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The Triumvirate of Intersectionality: a Case Study on the Mobilization of *Domésticas* in Brazil

by

#### Kristen Nash

A thesis submitted in partial fulfillment
of the requirements for the degree of
Master of Arts in Political Science
Department of Government and International Affairs
College of Arts and Sciences
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#### **Abstract**

In this thesis, I look at the mobilization of the domestic workers in Brazil as a social movement. In Brazil, the domestic workers have managed to organize continuously for over eight decades using both informal and formal mechanisms to connect workers all over the country in unique ways. By viewing these women and the ways in which they have organized in the framework of a social movement, we can begin to identify their repertoires of contention and how those repertoires have contributed to the successes of the movement. In order to guide this investigation, I ask, how has the *doméstica* movement in Brazil been successful in reducing the vulnerability of domestic workers? Throughout the development of the domestic workers movement in Brazil, the participants have shaped their repertoires of contention to embody their intersectional narrative and conceptualized it to reduce the vulnerability of domestic work. I argue throughout this work that, as the movement became more successful and better organized, the vulnerability of domestic workers declined. I consider this vulnerability to be a combination of informality associated with the profession for domestic work and the lack of legal protections which apply to domestic workers. This work is a single unit case study analyzing solely the doméstica movement in Brazil from the mid-1930s to the present. I gauge success primarily using two types of within-case observations: 1.) process-tracing through the historical trajectory of the movement to understand the development of the repertoires of contention within four distinct waves of organizing; and, 2.) comparative analysis of official statistics on indicators of the level of informality associated with domestic work.

#### **Chapter One:**

#### Introduction

Close to one-fifth of all the domestic workers<sup>1</sup> in the world work in Brazil, where there are over seven million domestic workers making their living working in the homes of others.

Nationwide, these workers are overwhelmingly poor Afro-Brazilian women. In fact, domestic work is the number one employment for black women in Brazil.<sup>2</sup> The widespread nature of this type of employment within the country reflects and reproduces systemic and institutionalized racism, gender discrimination, and classism. According to the Instituto de Pequisa Econômica Aplicada (IPEA),<sup>3</sup> in 2009 only about 2 percent of the 7.2 million domestic workers belonged to a union.<sup>4</sup> However, domestic workers have a long history of autonomous organizing and many domésticas<sup>5</sup> have been and are currently involved in the movement in less official capacities.

Such less official and less formal avenues available are domestic workers' associations, community groups, educational organizations, social groups, classes, and many more.

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<sup>&</sup>lt;sup>1</sup> The term "domestic worker" is used in this paper to refer to anyone working in a private home other than their own performing reproductive work including, but not limited to, one or a combination of any of the following: babysitting, nanny services, cooking, cleaning, caregiver's services, laundry and seamstress services, pet sitting, etc. I also use this term to refer to both live-in workers who reside in the home that they work in and day workers who live outside the home(s) in which they work.

<sup>&</sup>lt;sup>2</sup> Keisha-Khan Y. Perry, "Politics is *Uma Coisinha de Mulher* (a Woman's Thing): Black Women's Leadership in Neighborhood Movements in Brazil," in *Latin American Social Movements in the Twenty-first Century: Resistance, Power, and Democracy*, eds. Richard Stahler-Sholk et al., (Lanham: Rowman & Littlefield, 2008), 204

<sup>&</sup>lt;sup>3</sup> According to the Instituto de Pequisa Econômica Aplicada (IPEA) government website (ipea.gov.br), the IPEA is a network of organizations that function as a project of the federal government in investigating historical "social debt" that challenges the political agenda.

<sup>&</sup>lt;sup>4</sup> Joaze Bernardino-Costa, "Intersectionality and Female Domestic Workers' Unions in Brazil," *Women's Studies International Forum* (2014), 1

<sup>&</sup>lt;sup>5</sup> Shortened from *empregadas domésticas* (Brazilian Portuguese: domestic employee). There are many other terms for domestic workers used in Brazil; however, I have chosen to exclusively use this one for the sake of clarity.

In his analysis of the 1980 census, Edward Telles (1993) shows how Brazilian women in 1980 were overwhelmingly concentrated in informal and "unprotected" professions, 6 like domestic work. In addition, his data shows that men in the informal but *protected*, self-employed professions actually made more income than men in the formal sector who were also protected. 7 This fact exemplifies how the level of informality associated with a profession is not the sole reason for income disparity and class inequality. Due to the constraints of the distribution of women in the labor force in 1980, Telles did not make comparisons across protected and unprotected sectors within female employment. Yet his analysis still leads to a very important conclusion: legalized labor protections play a much larger role than has been widely assumed. Likewise, the persistent concentration of women in informal and unprotected professions even up to three decades ago highlights the gendered discrimination that plays a role in the intersectional struggle of domestic workers.

In this thesis, I will look at the mobilization of the domestic workers in Brazil as a social movement. At its most basic, a social movement is merely that which is organized informally around a network.<sup>8</sup> In Brazil, the domestic workers have managed to organize continuously for over eight decades using *both* informal and formal mechanisms to connect workers all over the country in unique ways. By viewing these women and the ways in which they have organized in the framework of a social movement, we can begin to identify their repertoires of contention<sup>9</sup> and how those repertoires have contributed to the successes of the movement. In order to guide

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<sup>&</sup>lt;sup>6</sup> Those without regular profits, social security, or job security (Telles 1993, 233)

<sup>&</sup>lt;sup>7</sup> Edward E. Telles, "Urban Labor Market Segmentation and Income in Brazil," *Economic Development and Cultural Change* 41.2 (1993), 235

<sup>&</sup>lt;sup>8</sup> Jennifer Sommerville, "Social Movement Theory, Women and the Question of Interests," *Sociology* 31.4 (November 1997), 673

<sup>&</sup>lt;sup>9</sup> In *Power in Movement*, Tarrow discusses "contentious politics" as what happens when collective actors join forces against the privileged and powerful in support of specific claims. He makes the distinction that those employing contentious tactics are *ordinary* people. Repertoire is a borrowed French word that is usually associated with art but that, in this case, encompasses the entire body of the skills and behaviors a group is prepared to perform.

this investigation, I ask, how has the *doméstica* movement in Brazil been successful in reducing the vulnerability of domestic workers?

#### The Study of *Domésticas*

The lack of extensive study within Latin America on women's organizing – to the same degree as those of the global North – is part of a larger trend of neglect within academia. Even more so is the inattention paid to domestic work and those who organize for the legal rights of domestic workers by many academic scholars. Admittedly, when it comes to research on organizing and new social movements within Latin America, Brazil has received more notice than many other places; however, these studies have primarily been concentrated on Rio de Janeiro and São Paulo. In addition, even within that research, the specific organizations of the domésticas have often been overlooked in favor of other organizations that comprise the more traditional topics within academia. In Brazil, this deficiency is stark considering the long history of domestic workers organizing there. The relative absence of my topic within the relevant literature, despite the proliferation of people who are affected by it, leads me to believe that this topic is an important one deserving of academic attention. It might be useful to consider the doméstica movement as an offshoot of either the black movement or the labor movement in Brazil because it is common knowledge within academia that the black movement and the labor movement in Brazil are well-established; however, a distinct repertoire of contention can be discerned within the doméstica movement that is both separate from that of the other two movements and just as well-established. This leads me to ask, what can their long history of organization in combination with the distinct and specific narrative of domestic workers tell us about what they have achieved?

