



INSTITUTO
UNIVERSITÁRIO
DE LISBOA

The recognition of domestic workers' labor rights and the debate over the legacy of slavery in Brazil

Stefanie Prange de Oliveira

Master in International Studies

Supervisor:
Dr. Thais França, Visiting Assistant Professor,
ISCTE-Instituto Universitário de Lisboa

October, 2020

The recognition of domestic workers' labor rights and the debate over the legacy of slavery in Brazil

Stefanie Prange de Oliveira

Master in International Studies

Supervisor:
Dr. Thais França, Visiting Assistant Professor,
ISCTE-Instituto Universitário de Lisboa

October, 2020

Acknowledgements/Agradecimentos

I would like to thank the following people, without whom I would not have been able to finish this dissertation. // Desejo exprimir os meus sinceros agradecimentos a todos aqueles que, de alguma forma, permitiram que esta tese se concretizasse.

To my interviewees, for their willingness to share their time, knowledge, and experiences with me. Thank you for your collaboration. // Às entrevistadas, que com paciência responderam ao questionário da pesquisa, compartilharam seus conhecimentos, e dispensaram o seu tempo em prol deste meu objetivo pessoal. Muito obrigada pela disponibilidade e a colaboração.

To my supervisor, Dr. Thais França, for the encouragement, constructive criticism, and your reliability. I deeply appreciate your persistent guidance and feedback.

To my parents, my role models, who have raised me affectionately, always making sure that I feel equally connected to both of my home countries, Brazil and Germany. Without your constant support and your bicultural education, I would have lacked the inspiration to engage in the topic of this thesis.

To my family, my friends and to all of those who have been part of my life journey. In their own way, they have inspired me to find my way.

Resumo

Esta tese explora a relação entre o passado escravocrata do Brasil e a aprovação da Emenda Constitucional Nº 72, mais conhecida como “PEC das Domésticas”, que ampliou os direitos laborais das trabalhadoras domésticas no país. Sendo predominantemente executado por mulheres negras e pobres em condições precárias, o trabalho doméstico no Brasil é frequentemente retratado como uma continuação das relações de poder e opressão cuja origem remonta ao passado colonial e escravocrata do país. Durante muito tempo, as domésticas estiveram à margem da política do Estado brasileiro e careciam de proteção e reconhecimento jurídico adequado, legitimando o seu estatuto subalterno de “cidadão de segunda classe”. Com base em entrevistas qualitativas com domésticas sindicalizadas e representantes do governo na altura da aprovação da PEC em 2013, este trabalho visa analisar o papel do legado do passado escravocrata brasileiro na promoção da lei. A tese utiliza os conceitos de interseccionalidade e a colonialidade de poder e de género para explorar a origem da marginalização e discriminação permanente das domésticas. Defendo que o debate sobre o legado vivo da escravidão que o trabalho doméstico representa desempenhou um papel com duplo significado no processo promocional da PEC: por um lado, a reivindicação da PEC tinha como objectivo maior desafiar as assimetrias persistentes de género, classe e raça associadas ao passado colonial e escravocrata do país. Por outro lado, o debate sobre o legado da escravidão foi instrumentalizado na luta coletiva das domésticas e respetivos aliados políticos para forçar a aprovação da lei.

Palavras-chave: Trabalho doméstico, escravidão, interseccionalidade, colonialidade, direitos trabalhistas, PEC.

Abstract

This thesis examines the relation between Brazil's slavery past and the adoption of Constitutional Amendment Bill N° 72, better known as "PEC das domésticas", which extended domestic workers' labor rights in Brazil. Being predominantly executed by black, poor women under precarious conditions, domestic work in Brazil is often portrayed as a continuation of relations of dominance and oppressional dynamics that have their origin in the country's colonial and slavery past. For a long time, domestic workers have been at the margins of Brazil's government policies and lacked proper legal protection and recognition, naturalizing their subaltern status as "second-class-citizen". Based on qualitative interviews with unionized domestic workers and representatives of the former government which passed the PEC in 2013, this work aims to analyze the role played by Brazil's slavery legacy in the promotional process of the law. The thesis uses the concepts of intersectionality and the coloniality of power and gender to explore the core origin of domestic workers' enduring marginalization and discrimination. I argue that the debate about the living slavery legacy that domestic work carries played a significant double role in the PEC promotional process: on the one hand, the claim for the PEC involved the overarching objective to challenge persistent gender, class, and race asymmetries associated to the country's colonial and slavery past. On the other hand, the debate over the legacy of slavery was instrumentalized in the collective fight of domestic workers and their political allies to make their voices heard and push the law through.

Key words: Domestic work, slavery, intersectionality, coloniality, labor rights, PEC.

Table of Contents

Acknowledgements/Agradecimentos i

Resumo ii

Abstract iii

Table of Contents iv

Index of Figures v

Glossary of Acronyms vi

1 INTRODUCTION 1

2 THESIS OUTLINE 4

3 DETERMINING THE TOPIC RELEVANCE: DOMESTIC WORKERS’ LABOR RIGHTS AND THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT 6

4 LITERATURE REVIEW 8

5 METHODOLOGY 12

6 THEORETICAL FRAMEWORK 15

 6.1 THE INTERSECTIONALITY OF DOMESTIC WORKERS’ GENDER, CLASS, AND RACE OPPRESSION 15

 6.2 THE COLONIALITY OF POWER AND GENDER: TWO OPPRESSIVE SYSTEMS THAT SURVIVED THE END OF THE COLONIAL ERA 18

7 UNDERSTANDING DOMESTIC WORK IN BRAZIL: A HISTORICAL AND CONTEMPORARY CONCEPTUALIZATION 22

 7.1 STUDY SETTING BRAZIL: A SOCIAL, POLITICAL, AND ECONOMIC OVERVIEW 22

 7.2 FROM ENSLAVED SERVANT TO DOMESTIC WORKER: THE CONTINUOUS SUBJECTION OF AFRO-BRAZILIAN WOMEN IN BRAZIL 25

 7.3 DOMESTIC WORK IN CONTEMPORARY BRAZIL 30

8 THE PEC PROMOTIONAL PROCESS: LEGAL AND SOCIOPOLITICAL DIMENSION 35

 8.1 LEGAL DIMENSION: THE DEVELOPMENT OF DOMESTIC WORKERS’ LEGISLATIVE PROTECTION IN BRAZIL 35

 8.2 SOCIOPOLITICAL DIMENSION: ACTIVISM AND RESISTANCE WITHIN BRAZILIAN SOCIETY 39

9 ANALYSIS OF INTERVIEWS 44

10 CONCLUSIONS 57

11 SOURCES 60

12 BIBLIOGRAPHY 61

13 ANNEXES 69

 A. QUESTIONNAIRE GOVERNMENT REPRESENTATIVES 69

 B. QUESTIONNAIRE DOMESTIC WORKERS’ UNIONS REPRESENTATIVES 70

Index of Figures

Figure 3.1: The United Nations SDGs 2030 7
Figure 7.2.1: White couple and their black maid in Rio, opposed to ancient slavery scene 26
Figure 7.2.2: Wet nurse for sale in 1879 28

Glossary of Acronyms

ATM: Feminist Articulation Marcosur (Articulación Feminista Marcosur)

CLT: Consolidated Labour Laws (Consolidação das Leis do Trabalho)

FENATRAD: National Federation of Domestic Workers (Federação Nacional das Trabalhadoras Domésticas)

FGTS: Severance Indemnity Fund for employees (Fundo de Garantia do Tempo e Serviço)

IBGE: Brazilian Institute of Geography and Statistics (Instituto Brasileiro de Geografia e Estatísticas)

ILO: International Labour Organization

IPEA: Institute for Applied Economic Research (Instituto de Pesquisa Econômica Aplicada)

LC150: Complementary Law 150 (Lei Complementar 150)

MDB: Brazilian Democratic Movement Party (Movimento Democrático Brasileiro)

OECD: Organisation for Economic Co-operation and Development

OHCHR: United Nations Human Rights Office of The High Commissioner

PEC: Proposal for Constitutional Amendment (Proposta de Emenda Constitucional)

PNAD: National Household Survey (Pesquisa Nacional por Amostra de Domicílios)

PT: Workers' party (Partido dos Trabalhadores)

SDGs: Sustainable Development Goals

SEPPIR: Secretariat for Policies to Promote Racial Equality (Secretaria de Políticas de Promoção da Igualdade Racial)

TST: Superior Labour Court (Tribunal Superior do Trabalho)

UN: United Nations

1 INTRODUCTION

Officially, slavery is abolished all over the world. Article 4 of the Universal Declaration of Human Rights states that “no one shall be held in slavery or servitude: slavery and the slave trade shall be prohibited in all their forms” (UN n.d. a). Yet, unfortunately, slavery did not end with its abolition, and the problem is far from being overcome. Besides traditional slavery, which is still an existent and grave problem, new forms of slavery have arisen. All contemporary forms are captured by the term “modern slavery” and can take many different shapes. Modern slavery “includes but is not limited to issues such as: traditional slavery, forced labour, debt bondage, serfdom, children working in slavery or slavery-like conditions, domestic servitude, sexual slavery, and servile forms of marriage” (OHCHR n.d.).

One particular issue that is associated with many cases of human exploitation and abuse is the widespread tradition of domestic work as a profession. In a report to the Human Rights Council from 2010, the former United Nations (UN) Special Rapporteur on Contemporary Forms of Slavery, Gulnara Shahinian, referred to “modern day domestic servitude as a global human rights concern”, highlighting the slavery-like conditions that can often be found in domestic work (ILO 2010). Many times, the conditions under which the job of a domestic worker is performed are precarious, reminding the “colonialism and slavery of the past, when the poor provided a free workforce and there were obvious social and racial hierarchies” (Dorcadie 2018).

There are approximately 67 million people employed as domestic workers worldwide, Brazil being the biggest employer of this category (ibid; ILO 2013; ILO 2018b). “In Brazil, wealthy homes have always had large amounts of cheap domestic labour available to ‘import’ from poorer areas” (Silva 2010: 21). At present, there are approximately 7,2 million domestic workers in the country, 93% of whom are women (ILO 2018b; Dorcadie 2018).¹

The situation of these workers has been marked by striking inequalities and many struggles: domestic workers in Brazil are among “the most precarious and the most poorly remunerated workers” in the country, being subjected to the historical devaluation of their work (Acciari 2018a) and often affected by informality (Dorcadie 2018). However, for a long time, domestic workers in Brazil did not “only” suffer socio-economic exclusion but were also discriminated by law, since they were considered a special category of workers. As such, they were “explicitly excluded from the 1943 Brazilian Labour Code”² (Monticelli & Seiffarth 2018: 1), therefore denied the same benefits as all other workers enjoy.

Although the exclusion from the Brazilian Labor Code (CLT) remains up until today, times have changed and the amplification of domestic workers’ rights in Brazil has constantly moved forward.

¹ Given that women form the vast majority of domestic workers in Brazil (IPEA 2018), I refer, in this thesis, to female domestic workers (Portuguese: “Trabalhadoras domésticas”). They are the focus of my research.

² The Brazilian Labor Code is the codification of labor laws which regulate the professional relationship between the employer and the employees. It defines the rights and duties of both sides.

Since 1972, the country has processed several reforms in its legal framework, reducing legal inequalities and gradually equalizing the labor rights of domestic workers with those of other workers. When the Workers' Party “PT” (Partido dos Trabalhadores) came into power in 2003, the spirit of reform in the country led to a range of social policies aimed at increasing social justice (Mitchell-Walthour 2017). In its second term, the PT governance finally brought about the adoption of the Constitutional Amendment Bill N° 72, better known as “PEC das domésticas” (PEC). The new law finally guaranteed domestic workers labor rights that other workers already had, such as unemployment benefits, the limitation of working hours (maximum of 8 hours a day and 44 hours a week), access to the FGTS fund³, and overtime payment (Constitutional Amendment Bill N° 72 of 2013).

These changes were extremely significant, as many families until then were used to having a full-time live-in domestic worker, available around the clock (Gomes & Baviera Puig 2013), without paying for their rights. The new law came into force under the government of then-president Dilma Rousseff (PT) in 2013, who two years after passing the “PEC das domésticas“ transposed the law into Complementary Law N° 150 (“Lei Complementar N° 150” alias LC150) in order to specify the rights given by the Constitutional Amendment Bill 72 and the conditions of its application.

In my research project, I will explore the role of Brazil's slavery past in the light of the “PEC das domésticas”. The project does *not* aim to go deep into the juridical details of the PEC and its successor LC150. Rather, the focus will be on the relation of Brazil's slavery past and the construction, promotion, and approval of the “PEC das domésticas”. That said, my choice to carry out this analysis through an approach focusing on racial and (post-)colonial aspects was taken fully recognizing the fact that the devaluation of domestic work in Brazil is not *only* related to the country's slavery past. It is noteworthy that, along with colonialism, global capitalism also played a crucial role in that regard, considering that domestic work is not only devalued in once-colonized countries such as Brazil but also in European countries with an imperial past. The project aims to answer the question: “Which role did Brazil's slavery past play in the construction, promotional process, and approval of the 'PEC das domésticas'”? Moreover, the research question will be specified through further sub-questions that will also be answered in the course of my work:

- Did the promotion of the PEC involve the objective to overcome the legacy of slavery and colonial patterns of gender, class, and race asymmetries in Brazil?
- *In case* Brazil's slavery past played a role in the improvement of domestic workers' rights through the promotion of the PEC: Did the two main actors involved - the government and the domestic workers' unions - include the debate over the legacy of slavery in their reasoning?
- Does Brazil's slavery legacy continue to shape domestic workers' labor conditions in contemporary Brazil, 7 years after the approval of the PEC?

³ The Fundo de Garantia do Tempo e Serviço, also known as FGTS, is the Severance Indemnity Fund for employees in Brazil and is paid by the employer.

In addition to answering these questions, the broader objective and motivation of this thesis is to reflect on how, considering the situation of domestic workers in Brazil, the persistence of patterns of power and social hierarchies associated to the colonial and slavery period continue to impact Brazilian society, producing major social inequalities and discrimination. Equal rights are not a reality for women and men from all social backgrounds, as dynamics of capitalism and the legacy of the colonial era continue to contribute to the maintenance of social class, race, and gender divisions in Brazil (Chaney & Castro 1989; Barcellos Rezende & Lima 2004; Avila 2009; Brites 2013; 2014; Bernadinho-Costa 2013; 2014; 2015a; 2015b; Acciari 2018a). This is exemplified by the life stories of Brazil's domestic workers which are often marked by exploitation, marginalization, negligence, and physical as well as psychological abuse⁴.

Indeed, the PEC represents a milestone in the fight towards ending said social marginalization and the legislative discrimination of domestic workers in Brazil. Yet, its delay shows that those at the very bottom of the social pyramid are the ones to wait the longest to have their rights recognized. The long denial of domestic workers' labor rights thus reflects part of the dynamics of Brazilian power relations and reveals how the category is disadvantaged within these dynamics.

The consideration and selection of this particular law - the "PEC das domésticas" - is justified by its symbolic meaning and its far-reaching consequences: after decades of legal discrimination of domestic workers and multiple attempts taken to combat it, the longtime claim for the recognition of the category's rights culminated in the establishment of the PEC das domésticas" (2013) and the LC150 (2015), which are the final and most significant changes so far, as they represented the start of a new phase to this workers' category. However, as the PEC was the initial breakthrough that paved the way for the LC150, it will be in the primary focus of this project.

⁴ For representative examples of a domestic worker's biography, see Fontes et al. (2018) and UN (n.d. c), which provide interviews with Nair Jane and Creuza Maria Oliveira – historical leaders of the domestic workers' community in Brazil - speaking for many of their colleagues.

2 THESIS OUTLINE

After having introduced my research project in chapter 1, I will provide a brief contextualization regarding the relevance of domestic workers' labor rights for social progress and the achievement of the United Nations' Sustainable Development Agenda 2030 in the following chapter (3). Chapter 4 consists of a literature review, showing how the issue of domestic work has already been approached by different authors, and which is the gap that I intend to fill in with my project. This will be followed by a methodological chapter (5), detailing the qualitative research design used for this thesis and the approach taken to analyze the data gathered through semi-structured interviews. In total, I conducted 12 interviews and analyzed them following the discourse analysis method.

Chapter 6 will give an introduction into the theoretical foundation of this thesis, namely the concepts of intersectionality and the coloniality of power and gender. The concept of intersectionality, coined by Kimberlé Crenshaw (1989; 1991), is useful to understand domestic workers' particular situation of marginalization and discrimination in Brazil, as it allows to recognize the intersecting nature of their gender, race, and class identities. The theoretical concept of the coloniality of power, developed by the Peruvian sociologist Anibal Quijano (2000), further helps to recognize the impact that colonial relations and coloniality have had on Brazil's contemporary social structure of inequalities. This framework was extended by Lugones (2007, 2010), who integrated a gender dimension to better understand the specific situation of black women in post-colonial contexts. Together, these theories help to comprehend the link between domestic workers' oppression and the living legacy of colonialism and slavery in Brazil.

The following chapters 7 and 8 discuss domestic work in Brazil and aim to give an insight into the phenomenon in support of the following fieldwork analysis. Providing a historical and contemporary conceptualization of domestic work in Brazil, chapter 7 starts with a short overview of Brazil and its current economic, political, and social reality. It also draws a picture of the continuous subjection of black women in Brazil, establishing a link between domestic work and Brazil's slavery past. The chapter ends taking a closer look at how domestic work looks like in contemporary Brazil.

Chapter 8 deals with the legal and sociopolitical dimensions of the PEC process. It first covers legal aspects by going into the details of the road to the PEC, the law's content, and its legal implementation process. Given that the reform was adopted in 2013, this chapter will also provide a brief overview of the current post-PEC reality, considering the law's status in the present-day political context of Brazil. The subsequent section will address the social movements that engaged politically with the issue of domestic work in Brazil and which were the driving forces behind the claim for the PEC, concentrating on the black, the feminist, and the domestic workers' movement.

Finally, I will analyze and evaluate the data gathered through my interviews and consider how my findings dialogue with the literature, to come to a reasonable answer to my research question (chapter 9). This will be followed by a conclusion (chapter 10) in which I summarize the main points of my work and present my final results, pointing out that the legacy of slavery played a significant double role in the PEC promotional process. First, the claim for the PEC involved the overarching objective to

challenge persistent gender, class, and race asymmetries related to the country's colonial and slavery past. And second, the debate over the legacy of slavery was instrumentalized in the collective fight of domestic workers and their political allies to make their voices heard and push the law through. Lastly, I conclude my work by making some suggestions for future research.

3 DETERMINING THE TOPIC RELEVANCE: DOMESTIC WORKERS' LABOR RIGHTS AND THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT

Set by the United Nations General Assembly, the 2030 Agenda for Sustainable Development has been adopted in 2015 by all UN Member States with the aim “to end poverty, protect the planet and improve the lives and prospects of everyone, everywhere” (UN n.d. b). The core element of the agenda is a collection of 17 interdependent goals, linking the ambitions of sustainability with economic, ecological, and social development. The Sustainable Development Goals (SDG) are intended to be accomplished within 15 years until 2030 (ibid).

Given that domestic workers form a remarkable part of the global workforce and are one of the most vulnerable groups within society (ILO n.d. c), the incorporation of the category into global social policy is extremely relevant for the achievement of the UN Agenda 2030. According to the estimations of the International Labour Organization (ILO), there are more than 67 million domestic workers worldwide, 80% of them being female. Many of them work under very precarious conditions and are precluded from the scope of labor law. As a matter of fact, exploitation, neglect, and human rights abuses are the realities of many domestic workers worldwide (ibid).

The reduction of domestic workers' vulnerability and the advancement of their labor rights are related to a range of the internationally agreed 17 SDGs, including goal 5 (Gender equality) goal 8 (Decent work), and 10 (Reduce inequalities). With these targets in mind, improvements regarding the situation of domestic workers are not “only” a moral matter that needs to be fixed for ethical reasons. The significance goes far beyond, it contributes to inclusive economic growth, the promotion of gender equality, the improvement of life conditions of millions of people, and as such, to global progress and the achievement of the SDGs. The consideration of the domestic work sector as my research topic is thus justified by its relevance and the pressing need of making decent work a reality for this category.

Recognizing the importance of the matter for the achievement of global progress, international actors like the ILO and UN Women have included the category of domestic workers in their strategies for action towards the advancement of decent work and women's empowerment (ILO n.d. a; UN Women 2012). Of special significance in this regard was the ILO Convention No. 189, which was adopted at the 2011 General Conference of the ILO in Geneva⁵. The convention sets the international labor standards for domestic workers and has been ratified by 29 countries so far, including Brazil (ILO n.d. b). While the adoption of Convention No. 189 reflects an important step that paved the way for further international progress, one must also acknowledge that a variety of challenges lie ahead still: many countries have not ratified the Convention No. 189 yet, and those who did now face the difficulties of actually putting it into practice.

Especially now, in the face of the economic consequences of the Corona pandemic, the number of unemployed people and informal workers has been rising dramatically, with no end at sight. The

⁵ Entry into force in September 2013

pandemic has hit the most vulnerable – which would also include the category of domestic workers – particularly hard, exposing them to disproportionately high poverty, health, and death risks (Boyd 2020; Burgen 2020; Malley & Malley 2020). Reported cases from Hong Kong (Wright 2020), Singapore (Yang 2020), Brazil (Blasberg 2020a), and South Africa (Powell 2020) have shown that women around the world, working in care jobs and domestic service (e.g. nannies, cleaners, caregivers for elderly, etc.), have been forced to sacrifice their health and rights for their job, worsening their already precarious situation. Other cases show how, as the virus is spreading, numerous domestic workers and caregivers see themselves confronted with the abrupt termination of their work relationships, or the torments caused by an infection, mostly caught from their employers who had traveled abroad⁶. The extreme situation of the pandemic exposes the worldwide urge to provide domestic workers with access to decent work conditions by protecting their rights and reducing their vulnerability to tackle social inequalities, exploitation, poverty, and injustices.

Figure 3.1: The United Nations SDGs 2030



Source: UN Sustainable Development Goals (n.d.).

⁶ For more information on the first Corona death reported from Rio de Janeiro – a domestic worker who got infected after her boss brought the coronavirus back home from vacation in Italy – and reflections about what this death means for Brazil, please see Blasberg (2020a).

4 LITERATURE REVIEW

The link between domestic work as a profession and the historical legacy of slavery has already been brought up by International Organizations such as the United Nations (UN Brazil 2016; 2019; UN Women Brazil 2017; UN n.d. c) and the ILO (2010; 2018a). In addition, several newspapers like *The Economist* (“Maids in the Middle East” 2010; “Modern slavery” 2017), *O Globo* (Viola 2019), *El País* (Alessi 2019), *BBC* (Pinnell & Kelly 2019), and *Daily Mail* (Boyle 2019) have made it a subject of discussion. Civil society organizations, bloggers, NGOs, and activists have also engaged with domestic workers’ struggles and precarious working conditions (Hilgers n.d.; Fernandes n.d.; Fernandes 2016; ILRF n.d.; *Domesticalegal.com.br* n.d). In the Brazilian context, the topic has especially gained overall attention in the media, political debates, and society in 2013 and 2015, in the face of the adoption process of the “PEC das domésticas” and the LC150. Again, in 2018, it gained visibility in political debates due to Brazil's ratification of the ILO Convention No. 189.

In Europe, domestic work is especially widespread in the Southern countries (Abrantes & Peixoto 2012) including Spain, Italy, France, and Cyprus (ILO n.d. d; Sargeant 2014). The need for domestic work services has increased in the European Union (EU) due to a combination of various factors such as women's entry into paid employment, population aging, and the decline of the welfare state (Pavlou 2016). In general, domestic work in Europe tends to be performed by migrant women under precarious conditions, with high levels of exploitation and significant informality rates (ibid; Sargeant 2014; Abrantes 2014). Abrantes (ibid: 432) has argued that an acute deficit in public care systems has contributed “to maintain the issue of paid domestic labour - and especially the increasing recruitment of immigrant women - in a controversial grey area between public and private responsibilities”. Hence, the advancement of the EU legislation protecting these workers’ rights and regulating their work conditions - in particular regarding women and migrants – is fundamental to reduce their vulnerability (Pavlou 2016).

