	Mostly dry area. No irrigation water is available.
20. Khuzdar	0	Small scale agriculture on stream water
21. Awaran	0	
22. Kharan	0	Dry area. No irrigation water. No major agricultural activities.
23. Lasbela	0	Costal area. Seasonal flood irrigation water available. No major agricultural activities.
Mekran Division		
24. Kech	0 to Low	On a small area rice and wheat is grown.
25. Gawadar	0	Dry area.
26. Panjgur	0	Stream water is available. No major agricultural activities.

Chapter Eight: FACTORS THAT GIVE RISE TO THE EMERGENCE OF A BONDED LABOUR RELATIONSHIP

Indebtedness is a major factor in explaining the emergence of a bonded labour relationship even though it is not the only factor responsible for it. The large majority of *haris* are

bonded by debt, but the intensity of bondage varies with the size of the loan advanced by the landlord, usually ranging Rs 20,000 to more than Rs 100,000. The common pattern is that this initial debt grows because the cash equivalent of the crop-share received by the *hari* is insufficient to maintain a family, made worse by inaccurate accounting.

A survey³⁶ of the five districts in Sindh where bondage is thought to be high indicates that all *hari* households in the districts of Mirpurkhas and Umerkot and 75 percent of the *hari* households in Badin were indebted to the *zamindar* for agricultural loans. The *zamindar* (24 percent) and shopkeepers (29 percent) were also the main source of credit for food items, medical expenses and social ceremonies. The same study asked *haris* if they could discontinue work with the *zamindar* without paying back their loans. About 64 percent of the households reported that they could not. The study concluded that the conditions for the development and persistence of bonded labour existed in all five districts. Closer examination of the data shows a significant difference in district-wise responses. In Badin, 100 percent of the households felt they could not leave the employment of the *zamindar* without repaying their loan, whereas in Mirpurkhas and Umerkot, 76 percent and 79 percent respectively, felt they could not. In Dadu and Thatta, the restrictions were less severe.

Under the gradually changing land-labour ratio, the amount of land allotted to most *hari* families has fallen from eight acres (the operational base for a pair of bullocks) to four to six acres. Given the overall low productivity, such a holding is no longer economically viable for the sharecropper; consequently, he has no option but to incur further debt resulting in more intense forms of bondage. The study cited above found that in 69 percent of the villages investigated, households of *haris* can exist for three-four months on their harvest share. In 19 percent of the villages, sharecroppers are able to provide for themselves only for one-two months, while in the remaining 12 percent, *hari* families manage to feed themselves for five to six months. In the slack season, the sharecropper gets sustenance for his family/household in kind, i.e., a modest share of food grain. The average annual expenditure of the *hari* on daily needs and social consumption is actually more than his yearly income from the land that he cultivates.

Factors that increase the tenant's burden of costs include the mechanization of agriculture, the introduction of new varieties of seed requiring more water, pesticides and fertilizer, the withdrawal of subsidies on farm inputs, and poor quality control of seed, pesticides, fertilizer.³⁷ The *zamindar* is better able than the *hari* to bear these costs but even shifts the burden of some of them to the *haris*. Thus, the growing debt of tenant households is simply an indication that their current incomes are insufficient to meet consumption and emergency needs.

During the early 1970s, the farm economy began to change in lower Sindh, particularly in Mirpurkhas Division, consisting of the districts of Mirpurkhas, Sanghar, Umerkot and Tharparkar. *Zamindars* began to use tractors and other inputs such as fertilizer and pesticides. They started cultivating cash crops, such as cotton, sugar cane and such vegetables as onion and chillies, all requiring sustained cheap labour for high production. The *zamindars*, well aware that *haris* are largely illiterate, belong to socially vulnerable minorities, and have large families, needed only a strategy to ensure themselves a regular supply of this cheap and vulnerable labour.