Throughout this work, I will explore the mutually constituting categories of race, gender, and class/labor via the manner in which these categories have been operationalized by the domésticas. These three factors are essential to their organizational development because "from the domestic workers' perspective, the contributions of the black, union, and feminist movements made by domestic workers are ineffective and incomplete if any one of the three dimensions of the triad of race, class, and gender is set aside." <sup>10</sup> By using this multi-dimensional perspective, the participants of the domestic workers movement have been able to efficiently navigate the Brazilian socio-political system from within by formulating a political activism that both articulates their particular narrative and their goals yet also uses the tools of the system of oppression against itself. I will show how the movement has used all the pieces of the intersectional web of identity that situates them within socio-economic space in order to create their independent and self-constructed narrative. This narrative is primarily that of poor, working class women of color who move constantly between public space and the private sphere, working-class conditions and upper-class privilege, and segregated residential enclaves and sprawling favelas. <sup>11</sup> Throughout the development of the domestic workers movement in Brazil, the participants have shaped their repertoires of contention to embody this narrative and conceptualized it to reduce the vulnerability of domestic work. I argue throughout this work that, as the movement became more successful and better organized, the vulnerability of domestic workers declined. I consider this vulnerability to be a combination of informality associated with the profession for domestic work and the lack of legal protections which apply to domestic workers.

<sup>&</sup>lt;sup>10</sup>Joaze Bernardino-Costa, "Destabilizing the National Hegemonic Narrative: The Decolonized Thought of Brazil's Domestic Workers Unions." Latin American Perspectives 38 (2011), 42

<sup>&</sup>lt;sup>11</sup> Brazilian Portuguese: urban slums

#### **Synthesizing Theory and Reality**

By definition a case study should always be either theory-testing or theory-building. When researching theories to apply to this case, I stumbled onto an interesting dilemma. Theoretically, new social movement (NSM) theory should cover this case; however, I argue that it does not entirely explain it. NSM theory is postmodernist, post-materialist, and European-oriented; therefore, it often cannot be applied properly to many Latin American cases. Bernd Reiter (2011) argues that the term "new social movement" has been applied wholesale to all forms of contentious politics in Latin America and that using an NSM theoretical framework puts so much emphasis on newness that it blinds the researcher to continuities and historical context. In fact, "pan-ethnic identity-based organizing among... African-descendant Brazilians is not at all a "new" social movement but one of the oldest protest repertoires in the Americas." The case presented here exemplifies this fact. Domestic workers in Brazil have been continuously organizing as *lower-class*, *black women domestic workers* since at least the mid-1930s.

Steven M. Buechler (1995) argues that new social movement theory is a misnomer and that referring to it as *theories* would be better as there is no widespread agreement on the core premises. However, many common themes associated with NSM theories can be identified as evolving directly in opposition to classical Marxism and resource mobilization theory. According to new social movement theorists, Marxism boils everything down to classism and reduces the importance of identity as a mobilizing factor. Marxism's economic reductionism presumed that all politically significant social action will derive from the fundamental economic logic of capitalist protection and that all other social logics are secondary at best in shaping such

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<sup>&</sup>lt;sup>12</sup> Bernd Reiter, "What's New in Brazil's "New Social Movements"?," Latin American Perspectives 38 (2011), 159

<sup>&</sup>lt;sup>13</sup> Steven M. Buechler, "New Social Movement Theories," *The Sociological Quarterly* 36.3 (Summer 1995), 442

action" and that "the most significant social actors will be defined by class relationships rooted in the process of production and that all other social identities are secondary at best in constituting collective actors." Therefore, it prioritizes the proletarian revolution over any other type and cannot solely account for this case because it does not take into account the racial and gendered identity of the *domésticas* or their focus on political and legal recognition; nor is it able to move beyond the analysis of macro-level processes. In addition, the conceptualization and preordination of the working class as the only central revolutionary subject dispenses "with the need to explain the process whereby varying forms of political subjectivity are constituted and through which the propensity to act collectively may emerge in certain specific circumstances." However, I argue that history and context are crucial to understanding social movements and their repertoires of contention. The political subjectivity of the domestic workers movement is made up of the intersecting identities that they encounter within both the private and public sphere. The multiple points of identity within the conceptual space occupied by the *domésticas* shows clearly the impossibility of finding one fixed center for subjectivity.

Additionally, Sidney Tarrow (2011) argues that Marxist theory underspecifies the political conditions – it does not identify either a concept of leadership or a concept of working class culture – needed to provide opportunities to launch contentious collective action. In response to these oversights, Vladmir Illyich Lenin developed the notion of a "vanguard" to guide the working class and Antonio Gramsci further expanded this by charging this leadership with the task of creating a working-class organic intellectual culture.<sup>17</sup> The Gramscian idea of

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<sup>&</sup>lt;sup>14</sup> Ibid., 441-2

<sup>&</sup>lt;sup>15</sup> David Slater, "Power and Social Movements in the Other Occident: Latin America in an International Context," in *Latin American Social Movements in the Twenty-first Century: Resistance, Power, and Democracy,* eds. Richard Stahler-Sholk et al., (Lanham: Rowman & Littlefield, 2008), 22

<sup>&</sup>lt;sup>16</sup> Ibid., 26

<sup>&</sup>lt;sup>17</sup> Sidney G. Tarrow, *Power in Movement: Social Movements and Contentious Politics*, 3<sup>rd</sup> ed., (New York, NY: Cambridge UP, 2011), 18-19

counterculture and its organic manifestation is useful when talking about the *doméstica* movement as a subaltern population which has valorized and imbued power into the intersectional identity which otherwise marginalizes them. However, neither Lenin nor Gramsci were able to incorporate a theory of political mobilization.

In response to the drawbacks of Marxism, Leninism, and Gramscianism, collective behavior theory saw movements as part of abnormal psychology wherein individuals mobilize when they are disconnected from traditional roles and identities due to societal dysfunction. 

This theory did not overcome the political disconnect associated with the former theories nor did it take into account social movements as a facet of everyday life. As collective behaviorism declined in popularity in the 1960s, Mancur Olsen formulated resource mobilization theory, limiting motivations for collective action to material and personal incentives. 

Olsen's focus on selective incentives, formal organization, and a "what's in it for me?" mentality completely discounts subjectivity, emotion, culture, historical context, and cross-sectional solidarity. While there are valid and compelling material reasons that the domestic workers of Brazil have organized, it would be an injustice to diminish their fight for societal restructuration down to an interest solely in monetary gain.

More in line with the changing paradigms of the late twentieth century, E.P. Thompson created a theory of culturalism that argued that a self-conscious class would mobilize when their grievances are imbued with a sense of injustice and they have an emotional investment in the outcome.<sup>20</sup> Michel Foucault took culturalism to the next level by specifying its focus on subaltern struggles and their fight against "the construction of subjectivity by those who tell us

<sup>&</sup>lt;sup>18</sup> Ibid., 22

<sup>&</sup>lt;sup>19</sup> Ibid., 23-24

<sup>&</sup>lt;sup>20</sup> Ibid., 25-26

the 'truth' of who we are." The domestic workers movement is arguably an identity struggle yet the participants ultimately embraced all aspects of their identity in order to valorize it and argue for the consideration of domestic work as a profession deserving of the same protections of any other. And here still, the theory of culturalism does not take into account political structures and political mobilization. The *domésticas* have certainly mobilized politically as well as economically and socially.