Migrant women are also the key actors in charge of domestic work in the Middle East (ILO 2017a), where the regional sponsorship system “Kafala” confines millions of Asian and African migrant women to work in abusive, slavery-like conditions⁷. In this context, scholars (Pande 2018; Fernandez 2018) and the ILO (2017b) have made policy recommendations to challenge these grievances, after examining the failure of Middle Eastern states to take their responsibility regarding the exploitative system of migration and recruitment in the region.

⁷ “Domestic workers, like all migrant workers in the Arab States (with a small number of exceptions), are regulated by a sponsorship system often referred to as kafala. Under this system, a migrant worker’s immigration and legal residency status are tied to an individual sponsor (kafeel) throughout his or her contract period in such a way that the migrant worker cannot typically enter the country, resign from a job, transfer employment, and in some countries may not leave the country without first obtaining explicit permission from his or her employer” (ILO 2017: 3, as cited by ILO 2017b).

Latin American countries employ about 18 million of the global domestic workforce (ILO 2016). The occupation is one of the main sources of female employment: “14.3% of all women, meaning 1 out of 7 employed women in the region is a domestic worker” (ibid) - the majority of them being migrants, mostly coming either from rural areas of the same country or from neighboring countries (Tokman 2010). Similarly to other regions, domestic service in Latin America is a sector with significant deficits concerning visibility, workers’ rights, social protection, and labor conditions (e.g. very low wages, privatization of social security benefits, excessively long working times, no guaranteed days off, vulnerable to sexual abuse, restrictions on freedom of movement, etc.). According to the ILO, almost 80% of the domestic workers in Latin America “are subject to informal labor conditions – therefore lacking social security protection, earning very low salaries and exhausting workdays” (ILO 2016). The high level of informality in the sector strongly affects the performance of existing labor laws.

In Brazil, domestic workers are predominantly Brazilians from low-income classes. The majority are Afro-Brazilian women, poor, and with a low level of education (Gomes & Baviera Puig 2013; Brites 2014; Bernadinho-Costa 2014; Monticelli & Seiffarth 2018). Scholars (Kofes 1990; Nunes 1993; Barcellos Rezende & Lima 2004; Avila 2009; Bernadinho-Costa 2013; 2014; 2015a; 2015b; Brites 2013; 2014) have argued that domestic work as a profession in Brazil is deeply rooted in the country’s slavery past, given that this type of service used to be performed by female slaves in colonial times and is still predominantly executed by black and lower-class women in contemporary Brazil. Domestic work continues to be extremely devalued and the workers, in general, suffer from a lack of social recognition. In many cases, the working conditions under which the job is carried out at present remain precarious, with the workers being subjected to multiple forms of exploitation, stigmatization, and the lack of access to equal labor rights. Therefore, domestic work in Brazil is portrayed by these authors as a legacy of slavery and a continuation of relations of dominance over black and lower-class women.

Scholarship focusing on the status of Afro-Brazilian women within Brazilian society is, therefore, relevant to any study concerning domestic workers in the country, as gender and racial segregation dynamics in Brazil seriously hamper these women’s opportunities in the labor market. Moreover, as Werneck (2009) argues, black women in Brazil generally have a much lower level of education than white men and women, which further limits their chances in the labor market. Although Brazil had been portrayed as a racial democracy for most of the 20th century (Freyre 1933), many Afro-Brazilian women suffer marginalization and lack a sense of national belonging (Caldwell 2007). Longstanding practices of social, economic, and political disenfranchisement have contributed to the invisibility of black women in Brazil and served to establish the feeling of being second-class citizens among this group (ibid). The invisibility and marginalization of Afro-Brazilian women, highlighted by Caldwell (2007) and Werneck (2009), might be regarded as one factor for the delay in the recognition of domestic worker’s labor rights in Brazil.

Academic discussions on domestic work frequently refer to the concept of intersectionality, as it allows to examine how various markers of difference (gender, social class, race) interact, fostering

asymmetries that cannot be identified when these markers are considered separately (Barcellos Rezende & Lima 2004; Avila 2009; Bernadinho-Costa 2013; 2014; 2015a; 2015b; Brites 2013; 2014). The experiences of discrimination and inequality that domestic workers suffer are not only related to one, but to a range of different dimensions at the same time, as they result from the interaction of their gender, social class, and race. That said, it is important to mention that speaking about “gender“ and “race“, I do not refer to the biological dimension of these terms, but rather rely on the definitions of “gender“ (Butler 1990) and “race” (Balibar & Wallerstein 1991) as social constructions and identities.

However, despite all the exploitation referred to, it is important to highlight that domestic workers are not passive beings who lack autonomy or self-respect. In the last few decades, they have been able to call attention to their working conditions, denounce the labor and social exploitation they are exposed to, and organize themselves to fight for the recognition of their labor rights (Sousa 2018; De Souza & Silva 2018; Pinto 2019). Acciari (2016; 2018a; 2019) and Bernadinho-Costa (2013; 2014; 2015a; 2015b) more recently argued that domestic workers' unions and labor associations have played a major role in the category's fight against legislative discrimination and for the recognition and improvement of domestic workers' labor rights in Brazil. According to Roberts (2018), the PEC can be seen as a victory of great political symbolism with decades of delay, though with significant challenges ahead concerning its implementation, considering Brazil's current economic and political developments.

Further research on the domestic work sector in Argentina, Uruguay, Mexico, Paraguay, and Peru shows that the impact of domestic workers' unions' activism and pressure can be observed in the whole region of Latin America (Blofield & Jokela 2018; ATM & Cotidiano Mujer 2019). The studies find that in the last 10 years, significant progress has been made in the social, economic, political, and juridical recognition of domestic work in Latin America. Similar to Acciari's (2016; 2018a; 2019) observations concerning Brazil, the referred authors further argue that this progress is the product of a lengthy fight, led by the workers themselves and supported by the civil society, left-wing governments, feminist, and human rights movements.

Furthermore, academic literature has debated over the issue of domestic work and the tensions that it creates in feminist movements. Within feminist scholarship, domestic work is a controversial matter, by some referred to as an important source of work and financial independence for women (Kothari 1992; Turshen 2010), and by others as a threat to gender equality progresses and the emancipation of women (Silva 2010). Analyzing the challenges that domestic work poses to feminism, the collection “Muchachas no More“ (edited by Chaney & Castro, 1989) calls attention to the contradiction of feminist activists seeking gender and social equality on the one hand and hiring domestic workers to deal with their personal household tasks, on the other hand. Moreover, the collection unveils that, in spite of the economic independence it provides to the workers, “domestic work reinforces, rather than challenges, patriarchy and the subordination of women in the society”, because it reproduces traditional gender roles (ibid: 199).

In a feminist study about the gender division of domestic labor, Silva (2010) argues that despite the existence of feminist ideas and the advancement of women's social standing in Brazil, domestic relations in the private sphere have not developed accordingly. The scholar (*ibid*: 1) refers to the use of paid domestic labor as “wealthier households benefitting from the displacement of poor women”. She further argues that the tradition of domestic work has helped to buffer the pace of changes in private and societal gender relations, since household chores continue to be performed predominantly by women, while men remain precluded from these activities.

Going through the existent literature related to my research area of interest, it becomes apparent that the link between slavery and domestic work as a profession has been made by several authors (Holston 1989; Kofes 1990; Nunes 1993; Barcellos Rezende & Lima 2004; Avila 2009; Bernadinho-Costa 2013; 2014; 2015a; 2015b; Brites 2013; 2014; Pande 2018; Fernandez 2018). The legislative changes that have occurred in Brazil over the past years have already been examined as well (Gomes & Baviera Puig 2013; De Souza & Silva 2018; Blofield & Jokela 2018; Roberts 2018; Sousa 2018; Pinto 2019; Acciari 2019). What has not been further explored so far, is how these two aspects connect: whether the link between domestic labor and slavery played a role in the promotion of the above-mentioned legislative changes. This is the gap that this thesis is intended to address by considering the law change of 2013 (“PEC das domésticas”).

5 METHODOLOGY

To reach the objectives of this work, I followed a qualitative research approach, aiming to gain insights on how the “PEC das domésticas” relates to the legacy of labor slavery in Brazil. My data gathering primarily relied on three months of fieldwork carried out in Brazil from January 2020 to March 2020. During this time, I collected qualitative primary data by the means of in-depth interviews with 12 local key actors.

From all actors involved in the PEC process (the government, the political opposition, domestic workers’ unions, non-governmental organizations that defended domestic workers, associations that defended the interests of domestic workers’ employers, the media, etc.), I decided to focus on the two groups that I consider key actors with respect to the creation, promotion and adoption of the “PEC das domésticas”: selected representatives of the then-government which passed the law, on the one hand, and those domestic workers who played leading roles in the claim for the PEC, on the other hand. On both sides - the government and the domestic workers - I tried to make sure to interview only those who were directly affected by/had direct involvement with the PEC process. To find out whom this applies to, I relied on both my own research (newspaper coverage and academic articles on the topic), as well as the assessment of a few relevant contact persons from the Brazilian scholarly community and domestic workers’ unions. Subsequently, I started using the snowball method to further expand my network. Following this method, “the existing study subjects recruit future subjects among their acquaintances” (Naderidar et al. 2017: 2).

Fully recognizing the potential disadvantage of sampling biases, owed to the fact that study subjects tend to nominate people that they know well, I still chose to rely on this method, given that my target persons - especially those from the former government - were not easily accessible otherwise. The snowball method, thus, provided me with the opportunity to build a network in a foreign community and “to communicate better with the samples, as they are acquaintances of the first sample, and the first sample is linked to the researcher” (ibid).

In the case of the government representatives, I sought to interview only those who continuously accompanied and supported the conceptualization/promotion of the PEC during their terms, owed to their political function. My selection included, for instance, the rapporteur responsible for the PEC in the Brazilian Chamber of Deputies, the rapporteur of the PEC in the Brazilian Senate, the former Minister of Racial Equality, the then-Minister of Women's Affairs, and other officials associated to the Ministry of Women's Affairs. Besides their political function, many of these government representatives were further affiliated to the Brazilian black movement or the feminist movement, which also have supported domestic workers in their fight for the recognition of their rights (Bernadinho-Costa 2013; 2014; 2015a; 2015b; Acciari 2016; 2018a; 2019). Thus, they have practical and deep knowledge of the matter.

As for the domestic workers, I tried to focus on those who especially engaged in the PEC process through their long-time activism. Given that domestic workers' unions have been identified as central

players in the fight for the amplification of domestic workers' rights (Bernadinho-Costa 2013; 2014; 2015a; 2015b; Acciari 2016; 2018a; 2019), my selection of informants particularly focused on *unionized* domestic workers, such as the presidents of selected regional unions across the country, as well as the president of the Brazilian National Federation of Domestic Workers (FENATRAD). Furthermore, I interviewed all currently living domestic workers who were part of the Brazilian delegation sent to the ILO negotiations on Convention No. 189 in Geneva in 2011.

In total, I conducted 12 interviews, all with a duration of 20 to 60 minutes. The interviews were carried out on a voluntary and confidential basis and the anonymity of the interviewees was ensured. Participants were fully informed as to the purpose of the study, with interviews only starting after informed consent was given. The participants were divided into two groups: Government Representatives and Domestic Workers' Unions Representatives, each group consisting of 6 interviewees. The interviews were semi-structured, allowing participants to speak their opinion, explain their views more detailed, and make some additional comments. I chose semi-structured interviews as my data collection method because they enable the researcher to react in a flexible way to the statements given by the interviewees and provide the chance to deepen the conversation with the respondents.

The two question guides that I used - one for the then-representatives of the government that promoted the PEC (questionnaire A), and the other one for unionized domestic workers (questionnaire B) - are provided in the annex. Questionnaire A was composed of 14 questions and questionnaire B of 13. In general, the questions were aimed at exploring the motives behind the adoption of the PEC and the explicit role played by Brazil's slavery past in the creation and promotion of the law. Moreover, they looked at possible reasons for the historical devaluation of domestic work in Brazil and the perception of both, the government representatives as well as domestic workers, concerning the effect of the PEC and its status in the contemporary political context.

While most of my interviews were carried out face-to-face in Rio de Janeiro, Nova Iguaçu, and Salvador between January and late March 2020, the last few interviews had to be conducted via phone call in April and May, due to the Coronavirus pandemic. All interviews were recorded and transcribed. Given that they were all conducted in Portuguese, the quotes referred to in this thesis were translated by me to English.

To elicit meaning from my collected data and find answers to my research question, I adopted the discourse analysis method, following the instructions of Ruiz (2009). Referred to by the scholar (ibid: 3) as "a means of understanding social reality", I regarded this method as a suitable approach to analyze my qualitative data since I was concerned with the social dimension of my interviewees' speeches, rather than the linguistic one. Recognizing "the need to account for the individual's viewpoint in order to explain social action" (ibid), I aimed to consider in my analysis external factors that shape an individual's perception such as historical backgrounds, political circumstances, and the social identity of the speaker. Hence, my respondents' discourses – to be regarded as social constructions resulting

from an interplay of said factors – will be analyzed according to the guideline of Ruiz (ibid) who suggests to paying attention to the textual, contextual, and interpretive level of the words expressed.

6 THEORETICAL FRAMEWORK

6.1 THE INTERSECTIONALITY OF DOMESTIC WORKERS' GENDER, CLASS, AND RACE OPPRESSION

Having acquired international renown in the 20th century, the concept of intersectionality was developed as an inclusive theoretical approach to understand the struggles of black women in the United States of America. The term was coined by civil rights activist and legal scholar Kimberlé Crenshaw (1989; 1991) who argued that black women's experiences have been marginalized within both anti-racist and feminist discourses. With her work on intersectionality, Crenshaw provided a theoretical framework to address the issue that the experiences of discrimination that black women face cannot be captured in terms of being a woman or being black independently. As stated by the author, to properly address the particular way in which women of color encounter the world, any reflections on their interests and experiences must rather include the interaction between gender and race, and how the two mutually reinforce each other (ibid).

According to Crenshaw's concept of intersectionality, it is not always possible to identify which aspect of one's social identity was the cause for discrimination (Crenshaw 1989, 1991). The scholar supports the notion that none of the aspects of one's social identity is independent; instead, they are interwoven and cannot be analyzed as separate categories (ibid). Correspondingly, one must consider how these markers of difference interact in a complex and dynamic way to create unique models of discrimination.

Regarding the social category of "women", which are in the focus of this research as they make up the vast majority of domestic workers worldwide (ILO n.d. c), supporters of intersectional theories argue against one-dimensional feminist concepts such as "global sisterhood", since it neglects the differences and diversity among women (Brah & Phoenix 2004; Davis 2008). These differences, posed by very individual intersections, create complex power relations that impede a general solidarity among women as a category (Brah & Phoenix 2004). Yet, when white women started their collective resistance in the development of 20th century feminism, a natural sisterhood between all women was automatically presumed (Lugones 2007). At that time, those women "did not understand themselves in intersectional terms" and, consequentially, "the connections among gender, class, and heterosexuality as racialized were not made explicit" (ibid: 202). Therefore, the forms of oppression that women of color or different social classes might face were not being considered in the fight "against the positions, roles, stereotypes, traits, desires imposed on white bourgeois women's subordination" (ibid).

As the intersectional standpoint unveiled the inadequacy of the concept of a global sisterhood, new and more complex approaches arouse. According to Lugones (ibid: 187), "women of color and Third World feminisms have consistently shown the way to a critique of this indifference to this deep imbrication of race, gender, class, and sexuality" (ibid: 187). The resistance of these subaltern women turned attention to the pressing need to decolonize feminism and gender roles. As a consequence, the "theoretico-practical exclusion of non-white women from liberatory struggles in the name of women"

(ibid: 189) was responded to by the emergence of intersectional feminist concepts such as decolonial feminism, meaning the resistance to a system “of racialized, colonial, and capitalist heterosexualist gender oppression” (Lugones 2010: 747).

To sum up, rather than only paying attention to the gender aspect, “a key feature of feminist analysis of 'intersectionality' is that they are concerned with 'decentring' the 'normative subject' of feminism” (Brah & Phoenix 2004: 78). Intersectional feminists, therefore, seek to broaden the feminist agenda, acknowledging that overlapping categories of identity (such as gender, class, race, sexual orientation, age, religion, etc.) affect an individual’s experiences.

In a similar vein, Brah and Phoenix (2004) approach the issue of intersectional/decolonial feminism by referring to a speech from 1851, given by Sojourner Truth – a black woman born into enslavement. Challenging the notions that enslaved black women are not “real” women, and that men are necessarily stronger and superior to women, her speech back then deconstructed “every single major truth-claim about gender in a patriarchal slave social formation” (ibid). Thereby, Truth showed that the position occupied by a woman within a society is the result of a process of interdependency of several markers of difference, and not only limited to the gender dimension.

While the introduced authors have emphasized the potential of intersectionality, the concept has also been criticized for being ambiguous and lacking a clear focus. Nash (2008) has engaged with these accusations by claiming that the vague definition, the absence of a clear intersectional methodology, and the questionability of the empirical validity of intersectionality create tensions within scholarship. To address these uncertainties, she urges feminist and anti-racist scholars “to construct a more complex way of theorizing identity and oppression” (ibid: 1). Similarly, Davis (2008) has alerted that intersectionality has generated a lot of confusion and uncertainties regarding the meaning and proper application of the concept. The author points out that while on the one hand, intersectionality has been celebrated as an outstanding contribution to feminist theory, it has also become a catchy and convenient way to attract the interest of generalists, which is why it runs the risk of turning into a buzzword (ibid).

Starting from a concern with the trend to prioritize group rights over individual rights, Ali and Nomani (2017) argue that intersectional feminism excuses men of color, Muslims, immigrants, etc. for bad behavior and prevents them from being held accountable. For Andrew Sullivan (2017), intersectionality is a threat to freedom of speech and democracy, and operates like religion, just lacking the salvation: “Life is simply an interlocking drama of oppression and power and resistance, ending only in death. It’s Marx without the final total liberation” (ibid). Although Acciari (2018a:78) recognizes the power of intersectionality as an analytical tool, she understands the criticism made by some of these authors, describing their accusations against the concept as a concern over the promotion of “a victimhood culture within which individuals compete to be seen as the most oppressed by virtue of the accumulation of their marginal identities as if there were pre-defined identity boxes that could be checked to validate the status of ‘intersectional subject’”.

Hancock (2011) has addressed this critique by arguing that intersectionality can serve as a tool to counteract the so-called “Oppression Olympics” – meaning the efforts of discriminated communities to turning the political focus towards their social movements by portraying themselves as the worst-off, promoting a competition of marginalization between disadvantaged communities (e.g. gender groups, ethnic groups, etc.). The scholar traces the “Oppression Olympics” to the widespread idea that politics can only pay attention to the demands of one group at a time, generating the fear that those who do not make it into the focus of attention will fall between the cracks of policy-making. In response to this phenomenon, Hancock introduces intersectionality as a source of resistance to the “Olympics Oppression”, as it enables the cultivation of solidarity, the strategic use of coalition politics, and in turn, helps to succeed politically (ibid).

Despite all criticism, in the light of my research objectives, I regard the concept of intersectionality as a good foundation to work with. Intersectionality holds fundamental lessons until the present day, as it provides orientation on how to theoretically approach the struggles of millions of subaltern women who continue to be marginalized and oppressed. In line with this notion, Brah and Phoenix (2004) conclude that the need for intersectional advocacy is “as pressing today as it has always been” – a reality which is reflected in the situation of domestic workers, who continue to be a strongly marginalized group until today, as Acciari (2018a: 20) describes very accurately:

Indeed, it is because they are poor black women descendants of slaves that domestic workers have been produced as unskilled cheap labour and placed outside of what counts as work. This condition of subalternity has made domestic workers one of the most oppressed and marginalised groups within Brazilian society, and arguably, worldwide (Fish, 2017; ILO, 2009, 2013). Their labour was never recognised as a valuable activity, justifying their exclusion from the Labour Code. Indeed, domestic workers represent the non-worker exemplified; they perform ‘valueless’ reproductive work in the private sphere and operate within personal and emotional relationships that hide the professional dimension of their work.

The devaluation of domestic labor and the notion that domestic workers are “non-standard” workers might have been a reason for why domestic workers have been denied their rights for so long in Brazil. The recognition of domestic worker’s labor rights is a lengthy, ongoing process and the delay of the “PEC das domésticas” shows that even today, legal equality is everything but self-evident for many communities. Quite the contrary, domestic workers have seen themselves in the need of conquering the same rights that all other workers already have.

To understand this marginalization, I use intersectionality as a tool. I believe that analyzing how markers of difference interact, and how they contribute to the discrimination of domestic workers, offers unique possibilities to study the field. In these terms, the examined contributions on intersectionality by Crenshaw (1989; 1991), Davis (2008), Lugones (2010), and Brah and Phoenix (2014) provide a useful theoretical framework to comprehend the interdependence of various markers of difference, and the particular forms of oppression, marginalization, and exclusion that emerge from these intersections. Applied to the case of domestic workers, this means that recognizing that “domestic work, often

described as a legacy of slavery in Brazil, is characterized by the intersection of gender, race and class matrices of oppression” (Acciari 2018a: 3), gives a helpful foundation to understanding the struggles that these workers have been subjected to for so long. Posed by these three features of their social identity, domestic workers suffer from a “triple discrimination” (Acciari 2018a: 44) that cannot be captured when examining their markers of difference individually.

That said, it is important to mention that here the objective is not to promote a so-called “Olympics of oppression”, listing all inequalities that domestic workers experience (ibid: 78). Rather, I consider the analysis of “the specific combination of gender, race and class oppression that constitutes [domestic workers] as an under-class of servants” (ibid: 79) as crucial to understanding their situation and the discrimination that is produced against them in Brazil. Besides the existent literature that identifies coloniality as the basis of existent gender, race, and class oppressions, the choice of these three markers of difference is further justified by the discourse of the domestic workers themselves, who would constantly refer to being black, female, poor and descendants of slaves in my interviews, when speaking about their struggles and difficulties in their everyday lives. Gender, race, and social class, therefore, appear to play a central role in the biographies of domestic workers and seem to be seen by them as the main markers of difference of their social identity, which further contributed to the construction of the theoretical body for my research.

6.2 THE COLONIALITY OF POWER AND GENDER: TWO OPPRESSIVE SYSTEMS THAT SURVIVED THE END OF THE COLONIAL ERA

Besides pointing out the importance of intersectional thinking, Phoenix and Brah (2004) further claim that “the need of decolonized minds” - which means approaches aimed at questioning and detangling the production of social hierarchies by colonial and racial subjects -, remains, too. In the Brazilian case, almost three centuries after the end of its colonization and 130 years after the abolition of slavery, the legacy of the colonial era still visibly shapes its social dynamics (Schwarcz 2018). Quijano (2000, 2007) defines these structures of power, social hierarchy, control of capital, and racial distribution of work that have emerged during the colonial era and have outlived the conquest of America to the present as coloniality.