³⁶ This survey was conducted as part of the preparatory work by the ADB for the Sindh Rural Development Project. Reported in a Pro-Poor Development Project in Rural Pakistan: An Academic Analysis and a Non-Intervention Journal of Agrarian Change, July 2002, Kristoffel Lieten and Jan Breman³

³⁷ Hari Issues: Additional Preparatory Work on the Sindh Rural Development Project. July, 2002. Asian Development Bank. Halcrow Pakistan Limited.

Due to severe drought, many families belonging to Tharparkar District have migrated to irrigated areas, lured by *zamindars* to engage in sharecropping through the provision of large credits. The landlord also links up the *hari* with a shopkeeper for daily provisions and essential items on credit. The shopkeeper usually charges 5-10 percent interest per month on such credits. Typically, at the end of the season, the *hari's* share in the agricultural produce is less than the credit accumulated. In this way, the tradition of bonded labor has spread in the irrigated area of Mirpurkhas Division.

Although the structure of the *harap* and *muzair* sharecropping contracts in Sindh and southern Punjab appears similar, the credit dimension of the landlord-tenant contract in Sindh implies that they are, in effect, significantly different economic arrangements.³⁸ Broadly speaking, landlords extend two types of credit to tenants. First, many of the tenants borrow cash or grain from a landlord at the start of their contract. This lump sum amount can be interpreted as the “start-up cost” of a *hari* and does not relate directly to the agricultural process. Second, *haris* receive agricultural inputs on credit from landlords throughout the crop cycle, against the expectation that the amount will be settled at the time of harvest. At the end of the crop cycle, the landlord adds outstanding debts to the tenant’s account. This amount is maintained on the books and must be repaid in full if the *hari* stops working for the landlord. If the *hari* seeks tenure with a different landlord, the new landlord clears the original debt and opens a credit account of his own.

Gazdar et al report that, as a result of the persistent drought, water shortages and crop failures, a *hari's* average credit comes to around Rs 4000 per acre for inputs such as ploughing costs, seed fertilizer and pesticides for just one crop³⁹. The *hari's* share of the cost of running the tube well is also added to the total credit extended by the landlord. Once the *hari's* share has been accounted for, the final crop shares in the Rabi 2000-2001 wheat crop bore little resemblance to the notional 50-50 division of the crop. The average size of the crop per *hari* was 95 *maunds* and the average amount handed over to the landlord was 82 *maunds*. Only around 10 percent of *haris* managed to retain half the crop or more. A large number of *haris* reported that they were left with no grain from the harvest at all. These *haris* immediately re-entered a credit arrangement in which they received a lump sum advance.

The credit extended by landlords to *haris* is supposed to be interest-free. In effect, however, the landlords charge interest on credit by overvaluing inputs and undervaluing outputs. Nearly all landowners, in turn, borrow from trader-money lenders. Thus the *seth* maintains credit transactions with the landowner, and the landowner, in turn maintains credit transactions with *haris*. The landowner is interlocked in the arrangements for the delivery of input supply, credit and crop marketing.

In both Sindh and Balochistan, socio-economic characteristics make some households more prone to bonded labour than others. Residence on the property of the landlord, for example, is a major factor increasing economic and social dependency. *Zamindars* have more control over *haris* who live on their property than on those settled on village land. The former category of *hari* is often not allowed to search for wage labour or any other kind of gainful work outside the property of the *zamindar*. In Balochistan, the *sardari* system, with its manifest form of patronage, does not bind the tenant in the same way as in Sindh, but the system has attributes of social bondage which can potentially limit the choices of the tenant.

³⁸ Ibid. page 34.

³⁹ Gazdar et al, 2002. op. cit.

Bheels and Parkari Kolhis constitute the majority of bonded *haris*. These people frequently migrate from one area to another and lead a nomadic lifestyle. Muslim Katchi Kolhis, Menghwars and non-Muslim Oads are by and large settled people who do not fall into bondage and who constitute less than five percent of the bonded *haris*. Among Muslims, generally Shaikhs, Machis, Khaskelis, Makhnanis and Punjabis are found in bondage. The settled *hari* generally does not become bonded as he has recourse to other sources of income, including remittances, is better rooted and is able to make better use of social and economic opportunities than exist.