On the other hand, while none of the above theories can wholly explain this case study, there are several reasons that NSM theories, as the alternative, are not suitable either. New social movement theories typically emphasize post-materialist goals yet the domestic workers organizations are arguably fighting for materialist values like pay regulations, labor protections, employment benefits, and job security. Within their struggle, "the dialectic between consciousness and the material world is not one between elements unequal in weight or importance."<sup>22</sup> In addition, NSM theory is too general and too broad, making it hard to falsify. It lumps together the mass mobilizations of groups in representative democracies and in authoritarian dictatorships, groups in urban metropolises and in rural areas, and groups with no formal organizational structure with established unions and non-governmental organizations (NGOs).

Despite the critique by each theory of the others as reductionist, none of those discussed above seems to take into account the synthesis that I feel is necessary. "All versions of new social movement theory operate with some model of a societal totality that provides the context for the emergence of collective action"<sup>23</sup> but that totality is one dimensional. A one dimensional approach is not flexible enough to take into account the organization of the domésticas.

<sup>&</sup>lt;sup>21</sup> Ibid., 26

<sup>&</sup>lt;sup>22</sup> Judith Rollins, Between Women: Domestics and Their Employers, (Philadelphia, PA: Temple UP, 1985), 5

<sup>&</sup>lt;sup>23</sup> Slater, "Power & Social Movements in the Other Occident," 442

Organizing on different principles from each theory and the corresponding contentious traditions associated with them is one factor that has made the *doméstica* movement successful. Therefore, I seek to show that these theories should not all be considered mutually exclusive and can be complementary to one another.

#### **Definitions**

It is important for this study to define race, gender, and class as they are the three intersectional factors that I will be analyzing. I agree with the statement that "race is a technology for apportioning individuals to categorical belongings, using biological markers in the most general sense." Throughout history, the meaning of race has changed based on situational context, self-categorization versus observer categorization, and at the development of new paradigms; therefore, the application of race as a technology, particularly a social one, is appropriate. Far too often, the social construction of race is viewed as a genetic predisposition and is equated with basic human nature, giving it the quality of being unavoidable and inevitable.

In Brazil, one can view the history of race as a technology as one employed to fuel a slave-dependent economy. The consequence of this social construction on domestic work has been that is has both been systematically racialized and segregated. Without a history of legal segregation in Brazil, this separation is more subtle and not officially sanctioned as such. However, it is not uncommon to see separate entrances and living quarters in brand new apartment buildings. The *dependências completas*<sup>25</sup> often include a bedroom that is barely large

<sup>&</sup>lt;sup>24</sup> Peter Wade, "Race, Ethnicity, and Technologies of Belonging," *Science, Technology, and Human Values* 39.4 (2014), 588

<sup>&</sup>lt;sup>25</sup> Brazilian Portuguese: complete dependencies, often adjunct to the main living area but accessible from the service entrance

enough for a single bed.<sup>26</sup> The fact that even new buildings contain these separate living quarters and segregated entrances shows that Brazilian society expects domestic servitude to continue into the distant future.<sup>27</sup> Edward Telles (2004) calls the use of segregated entrances, "elevator apartheid." He explains that most apartment buildings have a separate elevator for service people, including domestic workers; however, black visitors have often complained of being forced to use the service elevator rather than the one for residents and guests.<sup>28</sup> In addition, Telles analyzes the use of discriminatory terms like, *boa aparência*,<sup>29</sup> within the formal sector but not necessarily in ads for domestic work. This particular phrase was used commonly in the 1940s and 1950s but was not declared illegal until the 1980s.<sup>30</sup> The connotation of *boa aparência* on a job listing is equivalent to "blacks need not apply" advertisements in the United States or "no Roma" advertisements in Europe and effectively prevented the darkest and poorest Afro-Brazilian women from applying to jobs in the formal sector. Unfortunately, the declaration of illegality for *boa aparência* did not fix the problem. There are many other ways in which structural inequality is reinforced in Brazil on an everyday basis.

Like Kia Lily Caldwell (2008), for the purpose of this study I will view race and gender as mutually constituted and mutually constituting categories. "Viewing race and gender as intersectional and co-constructed aspects of social identity and social experiences opens up the possibility of seeing the ways in which Afro-Brazilian women experience racial and gender discrimination simultaneously." Globally, housework and other forms of reproductive work<sup>32</sup>

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<sup>&</sup>lt;sup>26</sup> Cecilia MacCallum, "Women Out of Place? A Micro-historical Perspective on the Black Feminist Movement in Salvador da Bahia, Brazil," *Journal of Latin American Studies* 39.1 (Feb 2007), 56

<sup>&</sup>lt;sup>27</sup> Bernd Reiter, *Negotiating Democracy in Brazil: the Politics of Exclusion* (Boulder: FirstForumPress, 2009), 81 <sup>28</sup> Edward E. Telles, *Race in Another America: the Significance of Skin Color in Brazil*, (Princeton: Princeton UP, 2004), 206

<sup>&</sup>lt;sup>29</sup> Brazilian Portuguese: good appearance

<sup>&</sup>lt;sup>30</sup> Telles, *Race in Another America*, 160

<sup>&</sup>lt;sup>31</sup> Kia Lilly Caldwell, *Negras in Brazil: Re-envisioning Black Women, Citizenship, and the Politics of Identity* (New Brunswick, NJ: Rutgers UP, 2007), 18

are still seen as women's work. Therefore, "the productive articulation or intersection emerges in the fact that domestic work is low paid *because* it is seen as women's work."<sup>33</sup> This fact has been largely overlooked because traditional feminism has emancipated the employers of domestic workers, leaving the domestic workers with more work and allowing the employers to avoid negotiating a less gendered construction of their private sphere. In this way, "paid domestic labor poses real challenges on both a philosophical and a practical level to feminism and political theory."<sup>34</sup> Even though domestic workers are themselves women working "outside the home," they are still relegated to reproductive work and the private sphere. This is primarily due to the intersection of race, gender, and class which operates to liberate some and fragment the ranks of women in general. Due to these constraints, it is even more impressive that the *domésticas* have been able to bring their "behind-closed-doors" perspective out into the public sphere.

I view class in an intersectional manner as well. Because it is one's socio-economic position, it includes the concept of labor but also of arbitrary social position conferred onto the subject by the influence of other qualities such as race, gender, age, sexuality, and relative levels of important social markers like education and health. Class is not static. It is relative and situational. Throughout the world, and in Brazil in particular, domestic workers generally occupy a relatively low socio-economic class. However, these workers are in a singularly unique position in that they have regular access to a socio-economic space that is not their own. This gives them insight into the system and structure that oppresses them and the ability to navigate these different spaces effectively.

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<sup>&</sup>lt;sup>32</sup> Referring to the split between paid productive and unpaid reproductive work. Reproductive work is traditionally considered to be elder care, child care and rearing, domestic work, etc. and is traditionally performed by women.