[...] for the first time of humankind, along with America there was produced a new mental category to codify the relations between conquering and conquered populations: the idea of “race”, as biologically structural and hierarchical differences between the dominant and the dominated. So those relations of domination came to be considered as “natural”. And such an idea was not meant to explain just the external physiognomic differences between dominants and dominated, but also the mental and cultural differences. And since both terms of such a relationship were considered, by definition, superior and inferior, the associated cultural differences were codified as well, respectively, as superior and inferior by definition. (Quijano 2000: 216)

In other words, the author refers to the social hierarchy in contemporary societies as the living legacy of European colonialism, which brought the practice of categorizing the world population, associated with the idea of race, into existence. As a matter of fact, this constructed racial, political, and social classification system that prescribes value to certain people while devaluing or even dehumanizing others continues to be reproduced. Seeking to determine the root of this system, Quijano claims that racial discrimination, justifying the exploitation and oppression of those perceived as inferior, was directly linked to the then-emerging global, Eurocentered capitalism. Capital was “the axis around which [the new pattern of power] was articulated” (ibid: 216), as the whole system was supposed to create profit, wealth and to determine who was worth getting a salary and owning land, and who would be supposed to forcibly work on it.

In response to Quijano’s work, Grosfougel (2011) has a similar agenda of exposing the consequences of coloniality and Eurocentrism. Aiming to bring awareness regarding the need to challenge the structures that were implanted in society by European colonizers, the author explains that it is through coloniality that humanity has been considered as divided into two spheres. The one human sphere, geographically associated with the West, is considered the zone of being, while the other sphere, geographically associated with the South, is considered the zone of non-being. Prescribing more value to the Western human sphere, occupied by “the superiors”, this division generates forms of racism and dehumanization that Grosfougel relates to colonial patterns of power. However, this division is not always restricted to a geographical dimension, since in some cases it can also contain a symbolic meaning, given that a country geographically associated with the South, like Australia for example, in fact, could also be considered a zone of being, depending on the status.

Lugones (2007, 2010) expands Quijanos’s concept (2000, 2007) by examining the relationship between the colonizer and the colonized not only in terms of race but particularly in terms of gender. She criticizes the fact that Quijano (2000, 2007) emphasized race over gender in his work, without paying attention to the intersection of both. With the help of her “analysis of racialized, capitalist gender oppression” (Lugones 2010: 747), which she calls “coloniality of gender”, Lugones examines the impact of colonialism on gender formation and argues that gender is a colonial imposition which continues to bring about the subordination of women in every aspect of life.

The very process by which females were categorized and reduced to "women" made them ineligible for leadership roles. ...The emergence of women as an identifiable category, defined by their anatomy and subordinated to men in all situations, resulted, in part, from the imposition of a patriarchal colonial state. For females, colonization was a twofold process of racial inferiorization and gender subordination. The creation of "women" as a category was one of the very first accomplishments of the colonial state. (Lugones 2007: 197)

The intersectional approach used by Lugones enables to interlink the productions of gender and race to analyze the gender system introduced through the coloniality of power. Using a perspective that is “wholly grounded in the feminisms of women of color and women of the Third World” (Lugones

2007: 187), the author turns attention to the fact that discriminating values and role expectations were also imposed on gender, according to the given intersections with race and class. This new gender system confined white women and colonized women to certain subordinated roles, associating bourgeois females with the reproduction of “the race” and “the class” (ibid: 201) while degrading non-white women to inferior, animal-like beings unworthy of any of the privileges that white bourgeois women had (ibid). “Historically, the characterization of white European women as fragile and sexually passive opposed them to nonwhite, colonized women, including female slaves, who were characterized along a gamut of sexual aggression and perversion, and as strong enough to do any sort of labor” (ibid: 203). At the same time, colonized women were portrayed as libidinous, exotic, and hyper-sexualized beings, and sexual “resource” freely accessible to white men, which led to widespread sexual assaults by them (ibid: 204). The consequences said racism and sexism had for both white and colonized women during the colonial era are described by Stolcke (1994: 19) as follows:

In all hierarchic societies, where social position is attributed to qualities that are supposedly inherent, natural, racial, and therefore hereditary, it is absolutely essential for elites to control the procreative powers of their women in order to preserve their social pre-eminence. [...] In institutionalising the metaphysical notion of blood as a vehicle for family prestige and as an ideological instrument to guarantee social hierarchy, the state, in alliance with families pure in blood, subjected women to a more stringent control over their sexuality while their irresponsible sons were allowed to disport themselves with “inferior” women who were being regarded as being “without quality”.

In the same vein as Quijano, Lugones (2010: 746) finally emphasizes the persistence of this system: “Unlike colonization, the coloniality of gender is still with us; it is what lies at the intersection of gender/class/race as central constructs of the capitalist world system of power”.

Following the introduced concepts of the coloniality of power and gender, one can conclude that even though the colonial era was centuries ago, many of these static patterns of power have endured and are reflected in diverse aspects of our contemporary societies. The concepts thus enable me to go back and comprehend the origins of certain contemporary forms of discrimination, and help to explain why color or gender is still being associated with certain positions in modern social hierarchies, which in turn causes the discrimination of the supposedly “inferiors”.

By applying this framework to the case of domestic workers in contemporary Brazil, we are enabled to recognize that the coloniality of power and gender created an ideology of inferiority and dehumanization based on social characteristics, which is responsible for many of the persistent inequalities in Brazilian society – including the oppression and marginalization of poor and black women (Bernadinho-Costa 2014, 2015a; 2015b). “The colonial history continues to shape domestic work, producing a subaltern class marked by gender, race and class inequalities” (Acciari 2018a: 25).

Together, the concepts of intersectionality and the coloniality of power and gender allow me to analyze the complex forms of discrimination that domestic workers in Brazil experience due to their

gender, color, and social class, while at the same time understanding the origins of the problem by embedding it into the Brazilian context of colonial and post-colonial times.

Consequentially, I consider these theories as useful for my study, as they provide me with a framework to examine whether or not the country's colonial and slavery past, which contributed to the structural devaluation of domestic work in Brazil, played a role in the creation, promotion, and adoption of the "PEC das domésticas". The process I want to follow here is to find out if the actors involved in the PEC process aimed at overcoming colonial patterns of power, "which not only created new races but associated them with certain positions and functions"⁸ (Bernadinho-Costa 2015a: 154), to then conclude with the answer to my research question.

⁸ Translated by the author (original quote is in Portuguese: "[...] o padrão de poder constitutivo da modernidade/colonialidade, que não somente criou raças novas, mas as associou a determinadas posições e funções").

7 UNDERSTANDING DOMESTIC WORK IN BRAZIL: A HISTORICAL AND CONTEMPORARY CONCEPTUALIZATION

7.1 STUDY SETTING BRAZIL: A SOCIAL, POLITICAL, AND ECONOMIC OVERVIEW

With its 209 million inhabitants, Brazil is the fifth largest population in the world (World Bank 2018) and a melting pot of many different cultures and ethnicities. The diversity of Brazil's population can be traced to the country's immigration flows and history, encompassing a past marked by inequities, barbarism, and despair: large parts of the Brazilian population descend from Portuguese colonizers, Africans who were brought to the country during the slavery period and those native Indigenous who survived colonial genocide policies (Bachman 2019).

Having the largest population of African descent outside of Africa, mainly due to the intense transatlantic slave trade between the 15th and 19th century (Klein & Vidal Luna 2010), Brazil is an important country in the African diaspora (Mitchell-Walthour 2017). The Portuguese colonization, together with a massive influx of Italian, German, Spanish, immigrants after Brazil's colonial period in the 19th and 20th centuries, contributed to the high number of Brazilians of European descent (Wejsa & Lesser 2018). Moreover, the migration of Arabs and Japanese, predominantly in the early 20th century, greatly influenced the country, today being home to the world's biggest community of Japanese descendants outside of Japan (Veselinovic 2013), as well as to the "largest Arab diaspora in the world, resulting from immigration mainly from Lebanon and Syria" (Tufekci et al. 2018: 89).

Based on this diversity, there emerged a false understanding of Brazil's distinctiveness in terms of racial relations, compared to other countries such as the United States. "A history of widespread miscegenation, a resulting dynamic system of multiracial classification, and the absence of post-slavery legally sanctioned discrimination" helped to foster the myth that in Brazil, race and color did not predetermine one's social standing (Lovell 2000: 87). The notion of Brazil's racial mixedness and cultural hybridity being the essence of the so-called "brasilidade" ("Brazilianness") contributed to the construction of the Brazilian belief of "racial democracy" – a society characterized by the harmonic coexistence of all races and classes, and the absence of discrimination (Freyre 1933).

Until the early 1970s, Freyre's idealized concept of a racially democratic Brazil was popularized and turned into a source of identity and national pride for the country, being widely accepted among Brazilian society, international and Brazilian scholarship. Yet, over time, scholars and black militant groups started to increasingly criticize the concept (Lovell 2000), as is not only obscures diverse forms of racial dominance and violence, "but it also fails to 'ethically listen' to both the black and the poor populations of the country" (Bernadinho-Costa 2014: 73). In these terms, scholars have carried out extensive research that further discredits the notion of a racial democracy (for a detailed discussion on that, see Skidmore 1974; Hasenbalg & Huntington 1982; Twine 1997), arguing that Brazil is one of the politically, economically as well as socially most unequal countries in the world (Soares & Moreira 2018.). Contrary to the belief of a racial democracy, Afro-Brazilians are one of the groups that are most affected by this inequality, as they "remain significantly underrepresented in national politics, comprise

a disproportionate number of the poor, and are economically and socially marginalized” (Mitchell-Walthour 2017: 676). According to a study about economic inequality in Brazil, produced in 2011 by the Data Popular Institute, “the wealthiest group of Brazilians – known as “Class A” – was made up of 82.3% white people and just 17.7% African-Brazilians. In contrast, “Class E” – the poorest section of society – was 76.3% African-Brazilian and 23.7% white” (Philips 2011). The data imply that, although Brazil might be situated in a different panorama concerning racial relations compared to the United States, racial divisions are existent and continue to blight Brazil’s society. As stated by Soares & Moreira (2018: 348), these “differences between different ethnic groups are closely linked to the historical formation of the country and the adoption of slave labour”. In a similar vein, Bello (2002: 43) argues that, after the abolition of slavery, the Brazilian society transitioned from an official slavery system to an informal, more complex system of racial domination which he calls “informal slavery” – meaning the political institutionalization of the black population’s exclusion and oppression.

This system of racial domination is especially reflected in terms of education, income, and unequal opportunities in the labor market, three interlinked areas in which racial disparities can clearly be observed still (Soares & Moreira 2018; Lovell 2000; Bello 2002). As a result of inferior schooling opportunities and racism, the Afro-Brazilian population faces difficulties in the labor market and struggles to access well-paid jobs (Bello 2002; Barcellos Rezende & Lima 2004.). Barcellos Rezende & Lima (2004) further claim that especially in professions such as secretary, receptionist, or salesperson, exclusion based on appearance may also play a role. Correspondingly, a study from 1998 showed that 60% of black and mixed-race men in the metropolitan region of Rio de Janeiro worked in the manual labor sector, compared to only 37% of the white men. Similarly, 40% of black and mixed-race women were found to work in the domestic work sector, while the same applied to only 15% of the white women (Rangel 1998 as cited in Bello 2002: 51).

More recent data from 2018 suggest that little has changed about that: black people’s unemployment rate is still significantly higher than that of white people, the racial wage gap is far from being closed, and the black population continues to be overrepresented in “low-skilled” jobs in the manual labor and agricultural sector, while “elite” professions like engineer, doctor, and pilot are predominantly (87-92%, depending on the profession) executed by whites (Gomes 2018). This racialized segregation in the labor is particularly striking when gender is considered in the analysis, as “compared with white women and black men, black women are unequally concentrated in certain low paid jobs in the service industry, such as for instance domestic work” (Barcellos Rezende & Lima 2004: 764).

While in this context, one can regard domestic work as an important source in “absorbing women with less schooling and less occupational experience in the labor market” (ibid: 763), the fact that the job is predominantly performed by black and lower-class women also further illustrates the racial, gender and class division that shapes Brazilian social dynamics. Gender, class, and race seem to predetermine the position occupied by a person within the Brazilian labor market and society, and these divisions reinforce the disempowerment of black women, as they face unproportionate low salaries, the

burden of poor work conditions, and inferior opportunities to develop further skills and qualifications (Bello 2002). Moreover, it reflects the side effects of an economic system based on capitalism and privatization, as Bernadinho-Costa (2014: 72) points out:

The existence of a domestic labor force means that there are high-income families with the means to pay another person's wages. On the other hand, it means a service that compensates the lack of basic public service (daycare, for instance). Because of that, families with a higher income are able to overcome the lack of some public services by privatizing them, by hiring private services.

In response to this situation of inequality, Brazilian militants and activists have constantly challenged persistent grievances. Since their emergence in the 20th century, social movements like the Brazilian feminist movement, the black movement, and intersectional movements such as the domestic workers' movement have stood up to denounce said injustices and carry on their mission to “break the pact of silence that has long obscured the discrimination and oppression” suffered by large parts of the population (Caldwell 2007: 5).

Listening to the demands of these movements – as many of the militants and activists were affiliated to the PT –, the party implemented relevant policies aimed at tackling racial and class inequalities during its governance (2003-2015), such as conditional cash transfer programs (e.g. “Bolsa família”), racial quotas for higher education, etc. Both former PT presidents, Lula and Rousseff, “led to greater inclusion through their social and racial policies. These progressive policies went directly against the common ideology that blacks are neither fit for positions of power nor should they be fully included in society” (Mitchell-Walthour 2017: 677).

The advancement of progressive social policies implemented by the PT government was accompanied by a major economic boom when, according to the World Bank (2019), “more than 29 million people left poverty and inequality declined significantly”. In this period of rapid upswing, Brazil ascended to the position of “one of the world’s leading economies” (OECD 2018: 2) and became one of the five BRICS countries in 2009⁹. It was handled as a global source of economic hope and celebrated as a potential new world power. In 2014, Brazil hosted the Football World Cup, and in 2016 the Olympic Games, which brought the country further to the center of the world stage. However, after a decade of growth, Brazil fell into a deep economic recession in 2015, which the country is still struggling with. Brazil’s moment of crisis was aggravated by political turmoil that culminated in the coup¹⁰ of then-President Dilma Rousseff (PT).

⁹ The acronym BRIC was introduced by the economist Jim O'Neill from Goldman Sachs to mark the accession of emerging economies into the global market. Officially, the BRIC group was formed in 2009, consisting of Brazil, Russia, India, and China. In 2011, South Africa joined the association and completed the BRICS concept.

¹⁰ The question of whether the impeachment of Dilma Rousseff was the result of a coup d'état, or of a democratic political process has caused heated and controversial arguments in Brazil. However, I decided to refer to this process as a coup, following the argumentation of Acciari (2018a), Bastos (2017), and Lowy (2016).

Key to the political crisis was “Operation Car Wash” (Operação Lava Jato), the largest anti-corruption investigation of Brazilian history (Fogel 2019). The overthrow of Brazil’s first-ever woman president had long been craved by the country’s elite class and the mainstream media organs, who had “opposed the PT and its anti-poverty programmes for two decades” (Miranda 2016). Controversial disputes surrounding the PT social policies included, inter alia, the “PEC das domésticas”, which turned into a matter of constant concern in the media and within Brazilian society after being adopted by Rousseff in 2013 (Furno 2016). Unsatisfied with the fourth consecutive electoral victory of the PT and favored by Rousseff’s widespread unpopularity with the Brazilian population, owed to the country’s severe recession, Brazil’s political right pushed Rousseff’s impeachment campaign in 2016 (Miranda 2016; Saad-Filho & Boffo 2020). The coup of Rousseff broke the cycle of 13 years of PT governance. Moreover, the crisis led to a tremendous political polarization, reinforcing the left-right antagonism within Brazilian society, and opening space for the advance of the conservative right-wing. As a result, Jair Bolsonaro, a far-right politician, is leading the country since the last presidential elections of 2019.

7.2 FROM ENSLAVED SERVANT TO DOMESTIC WORKER: THE CONTINUOUS SUBJECTION OF AFRO-BRAZILIAN WOMEN IN BRAZIL

Domestic workers are almost an integral part of Brazilian upper and middle-class households and have long been a staple of existent gender, class, and race divisions. During Brazil’s 2016 pro-impeachment protests, one particular photo went viral on social networks and was seen by many as the emblem of Brazil’s social class dynamics, intensifying the polemic around structural gender and race divisions of labor (Figure 7.2.1)¹¹. It showed a white middle-class couple in Rio de Janeiro’s wealthy South Zone, marching in favor of the impeachment of then-president Dilma Rousseff while their Afro-Brazilian domestic worker was walking behind them, pushing the couple’s child stroller in a white uniform that some employers typically require their domestic workers to wear (Nolen 2014). In the course of the discussions that the photo set off, the situation captured was often being contrasted to colonial slavery scenes. In the picture below (Figure 7.2.1), posted in a digital newspaper, the referred photo from 2016 is compared to a 19th century painting by French painter Jean-Baptiste Debret. “The return of a proprietor” illustrates a scene from colonial Brazil, with a white man being carried in a hammock by his black slaves dressed in traditional all-white slave clothing (Araújo et al. 2019). The comparison reflected the perception of many Brazilians who regarded the picture as a vivid illustration of social and racial ills in Brazil and referred to the situation as “the repetition of a scene going back to the time of slavery” (Nolen 2014).

¹¹ For more detailed information about the photo and the nation-wide debate it set off, please consult Nolen (2014).

Figure 7.2.1: White couple and their black maid in Rio opposed to ancient slavery scene



Source: Brasil 247 (2016)

Domestic work stands in a special light in Brazil, considering the country's past and its legacy into the present:

The phenomenon of race is not only a residual characteristic in the survival of domestic work; in fact, it constitutes the basis for the maintenance of its logic. In countries like Brazil, in most regions, the weight of the slavery in the colonial society continues to accentuate the inequalities between blacks and whites – it is in this social place that the greatest recruitment of female workers takes place, and where other inequalities intersect. (Brites 2013: 429)

The strong presence of domestic work in Brazil is related to a set of factors, ranging from the important role it played in the historical formation of its society, to unequal wealth distribution, the limited number and poor quality of public services (kindergartens, all-day schools, laundry facilities), and the large offer of cheap labor due to high levels of unemployment (Bernadinho-Costa 2015: 148). Scholars (Chaney & Castro 1989; Barcellos Rezende & Lima 2004; Avila 2009; Brites 2013; 2014; Bernadinho-Costa 2015; Acciari 2018a) have agreed that domestic work in Brazil, as it is situated in the contemporary social and economic context, is directly related to a hierarchical system of racial and gendered labor division that gained momentum during the colonial period:

Racism has been incorporated into the capitalist economy creating a subaltern class that would serve the dominant white elite. Over a century after the abolition of slavery, many studies reveal that this racial and class structure still remains in place. But social stratification also has a gender component; indeed, black women are more excluded and discriminated against than black men or white women. They moved from enslaved servants to domestic workers, a job that is still characterised by high levels of informality, lower wages and normalised abusive relationships with employers. (Acciari 2018a: 31)

Barcellos Rezende & Lima (2004: 766) thus argue that “the presence of domestic servants in Brazilian society is significant not only in terms of its percentage in the labour market but also historically as a post-slavery version of servility in the domestic sphere”. The reference these authors make to slavery is not far-fetched. Recasting the academic debate on the subject, it strikes that a clear

consensus has emerged on the origins and persistence of domestic work as a profession in Brazil. Scholarship commonly refers to domestic work in Brazil as an occupation that was based on the exploitation of slaves during the colonial period and still shows concrete traces of slave labor today (De Melo 1998; Avila 2009; Silva 2010; Bernadinho-Costa 2014; Brites 2013; 2014; Dorcadie 2018; Acciari 2018a).

In these terms, an analogy made by many authors (Holston 1989; Silva 2010; Bernadinho-Costa 2015) and by the domestic workers I have interviewed is to compare the domestic workers' bedroom inside their employer's house to the "senzalas"¹² from Brazil's slavery times. Typically, domestic workers' rooms in Brazilian apartments are isolated from the remaining rooms, being spatially connected to the so-called "service area", with direct access to the kitchen and laundry facilities. Due to its tiny size, the room can usually not fit more than a small single bed but is still often "used to store all sorts of unwanted and disused items in the household" (Silva 2010: 33). The maids' private bathrooms are often neglected, lacking essential facilities, and in need of repair (Goldstein 2003).

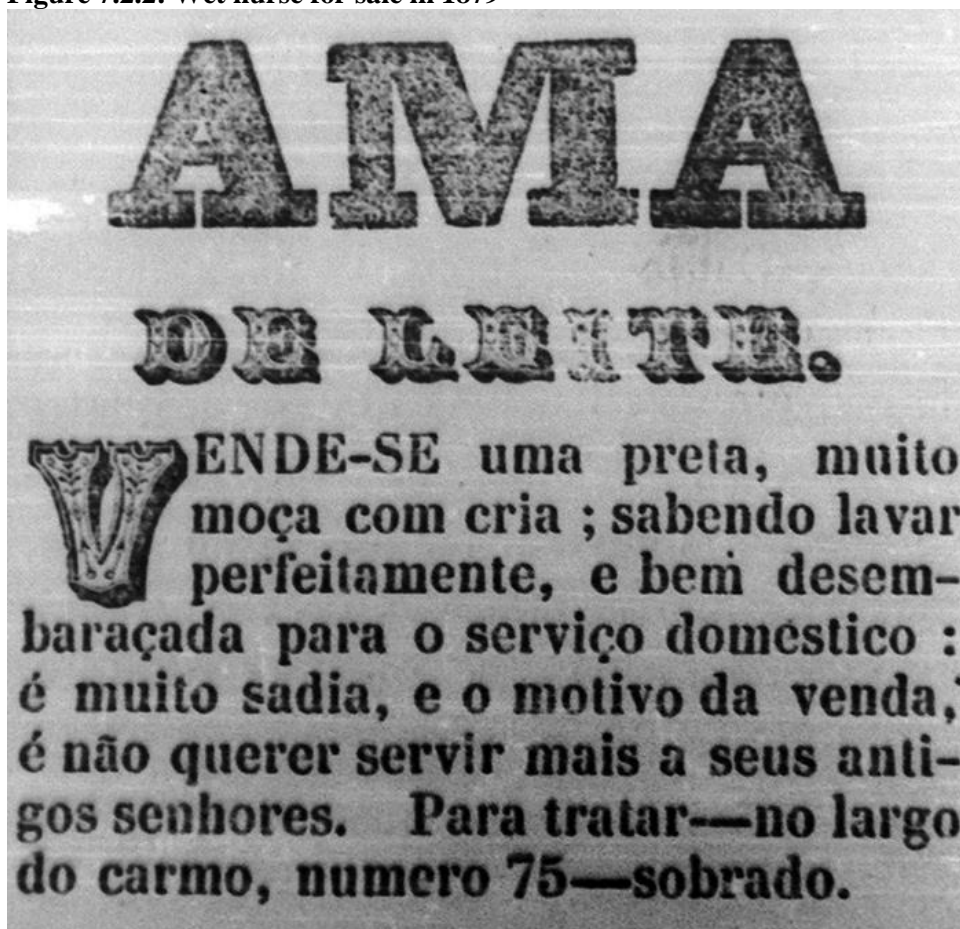
The spatial segregation between the domestic worker and the employer's family, which can be found in nearly every Brazilian middle-class apartment, reveals the subaltern social status of these workers and resembles "the structure of colonial architecture that separated manor house and slave quarters" (Silva 2010: 33). Further reinforced by said common lack of maintenance, domestic workers' rooms reflect the devaluation and discrimination faced by this category. As a result of a persisting colonial social order embedded in capitalism, Brazilian society reproduces forms of gender, race, and class discrimination that underpin the subaltern character of domestic work as a profession. In the face of this reality, Holston (1989: 179) summarizes the situation as follows: "[...] the maid is still a slave of unwelcome presence in the family areas; and her little room with its door opening onto the washbasin in the service corridor is still the senzala, the slave shanty".