During droughts, nomadic pastoralists from Tharparkar are forced to find employment in agriculture in adjoining districts. When drought is prolonged, they are forced into taking advances from their landlords/employers, beginning the cycle of bondage. According to one source, an estimated 10,000 households from Thar are caught in a bonded labour type situation.⁴⁰ It is generally contended that a migrant from Thar will always return to the desert, and if he has not done so, it is only because he is constrained by bondage.

Bondage also appears to be a geographically concentrated phenomenon. The current field survey shows that most bonded *haris* are located in the eastern parts of Mirpurkhas (including Umerkot) and Sanghar Districts. In these districts, land is mainly owned by big landholders with holdings above 1000 acres. In other locations, such as the western part of these districts and in Badin and Hyderabad Districts, non-Muslim *haris* have been settled for a long time in their own houses and villages, and are relatively well-off. Some of them even hold small amounts of land. They have slightly more diverse sources of income.

A major reason for concentration of the bonded *haris* in the above locations is that they have recently migrated from Nagar Parkar in Tharparkar. During the war between Pakistan and India in 1971 and due to recurring famine in Thar desert, they came as labourers and were trapped in bondage through loans from the *zamindars*. In other places, non-Muslim *haris* may be in debt, but are not bonded nor badly treated by their *zamindars*.

Some sources contend that Thar families have been forced into bondage through the practice whereby landlords with substantial livestock holdings send their animals to Thar to graze when it rains. The responsibility for the livestock is given to households from Thar in exchange for the dairy products of the animals in their care. The families are expected to return the same number of animals and, in case of mortality, the household has to compensate the owner. When high rates of livestock mortality occur, the shepherd households have to provide free labour on the owner's lands to compensate him for the losses.

Chapter Nine: KEY ELEMENTS OF THE BONDED LABOUR RELATIONSHIP

The bonded labour relationship in the agriculture sector in Sindh contains all the elements of exploitation that can potentially characterize such a relationship: long-term and heavy indebtedness; dependence on the employer for subsistence needs and services; restrictions on movement; violence or threats of violence; non-payment or excessively low wages; unpaid or obligatory labour of family members.

The inequality of negotiating position is another key element of the tenancy contract. One party is illiterate and has little or no bargaining power, little say in maintaining accounts and

⁴⁰ Sono Kingriani. Thardeep Rural Development Programme. December, 2002.

limited or no recourse to any official or informal enforcement mechanisms. The other party (or his representative) apportions the share of the agriculture production to the *hari* and transacts all business dealings, including the purchase of inputs, sale of produce and maintenance of accounts. The *hari* is often unaware of the net amount he owes the *zamindar* or is owed by him. Often the *hari* is not given his entire share of the produce at the time of the harvest but is gradually given it over the year. The landlord adopts this strategy unilaterally, partly to retain the *hari* and partly to regulate expenditures by the *hari* who is often likely to use his share immediately and then demand an additional loan. This gradual release of his legitimate share of the agricultural produce further weakens the *hari's* position.

The *hari's* entire family is expected to provide labour, including women and children. The field study confirmed the contention that women are the worst sufferers of the bondage system. Women rise early in the morning to finish household chores and then work actively in the field. Compared to women from free households, *hari* women have higher fertility rates, due to lack of access to family planning and health services, and poor health indicators.⁴¹ Children are expected to undertake chores around the farm, (e.g., graze animals, collect water and firewood, etc.). When required, women also undertake work in the *zamindar's* household. The notion that the *zamindars* and their sons sexually abuse the women of tenant families is common. Indeed, most of the families seeking refuge in the camps in Hyderabad indicated that this was a principal reason for their decision to flee bondage. Such abuse is often exacerbated by violence or its threat.

While there is no prohibition on *haris* keeping livestock, most of the *haris* interviewed did not currently own any. Some claimed that while they could keep livestock, they could not sell them without consulting the *zamindar*. However, since most *hari* families are in debt and livestock is essentially a savings mechanism, they had sold their livestock to meet consumption needs before resorting to loans from the *zamindar*.