<sup>33</sup> Peter Wade, "Articulations of Eroticism and Race: Domestic Service in Latin America." *Feminist Theory* 14.2 (2013) 195

<sup>&</sup>lt;sup>34</sup> Bridget Anderson, *Doing the Dirty Work?: the Global Politics of Domestic Labor* (New York, NY: St. Martin's Press, 2000), 1

Together the "discursive elements of class, race, and gender thus interlock and produce something more than the sum of their parts or the simple addition of three forms of difference: the intersection of race, class, and gender changes the meaning of all three." In the analysis of domestic work in Brazil, I would be remiss to try to isolate or detach any one of these three elements from the others. Likewise, it would be impossible to understand the varied spectrum of how these categories individually affect each *doméstica* in each of the spheres within which she moves on a daily basis. However, by taking a macro-perspective on race, gender, and socioeconomic class in Brazil, the ways in which they facilitate the concentration of poor, Afro-Brazilian women in domestic work becomes easily discernable.

#### Some Notes on Design and Methodology

This work will be conducted as an idiographic, single unit case study analyzing solely the *doméstica* movement in Brazil from the mid-1930s to the present. Idiographic explanations focus on case studies and attempt to develop as complete an explanation of the case as possible. As I have discussed earlier, it is both the level of informality and the lack of labor protections that make domestic work particularly vulnerable as a profession. Therefore, for this study, I had originally intended to gauge success by using three types of within-case observations: 1.) process-tracing through the historical trajectory of the movement to understand the development of the repertoires of contention within four distinct waves of organizing; 2.) comparative analysis of official statistics on indicators of the level of informality associated with domestic work; and, 3.) content analysis of *O Diário Oficial da União* (DOU) through a ten year span of the fourth

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<sup>&</sup>lt;sup>35</sup> Wade, "Articulations of Eroticism and Race," 195

<sup>&</sup>lt;sup>36</sup> David de Vaus, Research Design in Social Research (Thousand Oaks, CA: Sage Publications, 2001), 22

<sup>&</sup>lt;sup>37</sup> This is the official gazette published by the National Press detailing any and all public matters that take place at the federal level.

wave – specifically, 2004 to 2014 – to measure the presence in federal discourse of domestic workers' issues, their unions and associations, and the discourse on recent legal measures related to domestic work.

There have been substantive issues with all three of these methods of analysis. While putting together a historical timeline of the movement, it is necessary to keep in mind that the data available is limited, sometimes inaccessible, and almost always in Portuguese. As there is not a sufficient amount of existing literature on the history of the domestic workers movement, it is important to admit that there may be gaps in timeline that I have created. Regardless, I believe that the observations I make in the following chapter will stand with the future addition of other data. In regards to a statistical comparison over time of levels of informality, the same issues with the amount of data available are applicable. However, a more important factor for the internal validity of my study is the fact that a statistically significant number of the domestic workers in Brazil may not be represented at all in official statistics.

In regards to the DOU, analysis proved to be problematic. Due to the nuances of Brazilian Portuguese and the high, formalized legalese of the DOU a content analysis was difficult to conduct. Yet the nuances and difficulties of Brazilian Portuguese are part of what make this dynamic language so expressive. Throughout this work I have chosen to use a shortened form of *empregadas* or *trabalhadoras domésticas* for the sake of clarity yet there are a variety of terms used to describe these workers that refer to only one type of work or a very specific and specialized type of worker. It is unlikely that a government resource would use many of the more obscure terms so my search was limited only to *empregados/trabalhadores domésticos* and *empregadas/trabalhadoras domésticas*. The amount of hits that this search produced was not as abundant as I originally assumed it would be, which is telling. Many of the hits that it did

produce turned out to be repetitions of the same cases within the *Diário da Justiça*, <sup>38</sup> sometimes within one single *diário* itself in the many indices and sometimes over a period of several years without resolution. For example, most of the hits for the first few years of my temporal parameters were from the same single case wherein dozens of workers unions and associations had brought a lawsuit against the city of São Paulo, including one domestic workers association. Yet the lawsuit itself, the proceedings, and the subsequent outcome had very little to do with my work here. Likewise, the rare occurances when cases were brought by an individual against another individual (i.e. – by a *doméstica* against her employer, or vice versa) the case was usually decided in favor of the worker. Whether or not the rulings on these cases were actually implemented and enforced is hard to say.

It should be noted that the majority of the occurrences of my search terms came from the *Diário da Justiça* rather than the *Diário Oficial* released by the legislative branch. The year in which national legislation was passed to provide benefits and legal protections to domestic workers being the only major exception. This result was not expected and casts an interesting light onto the rest of my findings.

My data collection methods are primarily retrospective and archival in nature. Therefore, this thesis will be a reconstruction of the history of the case and, as such, there will be no reactive effects on the subjects. In addition, this project aims to be a contextual explanation of a single case that assesses particular causal factors in relation to others to determine their relative importance. The idiographic nature of the case study allows it to be balanced to avoid mistaking cause with correlation for high internal validity.

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<sup>&</sup>lt;sup>38</sup> This section of the DOU covers the laws, decrees, resolutions, rules, instructions, orders, and other normative acts of interest to the public by the Justice branch of the federal government.

#### **Chapter Overview**

In Chapter two, "The Making of a Movement," I analyze the historical background of domestic work and the *doméstica* movement in Brazil. In order to provide a substantive focus for this thesis, in the first part of the chapter I examine how the colonial system of slavery and the global devalorization of reproductive work lead to the development of the institution of domestic work in Brazil. In doing so, I seek to show how the modern systematized institutionalization of domestic service stems directly from the legacy of slavery and a global patriarchy that does not recognize reproductive work as legitimate work nor those who work in that industry as legitimate workers. In the second part of Chapter two, I trace the development of the repertoires of contention of the domestic workers movement and explore how that development impacted the successfulness of the movement.

In Chapter three, "Measuring Vulnerability," I bring together a multitude of statistics on economic and social measurements of domestic workers in order to paint a cohesive picture of how the vulnerability of domestic labor has changed in the past few decades. By aggregating the smaller pieces from many different data sources into one larger picture, it can be discerned that the informality and vulnerability associated with domestic work is indeed declining.

#### **Findings and Conclusions**

While I have already reviewed some of my findings from the content analysis of the DOU, I wish to briefly discuss my findings from my other two methods of observation. In summation, it is clear that the domestic workers movement has begun the difficult process of valorizing domestic and reproductive labor while also reducing the vulnerability associated with domestic work. By analyzing the historical trajectory of the movement, it was clear that one of the most

important factors for their success was their embrace of their own intersectional identity. The triumvirate of race, gender, and socio-economic class has been operationalized by the movement to create an all-encompassing identity for uniting the *domésticas*. The movement has empowered domestic workers to take charge of the creation of their own subjectivity. They are united, not because their stories are all identical, but because the obstacles they face are all shaped by the intersection of these three elements. However, due to my work with a variety of statistics concerning domestic workers in Chapter three, it is plain to see that their work is not done.

One of the most important results of the efforts of the *doméstica* movement has been the near eradication of the social isolation that once plagued their ability to organize. As I will discuss in more detail later, live-in workers now make up less than three percent of all domestic workers<sup>39</sup> and that number is only expected to continue to decline despite trends pointing to continuing growth in the numbers of domestic workers overall.