During Brazil's colonial time, African slave labor became the driving force behind its export economy, which depended on a series of raw products such as Brazilwood, sugar, gold, and coffee (Klein & Vidal Luna 2010). In addition to plantation work and mining, a further mainstay of the colonial economy was exploitation of slave labor in the domestic sphere. In line with colonial and gendered divisions of labor, domestic work was primarily exercised by black women (De Melo 1998; Avila 2009; Buesso da Silva 2017) - based on "the idea that care and domestic work is by essence a 'feminine' work, for which women are naturally gifted (they are maternal, loving, and caring)" (Acciari 2018a: 73) and the notion that the non-white race was designated to serve the "superior" white population. Substituting cultural distinctions for natural ones, this created the widespread perception that domestic work was the "natural habitat" of the black woman (ibid).

¹² Senzalas, or slave quarters, were barracoons for the confinement of slaves, commonly at farms and sugarcane plantations. In general, senzalas were precarious, uncomfortable, and unhealthy housing, usually detached from the main house in which the master's family resided.

As stated by Giacomini (1988) and Freyre (1933), “domestic functions” within the master’s family also included tasks such as breastfeeding the master’s children, the sexual satisfaction of the master, and the sexual initiation of the family’s sons. The sexual availability imposed on black women by their colonizers also subjected many slave women to forced prostitution (Meade 2009). Another lucrative source of income for slave owners was renting out slave women as “wet nurses” after separating them from their newborn babies and forcing them to breastfeed white women’s babies, as breastfeeding was generally considered inappropriate for a white woman in elite circles (ibid; Barcello Rezendes & Lima 2004). The picture below (Figure 7.2.2) shows an advertisement in a newspaper from 1879, offering a black slave woman for sale as a domestic servant and wet nurse.

Figure 7.2.2: Wet nurse for sale in 1879¹³



Source: Propagandas Históricas (n.d.)

Conforming to the colonial social order (Quijano 2000; 2007), white women were regarded as respectable and sexually passive beings, having their sexuality strictly controlled for the sake of maintaining the white race’s “purity of blood” (Stolcke 1994), whereas colonized women were

¹³ Translation (by the author) of the advertisement text: “WET NURSE. FOR SALE: very young black woman with child; knows how to wash perfectly; very good at domestic service; healthy, and the reason for sale is not wanting to serve the former masters. To buy - at Largo do Carmo, 75 - Sobrado”.

associated with a subaltern class, consisting of the non-white population (Lugones 2007; 2010). Given this system of classification and dehumanization, it was perceived as legitimate to exploit and instrumentalize black women, transforming their bodies into both another financial resource (Lugones 2007; Caldwell 2007) as well as a sexual playground for white men seeking to live out their erotic desires (Stolcke 1994).

Thereby, the coloniality of power and gender subjected slave women to “a position of near absolute, unregulated subordination to the male head of household” (Kuznesof 1989: 28). The patterns of oppression, patriarchy, and substitutability that marked the daily life of these slaves can partially be retrieved again in the contemporary context as vivid expressions of the past, as reports of many domestic workers¹⁴ and researchers reveal. In Brazil, until the law changes of 2013 and 2015, many families were used to having a full-time live-in domestic worker, available around the clock (Gomes & Baviera Puig 2013), without paying for their full rights. Combined with the normalized physical and psychological abuse that countless domestic workers still suffer (De Souza & Cerqueira 2009; Acciari 2018a)¹⁵, this precariousness can be regarded a legacy of slavery and the naturalized colonial image of non-white women being servile caregivers, destined to serve and being available to others’ demands in the domestic sphere (Avila 2009).

The coloniality of power also played a major role in the post-abolition period, as the subaltern status imposed on former slaves and the lack of legal support provided to them impeded their proper inclusion into society. After Princess Isabel of Brazil signed the Golden Law in 1888¹⁶, “there was practically no institutional support to enable former slaves making the transition into the new economy” (Roberts 2018: 40)¹⁷. Quite the opposite: the institutional racism, “characterized by the constant practices of devaluation and humiliation that were perpetuated since the beginning of slavery as a legal system, [was] carried on after the abolition, to exclude black people from the spheres of power and decision-making” (Acciari 2018a: 37).

Subjected to marginalization, political disregard, neglect in terms of labor legislation, and a massive influx of economic migrants from Europe during the 20th century, incentivized by the government as part of its whitening policies (Wejsa & Lesser 2018), former slaves found themselves unable to fairly compete in the new “free labor market” (ibid; Fernandes 1978; Bernadinho-Costa 2015; Roberts 2018). Consequently, most of the once enslaved population ended up occupying rather “poorly-skilled” jobs, which reproduced racial inequalities that had their origin in the colonial social order. “Because they

¹⁴ For representative examples of a domestic worker’s biography, see Fontes et al. (2018) and UN (n.d. c), which provide interviews with Nair Jane and Creuza Maria Oliveira – historical leaders of the domestic workers in Brazil - speaking for many of their colleagues.

¹⁵ A discussion about the concrete conditions of domestic work in the contemporary Brazilian context, including details about frequency rates of sexual abuse and the precariousness of domestic work as a profession, will be provided in the next chapter.

¹⁶ Brazil was the penultimate country of the world to abolish slavery in 1888, 60 years after gaining independence from Portugal.

¹⁷ Translated by the author (original quote is in Portuguese): “[...] praticamente não havia apoio institucional para os escravos libertos fazerem a transição para a nova economia”.

were always in a subaltern position, their inferiority and social exclusion became natural” and was not being challenged (Acciari 2018a: 37). In the face of this development, domestic work – exercised in exchange for food and a room to sleep – turned into the main way for black women to get access into the labor market, after the abolition of slavery (Fernandes 1978; De Melo 1998; Barcellos Rezende & Lima 2004; Bernadinho-Costa 2015). As a result, the abolition of slavery did not lead to a turnover of structural discrimination towards Brazil’s black population. Crucially, the same people were performing the same work activities, with the difference that former slaves now were informal low-cost workforces (Blasberg 2020b).

With this process in mind, the introduced authors portray domestic work in Brazil as a legacy of slavery, claiming that enslaved women preceded today’s domestic workers. Although their formal status changed from the family’s slave to their domestic worker, black women continued to be subordinated, abused, and exploited in the “free” post-abolition Brazilian society, as patriarchal relations and racial hierarchies outlived the abolition of slavery (Bernadinho-Costa 2015b). It is this direct legacy of slavery that “has meant that domestic work was never recognised as proper work; it is a ‘help’ provided to households, and the ‘natural’ place of black women.” (Acciari 2018a: 214). As stated by Avila (2009), this is one of the reasons why domestic work in Brazil has historically never been valued, neither appropriately remunerated, nor recognized as an occupation worthy of proper legal protection.

7.3 DOMESTIC WORK IN CONTEMPORARY BRAZIL

Accounting for 7,2 million people - 93% of whom are women (Dorcadie 2018; ILO 2018b) -, domestic workers represent the biggest category of workers in Brazil (Superior Labour Court TST n.d.). The Brazilian domestic work sector is the largest worldwide (ibid; ILO 2013; Bernadinho-Costa 2015a); however, it has slightly declined over the last decades. According to a study carried out by the Brazilian governmental Institute for Applied Economic Research (IPEA), the proportion of employed women who work in domestic service decreased from 17% in 1995 to 14,6% in 2018 (IPEA 2019). The dropping number of women engaging in paid domestic work can be traced back to a range of factors, above all the social policies introduced during the PT regime, which improved overall access to education (ibid). However, looking at the numbers of employed women in the domestic work sector by race, the figure for 1995 changes from the overall average of 17% to 22,5% for black employed women, compared to 13,4% for white employed women, and for 2018 from the average of 14,6% to 18,6% for black employed women, compared to 10% for white employed women (ibid; IPEA n.d.). The numbers show that although there is a drop in the overall number of women engaging in domestic work, black women have always outnumbered white women in the sector and continue to do so.

In Brazil, the majority of domestic workers are Brazilian women from low-income classes, with little schooling (Gomes & Baviera Puig 2013; Brites 2014; Bernadinho-Costa 2014; Monticelli & Seiffarth 2018), who “migrate for jobs within the region and between rural and urban areas in the same

country” (Moloney 2015). Typically, the responsibilities of a domestic worker include tasks such as cleaning, cooking, grocery shopping, childcare, and elderly care, among others. Their historical devaluation and discrimination have meant that many domestic workers tend to avoid labeling themselves as “domestic worker” (“*empregada doméstica*”) but prefer to use a variety of different words, such as “nanny”, “caregiver”, “cook”, “cleaners” etc. (*babá, cuidadora, cozinheira, arrumadora*) (ibid). Hence, domestic workers seem to have created a certain hierarchy, ranking these distinct occupations within their worker’s category. Nannies are to be found on top of this hierarchy, whereas cleaners are located at the bottom of the domestic work pyramid (Acciari 2016).

There are different kinds of employment arrangements for domestic workers in Brazil. Most commonly, domestic workers are either employed as day-workers (*diaristas*) or as month-workers (*mensalistas*). Month-workers work for only one household or family over the entire month and receive a monthly salary. Some of them sleep overnight at their workplace during the week and only go home to their families for the weekends, while others even live in their employer’s house for the whole week. However, with decreasing poverty owed to the economic boom between 2003 and 2014, the improved access to education and the gradual amplification of domestic workers’ labor rights, the number of domestic workers who sleep at their employer’s house has constantly decreased over the last years. While in 1995, every tenth domestic worker lived in their employer’s house, the same applied to only 1,3% in 2015 (IPEA n.d.)¹⁸. Day-workers, on the other hand, do not sleep in their employer’s house but usually travel long distances of several hours from their rural/suburban homes to their workplaces in the cities, every day. They commonly work for different households at the same time, spending one or two days in each and receiving a daily payment (Avila 2009; Costa et al. 2016).

Diaristas are usually not restricted to a certain number of working hours per week and typically “are the ones who offer more specialized services, such as nannies and caregivers for seniors” (Gomes & Baviera Puig 2013: 4). Yet, they enjoy lesser financial stability and security and are not provided with the same legal protection, since only *mensalistas* – legally defined as those who work at least 3 days per week for the same household – are covered by the domestic workers’ law (Complementary Law N° 150 of 2015). *Diaristas* are by law considered self-employed, and thus not entitled to the same rights¹⁹. For this reason, most domestic workers prefer to work as *mensalistas*, as my interviews revealed.

Yet, the number of *mensalistas* in Brazil is steadily decreasing, while the number of *diaristas* and informal domestic workers is growing (IPEA 2018). When the “PEC das domésticas” and the LC150 entitled *mensalistas* to more rights and benefits, employers found themselves in the need to pay higher

¹⁸ These data, analyzing the time period from 1995 to 2015, were provided by the Brazilian governmental Institute for Applied Economic Research (IPEA), in cooperation with the Brazilian Institute of Geography and Statistics (IBGE) and the Brazilian National Household Sample Survey (PNAD). The project was a joint partnership of IPEA, UN Women, and the Brazilian Secretary of Women’s Affairs, and is available at: https://www.ipea.gov.br/retrato/indicadores_trabalho_domestico_remunerado.html (last access: May 2020).

¹⁹ The concrete content of the “PEC das domésticas” (2013) and Complementary Law 150 (2015), as well as the suggested limitations the laws contain will be detailed in chapter 8.1.

costs for domestic work. However, not all families could or wanted to pay for the increased costs of their monthly household support, and alternatively “downgraded” the employment arrangement of their domestic worker from a mensalista to a diarista model, relying on their employee’s service for only 1-2 days a week (Bastos 2020). High unemployment rates and decreasing levels of the average Brazilian household income, due to the 2015 economic crisis (IBGE 2016; World Bank 2019b), further enforced this development. As a result, the percentage of diaristas reached 31.7% in 2015 and even 44% in 2018 – compared to only 18,3% in 1995 (IPEA 2018; IPEA n.d.). Similarly, the proportion of formally registered domestic workers diminished from 30% in 2013 to 28,3% in 2018 (IPEA 2018). The big majority of domestic workers’ employment relationships are thus informal, thereby subjecting them to high levels of insecurity, the absence of legal protection, and increased vulnerability.

Another factor that has further aggravated domestic workers’ vulnerability is the fact that until recently, it was common for this category to begin to work at a very young age (Bernadinho-Costa 2014; 2015a). Many domestic workers, including those that I interviewed, have reported that owed to the poverty their family was struggling with, they were given away to start working in a private household at the age of 10 (UN n.d. c) or 12 (Acciari 2016), sometimes without pay but in exchange for food and housing. The common rhetoric of employers, claiming that their domestic worker is almost like a member of the family (Avila 2009; Bernadinho-Costa 2014; Bernadinho-Costa 2015a; Blofield & Jokela 2018; Acciari 2018a; Roberts 2018), often turns out to be a source of disillusionment for the young workers. A study conducted by Bernadinho-Costa (2015a) shows that those interviewed domestic workers who started working at an early age refer to their lifetimes as child-workers as an entirely negative, traumatizing, and disempowering experience, far from the promises that their employers had given their parents. However, significant progress regarding this matter seems to have been achieved over the last two decades. While in 1995, domestic workers under the age of 29 years accounted for 46,9%, the number for 2018 dropped to 13%. According to these figures, domestic workers between 30 and 59 now represent the vast majority of the category, amounting to 80%, compared to 50% in 1995 (IPEA 2018).

Although domestic workers’ salaries have increased over the last years, their remuneration remains very low, following the gender segregation dynamics of the labor market (Hiarata 2011). “Domestic labor is naturally seen as a woman's job and, as such, not worthy of a fair pay, as it supposedly does not involve special skills” (Bernadinho-Costa 2014: 73). Putting the increase of domestic workers’ salaries in relation to the development of the national minimum wage, it is noteworthy that the devaluation of the profession seems to have even worsened over the last decades: while the average salary of a domestic worker accounted for R\$ 450 in 1995 (with a minimum wage of R\$100), it went up to R\$ 739 in 2015 (IPEA n.d.), which is less than the 2015 national minimum wage of R\$ 788. What further strikes in this context is that even inside the category of domestic workers, the remuneration is highly racialized, considering that the average monthly salary of a white domestic worker in 2015 accounted for R\$ 824, while black domestic workers only gained an average of R\$ 694 for their work (ibid). The data confirm

that “the intersection of gender, race, and class influences wages and inequality, and that domestic workers suffer from a triple discrimination” (Acciari 2018a: 44).

Besides the remuneration, overall working conditions can also be described as precarious (IPEA 2018; Dorcadie 2018), as many must work long hours and perform heavy physical work, without gaining adequate social recognition (Moloney 2015). Quite the contrary, because of social asymmetries concerning class, gender, and race, domestic workers are frequently exposed to sexual harassment. Brown (2006: 80) reports that “the majority of the women can recount negative experiences in the houses of employers, including exploitation and sexual harassment”. For a study conducted in 2008, 26% of female domestic workers reported they had been sexually harassed at work during that year (De Souza & Cerqueira 2009). Feeling trapped in their situation, however, most maids refuse “to file formal complaints with the police because of a fear of being ridiculed by officials and not finding new jobs” (ibid: 1279). In general, live-in maids were found to be at higher risk for experiencing sexual harassment (including rape) than those domestic workers living in their own homes (De Souza & Cerqueira 2009).

Three exemplary cases reported by the media in 2008, 2017, and 2019 show that live-in maids, working under slavery-like conditions in Brazil, are not such rare of a phenomenon. In all three cases, the victims started to work in the private household of an upper-class family at a very early age - without salary, just in exchange for accommodation, food, and clothes, while being away from their families and without the chance to attend school (Santos 2008; Brazilian Ministry of Labor 2017; Magalhães 2019). The cases from 2008 and 2017 further involved forms of torture, as the domestic workers were forced to live through frequent assaults and physical abuse by their employers. Furthermore, they were forbidden to leave the house or have any private life, due to the clandestine nature of their “work relationship”.

The class and racial segregation that domestic workers are subjected to is also reflected in the infrastructure of Brazilian residential buildings, which seems to be aimed at preventing unnecessary encounters between servants and residents. Most residential buildings in Brazil have two different elevators, and the apartments typically have two separate entrances (Haynes 2013). Usually, the two doors to the apartments are right next to each other, but one leading into the social/residential area, and the other one – meant for the domestic workers - directly into the kitchen. The elevators are also “socially significant in Brazil, as they enforce a separation between residents and ‘social’ guests, as distinguished from ‘service’ workers and residents who arrive dirty from the beach or encumbered by large packages (and are thus engaging in forms of manual labor)” (Roth-Gordon 2017: 35). In many buildings, the staff, including domestic workers, used to be explicitly prohibited to use the “social elevator” and were obligated to take either the stairs or the “service elevator”, until a law against “elevator discrimination” was passed in 1995. “It would prohibit barring people from elevators on the basis of “race, sex, color, origin, social condition, age, handicap or illness” (Schemo 1995).

Recently, Paulo Guedes, current Minister of the Economy in the Bolsonaro administration, approved the latest international devaluation of the national currency “Real”, by claiming that due to its

past strength, *even* domestic workers were (wrongfully) able to travel to Disney land, “a huge party” (Ventura 2020). Besides being a snide allegation that is far from reality, considering the salaries of domestic workers in Brazil (see IPEA n.d.), the comment once again shed light on the lingering phenomenon of gender, class, and race inequalities in a country in which “the decisive distinguishing feature continues to be whether someone cleans oneself, or has their house cleaned”²⁰ (Blasberg 2020b). The statement reveals a class thinking that reserves certain basic rights – such as traveling to amusement parks – to the high society while associating domestic workers to an under-class, unworthy of making such kinds of experiences. As such, Guedes’ narrative serves as a vivid example of how racism and sexism are imprudently kept alive - not least at the expense of domestic workers - instead of challenging their naturalness and asking what underlies this system of social hierarchy.

²⁰ Translated by the author (original quote is in German: “Ein Land [...], weil das entscheidende Distinktionsmerkmal noch immer ist, ob einer selbst sauber macht oder sauber machen lässt“).

8 THE PEC PROMOTIONAL PROCESS: LEGAL AND SOCIOPOLITICAL DIMENSION

8.1 LEGAL DIMENSION: THE DEVELOPMENT OF DOMESTIC WORKERS' LEGISLATIVE PROTECTION IN BRAZIL

When the CLT was adopted in 1943 to first establish a legal framework for workers' rights in Brazil, "the vicious relationship between master and slave on domestic affairs remained as an inglorious trace of ancient times" (Dias et al 2014: 9). Instead of unifying the rights of all workers under a common law, "thus inverting the former relationship between master and slave on domestic or house holding affairs" (ibid), the Brazilian Labor Code incorporated a paragraph explicitly excluding the category of domestic workers from the scope of labor rights (Superior Labor Court TST n.d.; Roberts 2018).

Indeed, this exclusion persists until today, given that the CLT from 1943 is still the foundation of Brazilian labor legislation (Roberts 2018). Thus, although domestic workers are nowadays entitled to the same rights as all other workers in Brazil, complete equality before the law has not been achieved yet. Instead of being protected by the CLT, the category's legal protection is provided through special legislation, which reflects their discriminatory treatment and the historical devaluation of their profession (De Melo 1998). Domestic workers' status as a distinct category of workers, justified in the CLT through their differentiating trait defined as "the non-economic nature of their activity" (Dias et al. 2014: 10), remains unchanged.

Given the decision to rely on special legislation for this workers' category, Brazil has processed several "specific laws" particularly aimed at domestic workers in its legal framework since the 1970s, gradually reducing inequalities and approximating the labor rights of domestic workers with those of other workers. The category was first considered by labor legislation – although in a very restrictive manner – through law N° 5.859 in 1972, when domestic workers were entitled to have a signed "Employment Record Card"²¹ (Carteira de Trabalho Assinada), thus perform their work formally registered (Superior Labor Court TST n.d.; Dias et al. 2014; Bernadinho-Costa 2014). Even though the signature of the card "remained optional and at the discretion of the employer" (Acciari 2018a: 217), the law can be considered a significant achievement, as it paved the way for the recognition of the profession, and enabled registered domestic workers to access social benefits (Monticelli & Seiffarth 2018) such as basic welfare coverage and paid vacation of 20 working days (Superior Labor Court TST n.d.; Bernadinho-Costa 2014; Bernadinho-Costa 2015a).

The formulation of a new Constitution in 1988, after the end of Brazil's dictatorship, advanced the recognition of women's rights and provided a few basic labor rights to domestic workers (Gomes & Baviera Puig 2013; Costa et al. 2016). The Constitution incorporated an article (N° 7) specifically dedicated to the regulation of domestic work. For those with a signed Employment Record Card, the new rights given – accounting for 9 of the 34 fundamental rights that all other workers had (Bernadinho-

²¹ The "Employment Record Card" is an official personal document recording the employment status of a worker. A signed Employment Record Card is a requirement for access to social benefits in Brazil.

Costa 2015a; Roberts 2018) – included the right to minimum wage, 13th salary, paid weekly rest, maternity leave, and paternity leave of five days, among others (Superior Labor Court TST n.d.).

By the early 2000s, political activism²² further moved forward the legal equalization process of domestic workers (Roberts 2018). A law processed in 2006 (Nº 11.324) by the PT advanced domestic workers' labor conditions by extending their entitled amount of paid weekly rest days and paid vacation days, and above all, prohibiting employers to deduct the worth of provided clothes, uniforms, or housing from the worker's salary (Superior Labor Court TST n.d.). This change was extremely significant, as until then, it was legal to employ a domestic worker without paying any salary, just in exchange for food and clothes²³.

The official adoption process of the PEC das domésticas had its beginning in April 2010, when deputy Carlos Bezerra (MDB) proposed the Constitutional Amendment Bill Nº 478, which would later turn into the “PEC das domésticas”, proclaiming:

The Brazilian State has been in charge of taking the initiative to correct a historical process of discrimination against domestic workers for a long time... I decided to assume responsibility myself because I consider it unacceptable to live within a normative system that allows the existence of a “second class” of workers, a real blot on the Federal Constitution of 1988. (Roberts 2018: 37)

The proposal of Bezerra was reinforced by senator Ana Rita (PT), who criticized the status quo and emphasized the pressing need of promoting domestic workers' labor rights with the words:

Domestic workers are frequently beaten up at bus stops on the way home, humiliated in the homes they work, and subjected to many other forms of violence; Moreover, they face a legislation that treats them as “second-class” workers. They do not have the same rights as other workers in our country because they work in the homes of families [...]. I think that being a domestic worker in this country still has remains of slavery. There is this idea that we do a lot for them: we provide them accommodation, food – what should they have rights for? (ibid)

Overall, the PEC project enjoyed wide support among Brazilian parliamentarians. In the Senate, it was elected unanimously in both rounds of election (ibid). The elections in the Camera of Deputies also produced clear results, with only one vote against the law in the first ballot, and two votes against it in the second ballot (ibid). The loudest opponent of the PEC and only deputy who voted against it in both rounds of the election was Jair Bolsonaro, current president of Brazil (ibid; Camera of Deputies n.d.). In complete opposition to Bolsonaro, the law was finally passed by the PT at the beginning of 2013, “as a result of pressure from union representatives and domestic workers' federations” (Alpizar-Duran 2013).

²² The political movements and activism which promoted the “PEC das domésticas” will be detailed in the next chapter.

²³ In these cases, the worth of housing, food, and clothes provided by the employer would be deducted from the minimum wage that domestic workers were entitled to according to the 1988 Constitution. As a result of this calculation, the salary would be “covered” through these provisions instead of being paid out. The law of 2006 prohibited this practice.

It was the greatest advance that had been achieved until then and was referred to by then-Minister of Women's Affairs Eleonora Menicucci (PT) as a "second abolition of slavery" in public discourses (Acciari 2018a). The same view was shared by then-president of the Senate Renan Calheiros (MDB), who affirmed: "Only today, 125 years after the end of slavery, we are closing the last slave quarter [senzala] and throwing away the key" (ibid: 38). Given that the legislative change left untouched the article of the Brazilian Labor Code that explicitly excludes domestic workers from its application - therefore preserving the need for special legislation for this "particular" category of workers -, this declaration can be considered a daring thesis. However, the legal reform altered paragraph 7 of the Brazilian Constitution that had served as a special law for domestic workers, restricting their rights, and incorporated the Constitutional Amendment Bill 72/2013 into it – a change that, indeed, was of historical significance, considering domestic workers' longtime legal disadvantage.