The impact of bondedness relates to various aspects of life. In addition to the denial of freedom of movement is the denial of the freedom to control the produce of one's labour. The landlord makes decisions on which crops to sow handles the sale of crops, and "settles accounts" with the *hari*. The peasant is usually ignorant about production costs and output prices. The decision on how much he receives as his share is the owner's arbitrary prerogative. Education for *hari* children is generally not an option, either due to the lack of schools or because they have to work on the farm.

According to the Asian Development Bank survey, the freedom enjoyed by *hari* households was quite variable throughout the province. In the areas of Sindh with better infrastructure and greater accessibility, *haris* enjoy a fair degree of autonomy. However, for *haris* in the dry and isolated villages close to the Khirtan Mountain range, the freedom to move is absent. While the *haris* cannot leave to work elsewhere as long as the debt is not repaid, physical oppression is however usually not evident. The ADB team concluded that the most inhumane features of the *hari* system appear to be limited to the canal-irrigation areas to the east of Hyderabad city. This area has most benefited from rural development works and has produced a significant class of wealthy landowners. It is also the area with a sizeable Hindu population. These *haris* are living in conditions of quasi-slavery.

⁴¹ Mushtaque Mirani. Action Aid.

Chapter Ten: EVIDENCE OF EXTREME OR WORST FORMS OF BONDED LABOUR

The extreme forms of bonded labour (i.e., *haris* kept in chains in private jails) once said to be found in Dadu District are now rare. Resource persons who know Sindh well claim that while some private jails do still exist, they are uncommon.⁴² In Balochistan, people interviewed felt that people are punished under the tribal system and not generally subject to imprisonment.

Sufficient evidence points to the existence of private jails in Sindh in the past.⁴³ In a few cases, the district magistrates have had the *hari* families forcibly freed from these jails, but in many more instances the judiciary has been reluctant to take the protective action prescribed by the law. Human Rights Watch/Asia visited one of these detention centres, located on a large estate in Sindh, after the army closed it down in the early 1990s. These detention centres are not like regular jails, but are either enclosed or well-guarded areas from which it is difficult to escape.

Interviews by Human Rights Watch with peasants who had once been detained revealed conditions of severe brutality.⁴⁴ While the jail was in operation, bonded peasants would spend their days working under the supervision of armed guards. In the evening, these peasants were confined to the jail and chained to iron fetters. The women would be raped in the night by the guards and a number of children were born from such assaults. Within the jails people lived in makeshift shacks with no plumbing facilities or furniture. When the jail was raided in 1991, it contained 55 women prisoners and 132 children. The only food provided was some flour and occasionally chilli peppers. The peasants were under constant surveillance, and the right to any privacy was denied. While this particular jail in Tando Allahyar has closed, other such private jails are still in operation. Other teams visiting the Matli camp, which houses close to 7000 escaped *haris*, have heard similar horror stories and have seen men who still had the imprint of the chains used to tie them to poles at night. This survey team also met with many *hari* men who showed evidence of having been chained. However, no men were found who were either currently in jails or had ever been in jails. The publicity that the issue of bonded labour has received in recent years may have led to a reduction in extreme forms of punishment.

Several *zamindars* and *haris* informed the team that bonded *haris* are settled on the landowner's land away from the village. In some cases, the settlement is open and appears to be unguarded, but checks are made on them. In other cases, a small fortress, *kot*, is constructed, which consists of a large wall surrounding the houses of the *haris*. All bonded *haris* reside inside the *kot*, guarded by the *zamindar's* watchmen. In extreme but rare cases, the *haris* are even chained inside their houses. *Haris* are closely watched while they work in the field, sometimes by guards employed for that purpose. In exceptional situations, the *haris* are even chained while working in the field.