Ultimately, the work of the organizations of the *domésticas* culminated in the passage of the Emenda Constitucional do Trabalho Doméstico (EC 72/2013)<sup>40</sup> in 2013 and its strengthening in 2014. The EC 72/2013 changed the wording of a paragraph of article 7 of the 1988 Constitution to establish equal labor rights for domestic workers and other urban and rural workers. This paragraph had previously specifically excluded domestic workers from receiving the rights that were protected in the 1988 Constitution for other types of workers.

<sup>&</sup>lt;sup>39</sup> Secretaria de Políticas para as Mulheres (SPM), "Dados revelam situação do trabalho doméstico no país," accessed February 1, 2015, <a href="http://www.spm.gov.br/area-imprensa/ultimas\_noticias/2013/03/28-03-2013-dados-revelam-situacao-do-trabalho-domestico-no-pais">http://www.spm.gov.br/area-imprensa/ultimas\_noticias/2013/03/28-03-2013-dados-revelam-situacao-do-trabalho-domestico-no-pais</a>

<sup>&</sup>lt;sup>40</sup> Brazilian Portuguese: Constitutional Amendment on Domestic Work, commonly referred to as EC 72/2013

#### **Chapter Two:**

#### The Making of a Movement

This chapter seeks to provide context and historical background for how domestic service in Brazil has grown out of both the colonial system of slavery and a global patriarchy that does not recognize reproductive work as legitimate work. One of my goals in this thesis is to emphasize the importance of history and context when analyzing social movements. Therefore, I cover some of the main historical instances and philosophies that have served to marginalize the *domésticas*. In addition, I analyze the historical trajectory of their movement in order to understand what role the intersectional evolution of their repertoires of contention has played in their success.

In 1500, Portuguese explorer Pedro Álvares Cabral landed on the coast of modern day Brazil and claimed it on behalf of the Portuguese crown. Sugar cane was introduced to the country in 1535, prompting the need to import large amounts of slave labor to plant, grow, harvest, and process the sugarcane. Due to the viability of sugarcane as a cash crop, Brazil became the first country to establish a slave society in the Americas, and the last in the Western Hemisphere to abolish it.<sup>41</sup> The Northeast of Brazil was especially conducive to growing sugar and the city of Salvador in the modern day state of Bahia became the capital of Brazil in 1549. Salvador's "prosperity was entirely based on sugar, which from its very beginning was cultivated on

<sup>&</sup>lt;sup>41</sup> Gary Prevost, Carlos Oliva Campos, and Harry E. Vanden, *Social Movements and Leftist Governments in Latin America: Confrontation or Co-optation?* (London: Zed, 2012), 80

plantations, with the extensive use of slaves" leading to the surrounding area being comparatively underdeveloped, inhabited by a higher concentration of Afro-Brazilians, and environmentally degraded to this day. In addition, the plantation agriculture that dominated this period, and the age of the republic after it, concentrated wealth and land into the hands of a few already wealthy families who subsequently were able to keep political power amongst themselves. "Slavery was the institution that provided most of the labor on the early plantation system and thus set the nature of the relationship between the wealthy landowning elite and the disenfranchised toiling masses who fueled Brazilian development." During the 1700s, the modern-day state of Minas Gerais was exploited for gold mining, requiring another large influx of slave labor in the center of Brazil, shifting the geographical concentration of power but not the nature of societal power relations. In 1763, Rio de Janeiro in the Southeast of Brazil was made the new capital of Brazil.

In 1808, the Portuguese crown moved to Rio de Janeiro after having fled from Napoleon's invasion of Portugal on ships provided by the British navy – a favor for which Great Britain secured lower trade tariffs with Brazil, extraterritorial privileges for British citizens living in Brazil, and a commitment from Brazil for a gradual end to their Atlantic slave trade. 44 On September 7, 1882, the Portuguese crown prince, Dom Pedro I, declared Brazil to be an independent empire and himself the emperor, establishing a system of constitutional monarchy which lasted through 1888. "In sharp contrast to much of Spanish America, independence was achieved in Brazil without significant bloodshed and without the development of a strong military caste...Furthermore, Brazil did not see a strong republican/monarchist split because the overwhelming majority of the local elite sided with monarchism. Brazilian sugar barons were

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<sup>&</sup>lt;sup>42</sup> Bernd Reiter, Negotiating Democracy in Brazil: the Politics of Exclusion (Boulder: FirstForumPress, 2009), 31

<sup>&</sup>lt;sup>43</sup> Prevost, et al., Social Movements and Leftist Governments, 36

<sup>&</sup>lt;sup>44</sup> Harry Vanden and Gary Prevost, *Politics of Latin America: the Power Game* (New York: Oxford UP, 2002), 47

dependent on the slave trade and thus on the monarchy, which lasted only a year beyond the abolition of slavery."<sup>45</sup> In 1888, the Golden Law was passed effectively abolishing slavery in Brazil. Brazil became a republic the next year after the military overthrew and exiled the emperor.

It has been estimated that the entire Atlantic slave trade moved more than 10 million Africans into various parts of the Americas between 1518 and 1870 – with approximately one million sent to North America, four million to the Caribbean islands, and five million to Brazil.<sup>46</sup> Like in many other former slave societies, once slavery was abolished, the government of Brazil did nothing to reintegrate former slaves into society nor did it offer them any compensation for their loss of livelihood. In fact, a massive campaign to induce white, European immigrants to come and settle in Brazil and help to "whiten" the population was initiated instead. This meant that "the millions of Europeans flocking to Brazil were able to experience upward social mobility denied to Afro-Brazilians because where industrialization created jobs, preference was given to white immigrants"47 while the Afro-Brazilians were left to assimilate into the informal sector. In fact, Bernd Reiter (2009) argues that after the abolition of slavery in 1888 and the ousting of the monarchy in 1889, national elites, specifically the rural aristocrats, merely slipped into the colonial power vacuum left by the monarchists and concentrated power amongst themselves. This meant that colonial hierarchies were not destroyed during Brazil's industrial revolution but were transformed into an urban system of quasi-slavery, 48 of which domestic servitude was an integral piece.

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<sup>45</sup> Ibid., 48

<sup>46</sup> Ibid., 80

<sup>&</sup>lt;sup>47</sup> Reiter, *Negotiating Democracy*, 32

<sup>&</sup>lt;sup>48</sup> Ibid., 45

#### The Myth of the Good Master

Academic research and analysis on the myth of racial democracy<sup>49</sup> in Brazil abounds; however, in regards to the *domésticas*, Joaze Bernardino-Costa (2011) points to the myth of the "good master" as a more relevant ontology to understand the specific marginality of female domestic workers. This is because "the myth of the good master holds that during the period of slavery the relations between whites and slaves were free of the excessive violence and brutality that characterized other slave societies" in part due to the fact that the Portuguese had been dealing with West African slaves since the Middle Ages. Therefore, there could not possibly be a legacy of racial hostility or a need for legalized labor rights for professions stemming from the system of slavery, like domestic work. In fact, "[Brazilian sociologist Gilberto] Freyre certainly argued that a potentially antagonistic relationship between the free and the enslaved was softened by familial and sexual bonds among whites, Indians, and blacks." Therefore, with no reliable institutions for enforcing any anti-discrimination or labor abuse laws, society was left with only a "common sense" code of conduct developed in and through socialization that permits racism, sexism, and classism to negotiate the allocation of rights.