The change of legal framework enabled domestic workers to access the remaining labor rights that they had long been denied and thereby moved forward the process of equalization of guaranteed rights between domestic workers and other urban and rural workers (Gomes & Baviera Puig 2013; Bernadinho-Costa 2015a; Acciari 2018a). Since then, domestic workers with a signed Employment Record Card have rights such as unemployment benefits, the limitation of working hours (maximum of 8 hours a day and 44 hours a week), night-shift rates, access to the FGTS fund, protection against unjustified dismissal, unemployment insurance, sickness leave, work accident insurance, and overtime payment, among others (Constitutional Amendment Bill N° 72 of 2013; Alpizar-Duran 2013; Bernadinho-Costa 2014).

Two years after passing the "PEC das domésticas" in 2013, the law was transposed into Complementary Law 150, in order to specify the rights given by the PEC and the conditions of its application (Acciari 2018a; Roberts 2018). The adjustments to the PEC that emerged in this context included a number of disadvantages for domestic workers. For instance, the LC150 re-defined domestic work and specified who is considered a mensalista and diarista, detrimental to the interests of the category. "Until then, the definition made in the dictatorial period had been kept, which had caused many doubts about the work of the mensalistas and diaristas" (Monticelli & Seiffarth 2018: 15). The new definition provided in the LC150, on the one hand, eliminated terminological and legal uncertainties of the past, but on the other hand, led to the exclusion of diaristas - who make up approximately half of domestic workers' labor force (IPEA 2018) - from the rights and protection provided. Another article of the LC150 that preserves domestic workers' discrimination is N° 28, which determines the minimum number of work months needed by a domestic worker to be eligible for unemployment insurance. According to this article, domestic workers are entitled to unemployment benefits after 15 months of work (under a signed Employment Card), while other workers are only required 12 months (Complementary Law N° 150 of 2015).

Despite its challenges, the LC150 was an important step in the promotion of domestic workers' labor rights, as it regulated the application of seven further rights that the PEC alone could not guarantee

without this complementation (Roberts 2018). Therefore, the LC150 made the PEC come into full force. Furthermore, the reform has contributed to clear guidelines that domestic workers can use as an orientation. Until then, the labor conditions of a domestic worker depended to a large extent on the relationship to their employer. Since domestic workers had very few defined rights, they often relied on the goodwill of the employer, which is now less the case. The reform was thus a symbolic victory and a huge step forward in the fight for equality and against the discrimination of lower-class and Afro-Brazilian women, as confirmed by Acciari (2018b):

The changes brought about by the Brazilian legislation [...] are significant; they directly challenge the colonial structure of society and its associated race and gender divisions of labour. Recognising domestic work as proper work means recognising the value of reproductive labour, performed by precarious black women in the private sphere. And this valuation of labour has been at the core of domestic workers' movement from the beginning. They have always argued that they produce care and wellbeing, and therefore should be recognised as productive members of society and proper workers.

However, many challenges lie ahead still, “the change in the law is only an initial step in effectively guaranteeing the rights of domestic workers” (Gomes & Baviera Puig 2013: 19). In addition to legal aspects that need to be improved (above all the coverage of diaristas), domestic workers are now facing the difficulties of the post-PEC period which reveals that in many cases, domestic workers' legal protection does not necessarily correspond to reality and needs to be further applied. Even though there is finally a legal framework to protect domestic workers, there are still problems in putting them into practice (ibid). For instance, despite the fact that according to the Constitution, employers are obligated to pay their domestic workers at least the minimum wage legislated under Brazilian labor law, many employers still do not follow these rules, as they are aware of the critical financial dependency of the workers (Dorcadie 2018). Furthermore, not all domestic workers claim their rights, some due to a lack of awareness of their rights (Acciari 2018a) and others due to concerns of job loss (Roberts 2018). In this context, Acciari (2016) has observed what she calls the “union effect”, meaning the difference of legal knowledge between non-unionized workers and the unionized workers, who tend to be better informed and aware of their rights.

The challenges lying ahead are also reflected in the persistently high informality rates of domestic workers in Brazil, as there is no reliable monitoring and reinforcement of the laws in the sector (Bernadinho-Costa 2014). The next step is, therefore, to encourage formalization by making labor inspections possible, making compliance with labor rights less complex for the employers, promoting engagement with domestic workers' unions, and finding solutions to make formalization more attractive for employers (Gomes & Baviera Puig 2013).

However, the latest political developments in Brazil have not suggested any progress in this context, as political priorities have shifted since the PT was removed from power. Recent measures implemented by former President Michel Temer have weakened the labor rights of all workers, destroying domestic workers' hopes for further advancements. “In 2017, the Congress approved a highly contentious general

labour reform (reforma trabalhista) which aims at flexibilising the labour market and reducing the level of protection granted by the CLT” (Acciari 2018a: 242). Even though domestic workers are not protected by the CLT, the reform negatively affected them by repercussion and made it harder for them to demand further improvements (ibid).

8.2 SOCIOPOLITICAL DIMENSION: ACTIVISM AND RESISTANCE WITHIN BRAZILIAN SOCIETY

As a matter of fact, the legal changes between the late 20th and 21st centuries in Brazil that gave more rights to domestic workers can not only be traced back to the goodwill of supportive politicians. Rather, domestic workers’ longtime resistance and political activism greatly contributed to the conquest of the category’s rights (Bernadinho-Costa 2013; 2014; 2015a; 2015b; Acciari 2016; 2018a; 2019). Since the 1930s, Brazilian domestic workers have been organizing themselves, making their voices heard, and demanding equality of rights – even before the institutional recognition of their profession (Gomes & Baviera Puig 2013; Bernadinho-Costa 2014; 2015a; Acciari 2018a; 2019). Social activists and scholars date the beginning of the domestic workers’ movement back to 1936 when Laudelina de Campos Melo – a black domestic worker and activist – founded the first-ever domestic workers’ union, the “Domestic Workers’ Professional Association”, in the city of Santos, São Paulo (Bernadinho-Costa 2014; Roberts 2018). By uniting domestic workers through her association, Laudelina aimed to create a space of solidarity and activism among domestic workers to collectively press for the category’s labor rights (ibid).

The organization’s explicit objective was to acquire the legal status of a trade union, which would enable it to negotiate with the Brazilian government and consequently, acquire the official recognition and labor rights already achieved by other professional classes. (Bernadinho-Costa 2014: 76)

Yet, only one year after its foundation, in 1937, the Domestic Workers’ Professional Association was dissolved, as social organizations were made illegal by the authoritarian regime of then-President Vargas (Acciari 2018a). With the end of Vargas’ authoritarian regime, the association was reopened with Laudelina as its president in 1946 (Roberts 2018) and moved further forward the unionization of domestic workers over the 1950s (Bernadinho-Costa 2015a). A game-changer in this context was the support of the Catholic Church, which made the domestic workers’ movement reach a national dimension in the 1960s: it enabled domestic workers to found diverse activist groups associated to local branches of the “Catholic Workers’ Youth” (Juventude Operária Católica)²⁴ in cities such as São Paulo,

²⁴ At the time, a Christian movement called “Liberation theology”, associated to the Catholic Church, produced many advocates of social responsibility and political liberation, who were involved in social movements in Brazil. In this context, the Young Christian Workers were a labor organization which “supported workers as a universal and homogeneous category” (Bernadinho-Costa 2015a: 77).

Recife, Porto Alegre, Rio de Janeiro, and Belo Horizonte, which pushed the movement's spread across the whole country (ibid).

As a result of their longtime mobilization, today, there are domestic workers' unions in all Brazilian states and provinces (Gomes & Baviera Puig 2013). Even though the work sector has the lowest rate of union membership in Brazil, accounting for 3,1% (Roberts 2018), scholars have agreed about the leading role that domestic workers' unions have played in the fight for the category's legal advancements (Gomes & Baviera Puig 2013; Bernadinho-Costa 2013; 2014; 2015a; 2015b; Acciari 2016; 2018a; 2019). In 1997, domestic workers created the National Federation of Domestic Workers (FENATRAD), which represents 21 domestic workers' unions from 13 Brazilian states (Roberts 2018; Acciari 2018a). It has "a very important political role in the debate of expanding and guaranteeing labour rights to domestic workers" (Gomes & Baviera Puig: 9) as, together with the local unions, FENATRAD provides help to those in need of legal or mental support and denounces employers who impose illegal and abusive labor conditions on their domestic workers (Dorcadie 2018).

The domestic workers' movement can be considered an intersectional movement, historically linked to Brazilian feminist, class, and black movements (Bernadinho-Costa 2013; 2014; 2015a). "By combining class, race, and gender perspectives, the black feminism of the domestic workers' movement blackens and feminizes the demands of the union movement" (Bernadinho-Costa 2014: 79). In these terms, Bernadinho-Costa (2015a) refers to the formations of domestic workers' unions as "de-colonial projects" - meaning the attempt of challenging the constructed inferiority imposed on the non-white and the female population. According to the author (ibid), this attempt is reflected in the unions' efforts to reduce domestic workers' vulnerability and empower the category. This engagement can be regarded as a contribution to the deconstruction of the colonial legacy and the hierarchal social order, based on racism and sexism, associated with the colonial period.

In this context, it is noteworthy that both Acciari (2016; 2018a; 2019) and Bernadinho-Costa (2013; 2014; 2015a) call attention to the "mobilizing dimension of the concept of intersectionality" (Bernadinho-Costa 2014: 78). The authors refer to domestic workers' intersecting gender, race, and class identities not only as a source of oppression and inferiorization, but also as a driver for their mobilization, resistance, and the empowering formation of alliances.

I find that even as they reject their identity as 'domestic workers', the intersecting nature of their oppression has enabled the formation of broad-based alliances with women, black and workers' movements, thereby turning subalternity into a resource for collective action. (Acciari 2018a: 3)

Owed to common interests related to the fight against the historical discrimination of the black population and the legacy of slavery, the black movement turned into one of the closest allies of domestic workers (Bernadinho-Costa 2013; 2014; 2015a; Acciari 2018a). Initial contacts with the black movement were already made at an early stage, given that the black movement "Frente Negra Brasileira" - which Laudelina was also a militant of - supported the founding of the Domestic Workers' Professional

Association in 1936 (Bernadinho-Costa 2015a). After the end of Vargas' dictatorship and his ban of social organizations, black movement organizations such as the Black Experimental Theatre (Teatro Experimental do Negro), constantly promoted the public debate on domestic workers' social and labor conditions in Brazil since the 1950s (Bernadinho-Costa 2015a). In the 1980s, various major cities of Brazil started creating councils for the inclusion of black communities' demands, which would also directly benefit domestic workers as black, poor women. More recently, in his first year of presidency in 2003, Lula founded the Secretariat for Policies to Promote Racial Equality (SEPPPIR) - a consultative body aimed at promoting racial inclusion and tackling structural racism (Acciari 2018a). Domestic workers were directly involved in this initiative, given that FENATRAD owned a seat in the SEPPPIR, therefore enabling representatives of the category to participate in the discussions concerning racial inclusion policies (ibid).

In addition to interactions with the black and class movement, domestic workers started approaching the feminist movement in the 1980s (Bernadinho-Costa 2013; 2015a; Roberts 2018). Yet, the beginnings of domestic workers' cooperation with feminist activists were marked by tensions and skepticism, given the conflicts of interests that emerged in the context of the class question: for many middle-class women, the access to cheap domestic labor forces reflected (and still reflects) a source of emancipation and liberation (Bernadinho-Costa 2015a). Consequently, domestic workers' interests tended to be neglected within feminist discourse, which is why many domestic workers did not identify themselves with the feminist movement and rather regarded it with suspicion:

Interlinked to the racial question, the issue of domestic work has also been another major point of division for the feminist movement, which has often failed to integrate domestic workers' demands. Brites (2013) argues that domestic work reveals the lack of unity between white and black women when their divergent class interests are at stake. (Acciari 2018a: 178)

As stated by Bernadinho-Costa (2015a), domestic workers' mistrust nowadays continues to carry weigh on their relationship to the feminist movement, although to a lesser extent. Nevertheless, the author emphasizes the important role that feminist groups have played as dialogue partners to domestic workers over the years, above all during the promotional process of the 1988 Brazilian Constitution, which guaranteed new rights to domestic workers. The intensive interaction between domestic workers' unions and feminist organizations – aimed at improving both women's as well as particularly domestic workers' rights – during the period of Brazil's re-democratization and the formulation of a new Constitution between 1986 and 1988 helped to foster and strengthen the partnership between the two movements (ibid; Roberts 2018).

In addition to said alliances with other social movements, the Brazilian domestic workers' movement managed to establish alliances, partnerships, and networks with diverse national and international actors. Cooperative efforts with Brazilian parliamentarians, international organizations (e.g. ILO, UN Women), international trade unions (e.g. International Trade Union Confederation, International Domestic Workers Federation), etc., further helped to extend their impact and influence

(Bernadinho-Costa 2015a). The approval of the ILO Convention No. 189, for instance, was the result of a joint effort of domestic workers across the globe, who had created transnational networks to expand their reach levels and demand more rights for the category as a whole (ibid). For the negotiations of Convention No. 189, the Brazilian government sent a delegation of 70 people – including 5 unionized domestic workers and deputy Benedita da Silva (PT)²⁵, who would later become the rapporteur responsible for the PEC in the Brazilian Parliament – to the 2011 General Conference of the ILO in Geneva (ibid). Together with the Australian one, the Brazilian delegation stood out by the fundamental role it played in the promotion of this Convention, both through the outstanding size of the delegation as well as the passionate engagement of the involved actors (Roberts 2018).

One year after the negotiations in Geneva, in 2012, about 40 activist women – again including deputy Benedita da Silva – traveled to the Chamber of Deputies in Brasília to pressure the government to ratify the Convention. Most of the women protesting were affiliated to NGOs or domestic workers’ unions, and used aprons typically worn by domestic workers, stating “For the ratification of ILO Convention No. 189” or “Decent work for domestic workers, now!” (Roberts 2018). Brazil’s ratification of the Convention in 2018 finally further supported domestic workers’ demand for decent work and the series of measures taken in response, by Brazil’s former PT government.

However, despite all support, the domestic workers’ movement also created tensions among Brazilian society, mostly caused by conflicting class relations. This was reflected in the strong resistance - especially from upper and middle-class households - that advocates of the PEC reform met (Acciari 2018a). Seeing their privileges under threat, the Brazilian elite initiated a countermovement, supported by the country’s mainstream media and national organizations defending the interests of domestic workers’ employers (ibid). When public discussions around the PEC peaked in 2013, these counterparty groups opposed domestic workers’ claim for the extension of their labor rights, asserting that the PEC “would impose an unbearable burden on households” (ibid: 235). Presenting themselves as victims, their main arguments were that “households are not private companies, that the value of domestic work is not the same as any other work, and that the cost of giving equal rights to domestic workers would be too high for the average household” (ibid).

Diverse national media gave a stage to this line of argumentation, constantly publishing portraits of upper and middle-class families who would be impacted by the reform. At the time, many employers claimed that it is impossible to check their maids’ working hours at home and testified that due to the reform, they would be forced to fire their domestic workers (ibid). The right-wing weekly magazine *Veja*, for instance, published an article named “PEC das domésticas: the maid leaves, the dishwasher enters” in 2013 (see Ritto 2013), implying that the new law left employers with no choice but to replace their workers by electronic devices, which in turn would lead to high unemployment rates. Besides being

²⁵ Coming from a humble background and having worked as a domestic worker in her past, Benedita da Silva overcame gender, race, and class prejudices to become the first female and Afro-Brazilian governor of the State of Rio de Janeiro and the first Afro-Brazilian member of the senate in the country.

a highly questionable and dehumanizing approach, the argumentation reveals once again the core of the problem that domestic workers are not being regarded as real workers but exchangeable household helps, not worthy of a properly regulated labor relation with an accountable employer.

The theoretical part of this thesis has argued that it is because of the combination of gender, class, and race social inequalities that domestic workers in Brazil have been neglected, socially and legally discriminated, and associated with an inferior class of workers for decades. In this context, coloniality has been identified as one of the roots of this patriarchal and racist system of social classification. Along with capitalism, the colonial legacy has contributed to the enduring oppression of domestic workers in Brazil. The elaboration has further shown how domestic workers' tireless activism and resistance has finally cumulated in the adoption of the PEC and the LC150 during the PT government, which significantly improved the legal situation of the category in Brazil. In the next chapter, I intend to examine the relation between Brazil's slavery legacy and legal advancements for domestic workers by analyzing the interviews conducted during my fieldwork. In particular, I will focus on the question whether Brazil's colonial and slavery past played a role in the construction, promotion, and approval of the "PEC das domésticas".

9 ANALYSIS OF INTERVIEWS

Objectives of the PEC

After revisiting my interviews with representatives of domestic workers' unions and the former Brazilian government, my analysis points to the multiplicity of the objectives behind the claim for the approval of the PEC. The most evident intention of the legal reform, mentioned by all informants, was the improvement of domestic workers' labor conditions. Government Representative 1 describes the working reality that Brazilian domestic workers traditionally were coming from as follows:

Domestic workers had a very terrible life because their employers' houses were not their own homes, but people would still always claim that their worker is part of the family: A family member that could not receive visitors. A family member that could not sit at the same table. A family member that had to eat after everybody else had their meal. A family member that was not allowed to study. A family member that was not allowed to go out and meet people. Some employers' houses were real private prisons in Brazil because employers would hire children to work for them. They would work 30, 40 years in a household, and once they got sick, they would be sent away.

The PEC was meant to improve these precarious and vulnerable conditions and “guarantee dignity to this category” (Government Representative 5). By equipping domestic workers with more rights, the reform advanced the existing legislation that was unable to guarantee appropriate conditions to the category. Thereby, the PEC would add another component to the series of legal changes that occurred since 1972 for the sake of protecting domestic workers' rights.

Promoting racial and gender equality before the law is another aspect that is addressed by most informants as an objective they pursued. In their narratives, they denounce the legal discrimination that domestic workers suffered before the PEC and emphasize that there was no point in distinguishing domestic workers' rights from the rights of other workers' categories. In this regard, all respondents imply that the only true reason of domestic workers' legal discrimination was the fact that people who fall into the category are mostly women of color, which is why their interests are not properly considered as a result of structural racial and gender discrimination in Brazil:

Equality of rights. We always argued that a domestic worker is a worker like any other. What is the difference? Our work is as valuable as any other. If everybody is entitled to these rights, why this discrimination? Just because we are women, just because we are black? These are the arguments. This is discrimination. (Domestic Workers' Union Representative 4)

By denouncing the racism and sexism that, in her opinion, shaped the previous legislation, Domestic Workers' Unions Representative 4 builds on a line of argumentation that resembles the concept of intersectionality. According to her reasoning, the intersection of their social markers of difference is the root cause that underlies the legal discrimination of domestic workers.

The PEC was supposed to respond to this situation of implicit gender and racial discrimination and equalize the rights of the category with those of other workers. In this context, Government

Representative 4 emphasizes that gender and racial inequality were repeatedly addressed in the discussions about the PEC. She reports how the claim of domestic workers' political allies in the Parliament was that

[...] We must have labor equity. All workers are entitled to have their rights recognized by the Brazilian Constitution. This is the least that can be done. If you have a Constitution that says that everyone is equal before the law, that men and women are created equal, etc. [...] Why do you²⁶ discriminate? Why this negative discrimination of domestic workers within the Constitution? Everyone should have access to equal work. Equity. Gender and racial equity. (Government Representative 4)

Thinking back to the PEC promotional process, Government Representative 6 remembers how vehemently she and her allies challenged the inferiorization of domestic work and defended the approval of the law to ensure that domestic workers will not anymore be denied equal protection of Brazil's governing laws:

The naturalized view of this profession as a low-paid activity, performed by workers who do not have access to all rights, was an extremely discriminatory element which exposed the excessively explorative labor relations that can be found as a recurrent problem in the Brazilian context. And so, the claim was that we want domestic workers to have the same right as all Brazilian workers.

Another element of the PEC's set of objectives was to bring awareness to Brazilian society concerning the recognition of domestic work as a "proper" job. In Brazil, domestic workers have commonly neither been regarded as "real workers" nor as productive members of Brazilian society, because

[...] nobody thinks that domestic work has value. Nobody thinks that those who engage in this type of work have value. Nobody thinks that making the bed and sweeping the house, so that you find your home in flawless conditions every day, that this has value. [...] Because we have created generations of people who never got used to doing anything in their homes. [...] People do not do it. Because there is someone else who will do it for them [...] So what suffocates the potential of this sector is the devaluation of its workers. And the non-recognition that this is work. (Government Representative 4)

Along these lines, Government Representative 6 assures that "there is this underlying view that, when it comes to domestic work, labor relations are different. Different, in the sense that they were not recognized as proper employment relationships". At the core of this perceived difference in domestic workers' labor relationships lies the notion that domestic work is not a productive occupation. According to this view, in contrast to a company that produces goods which "generate profit for the boss and enrich the business" (Domestic Workers' Representative 3), domestic work happens in the private sphere and cannot be sold like a product in the market. Therefore, domestic work has commonly been regarded as a valueless activity within the capitalist system of consumerism and production. The consequential

²⁶ Meaning Brazilian legislation/lawmakers.

categorization of domestic workers as “unproductive household helpers”, rather than “real workers” with proper access to legal protection, contributed to the preservation of their subaltern social status.

Building on this reasoning, the former Minister of Women’s Affairs, Government Representative 2, argues that the devaluation of domestic work follows a capitalist logic: “[...] from an economic point of view, the more domestic work is devalued, the more capitalism wins. And under these conditions, the domestic worker is economically discriminated against”.

Consequently, the awareness that “domestic work is valuable and a profession like any other” first had to be promoted among Brazilian society, as Domestic Workers’ Union Representative 4 states. In this regard, one of the main views challenged by the supporters of the PEC to push it through was the alleged “non-economic nature” of the job that was declared in the CLT as the differentiating trait of the profession. They sought to discredit this declared distinguishing feature, so it would be removed from the Brazilian Labor Code as a justification for the denial of domestic workers’ rights. Both domestic workers and the government representatives that I interviewed frequently argued that domestic work is valuable and needs to be recognized since the workers produce well-being and enable their employers to pursue a career and, consequently, generate economic wealth:

We argue that domestic work generates profit for society, it generates worldwide profit because we work inside people’s houses. We are generating profit because we are allowing other workers to leave home and seek wealth, to work in a company, in the industry, in various places, right? (Domestic Workers’ Union Representative 3)

Domestic work and the legacy of slavery in Brazil

Reflecting on the reasons for the lack of recognition related to domestic work, its continuous devaluation, and the resulting absence of proper labor laws providing equal rights and protection to domestic workers, all informants but one cite the profession’s origin in slavery as the root of the problem. In contrast to capitalism, which needs cheap reproductive labor for its continuity and, thereby, contributes to the *maintenance* of domestic work as an unrecognized activity, my respondents regard the living legacy of slavery in Brazil as the *core reason that originally produced* the subalternity of the category within Brazilian society. The narratives of both government representatives, as well as domestic workers, are notable for the constant links they make to slavery. Against this background, domestic workers, for instance, would frequently refer to themselves and their duties using slavery analogies. The discrimination of domestic workers can be regarded as an expression of this colonial/slavery legacy, as Domestic Workers’ Union Representative 1 confirms: “We from the category [of domestic workers] understand that domestic work is not recognized, it is not valued, because it is a legacy from the times of slavery”.