A survey of 1002 households who had fled bonded labour indicates that families are routinely separated, with women and children compelled to spend the night in separate areas away from the men. Mobility is restricted to an enclosed or open space and enforced by guards. In addition, the chaining of men and women is also reported, 25% for women compared to 41% for

⁴² Sono Kigriani. Thardeep Rural Development Programme. December, 2002.

⁴³ A Pro-Poor Development Project in Rural Pakistan: An Academic Analysis and a Non-Intervention. Journal of Agrarian Change. July 2002. Kristoffel Lieten and Jan Breman.

⁴⁴ Human Rights Watch/Asia, 1995.

men. A high proportion of women (60%) report having been sexually assaulted.⁴⁵ Hindu households generally suffer more than Christian and Muslim households.

Interviews were held with men and women in the camps and at the office of the Human Rights Commission of Pakistan (HRCP) in Hyderabad. These interviews revealed that the harassment of women is a major problem and that these people who have fled from bondage have suffered greatly at the hands of their landlords, and are robbed of dignity and self-esteem. One woman explained how a First Information Report (FIR) had been registered against her son and that he had been jailed for a crime committed by the landlord's family. Due to the powerful political position of the *zamindars*, the *hari* finds himself under constant threat. *Haris* from non-Muslim communities such as Kohli, Bheel and Meghwar, are particularly vulnerable to coercion by landlords.

Chapter Eleven: PERCEPTIONS AMONGST WORKERS, EMPLOYERS AND THE COMMUNITY AT LARGE

Workers see the bonded relationship in very negative terms. While some accept loans from landlords for both production and consumption, most bonded tenants feel that they have been subjected to unfair treatment. They most resent the low returns to their labour, the inaccurate record-keeping designed to keep them in bondage, the gradual apportionment of their share and the constant physical threat to their women. The people interviewed in the Baba Sallahuddin and other camps in Hyderabad recounted tragic tales. Families met in the HRCP office showed clear evidence of fear and suffering. These families see little chance of escaping their lot as their children receive no schooling.

Zamindars from Sindh met during the current review felt that the relationship between the *hari* and *zamindar* is a contractual one, entailing no exploitation. In fact, many of the landlords felt that the tenants know their rights and can effectively negotiate their due share from the landlord. In fact, they felt that they had to be watchful to protect themselves from routine pilfering by *hari* households. Many *zamindars* see themselves as benefactors and are surprised by the suggestion of exploitation. A few did, however, admit that coercion and maltreatment could exist in some cases. A few of the tribal leaders from Balochistan interviewed were quite adamant that bonded labour in a tribal society is out of the question, as the tribal chief has a benevolent relationship with his tenants who belong to the same tribe and with whom he has social ties and tribal affiliations.

Chapter Twelve: CONCLUSIONS AND RECOMMENDATIONS

Future areas of research

Forced or bonded labour in the agriculture sector in Sindh is not widespread but rather confined to selected districts. In the districts of Mirpurkhas (including Umerkot), Sanghar and Badin, the problem is significant in terms of the numbers and proportion of households and people affected and the seriousness of its impact on their well-being. Cases of bonded labour were reported in Gotki, Nawabshah and Naushero Feroz but the problem does not appear to be significant and it is confined to certain large *zamindars*. An investigation is needed of the

⁴⁵ Mitigation and Abolition of Bonded Labour: Policy, Law and Economy in Pakistan. Pakistan Institute of Labour Education and Research (PILER). October 2001. Page 1.

situation of the nomadic *haris* forced to leave Tharparkar, who are among the most vulnerable and disadvantaged in the *hari-zamindar* relationship.

In Balochistan, bonded labour is confined to the canal-irrigated area of Nasirabad. Any future study should focus here. However, in the context of the tribal social structure in Dera Bughti, Jhal Magsi, etc., it would also be worthwhile to study the dynamics of the patronage relationship between the *sardar* and the *hari* and how this relationship affects agricultural production and decision-making. The manner in which the landlord-tenant relationship has evolved in the state of Kalat, once so closely controlled by the Khan, may also be worth studying.