One result of their unique intersectional discrimination under the illusion of good masters is the eroticization of domestic workers. The juxtaposition of the inferiority of their class, gender, occupation, and race and the romanticization of colonial miscegenation lead to the overt sexualization of the women occupying the juncture of those four phenomena. The morally pure

<sup>49</sup> Accredited to Gilberto Freyre and his work, *Casa-Grande e Senzala*. In the book, Freyre provides an ideology in which the Brazilians are the mega-race, having all of the best characteristics of white, indigenous, and black races. He also builds the foundation for the myth of the good master by arguing that the Portuguese colonizers of Brazil were especially benevolent towards their slaves and that most Portuguese-African or Portuguese-indigenous children came from relationships built on mutual love and attraction.

<sup>&</sup>lt;sup>50</sup> Joaze Bernardino-Costa, "Destabilizing the National Hegemonic Narrative: The Decolonized Thought of Brazil's Domestic Workers Unions." *Latin American Perspectives* 38 (2011), 33

<sup>&</sup>lt;sup>51</sup> Okezi T. Otovo, "From Mãe Preta to Mãe Desamparada: Maternity and Public Health in Post-Abolition Bahia," Luso-Brazilian Review 48.2 (2011), 165

beauty associated with religiously pious white elite women in Latin America, or Marianismo, in opposition to the barbaric animal sexuality associated with black slave women from Africa also leads to the justification of sexualizing female domestic workers. They are being whitened through literal domestication and domination. Peter Wade (2013) describes the act of domestic service as a transitional occupation within which the workers are viewed as participating in cultural mixture and, by being of service to the needs of the dominant class, they are subject to an intense form of sexualization. Does the amalgamation of the discriminatory effects of their gender, race, occupation, and class make them the easiest target? The combination of accessibility and vulnerability plays on this pre-constructed identity and paints poorer Afro-Brazilian women as accessible and available before they ever enter into domestic servitude. Consequently, domestic workers "are by definition perceived as being in a process of racial and moral transformation, by virtue of 'offering' themselves through service to the dominant classes." "52"

#### The Legacy of the House Slave

In addition, the legacy of the colonial juxtaposition of the house slave and the field slave has similarly left its mark on the world of domestic service today within Brazil. House slaves were primarily women and were conferred positions of relative comfort compared to other slaves. Richard Graham (1990) states that house slaves often received better food, better clothes, and had a greater chance of being freed than field slaves. In the immediate period following the abolition of slavery in 1888, domestic work more than likely seemed like an avenue to social mobility through loyalty to the family. Even if it was not an opportunity for class ascension, it

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<sup>&</sup>lt;sup>52</sup> Peter Wade, "Articulations of Eroticism and Race: Domestic Service in Latin America," *Feminist Theory* 14.2 (2013), 195-6

may have still been seen as preferable to the few other forms of work available to newly freed women of color. The former slave owners would have benefitted from not having to change a great deal about the way that they procured and controlled the women who worked in their homes. Former slaves continued to occupy the same socio-economic space that they had during slavery; moreover, many house slaves continued on as live-in domestic workers with little to no change whatsoever in their lives except being bestowed the title of "free." In fact, Lisa Brown (2006) discusses the memoirs of a man whose family owned a sugar mill wherein he says that the newly freed slaves in 1888 stayed on unpaid at the big house in contented servitude. Over time, as the high rates of poverty and illiteracy among Afro-Brazilian women remained impetuses to an increase in job opportunities and socio-economic mobility, the potential benefit of food and lodging through domestic work continued to be an attractive alternative to the lack thereof with other unskilled jobs.

#### The Labor Funnel

The above historical legacies work in conjunction with modern social realities to form a labor funnel that systematically funnels poor Afro-Brazilian women into informal labor, specifically, domestic work. According to Bridget Anderson (2000) race, class, and gender discrimination function to create a group that *naturally* belongs in this specific occupation. This is particularly germane to the concept of a labor funnel when one takes into account the myriad of social factors working simultaneously with intersectional aspects of identity to keep domestic workers doing domestic work. These factors include the lack of child-care services, the scarcity of self-service launderettes, the relative rarity of affordable fast food establishments, and the cheap monetary

and bodily cost of hiring a domestic worker throughout the country.<sup>53</sup> Since 2001, 9 million women have joined the Brazilian workforce,<sup>54</sup> yet the number of day care centers has not expanded fast enough to meet the increased demand. The widespread availability of cheap domestic labor eases the pressure for private companies or government services to spend more money expanding the services that they provide and the activities that they perform.<sup>55</sup> Yet even "when efforts are made by the state or private sector employers to substitute for women's domestic work, these focus on the vital work of caring for children and the elderly, rather than the management of the household and domestic chores."<sup>56</sup> The time spent on theses chores takes away from the relative economic productivity of women entering the workforce.

In 2011 and 2012, Brazilian women spent, on average, 22.3 and 20.8 hours per week, respectively, on house work, while men spent closer to ten hours.<sup>57</sup> Among the many reasons listed above, sociology professor Elizabeth Bortolaia Silva from the Open University in England also highlights in an IPEA study that, in Brazil, the movement towards investment in household appliances has been a slow one. She explains that in the U.S. and Europe, the great "boom" in the production of electronic household appliances (and their consumption) occurred soon after the end of World War I leading to the domestic workers in those countries finding other work and to their former employers taking over the now reduced burden of housework. "When you have no one who does the service, you invest in technology. But in Brazil, domestic work is still

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<sup>&</sup>lt;sup>53</sup> Lisa Brown, "Invisible Maids: Slavery and Soap Operas in Northeast Brazil," *Agenda: Empowering Women for Gender Equality* 70 (2006), 85

<sup>&</sup>lt;sup>54</sup> Joshua Goodman, "Maids Winning Rights Squeezes Brazilian Families' Wallets," *Bloomberg*, April 8, 2013, accessed November 27, 2014, <a href="http://www.bloomberg.com/news/2013-04-08/maids-winning-rights-squeezes-brazilian-families-wallets.html">http://www.bloomberg.com/news/2013-04-08/maids-winning-rights-squeezes-brazilian-families-wallets.html</a>

<sup>&</sup>lt;sup>55</sup> Judith Rollins, *Between Women: Domestics and Their Employers*, (Philadelphia, PA: Temple UP, 1985), 40

<sup>&</sup>lt;sup>56</sup> Bridget Anderson, "Just Another Job? Paying for Domestic Work," *Gender and Development* 9.1 (Mar. 2001), 27

<sup>&</sup>lt;sup>57</sup>Instituto de Pesquisa Econômica Aplicada (IPEA), "Os eletrodomésticos deram mais tempo livre à mulher? Especialistas analisam," accessed February 2, 2015,

http://www.ipea.gov.br/portal/index.php?option=com\_content&view=article&id=21607&catid=159&Itemid=75

more available and much cheaper than technology," said Silva.<sup>58</sup> In fact, in 2001, only 33.64 percent of permanent households had a washing machine; by 2011, that number had only risen to 51 percent despite the fact that a 2009 IPEA study found that having a washing machine in the home could save approximately two hours of housework per week.<sup>59</sup> The maintenance of a cheap and easily replenished domestic workforce means that there is little to no incentive for the Brazilian government or private companies to invest in making electronic home appliances affordable and widely available to the general public.