Opening further up the historical scope of this answer, Government Representative 3 recounts:

Well, everything has to do with slavery and the way abolition took place in the country. At the time, black women lived in enslavement, being exposed to violence and misery owed to their female condition. They were subjected to rape and abuse by plantation owners whose children could not denounce these cases because the rapists were their very own fathers. Within these labor conditions, female slaves had very divergent living realities; but most of them served as housekeepers, domestic workers, and childcarers. During the post-slavery period - considering that abolition did not abolish - black women were neglected and, in large numbers, put to work in the domestic work sector [...] So it is a very complex historical context. And today, domestic work is still an integral mainstay of Brazilian society, but it is not considered work. Throughout history, it has never been recognized as work [...]. (Government Representative 3)

By drawing parallels between domestic work in contemporary Brazil and domestic servitude during the slavery era, domestic workers and government representatives recognize the coloniality of power and gender described by Quijano (2000, 2007) and Lugones (2007, 2010), as they acknowledge the persistence of colonial dynamics of power and social segregation that put subaltern groups such as domestic workers at disadvantage within society. Concluding from the picture painted by the informants, the continuation of dominance relations over black and lower-class women still marks Brazilian society, which is reflected in the legal and social discrimination that is reproduced against domestic workers nowadays.

An observation that I have made in this context is that in most residential buildings, the two different elevator labels “social” and “service” continue to exist – despite the “elevator discrimination ban” from 1995. And although everyone is now allowed to use any, most domestic workers still only use the service elevator, regardless of their equipment and cleanliness. Even though slavery is officially abolished, a social pyramid system that divides Brazilian citizens into supposedly “superiors” and “inferiors” according to their gender, class, and race continues to exist and being reproduced.

In a quite different vein, the only respondent who opposes this common line of argumentation is Domestic Workers’ Union Representative 2. She regards the slavery legacy as an unacceptable excuse for domestic workers’ discrimination and claims that it is primarily due to a lack of willingness of Brazilian society to overcome present class divisions, that domestic work is devalued. She refuses to blame domestic workers’ contemporary struggles on a past that today’s society was not directly involved in, and instead calls attention to the employers’ category of today which, according to her, has demonstrated a tremendous lack of concern to challenge these oppressive patterns and prefers to maintain existent social divisions to preserve their privileges:

I understand that it is because employers do not want to. They do not want to guarantee domestic workers their rights. People talk a lot about slavery, but slavery ended a long time ago, you know. Today, the [descendants of the] families that had their own slaves are [associated with the generation of] grandchildren. So, there is no point in saying that our work is not recognized as a profession because of slavery. I do not like to say that. I argue that it is because people want to benefit from the denial of our rights, so that this class division is preserved.

Indeed, the observations of Domestic Workers’ Union Representative 2 are not far-fetched, considering that the PEC met significant resistance from the employers’ category during its promotional

process. However, my analysis has shown that the devaluation of domestic work is related not only to one but rather to a combination of several factors – including capitalist dynamics, the legacy of slavery for domestic workers, as well as the resistance from domestic workers’ employers. That said, I argue that the latter two factors are somewhat interconnected, given that the resistance against the advancement of domestic workers’ labor rights is also the fruit of the established notion that domestic work is of inferior value – a view that can be regarded as a legacy of the colonial social order, as it is linked to oppressive patterns of gender, class, and race discrimination associated to this era.

This reasoning corresponds to the argumentation of Domestic Workers’ Representative 3, who compares the resistance to the PEC at the time with the protests that emerged during the period of the abolition movement:

And we know that in every process of conquering a law, there has always been this resistance. The employers were terrified when there emerged the debate about advancing [domestic workers’] rights. And the same applied to the Golden Law: the plantation owners were terrified when abolitionists pushed for the abolition of slavery. They protested, saying that there would be losses in the cultivation of cane and coffee. And that they would be unable to continue making a profit if the slaves were freed and if they had to pay those men for their work, right?

Thus, when reflecting on the objectives of the PEC, Domestic Workers’ Union Representative 4 states that the “primary intention of the law” was to create a tool that could be used by domestic workers in their fight against the legacy of slavery. Government Representative 1 reinforces that notion, affirming that domestic workers used to be the remaining “symbols of slave labor” in the Brazilian society, which is why their work had to be regulated in order to interrupt these patterns. Government Representative 2 goes even further and claims that besides the legal empowerment of black women, the aim was to erase the last formal traces of slave labor related to domestic work in Brazil:

What was a fundamental factor in the approval of the PEC was the intention [...] to initiate the end of slavery. In our country, black women are enslaved. They always have been. And it is evident that the approval of a measure of this strength places black female workers on another ground, the ground of rights. They can no longer be enslaved in their employers’ homes. They now have the right to denounce the enslavement they suffered inside the houses - and continue to suffer, I have no doubt about that.

The discourses of Domestic Workers’ Union Representative 3, Domestic Workers’ Union Representative 4, Government Representative 1, and Government Representative 2 offer an insight into how the debate about slavery was a decisive component to the creation of the PEC. A review of the previously mentioned objectives of the PEC reinforces this notion, as all three purposes of the reform analyzed above have one thing in common: the demand for decent work conditions, the call for racial and gender equality before the law, and the claim for the recognition of domestic workers as “real workers” - all of these pursuits relate to overcoming the legacy of slavery and coloniality as one of the roots of persistent intersectional oppressions based on gender, class, and race which, along with capitalism, lead to the devaluation and discrimination of domestic workers. Progress on ending the

legacy of colonialism and slavery for domestic workers in Brazil can thus be regarded as the overarching aim of the call for the PEC. The advancement of domestic workers' labor conditions is a policy measure of symbolic meaning in this context, given that the category is a vivid example of how social hierarchies associated with the colonial and slavery period continue to produce major social inequalities and discrimination in Brazil.

The role of the debate over the legacy of slavery in Brazil in the PEC construction and promotional process

In the course of the PEC promotional process, the debate over slavery was used as a tool for the enforcement of the law's approval: slavery analogies were instrumentalized in the PEC promotional process to denounce given injustices concerning domestic workers' rights and labor conditions, and push for the implementation of the law in response.

In the political context that the country was situated in at the time – Brazil had just become one of the BRICS countries in 2009, had been selected to host the 2014 World Cup and the Olympic Games in 2016, and was one of the few countries of the region with a female president – the Brazilian government was concerned with promoting the image of Brazil as a progressive, rising political power (Dulci 2013; Garcia Nogueira & Burity 2014). Linking domestic work to Brazil's slavery past within this political panorama was, therefore, a strategy to reinforce the notion that a progressive moment could not be built in the country without advancing history reparations.

In these terms, according to Government Representative 3, Domestic Workers' Union Representative 3, and Government Representative 6, for instance, the link between domestic workers' oppression and the living legacy of colonialism and slavery in the country was brought up as an argument to create political pressure. The debate about Brazil's past was used as a starting point to demonstrate to what extent its slavery history has negatively impacted Brazil's contemporary social dynamics, resulting in the marginalization of domestic workers:

Indeed, the debate about slavery was brought up. And it was of great importance. Especially for the sake of convincing Brazilian society that slavery happened and that it has impacted Brazilian society negatively. We had almost four centuries of slavery in Brazil. And slavery meant the [...] objectification and dehumanization of those enslaved. So, this debate was important – also to pave the way for the creation of the PEC. (Government Representative 3)

There sure was [a debate about the legacy of slavery in Brazil]. It was important for us to invoke the historical process. It was fundamental. The historical process regarding the slavery period, the age of patriarchy ... all this was referred to by us in order to achieve it [the PEC]. So, this historical process contributed a lot. (Domestic Workers' Union Representative 3)

In the women's movement and the black women's movement, the debates raised by domestic workers emphasized this aspect a lot: the idea that inequalities in labor relations involving female workers and domestic workers were also due to historic patterns of domination that originated in the slavery era [...] Therefore, the argument that 'the way domestic work is dealt with in Brazil reminds of slavery' was frequently used in the debating process [of the PEC] –

also as an element to convince contemporary Brazilian society that this must not be accepted. (Government Representative 6).

The narratives of these respondents are revealing, as they suggest that the overcoming of Brazil's living slavery legacy was not only the PEC's overarching objective but also constituted a component that influenced the law's promotional process in an additional way: it served as a symbolic and historical point of reference that was crucial to the line of argumentation of domestic workers and their political allies. Bearing on this reference, supporters of the PEC promoted the creation of historical awareness related to domestic work and aimed at opening the eyes of Brazilian Parliamentarians to realize the need for the PEC in response. Thereby, the debate about the legacy of slavery attached to domestic work made a significant contribution to the category's so far biggest achievement, as it enabled the PEC's advocates to exert political pressure and to convince politicians to vote for the law. While the Brazilian black movement opened space for this debate in the 20th century, when activists increased their demands for a review of the country's history and the establishment of an Afro-Brazilian memorial culture, advocates of the PEC built upon this reasoning in their collective fight for legal reforms.

The delay of the PEC

Being asked about the reasons for the delay of the PEC, the majority of my informants point out that the law's passing "took time because, in fact, the rights of domestic workers had to be voted and defended by their employers" (Government Representative 1). Many politicians – who typically belong to the middle or upper class, therefore fall into the category of domestic workers' employers – and their allies saw their privileges at stake since the advancement of the category's rights would result in higher costs for domestic workers. Trying to avoid having their status, lifestyle, and household budget negatively affected, many of them first had a critical attitude towards the project, as my interviews reveal. According to them, the resistance to the PEC came especially from the political right and was supported by associations defending the interests of employers (e.g. Bahia's Housewives' Association²⁷), as well as the mainstream media and those layers of Brazilian civil society that are associated to the elite that employs domestic workers. The debate about the PEC thus further inflamed Brazil's traditional class struggle, intensifying political tensions and the conflicts between Brazil's workers and the ruling class. Domestic Workers' Union Representative 3, for instance, remembers that three years after its approval, the PEC was attacked by members of the Brazilian middle and upper class who felt deprived of their "natural right" to have a domestic worker. During the coup process of Dilma Rousseff in 2016,

²⁷ Associação das Donas de Casa da Bahia

there emerged many pot-banging protests²⁸ and marches, where employers would carry banners stating 'Dilma, you are miserable! You are a disgrace! Because of you, we can no longer have a domestic worker!' (Domestic Workers' Union Representative 3)

A further aspect that hampered the PEC process, mentioned exclusively by Government Representative 3 - the former Minister of Racial Equality - is the persistent myth of a racial democracy (Freyre 1933) in Brazil. Because of the widespread belief in Freyre's theory which portrayed Brazil as a society characterized by the harmonic coexistence of all races and the absence of discrimination, "policy proposals aimed at promoting racial equality have always been regarded as secondary" (Government Representative 3). Given that the proposal of the PEC was, among other things, aimed at tackling racial inequalities resulting from the neglected structural racism embedded in Brazilian society, it was not seen as particularly pressing.

Within this panorama of political resistance, historical devaluation, and neglect of racial inequalities, one of the main difficulties faced by the supporters of the PEC thus was to convince those entitled to make legislative proposals and vote in Congress of the necessity of the PEC. The long time it took to raise this awareness and to build up the necessary pressure contributed to the delay of the law.

Evaluation of the PEC

Now, 7 years after the passing of the PEC and 5 years after the LC150, the evaluations of the legal reform vary among my interviewees. While Domestic Workers' Union Representative 1 argues that "the PEC did not bring any disadvantages" but only benefits to domestic workers because it amplified the category's rights, Domestic Workers' Union Representative 2's opposing evaluation is that

it would have been important if it had been put into practice the way it was originally passed. With the amendments²⁹ that were adopted after the PEC was approved, it left us very vulnerable. It did not really guarantee us the rights that we fought for so much.

A view that is shared by all interviewees from both sides, the government as well as the workers themselves, is that the PEC did not meet their supporters' expectations. Given that the law leaves out diaristas from legal protection and, in combination with LC150, partly preserves domestic workers' legal discrimination (for example through the exclusionary regulations concerning the category's access to unemployment insurance, as elaborated in chapter 8.1), the PEC was referred to by all respondents as the *outcome*, but not what was *originally demanded*. Government Representative 4 describes the discrepancy between the expectations and the actual result of the law as follows:

We were unable to guarantee equal rights to domestic workers with the PEC, we were only able to include some rights. Because what we wanted at that time was to remove this one paragraph of article N° 7 that excludes the category of domestic workers. If we had managed to remove

²⁸ Banging pans and pots from the balcony or window of an apartment as a sign of protest is a longstanding tradition in Brazil.

²⁹ Meaning the LC150 alias Complementary Law 150.

this paragraph, domestic workers would have the same rights as urban and rural workers, all rights. [...] But the line of argumentation was exactly that there are rights that cannot be applied to domestic workers. And then, in order not to lose everything, we had to make sacrifices. So, the paragraph was kept. And instead, we added new articles to the law. [...] It was the PEC within the scope of what was possible. Did we want more? We did. Were we able to do more? We were not. And we fought a lot.

Regardless of this common critique, when being asked about the relation between the adoption of the PEC and the rising levels of informal employment/the decrease of formal work within the category, my interviewees vehemently defend the PEC. A recurring argument is that it is not due to the law itself but rather owed to the economic and political situation of the country that domestic workers are negatively affected. For instance, high unemployment rates, decreasing levels of the average Brazilian household income due to the 2015 economic crisis (IBGE 2016; World Bank 2019b), and the neoliberal economic policies that have gradually been adopted since 2016 (when Rousseff was impeached and Temer became interim president) might have affected the willingness of employers to pay for the rights that a formally registered domestic worker would be entitled to. A lack of a proper monitorization and sanctions in case of non-compliance with the law further aggravates the issue, states Domestic Workers' Union Representative 1:

We absolutely cannot accept the argument that our PEC has reduced formal work. [...] To claim that the PEC caused informal employment is a mistake, we do not accept that. Because we must look at the conditions that the country finds itself in, and consider the lack of inspection, before blaming the PEC. We fought for this!

Thus, despite all its gaps and challenges, 10 out of 12 interviewees consider the PEC a useful tool in the fight against the legacy of slavery, since it guarantees domestic workers labor rights that can finally be judicially demanded in case of non-compliance. Thereby, it “allows history reparations that all other workers were already included in” (Domestic Workers' Union Representative1). Furthermore, restrictions that the PEC sets such as the time limit of 8 hours a day and 44 hours a week as well as the right to overtime pay can serve as an instrument to challenge the naturalness of the constant availability that has typically been imposed on domestic workers – particularly those living inside their employer's house. These shifts are extremely significant, as they contribute to the humanization of a category of over 7 million marginalized people, as Government Representative 3 declares:

We need legal instruments that guarantee, even if belatedly, rights of citizenship, and inclusion to the entire population. And in the case of domestic workers, the PEC also contributes to their humanization. Every worker has the right to vacation, the right to life beyond work. And domestic workers have historically been incorporated into homes as if they were just another piece of furniture. [...] These relationships had to be interrupted so domestic work can exist in a more humane way. I think PEC contributes to this. I consider it an achievement.

Government Representative 6 goes even further and calls the PEC “one of the main achievements of Brazilian society in recent decades”. She outlines the outstanding importance of the law by explaining

how it challenges the colonial structure of society and its associated patterns of intersectional discrimination on the grounds of gender, class, and race:

It was a very important factor for the public political debate, as it brought visibility to racial and class inequalities - in relation to women, and particularly black women. It addressed, with a very concrete example, the need for Brazil to understand the inequalities we cultivate in our society, and how all this is linked to our colonial past of slavery. And fundamentally, what is most important, it placed domestic workers' struggle for equal rights at the level of a public dispute that is capable of strengthening the rights of a very large layer of the Brazilian population.

Thereby, the claim for the PEC went directly against the myth of racial democracy and the invisibility of public discourses shedding light on the influence that Brazil's slavery history has had on its societal organization - both being factors that have obscured persistent racial inequality issues within Brazilian society for decades. The implementation of the law and the discussion over racial injustice it shed light on can thus be seen as a rupture of the idea of a racially democratic Brazil, as it builds on the acknowledgement of structural racism in the country.

The PEC in the present

Regarding the PEC's status in the present-day political context of Brazil, I can note how frequently my interviewees comment on overall setbacks faced by the entire Brazilian working class, including domestic workers, due to the labor reform implemented by former President Temer in 2017. Often, the reform is referred to as a deconstruction of what has been fought for and achieved. A common discourse is also the manifestation of concerns over the threat of even further regress, given that Jair Bolsonaro, the loudest opponent of the PEC at the time, is now the President of the country. According to Government Representative 1, Brazil's political developments since the coup have contributed to a reactionary process regarding overall labor rights and conditions that she calls "return to the senzala". Imagining what would be the worst-case scenario within this regressive development, Domestic Workers' Union Representative 1 names the abolition of the PEC, which in her opinion, indeed, would represent the "reversion back to slavery".

Government Representative 2 adds a further layer to the discussion about the PEC and domestic workers' labor conditions in the present by taking into consideration how the Corona pandemic is affecting the category. She points out that the pandemic is even worsening the already precarious situation of domestic workers in Brazil. According to her, "domestic workers are among the professionals who are most affected" by Covid-19 in the country, as employers are responding to the pandemic by refusing to pay their workers while they are in quarantine, or even by dismissing them. This reinforces the argumentation of Domestic Workers' Union Representative 1 and 3, who declared themselves in favor of increased monitorization of the domestic work sector and the PEC.

Moreover, Bolsonaro's approach of guiding Brazil through the pandemic adds a further burden on the shoulders of domestic workers, as the President openly downplays the seriousness of the sanitary

crisis and refuses to take extensive measures to protect the population. Being among the most vulnerable workers' categories of Brazilian society, domestic workers suffer disproportionately from the damage caused by the pandemic. Combined with his recurrent discourses encouraging racist, sexist, and classist attitudes, Bolsonaro's pandemic management thus contributes to the persistence of the discrimination and inequality attached to domestic workers' labor relations.

Visions for the future: How to reinforce the PEC and further improve domestic workers' labor conditions

To further protect the category and challenge the precariousness of their work conditions, there is a consensus among my informants as to how one should proceed in the future. For instance, a point mentioned repeatedly is that there should not be lost sight of the PEC just because it is passed. Instead, the next step is to focus on the encouragement of the law: "Approving the law does not end the fight for equality. On the contrary, the approval of the law exposes us to the challenge of ensuring that it is actually applied" (Government Representative 6).

For that, three things are cited to be fundamental: the first one is the need for an apparatus of rigorous law enforcement mechanisms and punitive measures for cases of non-compliance, e.g. in the form of sanctions. According to Domestic Workers' Union Representative 1 and 3, measures like these are necessary since "many employers do not follow the law" (Domestic Workers' Union Representative 3) and, for instance, refuse to formally register their domestic workers:

It has been 46 years now that we are entitled to have a signed Employment Record Card. And still, we – the domestic workers, accounting for a total of seven million people – have never reached the mark of 45% of the total that are in possession of a registered card. (Domestic Workers' Union Representative 1)

A common strategy used by employers to avoid signing the Employment Record Card, continues Domestic Workers' Union Representative 1, is to keep adjourning the matter in hopes the worker will stop asking for it – sometimes also by trying to discourage/confuse the worker with false information:

The card must be signed within 48 hours, but they say 'No, this is just the talk of the trade unions, there is no such thing as a requirement to sign within 48 hours. I will only sign after three months.'

If the workers keep asking for it, she further reports, they are not rarely dismissed after a couple of months, and then replaced with a new one to start the game all over again. Considering that domestic workers' right to have a signed Employment Record Card has been in place for more than 40 years now, the statement that employers still refuse to comply with this legal obligation is an alarming signal which suggests that conclusions could also be drawn for the PEC's fulfillment. The fact that employers' tendency of wiggling around the law would probably not only affect domestic workers' right to possess a signed Employment Record Card but also the rights provided by the PEC supports the claim of

Domestic Workers' Union Representative 1 and 3 stating that increased monitoring of the PEC is a decisive requirement for the advancement of the status quo. Domestic Workers' Union Representative 5, on the other hand, supports the notion that

sometimes, it is even the fault of the domestic workers themselves. It [domestic workers' struggles] cannot all be blamed on the employers. One also needs to consider that, in some cases, the workers do not seek to inform themselves about their rights and, in turn, fail to demand the signed card.

Therefore, in addition to enforcement measures, the second crucial element to moving further the implementation of the PEC is to promote domestic workers' awareness of their rights. For the sake of protecting the category, it is thus fundamental to strengthen domestic workers' unions so they can inform the workers about their rights and support them in case of abuses. In this context, Domestic Workers' Union Representative 6 reflects about her own life story and assures:

It is necessary that workers are aware of their rights. This is not just for domestic workers; it is for any profession. You must be aware of your role and your rights to enable yourself to say yes or say no. This is what makes the difference. Because the least educated worker is the most exploited one. The most uninformed is the most enslaved one. [...] What brought about a change in my life as a worker was getting to know the domestic workers' union. It was after I engaged with the union that I basically stopped being exploited. I stopped being exploited because the union warned me that I was not part of the employer's family, I was not part of it ... And then I started to really create awareness, and from then on, I was no longer exploited. The union played this role not only in my life but in the lives of thousands of domestic workers who managed to reach out for the union and promote this dialogue. It is about discovering what is citizenship, and what was exploitation.

Besides the encouragement of the PEC and the strengthening of domestic workers' unions, a third important step mentioned to improve the conditions of domestic workers is progress concerning the ILO Convention No. 189. After its ratification in 2018, what is missing now is its implementation so it can support the PEC. According to Domestic Workers' Union Representative 5, this is one of the main purposes that domestic workers are fighting for at the moment, as Convention No. 189 includes a range of benefits that are not provided by the PEC.

Yet, Domestic Workers' Union Representative 6 emphasizes that despite the importance of these steps, legal reforms and the promotion of domestic workers' legal consciousness alone do not solve the problem. What she further seeks to change is what underlies the forces that cause the discrimination that domestic workers suffer, which according to her is the "slavery mentality" of Brazilian society – above all the class of domestic workers' employers. While the PEC and the wave of political discussions it set off can be regarded as an important step in this respect, all participants highlight how much there is to improve still – especially in the wake of Brazil's current political landscape and the associated shift of political interests and priorities.

What strikes against this background is that all domestic workers interviewed refer to the situation as an "unfinished fight" for their rights, constantly using militant language including terms such as

“battle”, “struggle”, or, when referring to themselves, “warriors”. Their decided narrative reflects domestic workers' fighting spirit and shows that they are not willing to settle for less than they deserve. Brazilian domestic workers' movements have a long history of fighting for justice and dignity. Recently, their solidarity and the power of their longtime activism since the 1930s has culminated in the PEC and the LC150. The reform has been their biggest conquest so far, as it challenges the legal discrimination they have been exposed to since the creation of the CLT. However, domestic workers are determined to collectively continue with their political engagement to pursue their mission:

This government will pass in the name of Jesus. And we will continue to fight. It is not four years that will end our lives. We are used to it. The worker in general is already used to fighting. A warrior is a warrior and does not give up. And domestic workers, our category, our work has always been ant's work. It is not this misgovernment that will make us give up. The PEC is good, and we will benefit from it exactly how it is supposed to be. [...] Giving up? At no time. Regressing? Never ever. (Domestic Workers' Union Representative 4)

The empirical part of this thesis analyzed the discourses of selected domestic workers' union representatives and government representatives regarding the creation, promotion and adoption of the PEC. It explored the role that Brazil's slavery past played in this process and examined if both sides included the debate over the legacy of slavery in their reasoning. The next chapter will provide a conclusion, summarizing my findings and giving an answer to my research question.

10 CONCLUSIONS

This thesis has explored the relationship between the PEC das domésticas and Brazil's slavery past, aiming to understand if the legacy of slavery attached to domestic work played a role in the construction, promotional process, and approval of the reform.