Suggested action

Conclusions can be drawn as to the type of action needed to address bonded labour in agriculture in Sindh and, to the small extent it exists, in Balochistan. Most of these suggestions have been made before, but their implementation entails such far-reaching consequences for the agriculture sector that they are not easily accepted. The principal problem is rural landlessness, a key poverty issue in Pakistan. A reassessment of land reform and the enforcement of tenancy regulations are prerequisites for improving the tenants' lot. Apart from these far-reaching issues, an immediate measure is improved access to credit. The nature of financial transactions and the functioning of informal credit markets have a major impact on bondage. The solution might not be the outlawing of the *peshgi*, but a recognition that households need credit to survive and that alternative sources are needed.

Other suggestions can be made to improve the negotiating position of the *hari* vis à vis the landlord. Improvement in record-keeping and a mechanism for oversight by a third party would be some protection against the arbitrary record-keeping of the *zamindar* or his *kamdar*. Most *haris* claim that inaccurate record-keeping is the major culprit in the high debt that they accumulate. However, in view of the low rates of literacy among the *haris* and the intricacy of the *hari*-landlord relationship, it will not be easy to identify who would exercise such oversight. The government has effectively ruled itself out of this position by outlawing the provision of credit by the *zamindar*. There is a critical need for the government to review this decision. Vigilance Committees at the district level could be used. Local *nazims* could play a mediating role.

The resettlement approach adopted by the HRCP is one way of securing release from bondage. However, from our discussions with *hari* households who have been resettled in these camps, it is evident that this approach provides only short-term relief. For long-lasting improvements, the *hari* and his family must be properly rehabilitated on land of his own or, at least, secure as a permanent or regular source of livelihood. Most *haris* in the camps do not have secure employment and some are in extremely vulnerable positions and work as daily wage labour. Despite the fact that most of them are now free from bondage, it is very difficult to see what they are free from, as they struggle to survive with skills that inappropriate for daily wage employment in the outskirts of urban Hyderabad.

Some suggest⁴⁶ that the target group of bonded *hari* labour should be divided into three categories: those who have been freed by the human rights organization and are still living in 'camps'; those who do not have permanent homes and are basically migrants from the minority communities; and those who are living permanently in villages, are indebted and are constrained from providing their services in the market. The ILO has entered into an agreement with the

⁴⁶ Sadiqa Sallahuddin: Interim Report. Additional Preparatory work on the role of NGOs in the Sindh Rural Development Programme. Halcrow. 2001.

National Rural Support Programme (NRSP), Hyderabad, to provide micro-credit and employable skills. NGOs should also be involved in providing additional inputs for rehabilitating the *haris*. However, a long-term solution is needed and NGOs can only provide temporary relief. The living conditions in the camps are probably not much better, and in some cases, may be worse than the farms they have fled. The allocation of land for the permanent settlement of *hari* households would be a better approach.

For migrant *haris* from minority groups, there is need for a broad-based community organization providing oversight over *hari*-landlord relations in the absence of any formal monitoring mechanism. The community organization could invoke the support of local political leadership, provided that this is distinct from the landlord himself. Also recommended is assistance with housing, skills-development for alternative income generation activities, provision of micro-credit, skills up-grading in agriculture and water-management, physical infrastructure projects in their residential areas, awareness raising on the Tenancy Act and Bonded Labour Abolition Act and functional literacy training. The focus should be on micro-financing through innovative products designed to address the *hari's* particular needs and constraints.

NGOs have done much to highlight the issue of bonded labour and to initiate measures to alleviate the plight of *hari* households. The Sindh Rural Development Programme, the National Rural Support Programme and the Thardeep Rural Development Programme have undertaken important initiatives to serve the *hari's* long-term interests and to correct the imbalance in the *hari*-landlord relationship. The Human Rights Commission of Pakistan and the ILO have both made a significant impact in bringing the bonded labour issue to the fore. However, without fundamental changes in the macro-economic situation, improvement in the social indicators of development and the implementation of existing legislation, the impact on the *hari*-landlord dynamic will be limited.