#### **Modern Realities**

Today, as Brazil's middle-class continues to expand but publicly and privately provided services to supplement domestic labor do not, the "employment of domestic workers is regarded as a necessity as well as a badge of status by some middle-class Brazilians." In addition, the fast rate of urbanization in Latin America and the high demand for domestic workers ensures a constant flow of migrant work from rural areas to the cities and their surrounding areas guaranteeing a cheap labor force which stimulates a demand for such labor and makes room for more jobs in the domestic service sector. This continues to be true even when the expansion of the middle class means that the new employers of domestic workers used to be domestic workers themselves or are the children and grandchildren of domestic workers. "Their common womanhood is, in this particular relationship, not a factor that binds them together. In fact, it divides them, since gender issues interlink with economic class in such different ways for

<sup>&</sup>lt;sup>58</sup> Ibid.

<sup>59</sup> Ibid.

<sup>&</sup>lt;sup>60</sup> Kia Lilly Caldwell, Negras in Brazil: Re-envisioning Black Women, Citizenship, and the Politics of Identity (New Brunswick, NJ: Rutgers UP, 2007), 70

<sup>61</sup> Rollins, Between Women, 40

them."62 In addition, despite the ascension of some into the middle class, women of color continue to make up the majority of those still on the lowest social ranks. The continuity of the makeup of those at the lowest socio-economic position means that black women in Brazil are still viewed through a lens of discrimination and oppression that does not stop to ask their level of education or their professional status, but that immediately assumes that they must be for hire as a *doméstica*. Their daily lives are orchestrated by a racialized and patriarchal socio-cultural system that insists on the persistence of a lack of education and other resources that could assist in social and occupational mobility. Dismissive interactions and experiences are not occasional but rather constant and omnipresent from an early age driven by "pervasive cultural messages [that] are communicated through the Brazilian media, particularly nighttime soap operas, and through socialization practices within Brazilian homes, schools, and communities and are manifested in racialized and gendered patterns of occupational segregation."63 Therefore, domestic work continues to be an integral piece in the process of whitening, acculturating, and absorbing black people. Despite having roots in the colonial past, domestic work has become integral to Brazilian modernity.

#### Reproductive Work as "Women's Work"

There is the feminist issue of whether or not the domestic employment by one woman of another socio-economically disadvantaged woman is a morally acceptable practice. I found this debate in several sources and encountered these questions personally while conducting this research. Is it okay for a hard-working single mother to hire a desperate domestic employee that just moved to the city from a small, rural town? Is it not a better solution than the employer

<sup>62</sup> Anderson, "Just Another Job?," 32

<sup>63</sup> Ibid.

losing her job because she needs to take care of her child and the employee trying to eke out living at lower than subsistence level in her hometown? Yet this is not the scenario that the data shows as typical of *patroa-doméstica*<sup>64</sup> arrangements in Brazil. Regardless, is the status of the worker and employer even an important one in this debate? One may argue that more often than not the domestic service of the employee is primarily "concerned with perpetuating culture and society, and the social standing and lifestyle of households. Nobody has to have polished floors, or ornaments that gather dust, but such things affirm the status of the household, its economic class, and its access to money and human resources. In practice, it is hard to distinguish essential domestic work from work that is to do with maintaining status." Due to the fact that essentialism versus necessity is hard to distinguish and often subjective, I believe is more important to focus on the value of the work that is done. Debates within traditional feminism on the propriety or necessity of employing a domestic worker take away from the essential issue here: that domestic work is real work and that its workers deserve to be valued.

German theorist Friedrich Engels (1942) lays the framework for defining productive versus reproductive work. He states that, "the determining factor in history is, in the final instance, the production and reproduction of immediate life.... On the one side, the production of the means of subsistence, of food, clothing and shelter and the tools necessary for that production; on the other side, the production of human beings themselves, the propagation of the species." The reproductive labor gap, the historical fact that domestic labor is one of two jobs that have been traditionally viewed as "women's work" (the other being prostitution), and the ancient association of domestic work with slavery, all have the effect of making this occupation

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<sup>&</sup>lt;sup>64</sup> Brazilian Portuguese: patron (fem.) – domestic employee (fem.); *patroa* is a relatively dated term which conjures visions of a well-to-do woman managing the home by employing a staff

<sup>65</sup> Anderson, "Just Another Job?," 25-6

<sup>&</sup>lt;sup>66</sup> Friedrich Engels, *The Origin of the Family, Private Property and the State, in the Light of the Researches of Lewis H. Morgan* (New York: International, 1942), 4

one that is considered manual, dirty, and universally dehumanizing.<sup>67</sup> As such, it is undervalued, underpaid, and those that fill its ranks undeserving of protection or concern.

According to Elsa M. Chaney and Mary Garcia Castro (1989), throughout Latin America and the Caribbean, domestic work is underpaid and undervalued. They argue that domestic workers are "among the most oppressed and neglected sector of the working class." In addition, Judith Rollins (1985) argues that domestic work has existed in every type of hierarchically structured society proving that it is both congruent with and useful for social stratification. In fact, Rollins states that female domestic slave labor is the oldest form of slavery, dating back to the fourth millennium B.C. in Sumeria. Therefore, the structural inequalities historically perpetuated by the Brazilian elites and the dehumanization of domestic workers operate in a cyclical relationship bolstering and strengthening one another.

#### **Measuring Success**

In analyzing the historical trajectory of the domestic workers movement, I ask, how has the development of their repertoires of contention led to their successfulness? I analyze this question by looking at specific time periods of *doméstica* mobilization that I have labeled as "waves." Specifically, the 1930s through the 1950s as the first wave, the 1960s through the 1970s as the second wave, the 1980s through the 1990s as the third, and the 2000s to the present as the fourth, final, and current wave. I seek to illustrate not only that each of these waves is distinct from the others but that the influence of each preceding wave on all of the subsequent waves shaped the repertoires of contention used by the movement in a way that, cumulatively, represents their unique and intersectional socio-economic space.

<sup>&</sup>lt;sup>67</sup> Rollins, Between Women, 59

<sup>&</sup>lt;sup>68</sup> Elsa M. Chaney and Mary Garcia Castro, eds., *Muchachas no More: Household Workers in Latin America and the Caribbean*, (Philadelphia, PA: Temple UP, 1989), 4

My research question regarding how the historical evolution of the repertoires of contention used by the domestic workers' movement in Brazil has shaped their successes requires the conceptualization of several terms, most especially "success" and "repertoires of contention." The repertoire of contention of a social movement is what the participants *do* to engage their target audience and make collective claims. This includes their strategies, techniques, tools, resources, and discourse. Repertoires are *learned* behaviors that are created on the margins, diffused through social networks, and made modular. However, the term is multi-faceted in that it encompasses not just actions but the cultural context and historical background that fuels those actions. It is culturally inscribed and socially communicated and, therefore, part of the particular history of contention of any group. Charles Tilly (1995) coined the term to refer to the way ordinary people use their own skills and the cultural forms at their disposal to act collectively towards a shared goal.