My analysis started with a review of the current literature on domestic work, particularly looking at the Brazilian context. More precisely, I presented a historical and contemporary contextualization of domestic work in Brazil and, subsequently, briefly reviewed the evolution of domestic workers' legal protection, especially regarding the development of the PEC process. In the light of the country's slavery past, I furthermore considered questions regarding the causes of domestic workers' discrimination in Brazil and tried to identify what underlies the Brazilian social hierarchy that positions the category as "second-class-workers".

Being predominantly executed by black, poor women under precarious conditions, domestic work in Brazil can be regarded as a legacy of slavery. The work experiences of Brazilian domestic workers are typically marked by marginalization and discrimination and, until the approval of the PEC in 2013, the category further suffered from a lack of proper legal protection. The denial of domestic workers' labor rights has been justified in the Brazilian Labor Code, adopted in 1943, through a paragraph that classifies domestic work as an uneconomic activity due to its reproductive nature. According to this reasoning, domestic workers have been regarded as unproductive household helpers rather than "real workers", associating them to a separate, unequal category within the capitalist system of labor recognition.

Using the concepts of intersectionality and the coloniality of power and gender, I identified coloniality and the intersection of domestic workers' gender, class, and race as crucial factors that lie at the core of the category's historical discrimination. The social stigma and poor working conditions attached to domestic work can be regarded as a continuation of dominance relations that were violently imposed on black women during Brazil's colonial and slavery period.

In an attempt to challenge their neglect, Brazilian domestic workers have been organizing themselves politically since the 1930s by creating trade unions that have played a leading role in the category's fight for equal rights. Through their tireless engagement and the establishment of networks with Brazilian left-wing politicians, international organizations (ILO, UN Women), and transnational trade unions, domestic workers have been able to call attention to their labor conditions and promote legal reforms increasing their rights.

Since the consequential adoption of the PEC (alias Constitutional Amendment Bill N° 72) in 2013, domestic workers are finally guaranteed labor rights that all other Brazilian workers had already access to, such as unemployment benefits, the limitation of working hours, and overtime payment. Two years later, in 2015, the PEC was transposed into Complementary Law N° 150 to specify the new rights of domestic workers and regulate the conditions of their application. The legal change from 2015 brought

about a small range of additional rights to domestic workers that the PEC alone could not guarantee itself, but also imposed disadvantageous limitations on the legal protection of category, such as the exclusion of diaristas from the rights provided by the PEC/LC150. While the PEC, as a result, has not managed to provide complete legal equality to domestic workers – therefore failed to meet the expectations of its advocates – it is, nevertheless, the biggest legal achievement of the category so far.

Based on semi-structured interviews, the empirical part of this thesis has shown that the debate about the legacy of slavery in Brazil played a significant double role in the PEC promotional process. In particular, I argue that overcoming the legacy of slavery and coloniality, as one of the roots of persistent gender, class, and race oppressions, can be regarded as the overarching objective of the reform which aimed at improving domestic workers' labor conditions, promoting the recognition of domestic workers as “real workers”, and ending domestic workers' legal discrimination on the grounds of gender, class, and race by providing equal rights to the category.

Secondly, the debate over the legacy of slavery was a fundamental factor in the approval of the PEC, as it was instrumentalized to create political pressure. By drawing parallels between domestic servitude during the slavery era and domestic work in contemporary Brazil, supporters of the PEC sought to demonstrate how the country's slavery history continues to shape social dynamics in Brazil. The emphasis on the need for history reparations regarding domestic work was a strategy to contrast the Brazilian social reality to the image of a progressive, rising political power that the Brazilian government intended to promote at that time. To encourage that image internationally and strengthen diplomatic ties with other regions, including Africa, the recognition of Brazil's slavery legacy and the implementation of further policies aimed at improving these conditions were measures meant to demonstrate advancements of the country's democracy and efforts against social injustices. Furthermore, given that Brazil had a left-wing government and a female president at the time, the political context offered especially favorable conditions for making demands related to women's and African descendants' rights. In these terms, slavery analogies were used in the PEC promotional process by both main actor groups – domestic workers' union representatives and representatives of the government that passed the PEC in 2013 – to denounce present injustices related to domestic workers' rights and labor conditions, and push for the implementation of the law in response. Thereby, the slavery narrative made both actors come together and form a coalition, working towards the same goal using a common discursive strategy.

In this context, I argue that the legacy of slavery has not only made domestic workers a subaltern and oppressed category of workers. What is more, domestic workers' unions have transformed the source of domestic workers' vulnerability into a weapon to force action from Brazilian lawmakers. The emphasis on the slavery legacy during the PEC process has served as a reference point to create historical awareness and enabled domestic workers to reach a legal main achievement.

My results further presented that the PEC and the political discussions it set off regarding the legacy of slavery that domestic work carries brought the category's discrimination and struggle closer to the

center of attention, which can contribute to the advancement of overall awareness and moves further the discreditation of the racial democracy myth in Brazil.

However, my findings have demonstrated that domestic workers' fight for dignity and justice has not ended with the approval of the PEC/LC150, as my respondents vividly stated. Overall, the consensus is that, even though the PEC has been a milestone for the domestic workers' movement, its impact does not go far enough, as long as the law does not protect diaristas, lacks proper monitorization by the state, and is not reinforced by the implementation of ILO Convention No. 189. Moreover, the advancement of domestic workers' labor conditions requires to further challenge the naturalized gender, class, and race hierarchy that characterizes Brazilian social dynamics and a rethinking of what is considered valuable labor. Ultimately, my analysis suggests that domestic workers' fight for the PEC could involve a decolonial project. By decoloniality, I refer to what Acciari (2018a: 105) defines as

an attempt to challenge colonial categories and epistemologies, for instance here, the idea of work and the worker. A decolonized conception of labour, rooted in the experience and knowledge of domestic workers, could lead to full equality of rights between domestic workers and other workers.

Since the inequality that domestic workers sought to challenge by promoting the PEC is linked to the coloniality of power and gender, their claim for the reform could be regarded as a decolonial project aimed at overcoming the colonial social order and reconsidering what defines the value of a human being and labor. Future studies could, therefore, take a closer look at this matter and examine whether or not the demand for/promotion of the PEC can be considered a decolonial project in Quijano's, Lugones', and Acciari's terms.

Finally, some research limitations should be noted. First, I had to restrict myself to the two parties that I consider the main actors in the PEC promotional process – the government that passed the PEC, and those unionized domestic workers who demanded the law. Since a detailed consideration of the role that other actors assumed in relation to the PEC would go beyond the scope of this thesis, I was unable to generate first-hand findings regarding the views of the media and the category of domestic workers' employers, for instance. Second, due to practical constraints, I was not able to access official documentation of parliamentary debates about the PEC that could have compensated potential shortcomings that might emerge from interviews. Another gap for future research that I see is, therefore, to expand the findings of this thesis by focusing on these missing factors.

At present, in the light of Brazil's current political landscape and the developments of the pandemic, it is crucial to stay attentive and focus on the adherence of the PEC and domestic workers' labor rights. Indeed, domestic workers' unions and their political allies are concerned about further regress that might negatively affect the category's legal protection. While domestic workers' unions do not enjoy the same governmental support that they had during the PT administration, they are, nevertheless, convinced that better times will come and determined to continue with their fight for equal rights.

11 SOURCES

Constitutional Amendment Bill N° 72, 2013. Retrieved from:

http://www.planalto.gov.br/ccivil_03/constituicao/emendas/emc/emc72.htm, last access: September 2020.

Complementary Law N° 150, 2015. Retrieved from:

http://www.planalto.gov.br/ccivil_03/leis/LCP/Lcp150.htm, last access: September 2020.

12 BIBLIOGRAPHY

- Abrantes, M. and J. Peixoto (2012). Género, imigração e flexibilidade laboral: o caso dos serviços domésticos. In: Casaca, S.F. (Ed.) *Mudanças Laborais e Relações de Género: Novos Vetores de (Des)Igualdade*, 133–64. Coimbra: Almedina.
- Abrantes, M. (2014). ‘I Know It Sounds Nasty and Stereotyped’: Searching for the Competent Domestic Worker. *Gender, Work and Organization*, 21(5), 427-442. doi:10.1111/gwao.12046
- Acciari, L. (2016). „Foi difícil, mas sempre falo que nós somos guerreiras” – O movimento das trabalhadoras domésticas entre a marginalidade e o empoderamento. *Mosaico*, 7(11), 124-147. doi: 10.12660/rm.v7n11.2016.64780
- Acciari, L. (2018a). *Paradoxes of Subaltern Politics: Brazilian Domestic Workers’ Mobilisations to Become Workers and Decolonise Labour*. Doctoral Thesis, London School of Economics and Political Science, Department of Gender Studies. London, 2018.
- Acciari, L. (2018b, February 27). Brazilian domestic workers and the international struggle for labour rights (online). Retrieved from: <https://blogs.lse.ac.uk/gender/2018/03/05/brazilian-domestic-workers-and-the-international-struggle-for-labour-rights/>, last access: June 2020.
- Acciari, L. (2019). Decolonising Labour, Reclaiming Subaltern Epistemologies: Brazilian Domestic Workers and the International Struggle for Labour Rights. *Contexto Internacional*, 41(1), 39-63. doi: 10.1590/S0102-8529.2019410100003
- Alessi, G. (2019, November 18). 13 anos como doméstica, 4 sem receber. A escravidão no quarto de empregada (online). *El País*. Retrieved from: https://brasil.elpais.com/brasil/2019/11/15/politica/1573826930_913787.html, last access: December 2019.
- Ali, A. H. and A. Q. Nomani (2017, June 23). Ayaan Hirsi Ali and Asra Q. Nomani Respond to Readers (online). *The New York Times*. Retrieved from: <https://www.nytimes.com/2017/06/23/opinion/ayaan-hirsi-ali-and-asra-q-nomani-respond-to-readers.html>, last access: June 2020.
- Alpizar-Duran, L. (2013, July 15) Advancing legal rights for domestic workers in Latin America (online). Retrieved from: <http://news.trust.org/item/20130715154933-qdufy/>, last access: June 2020.
- Araújo, M. et al. (2019). A obra de Jean-Baptiste Debret como fonte histórica para os estudos dos trajes usados no Brasil no início do século XIX. *Revista do Instituto de Estudos Brasileiros*, 74(1), 270-301. doi: 10.11606/issn.2316-901x.v0i74p270-301
- ATM and Cotidiano Mujer (Eds.). (2019). *La mesa está servida. La lucha de las trabajadoras domésticas en Argentina, Brasil, Paraguay, Perú y Uruguay*. Montevideo: Articulación Feminista Marcosur & Cotidiano Mujer.
- Ávila, M.B. (2009). *O tempo do trabalho das trabalhadoras domésticas: tensões entre dominação/exploração e resistência*. Doctoral Thesis, Universidade Federal de Pernambuco, Centro de Filosofia e Ciências Humanas. Recife, 2009.
- Bachman, J. S. (2019). *Cultural Genocide: Law, Politics, and Global Manifestations*. London: Routledge. doi: 10.4324/9781351214100
- Balibar, E. and I. M. Wallerstein (1991). *Race, Nation, Class: Ambiguous Identities*. New York/London: Verso Books.
- Barcellos Rezende, C. B., and M. Lima (2004). Linking gender, class and race in Brazil. *Social Identities*, 10(6), 757-773. doi: 10.1080/1350463042000324265
- Barrucho, L. (2016, August 1). 'I am housemaid, hear me roar' (online). *BBC Trending*. Retrieved from: <https://www.bbc.com/news/blogs-trending-36927502>, last access: May 2020.
- Bastos, P. P. Z. (2017). Ascensão e crise do governo Dilma Rousseff e o Glope de 2016: Poder estrutural, contradição e ideologia. *Revista de Economia Contemporânea*, 21(2), 1-63. doi: 10.1590/198055272129
- Bastos, L. C. (2020). *Relações de Género e Trabalho Doméstico: uma Pesquisa com Estudantes da EJA*. Mercês Curitiba: Editora Appris.
- Bello, A. (2002). La equidad y la exclusión de los pueblos indígenas y afrodescendientes en América Latina y el Caribe. *Revista de la cepal*, 76(1), 39-54.

- Bernadinho-Costa, J. (2013). Controle de vida, interseccionalidade e políticas de empoderamento: as organizações políticas das trabalhadoras domésticas no Brasil. *Estado e História*, 26(25), 471-489.
- Bernadinho-Costa, J. (2014). Intersectionality and female domestic workers' unions in Brazil. *Women's Studies International Forum*, 46(1), 72–80. doi: 10.1016/j.wsif.2014.01.004
- Bernadinho-Costa, J. (2015a). Decolonialidade e interseccionalidade emancipadora: a organização política das trabalhadoras domésticas no Brasil. *Revista Sociedade e Estado*, 30(1), 147-163. doi: 10.1590/S0102-69922015000100009
- Bernadinho-Costa, J. (2015b). *Saberes Subalternos e Decolonialidade: os sindicatos das trabalhadoras domésticas no Brasil*. Brasília: UnB.
- Blankenship, L. (2019). *Changing the Subject: A Theory of Rhetorical Empathy*. Louisville, Colorado: University Press of Colorado
- Blasberg, M. (2020a, April 7). What the Death of a Maid Means for Brazil (online). *Der Spiegel*. Retrieved from: <https://www.spiegel.de/international/world/coronavirus-in-south-america-what-the-death-of-a-maid-means-for-brazil-a-57b58e4c-b046-4f63-a7b1-b43e8c9cb1be>, last access: September 2020
- Blasberg, M. (2020b, May 24). Reich und arm in Brasilien. Unsere Magd und ich (online). *Der Spiegel*. Retrieved from: https://www.spiegel.de/politik/ausland/coronakrise-in-brasilien-die-stehpinkler-und-ihre-maegde-a-00000000-0002-0001-0000-000171037344?sara_ecid=soci_upd_wbMbjhOSvViISjc8RPU89NcCvtIFcJ, last access: June 2020.
- Blofield, M. and M. Jokela (2018). Paid domestic work and the struggles of care workers in Latin America. *Current Sociology Monograph*, 66(4), 531–546. doi: 10.1177/0011392118765259
- Boyd, C. (2020, April 6). Coronavirus warning for people from black and minority backgrounds as NHS data suggests they are at more risk of life-threatening complications (online). *Daily Mail*. Retrieved from: <https://www.dailymail.co.uk/news/article-8191443/NHS-data-suggests-people-black-minority-backgrounds-vulnerable-coronavirus.html>, last access: June 2020.
- Boyle, D. (2019, November 1). Tech giants including Instagram and Google 'are hosting online slave markets where domestic workers are being bought and sold for less than £3,000 through apps (online). *Daily Mail*. Retrieved from: <https://www.dailymail.co.uk/news/article-7640673/Online-slave-markets-use-tech-giants-sell-domestic-staff-Kuwait.html>, last access: June 2020.
- Brah, A. and A. Phoenix (2004). Ain't I A Woman? Revisiting Intersectionality. *Journal of International Women's Studies*, 5(3), 75-86.
- Brasil 247 (2016, March 14). Ícone da nova luta de classes, banqueiro diz gostar da babá (online). Retrieved from: <https://www.brasil247.com/regionais/sudeste/icone-da-nova-luta-de-classes-banqueiro-diz-gostar-da-baba>, last access: July 2020.
- Brazilian Ministry of Labor (2017, December 22). Empregada doméstica é resgatada no município de Elísio Medrado (BA). Retrieved from: <http://trabalho.gov.br/noticias/5348-empregada-domestica-e-resgatada-no-municipio-de-elisio-medrado-ba>, last access: May 2020.
- Brites, J. (2013). Domestic work: issues, literature, and policies. *Cadernos de Pesquisa*, 43(149), 423-451.
- Brites, J. (2014). Domestic service, affection and inequality: Elements of subalternity. *Women's Studies International Forum*, 46(1), 63–71.
- Brown, L. (2006). Invisible maids: Slavery and soap operas in Northeast Brazil. *Agenda*, 20(70), 76-86. doi: 10.1080/10130950.2006.9674778
- Buesso da Silva, W. A. (2017). À moda da patroa: o labor segundo o trabalho doméstico remunerado no Brasil. *Intratextos* 8(1), 206-229. doi: 10.12957/intratextos.2017.29940
- Burgen, S. (2020, April 1). Poor and vulnerable hardest hit by pandemic in Spain (online). *The Guardian*. Retrieved from: <https://www.theguardian.com/world/2020/apr/01/poor-and-vulnerable-hardest-hit-by-pandemic-in-spain>, last access: June 2020.
- Butler, J. (1990). *Gender Trouble: Feminism and the Subversion of Identity*. New York/London: Routledge.
- Caldwell, K. L. (2007). *Negras in Brazil. Re-envisioning Black Women, Citizenship and the Politics of Identity*. New Brunswick/New Jersey: Rutgers University Press.
- Camera of Deputies (n.d.). Jair Bolsonaro é contra aprovação da PEC das Domésticas (online). Retrieved from: <https://www.camara.leg.br/radio/programas/401222-jair-bolsonaro-e-contra-aprovacao-da-pec-das-domesticas/>, last access: June 2020.

- Chaney, E. M. and M. G. Castro (1989). *Muchachas no more: household workers in Latin American and the Caribbean*. Philadelphia: Temple University Press.
- Costa, J. et al. (2016). Effects of domestic worker legislation reform in Brazil, Working Paper, No. 149, International Policy Centre for Inclusive Growth (IPC-IG), Brasília. Retrieved from: <http://hdl.handle.net/10419/173803>, last access: September 2020
- Crenshaw, K. (1989). Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics. *University of Chicago Legal Forum*, 1989(1), 139-167.
- Crenshaw, K. (1991). Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color. *Stanford Law Review*, 43(6), 1241-1299.
- Davis, K. (2008). Intersectionality as buzzword: A sociology of science perspective on what makes a feminist theory successful. *Feminist Theory*, 9(1), 67-85. doi: 10.1177/1464700108086364
- De Melo, H. P. (1998). *O serviço doméstico remunerado no Brasil: De criadas a trabalhadoras*. Discussion paper nº 565, MICT/ANPEC/IPEA. Rio de Janeiro. MICT. Retrieved from: <http://www.ipea.gov.br/pub/td/td0565.pdf>, last access: May 2020
- De Souza, E. R. and E. Cerqueira (2009). From the Kitchen to the Bedroom: Frequency Rates and Consequences of Sexual Harassment Among Female Domestic Workers in Brazil. *Journal of Interpersonal Violence*, 24(8), 1264-1284. doi: 10.1177/0886260508322189
- De Souza, F. and H. Silva (2018). Trabalho doméstico: sujeitos, experiências e lutas. *Revista Mundos do Trabalho*, 10(20), 9-14. Retrieved from: <https://periodicos.ufsc.br/index.php/mundosdotrabalho/index>, last access: September 2020.
- Dias, M. et al. (2014). Domestic workers' labor rights in Brazil: Improvement of labor regulation. *Humanities and Social Sciences Review*, 3(2), 9-21.
- Domesticalegal.com.br (n.d.). *Home* [Online Blog]. Retrieved from: <https://www.domesticalegal.com.br/blog/>, last access: July 2020
- Dorcadie, M. (2018, March 18). The precarious status of domestic workers in Brazil (online). Retrieved from: <https://www.equaltimes.org/the-precarious-status-of-domestic?lang=en#.XBvuXMRCfIU>, last access: July 2020
- Dulci, L. (2013). *Um salto para o futuro: como o governo Lula colocou o Brasil na rota do desenvolvimento*. São Paulo: Editora Fundação Perseu Abramo.
- Fernandes, F. (1978). *A Integração do Negro na Sociedade de Classes*. São Paulo: Ática.
- Fernandes, J. [Preta-Rara] (n.d.). *Home* [Youtube-Channel]. Retrieved from: <https://www.youtube.com/user/PRETAARA20>, last access: July 2020
- Fernandes, J. [Preta-Rara] (2016). *Home* [Facebook-Page]. Retrieved from: https://www.facebook.com/pg/euempregadadomestica/about/?ref=page_internal, last access: July 2020
- Fernandez, B. (2018). Traffickers, Brokers, Employment Agents, and Social Networks: The Regulation of Intermediaries in the Migration of Ethiopian Domestic Workers to the Middle East. *International Migration Review*, 47(4), 814-843. doi: 10.1111/imre.12049
- Fogel, B. (2019). Brazil: Corruption as a Mode of Rule Tracing the roots of corruption in Brazil from Vargas to Bolsonaro reveals a political strategy that has long been woven into the fabric of Brazilian politics. *NACLA Report on the Americas*, 51(2), 153-158. doi: 10.1080/10714839.2019.1617476
- Fontes et. al. (2018). "Eu tinha minha liberdade": entrevista de Nair Jane de Castro Lima, liderança histórica das trabalhadoras domésticas do Rio de Janeiro. *Revista Mundos do Trabalho*, 10(20), 167-189. doi: 10.5007/1984-9222.2018v10n20p167
- Freyre, G. (1933). *Casa Grande & Senzala*. Rio de Janeiro: Maia & Schmidt.
- Furno, D. J. (2016). *A longa abolição no Brasil: Transformações recentes no trabalho doméstico*. Master Thesis, Campinas State University, Institute of Economy. Campinas, 2016.
- Garcia Nogueira, S. and C. Burity (2014). The construction of Brazil's foreign image and the media diplomacy in the Lula's government. *Revista de Ciências Sociais*, 41, 375-397.
- Giacomini, S. M. (1988). *Mulher e escrava: uma introdução histórica ao estudo da mulher negra no Brasil*. Petrópolis: Vozes
- Goldstein, D. M. (2013). *Laughter Out of Place: Race, Class, Violence, and Sexuality in a Rio Shantytown*. Berkeley: University of California Press.