Annex 1: Terms of sharecropping on a 50 percent share basis.

Land development: Since land belongs to the landlord, the landlord pays the full cost of land development when he brings in new land under cultivation.

Land leveling: The cost of land leveling, done annually or after each crop harvest, is shared by the landlord and the tenant on a 50:50 basis. However, before the introduction of machinery, in the late 1960s land leveling was the responsibility of the tenant with the use of his bullocks.

Seedbed preparation: The seedbed preparation has always been the tenants' responsibility. No changes have been observed.

Farmyard manure: Application of farmyard manure was widely practiced until the adoption of chemical fertilizers in the late 1960s. If farmyard manure belongs to the landowner, then the cost of transportation is borne by the tenant, whereas if the tenant owns the farmyard manure, then the landlord pays the transportation charges. However, if the farmyard manure is to be applied over large areas of land, the landlord arranges *vangar* to finish the job earlier. This system of application of farmyard manure has been in operation for the last thirty years without any change.

Chemical fertilizers: The purchase of chemical fertilizers is shared equally between the landlord and the tenant. This has been the normal practice since the introduction of fertilizers.

Seed: Before the Tenancy Reforms of 1974, the cost of seed was entirely borne by the tenant. In light of the increased cost of seed, these reforms shifted the responsibility to the landlord. The adoption of this practice is not widespread. It was noted by the field team that for most crops the responsibility for seed has informally reverted to 50:50 share. Only in very rare cases do progressive landlords purchase the seed directly from the certified agencies and bear the complete cost.

Sowing and planting: Sowing and planting of crops is entirely the responsibility of the tenant. No changes have been noted, except among the big landlords who prefer to use machinery for sowing/planting. Such landlords either share the cost equally with the tenant or expect the tenant to bear all the charges for diesel.

Weeding/hoeing: Weeding and hoeing of crops is the responsibility of the tenant. Normally, the family members of the tenant's household who also collect the weeds for livestock consumption do this. However, if the landlord uses tractors for hoeing and weeding he either shares the cost equally with the tenant or expects the tenant to bear all the charges for diesel.

Irrigation: Irrigation charges for both canal water and tubewells are the responsibility of the landlord. In the case of tubewell water, the tenant will pay a small amount of money per acre. This amount of money is directly related to the cost of electricity. The labour involved in irrigation is the tenant's responsibility.

Pesticide: The introduction of pesticides took place in the late- 1960s and, since then, the cost of pesticide is shared equally between landlords and tenants. However, the labour involved in the application of pesticide to the crops is the responsibility of the tenant.

Harvesting/picking: Harvesting is generally the responsibility of the tenant but this can vary across crops. With the introduction of sugar mills and the need to transport truckloads to the mills, tenants are now using wage-labour. The cost of wage-labour is being shared equally with

the landlord. The cost of cotton-picking has always been shared between the landlord and the tenant.

Threshing and cleaning: with the introduction of threshers, the landowner and tenant share the cost of threshing and cleaning equally. Before the introduction of threshers, the tenant was completely responsible for threshing and cleaning.

Transportation to the market: The cost and responsibility for transportation of output from farm-gate to the market has generally been the responsibility of the tenant. In the case of vegetables and sugarcane, the landlord and tenant share the cost equally. For wheat and cotton, in most cases, *beoparis*, local roving traders, buy the produce from the field and transport the produce themselves. This system also prevails in some cases with sugarcane as sugar mills transport sugarcane directly from the fields of a landlord. Another system has also emerged with the introduction of machinery. If the landlord has a tractor trolley, the tenant will either share the transport cost with the landlord equally or pay for the complete cost of diesel.

Land and other taxes: Land revenue, *ushr* and all other taxes are paid by landowners.

Watercourse cleaning: Canal maintenance is the responsibility of the landowners of the area. Almost all tenants share the maintenance work for the canal twice a year using the *vangar* system. However, the watercourse owned by the individual landlord is cleaned and maintained by the concerned tenant. No changes in the system have been reported.

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