- Gomes, A. and I. Baviera Puig (2013). *Domestic Work After Labor Law: The case of Brazil and Spain*. Conference paper at the Labor Law Research network inaugural conference. Pompeu Fabra University, Barcelona, June 13-15, 2013. Retrieved from: https://www.upf.edu/documents/3298481/3410076/2013-LLRNConf_GomesxBaviera.pdf/aec17fa7-a90e-4692-9040-0932b99e1b50, last access: June 2020
- Gomes, H. S. (2018, May 14). Brancos sao maioria em empregos de elite e negros ocupam vagas dem qualificacao (online). *O Globo G1*. Retrieved from: <https://g1.globo.com/economia/noticia/brancos-sao-maioria-em-empregos-de-elite-e-negros-ocupam-vagas-sem-qualificacao.ghtml>, last access: May 2020
- Grosfougel, R. (2011). Decolonising post-colonial studies and paradigms of political economy: Transmodernity, decolonial thinking and coloniality. *Journal of Peripheral Cultural Production of the Luso-Hispanic World*, 1(1), 1–50.
- Hancock, A. (2011). *Solidarity Politics for Millennials. A Guide to Ending the Oppression Olympics*. New York: Palgrave Macmillan.
- Hasenbalg, C. and S. Huntington (1982). *Brazilian Racial Democracy: Reality or Myth?* *Humboldt Journal of Social Relations*, 10(1), 129-142
- Haynes, B. (2013, March 27). A richer Brazil gets its maids daycare, overtime (online). Retrieved from: <https://www.reuters.com/article/us-brazil-maids/a-richer-brazil-grants-its-maids-daycare-overtime-idUSBRE92Q12V20130327>, last access: May 2020
- Hilgers, L. (n.d.). The New Labor Movement Fighting for Domestic Workers' Rights (online). *The New York Times*. Retrieved from: <https://www.nytimes.com/interactive/2019/02/21/magazine/national-domestic-workers-alliance.html?mtrref=www.google.com&gwh=4BA6EB30EC854B037E81185958698F37&gwt=pa&assetType=REGIWALL>, last access: June 2020
- Hirata, H. (2001). Globalização e divisão sexual do trabalho. *Cadernos Pagu*, 17/18(02), 139–156.
- IBGE (2015). Porcentagem da população, por cor ou raça (online). Retrieved from: <https://educa.ibge.gov.br/jovens/conheca-o-brasil/populacao/18319-cor-ou-raca.html>, last access: July 2020
- IBGE (2016, November 25). PNAD 2015: rendimentos têm queda e desigualdade mantém trajetória de redução (online). Retrieved from: <https://agenciadenoticias.ibge.gov.br/agencia-sala-de-imprensa/2013-agencia-de-noticias/releases/9461-pnad-2015-rendimentos-tem-queda-e-desigualdade-mantem-trajetoria-de-reducao>, last access: May 2020.
- ILO (2010, October 10). From domestic work to modern day slavery (online). Retrieved from: https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_146485/lang--en/index.htm, last access: July 2020
- ILO (2013). Domestic workers across the world: global and regional statistics and the extent of legal protection (online). International Labour Office, Geneva, 2013. Retrieved from: https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_173363.pdf, last access: June 2020
- ILO (2016, July 11). Labour informality affects almost 80 per cent of the 18 million domestic workers in Latin America (online). Retrieved from: https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_498779/lang--en/index.htm, last access: July 2020
- ILO (2017a). Domestic workers and employers in the Arab states. Promising practices and innovative models for a productive working relationship. ILO White Paper. Regional Office for Arab States, Beirut, 2017. Retrieved from: https://www.ilo.org/beirut/publications/WCMS_619661/lang--en/index.htm, last access: July 2020
- ILO (2017b). Employer-migrant worker relationships in the Middle East: exploring scope for internal labor market mobility and fair migration. ILO White Paper. Regional Office for Arab States, Beirut, 2017. Retrieved from: https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_552697.pdf, last access: June 2020
- ILO (2018a, August 23). Domestic work. Recognizing the rights of domestic workers (online). Retrieved from: https://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_641738/lang--en/index.htm, last access: June 2020

- ILO (2018b, February 1). Convention No. 189 on domestic workers ratified by Brazil (online). Retrieved from: https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_616549/lang--en/index.htm, last access: September 2020.
- ILO (n.d. a). ILO Strategy on domestic work (online). Retrieved from: <https://www.ilo.org/global/topics/domestic-workers/strategy/lang--en/index.htm>, last access: June 2020
- ILO (n.d. b). Ratifications of C189 - Domestic Workers Convention, 2011 (No. 189) (online). Retrieved from: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO::P11300_INSTRUMENT_ID:2551460, last access: June 2020
- ILO (n.d. c). Who are domestic workers (online). Retrieved from: <https://www.ilo.org/global/topics/domestic-workers/who/lang--en/index.htm>, last access: July 2020
- ILO (n.d. d). Migrant domestic workers in Europe (online). Retrieved from: https://www.ilo.org/global/topics/labour-migration/photo-video/migrant-domestic-workers-in-europe-photo-contest/WCMS_206224/lang--it/index.htm, last access: July 2020
- ILRF (n.d). Invisible Workers: The Domestic Workers' Struggle (online). Retrieved from: <https://laborrights.org/blog/201006/invisible-workers-domestic-workers-struggle>, last access: July 2020
- IPEA (2019, December 12). Estudo do Ipea traça um perfil do trabalho doméstico no Brasil (online). Retrieved from: http://www.ipea.gov.br/portal/index.php?option=com_content&view=article&id=35255&catid=10&Itemid=9, last access: May 2020
- IPEA (n.d.). Retrato das igualdades de gênero e raça. Trabalho doméstico remunerado (online). Retrieved from: http://www.ipea.gov.br/retrato/indicadores_trabalho_domestico_remunerado.html, last access: May 2020
- Klein, H. S. and F. Vidal Luna. (2010). *Slavery in Brazil*. New York: Cambridge University Press.
- Kofes, M. (1990). *Diferença e identidades nas armadilhas da igualdade e desigualdade: Interação e relação entre patroas e empregadas domésticas*. Doctoral Thesis, University of São Paulo, Faculty of Philosophy, Literature and Humanities, Department of Anthropology. São Paulo, 1990.
- Kothari, U. (1997). Women's Paid Domestic Work and Rural Transformation: A Study in South Gujarat. *Economic and Political Weekly*, 32(17), 5-12.
- Kuznesof, E. (1989). A history of domestic service in Spanish America, 1492–1980. In: Chaney E.M. and Castro, G. M. (eds) *Muchachas No More: Household Workers in Latin America and the Caribbean*. Philadelphia: Temple University Press, 17–36.
- Lovell, P. (2000). Gender, Race, and the Struggle for Social Justice in Brazil. *Latin American Perspectives*, 27(6), 85-102.
- Lowy, M. (2016). Da tragédia à farsa: O golpe de 2016 no Brasil. In: Singer, A., Jinkings, I., Doria, K. and Cleto, M. (Eds.). *Por que gritamos golpe? Para entender o impeachment e acrise política no Brasil*, 61–67. São Paulo: Boitempo.
- Lugones, M. (2007). Heterosexualism in the Colonial/modern Gender system. *Hypatia*, 22(1), 186-209.
- Lugones, M. (2010). Toward a Decolonial Feminism. *Hypatia*, 25(4), 742-759.
- Maids in the Middle East. Little better than slavery (2010, September 2). n.a. (online). *The Economist*. Retrieved from: <https://www.economist.com/middle-east-and-africa/2010/09/02/little-better-than-slavery>, last access: July 2020
- Magalhães, B. (2018, June 30). Mulher ganha na Justiça direito a indenização de R\$ 1 milhão de família de SP que a criou: 'Eu me sentia como uma escrava' (online). *O Globo G1*. Retrieved from: <https://g1.globo.com/sp/sao-paulo/noticia/2019/06/30/mulher-ganha-na-justica-direito-a-indenizacao-de-r-1-milhao-de-familia-de-sp-que-a-criou-eu-me-sentia-como-uma-escrava.ghtml>, last access: May 2020.
- Malley, Ro. and Ri. Malley (2020). When the Pandemic Hits the Most Vulnerable. Developing Countries Are Hurling Toward Coronavirus Catastrophe. *Foreign Affairs*, 99(2). Retrieved from: <https://www.foreignaffairs.com/articles/africa/2020-03-31/when-pandemic-hits-most-vulnerable>, last access: July 2020
- Meade, T. A. (2009). *A History of Modern Latin America: 1800 to the Present*. Chichester: Wiley-Blackwell.

- Mitchell-Walthour, G. (2017). Economic Pessimism and Racial Discrimination in Brazil. *Journal of Black Studies*, 48(7), 675–697. doi: 10.1177/0021934717714769
- Miranda, D. (2016, April 21). The real reason Dilma Rousseff's enemies want her impeached (online). *The Guardian*. Retrieved from: <https://www.theguardian.com/commentisfree/2016/apr/21/dilma-rousseff-enemies-impeached-brazil>, last access: May 2020
- Modern slavery is disturbingly common. Forced labour persists around the world, particularly for domestic workers (2017, September 20). n.a. (online). *The Economist*. Retrieved from: <https://www.economist.com/graphic-detail/2017/09/20/modern-slavery-is-disturbingly-common>, last access: July 2020
- Moloney, A. (2015, May 28). New laws mean Latin America's domestic workers fare better than most (online). Retrieved from: <https://www.reuters.com/article/us-rights-domesticworkers-latinamerica/new-laws-mean-latinamericas-domestic-workers-fare-better-than-most-idUSKBN0OD0RC20150528>, last access: July 2020
- Monçores, E. A. (2014). *Emprego Doméstico no Brasil: Um Estudo sobre as Desigualdades e Contradições dos Cuidados*. Master Dissertation, Universidade Federal Fluminense. Niterói, 2014.
- Monticelli, T. and M. Seiffarth (2018). *Paid domestic work in Brazil. An analysis of the political and cultural conjunctures of labour rights*. Paper presented at XIII Global Labor University Conference, São Paulo and Campinas, August 2018.
- Naderifar, M. et al. (2017). Snowball Sampling: A Purposeful Method of Sampling in Qualitative Research. *Strides in Development of Medical Education*, 14(3). doi: 10.5812/sdme.67670 1-6
- Nash, J.C. (2008). Re-thinking intersectionality. *Feminist Review*, 89(1), 1-15. doi: 10.1057/fr.2008.4
- Nolen, S. (2016, March 16). The photo that's become the emblem of Brazil's political turmoil (online). Retrieved from: <https://www.theglobeandmail.com/news/world/the-photograph-thats-become-the-emblem-of-brazils-political-turmoil/article29230399/>, last access: May 2020
- Nunes, C. (1993). *Cidadania e cultura – O universo das empregadas domésticas em Brasília (1970-1990)*. Doctoral Thesis, University of Brasília, Institute of Humanities, Department of Sociology. Brasília, 1993.
- OECD (2018). Brazil (online). Retrieved from: <https://www.oecd.org/economy/surveys/Brazil-2018-OECD-economic-survey-overview.pdf>, last access: May 2020
- OHCHR (n.d.). Special Rapporteur on contemporary forms of slavery, including its causes and consequences (online). Retrieved from: <https://www.ohchr.org/EN/Issues/Slavery/SRSlavery/Pages/SRSlaveryIndex.aspx>, last access: July 2020
- Pande, A. (2018). “The Paper that you Have in Your Hand is My Freedom”: Migrant Domestic Work and the Sponsorship (Kafala) System in Lebanon. *International Migration Review*, 47(2), 414-441. doi: 10.1111/imre.12025
- Pavlou, V. (2016). *Migrant domestic workers in the European Union: the role of law in constructing vulnerability*. Doctoral Thesis, European University Institute, Department of Law. Florence, 2016.
- Phillips, T. (2011, November 11). Brazil census shows African-Brazilians in the majority for the first time (online). *The Guardian*. Retrieved from: <https://www.theguardian.com/world/2011/nov/17/brazil-census-african-brazilians-majority>, last access: July 2020
- Pinnell, O. and J. Kelly (2019, October 31). Slave markets found on Instagram and other apps (online). *BBC*. Retrieved from: <https://www.bbc.com/news/technology-50228549>, last access: December 2019.
- Pinto, T. (2019). „Eu tinha uma certa liberdade“: Famílias, direitos e dispositivos de resistência de trabalhadoras domésticas de nova iguacu – RJ. Doctoral Thesis, Fundação Getúlio Vargas, Centro de Pesquisa e Documentação de História Contemporânea do Brasil. Rio de Janeiro, 2019.
- Powell, A. (2020, April 8). South Africa's Domestic Workers Struggle During Coronavirus Lockdown (online). Retrieved from: <https://www.voanews.com/science-health/coronavirus-outbreak/south-africas-domestic-workers-struggle-during-coronavirus>, last access: May 2020.
- Propagandas Históricas (n.d.). Venda de Ama de Leite (Escrava) – 1879 (online). Retrieved from: <https://www.propagandashistoricas.com.br/2018/04/anuncio-venda-de-escravo.html>, last access: July 2020.

- Quijano, A. (2000). Coloniality of Power and Eurocentrism in Latin America. *International Sociology*, 15(2), 215-232.
- Quijano, A. (2007). Coloniality and Modernity/Rationality. *Cultural Studies*, 21(2-3), 168-178.
- Ritto, C. (2013, April 13). PEC das Domésticas: sai a empregada, entra a lava-louça (online). Retrieved from: <https://veja.abril.com.br/economia/pec-das-domesticas-sai-a-empregada-entra-a-lava-louca/>, last access: June 2020.
- Roberts, M. O. (2018). De “um pé na cozinha” a “um pé na porta”: a PEC das Domésticas no Brasil, suas oportunidades e seus desafios. *Revista Mundos do Trabalho*, 10(20), 31-59. doi: 10.5007/1984-9222.2018v10n20p31
- Roth-Gordon, J. (2017). *Race and the Brazilian Body: Blackness, Whiteness, and Everyday Language in Rio de Janeiro*. Oakland, California: University of California Press
- Ruiz, J. R. (2009). Sociological Discourse Analysis: Methods and Logic. *Forum: Qualitative Social Research* 10(2), 1-30. doi: 10.17169/fqs-10.2.1298
- Saad-Filho, A. and M. Boffo. (2020). The corruption of democracy: Corruption scandals, class alliances, and political authoritarianism in Brazil. *Geoforum*. doi: 10.1016/j.geoforum.2020.02.003
- Santos, R. (2008, March 23). Empregada mantinha diário de tortura, relata menina (online). *O Estado de S. Paulo*. Retrieved from: <https://brasil.estadao.com.br/noticias/geral,empregada-mantinha-diario-de-tortura-relata-menina,144640>, last access: May 2020.
- Sargeant, M. (2014). Domestic Workers: Vulnerable Workers in Precarious Work. *E-Journal of International and Comparative Labour Studies*, 3(1), 1-25. Retrieved from: http://ejcls.adapt.it/index.php/ejcls_adapt/article/view/152/222, last access: September 2020
- Schwarcz, L. (2018, November 2). Brazil: A society shaped by slavery (online). Retrieved from: <https://www.historyextra.com/period/brazil-a-society-shaped-by-slavery/>, last access: June 2020
- Schemo, D. J. (1995, August 20). The Elevator doesn't lie: Intolerance in Brazil (online). *New York Times*. Retrieved from: <https://www.nytimes.com/1995/08/30/world/sao-paulo-journal-the-elevator-doesn-t-lie-intolerance-in-brazil.html>, last access: May 2020.
- Silva, E. (2010). Maids, machines and morality in Brazilian homes. *Feminist Review*, 94(1), 20-37.
- Skidmore, T. (1974). *Black Into White: Race and Nationality in Brazilian Thought*. New York: Oxford University Press.
- Soares Leivas, P. and A. Moreira (2018). Horizontal inequality and ethnic diversity in Brazil: patterns, trends, and their impacts on institutions. *Oxford Development Studies*, 46(3), 348-362. doi: 10.1080/13600818.2017.1394450
- Sousa, J. (2018). O XI Congresso Nacional das Trabalhadoras Domésticas e a luta por direitos no Brasil. *Revista Mundos do Trabalho*, 10(20), 61-80. doi: 10.5007/1984-9222.2018v10n20p61
- Sullivan, A. (2017, March 10). Is Intersectionality a Religion? (online). Retrieved from: <https://nymag.com/intelligencer/2017/03/is-intersectionality-a-religion.html>, last Access: June 2020
- Superior Labour Court TST (n.d.). Trabalhador doméstico caminha para superar discriminação (online). Retrieved from: http://www.tst.jus.br/noticias/-/asset_publisher/89Dk/content/trabalhador-domestico-caminha-para-superar-discriminacao, last access: May 2020.
- Stolcke, V. (1994). Invaded Women: Sex, Race and Class in the Formation of Colonial Society. *The European Journal of Development Research*, 6(1), 7–21.
- Tokman, V. (2010). Domestic Workers in Latin America: Statistics for New Policies (online). *Wiego Working Paper (Statistics)*, 17(1), 1-15. Retrieved from: http://www.wiego.org/sites/default/files/publications/files/Tokman_WIEGO_WP17.pdf, last access: September 2020
- Tufekci et al. (2018). *Politics of Conflict and Cooperation in Eurasia*. Newcastle Upon Tyne: Cambridge Scholars Publishing.
- Turshen, M. (2010). *African Women: A Political Economy*. New York: Palgrave Macmillan.
- Twine, F. W. (1997). *Racism in a Racial Democracy: The Maintenance of White Supremacy in Brazil*. New Brunswick, NJ/London: Rutgers University Press.
- UN (n.d. a). The Universal Declaration of Human Rights (online). Retrieved from: <http://www.un.org/en/universal-declaration-human-rights/>, last access: June 2020
- UN (n.d. b). The Sustainable Development Agenda (online). Retrieved from: <https://www.un.org/sustainabledevelopment/development-agenda/>, last access: June 2020

- UN (n.d. c). Real life stories. Creuza Oliveira, a domestic worker in Brazil (online) Retrieved from: <https://www.un.org/en/letsfightracism/oliveira.shtml>, last access: June 2020
- UN Brazil (2016). Trabalho escravo (online). UN Brazil Office, Brasília, 2016. Retrieved from: <https://nacoesunidas.org/wp-content/uploads/2016/04/position-paper-trabalho-escravo.pdf>, last access: June 2020
- UN Brazil (2019, May 13). OIT alerta para formas contemporâneas de escravidão no Brasil e no mundo (online). Retrieved from: <https://nacoesunidas.org/oit-alerta-para-formas-contemporaneas-de-escravidao-no-brasil-e-mundo/>, last access: June 2020
- UN Sustainable Development Goals (n.d.). Communications materials (online). Retrieved from: <https://www.un.org/sustainabledevelopment/news/communications-material/>, last access: July 2020.
- UN Women (2012). Checklist to support and protect domestic workers (online). UN Women Headquarters, New York City, 2012. Retrieved from: <https://www.unwomen.org/en/digital-library/publications/2012/11/checklist-to-protect-and-support-domestic-workers>, last access: June 2020
- UN Women Brazil (2017, October 20). Sistema ONU no Brasil divulga nota sobre portaria do trabalho escravo (online). Retrieved from: <http://www.onumulheres.org.br/noticias/sistema-onu-no-brasil-divulga-nota-sobre-portaria-do-trabalho-escravo/>, last access: June 2020
- Ventura, M. (2020, February 12). Guedes diz que dólar alto é bom: 'empregada doméstica estava indo para Disney, uma festa danada' (online). *O Globo*. Retrieved from: <https://oglobo.globo.com/economia/guedes-diz-que-dolar-alto-bom-empregada-domestica-estava-indo-para-disney-uma-festa-danada-24245365>, last access: May 2020
- Veselinovic, M. (2013, July 24). Mixing sushi and samba - meet the Japanese Brazilians (online). *CNN*. Retrieved from: <https://edition.cnn.com/travel/article/brazil-japanese-community/index.html>, last access: May 2020.
- Viola, K. (2019, September 13). 'É para que o quarto de empregada deixe de ser a senzala moderna', diz Preta-Rara sobre livro em que reúne relatos de trabalhadoras domésticas (online). *O Globo*. Retrieved from: <https://oglobo.globo.com/celina/e-para-que-quarto-de-empregada-deixe-de-ser-senzala-moderna-diz-preti-rara-sobre-livro-em-que-reune-relatos-de-trabalhadoras-domesticas-23943688>, last access: June 2020.
- Wejsa, S. and J. Lesser (2018, March 29). Migration in Brazil: The Making of a Multicultural Society (online). Retrieved from: <https://www.migrationpolicy.org/article/migration-brazil-making-multicultural-society>, last access: June 2020.
- Werneck, J. (2009). *Mulheres negras Brasileiras e os resultados de Durban. Caminhos convergentes: Estado e Sociedade na superação das desigualdades raciais no Brasil*. Rio de Janeiro: Heinrich Böll Stiftung & Action Aid. Retrieved from: <https://br.boell.org/pt-br/2009/10/11/caminhos-convergentes-estado-e-sociedade-na-superacao-das-desigualdades-raciais-no-bras-0>, last access: September 2020.
- World Bank (2018). Population, total – Brazil. Retrieved from: <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=BR>, last access: June 2020.
- World Bank (2019). The World Bank in Brazil (online). Overview. Retrieved from: <https://www.worldbank.org/en/country/brazil/overview>, last access: June 2020.
- World Bank (2019b). Unemployment, total (% of total labor force) (modeled ILO estimate) – Brazil (online). Retrieved from: <https://data.worldbank.org/indicator/SL.UEM.TOTL.ZS?locations=BR>, last access: May 2020.
- Wright, R. (2020, March 30). Hong Kong asked domestic workers to stay in to stop the spread of coronavirus. But some got infected at home by their employers (online). Retrieved from: <https://edition.cnn.com/2020/03/28/asia/domestic-helpers-coronavirus-hnk-intl/index.html>, last access: May 2020.
- Yang, W. (2020, April 23). 17 maids in Singapore have Covid-19, none infected by foreign workers in dorms (online). Retrieved from: <https://www.straitstimes.com/singapore/17-maids-in-singapore-have-covid-19-none-infected-by-foreign-workers-in-dorms>, last access: May 2020.

13 ANNEXES

A. QUESTIONNAIRE GOVERNMENT REPRESENTATIVES

- 1) Nas entrevistas para a minha tese a entrevistada primeiro se apresenta e descreve seu papel em relação à PEC das domésticas. Por favor, poderia dar um resumo?
- 2) Quais são as razões da desvalorização e da discriminação jurídica do trabalho doméstico no Brasil?
- 3) A discriminação de mulheres negras na sociedade brasileira foi um fator importante para a promoção da PEC?
- 4) A PEC demorou 14 anos para passar pelo Congresso Brasileiro, em comparação com a PEC do Amor (alias PEC do Divórcio), por exemplo, que demorou 4 anos. Porque tem esta diferença? Qual é a razão para tanta demora?
- 5) Houve alguma mudança em relação a posição e o tratamento da empregada doméstica nas famílias brasileiras, devido à PEC? Caso sim, em que termos?
- 6) Como você avalia a PEC como está concebida atualmente? Quais as vantagens ou desvantagens que ela traz para a trabalhadora? O que pode ser melhorado?
- 7) Quem foram os opositores principais da PEC e quais foram os seus argumentos?
- 8) Quais foram os argumentos usados pelos defensores políticos da PEC para a promoção da lei?
- 9) O passado escravocrata do Brasil teve alguma importância no debate da construção da PEC? Ou o objetivo era somente o fortalecimento dos direitos trabalhistas?
- 10) Segundo o IBGE (Instituto Brasileiro de Geografia e Estatística), em 2018, o número de domésticas sem carteira assinada chegou a alcançar 6,24 milhões. O número de profissionais com carteira assinada somou pouco mais de um milhão de pessoas. Sendo assim, a PEC contribuiu para a diminuição do trabalho doméstico informal?
- 11) O trabalho doméstico no Brasil ainda espelha alguma coisa do passado escravocrata do Brasil?
- 12) A PEC pode servir como instrumento no combate contra a herança da escravidão relacionada ao trabalho doméstico?
- 13) Resumindo: Qual é a sua avaliação da PEC?
- 14) A PEC deve ser abolida? (Porque?)

B. QUESTIONNAIRE DOMESTIC WORKERS' UNIONS REPRESENTATIVES

- 1) Nas entrevistas para a minha tese a entrevistada primeiro se apresenta e descreve seu papel em relação à PEC das domésticas. Por favor, poderia dar um resumo?
- 2) Porque o trabalho doméstico remunerado não é considerado um trabalho regular no Brasil?
- 3) Quais são as razões da desvalorização e da discriminação jurídica do trabalho doméstico no Brasil?
- 4) Houve alguma mudança em relação a posição e o tratamento da empregada doméstica nas famílias brasileiras, devido à PEC? Caso sim, em que termos?
- 5) Como você avalia a PEC como está concebida atualmente? Quais as vantagens ou desvantagens que ela traz para a trabalhadora? O que pode ser melhorado?
- 6) Quem foram os opositores principais da PEC e quais foram os seus argumentos?
- 7) Quais foram os argumentos usados pelos defensores políticos da PEC para a promoção da lei?
- 8) O passado escravocrata do Brasil teve alguma importância no debate da construção da PEC? Ou o objetivo era somente o fortalecimento dos direitos trabalhistas?
- 9) Segundo o IBGE (Instituto Brasileiro de Geografia e Estatística), em 2018, o número de domésticas sem carteira assinada chegou a alcançar 6,24 milhões. O número de profissionais com carteira assinada somou pouco mais de um milhão de pessoas. Sendo assim, a PEC contribuiu para a diminuição do trabalho doméstico informal?
- 10) O trabalho doméstico no Brasil ainda espelha alguma coisa do passado escravocrata do Brasil?
- 11) A PEC pode servir como instrumento no combate contra a herança da escravidão relacionada ao trabalho doméstico?
- 12) Resumindo: Qual é a sua avaliação da PEC?
- 13) A PEC deve ser abolida? (Porque?)