For this study, I define success as a reduction in vulnerability for domestic workers.

Furthermore, I define vulnerability as the simultaneous intersection of the informality associated with domestic work and the lack of labor protections and benefits ensured for domestic workers. Informality includes no enforcement of pay regulations, the number of live-in workers versus daily workers, lack of formal employment contracts, lack of benefits or social protections, lack of set hours or overtime restrictions, lack of taxation obligation, cash payments versus paychecks, asymmetrical power relationships, and the lack of job stability. While there is some overlap with informality and legal protections, in regards to the latter I focus primarily on employment contracts, the rate of unionization, the number of benefits, access to social security, compliance with pay regulations, and access to education.

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<sup>&</sup>lt;sup>69</sup> Sidney G. Tarrow, *Power in Movement: Social Movements and Contentious Politics*, 3<sup>rd</sup> ed., (New York, NY: Cambridge UP, 2011), 5

<sup>&</sup>lt;sup>70</sup> Ibid., 29

I argue that as the repertoires of contention used by the *domésticas* evolved to incorporate the multiple elements of the intersectional identity of the domestic workers participating in the movement, there was a marked reduction in the informality of domestic work. Likewise, the movement was able to influence the passage of national legislation for protections and benefits specifically for domestic workers once their repertoire had developed to include all three aspects of the intersectional triad of race, class, and gender.

#### The Making of a Movement

In this section, I analyze, through process-tracing, how the repertoire of contention used throughout the historical development of the *doméstica* movement has evolved to incorporate all the major elements of their intersectional position.

According to Reiter (2011), most early Brazilian unions formed out of mutual-aid societies and religious brotherhoods and sisterhoods, many of which had a long history stretching back to colonial times. The same is true for domestic workers associations which developed into a movement by developing "sequences of contentious politics based on underlying social networks, on resonant collective action frames, and on the capacity to maintain sustained challenges against powerful opponents." In the first wave, from the mid-1930s through the 1950s, the budding domestic workers movement used the social networks already in place within their communities by loosely tying their associations with communist groups and the black movement. The black movement in particular was incredibly well-established at this point. In fact, in the colonial capital of Salvador, Bahia there was a movement of Afro-descendant artisans

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<sup>&</sup>lt;sup>71</sup> Tarrow, *Power in Movement*, 7

organizing to "establish a republic with fraternity, equality, and liberty for all, including slaves" in 1798.<sup>72</sup>

The early 1930s was an inimical time period for domestic workers to have begun organizing. Getúlio Vargas became the President of Brazil in 1930 and with him came a government-backed, national eugenics movement centered on sanitation and hygiene. "In Brazil, slave and free women of color had been the primary caregivers for children of all classes since the colonial period. The rising medical concern over the moral and physical dangers of wet-nursing that began in the 19th century, therefore, reflected local trends specific to the period as well as Brazilian responses to international medical dialogues." In addition, Gilberto Freyre published *Casa-Grande e Senzala* in 1933 and ignited the ideology of racial democracy that still, in part, defines Brazil today. Freyre's ideas were adopted as national doctrine by the Vargas regime and further facilitated the marginalization of Afro-Brazilians. The eugenics movement and racial democracy became a part of the "mixture of social policies, propaganda, and the promotion of Freyre's all-embracing concept of Brazil's new race [that] was able to successfully undermine the articulation of sectional claims based on social, cultural, and economic inequality." <sup>75</sup>

In 1936, Laudelina de Campos Melo founded the Santos Professional Association of Domestic Employees<sup>76</sup> mirroring the use of professional associations and other labor groups throughout the country. Laudelina was born on October 12, 1904 in Pocos de Caldas, Minas Gerais and began working as a domestic worker at the age of seven<sup>77</sup>. She had been active in the

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<sup>&</sup>lt;sup>72</sup> Richard Graham, Patronage and Politics in Nineteenth-century Brazil, (Stanford, CA: Stanford UP, 1990), 44

<sup>&</sup>lt;sup>73</sup> Otovo, "From Mãe Preta to Mãe Desamparada," 16

<sup>&</sup>lt;sup>74</sup> In English, *The Masters and the Slaves*. This book was later assigned as required reading in high schools and colleges by the Vargas government.

<sup>&</sup>lt;sup>75</sup> Reiter, Negotiating Democracy, 41

<sup>&</sup>lt;sup>76</sup> Bernardino-Costa, "Destabilizing the Hegemonic Narrative," 37

<sup>&</sup>lt;sup>77</sup> "Galeria de Lutadoras," FENATRAD, accessed November 13, 2014, <a href="http://www.fenatrad.org.br/site/banner-galeria-de-lutadoras/">http://www.fenatrad.org.br/site/banner-galeria-de-lutadoras/</a>, my translation

black movement since 1920 and was involved in the Frente Negra Brasiliera, <sup>78</sup> which was affiliated with the Communist party. <sup>79</sup> Therefore, she had training as a militant and contentious activist and was able to imbue those characteristics into the early *doméstica* movement. She continued to be an important figure in the domestic workers movement through the 1960s. The goals of her Santos association were to achieve legal status as a union, legal equality for domestic work as a profession, and for the application of individual worker's rights to domestic workers. Even from the beginning, the repertoire of contention used by the movement had a cosmopolitan quality that used "interests and issues that spanned many localities" and made it possible to bring together scattered groups of people who did not know one another to maintain sustained challenges to the status quo. <sup>80</sup> During this time period, Arinda Serafim, one of the cofounders of the Teatro Experimental Negro (TEN)<sup>81</sup> and a domestic worker herself, began organizing literacy classes and involved TEN in studies on the living conditions of domestic workers. <sup>82</sup> Arinda and TEN gave the mobilization of the *domésticas* an important cultural quality that had long been associated with the black movement.

Unfortunately, towards the end of this wave, the government of Getúlio Vargas suppressed and outlawed many organizations and unions that focused on what were considered "divisive" racial or ethnic identities, including the Frente Negra Brasiliera<sup>83</sup> and TEN. In addition, Vargas banned African cultural manifestations, public drumming, and practicing African religions.<sup>84</sup> Because the domestic workers movement had only strengthened ties with the black movement up until this point, the governmental suppression initiated a change in their repertoires during the

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<sup>&</sup>lt;sup>78</sup> Brazilian Portuguese: the Black Brazilian Front

<sup>&</sup>lt;sup>79</sup> Bernardino-Costa, "Destabilizing the Hegemonic Narrative," 38

<sup>80</sup> Tarrow, Power in Movement, 47

<sup>81</sup> Brazilian Portuguese: the Experimental Black Theater

<sup>&</sup>lt;sup>82</sup> Bernardino-Costa, "Destabilizing the Hegemonic Narrative," 38

<sup>83</sup> Bernd Reiter, "What's New in Brazil's "New Social Movements"?," Latin American Perspectives 38 (2011), 158

<sup>&</sup>lt;sup>84</sup> Reiter, Negotiating Democracy, 43

next wave that mirrored that of several other Brazilian movements. The relationship between innovation of the repertoire and changes in the strategies of repression by authorities is an underresearched topic, 85 yet it is an important one here. The domestic workers never completely cut ties with the black movement but they did find other existing networks to plug into, specifically those connected to the labor movement.

The second wave stretched through the 1960s and 70s. During this period, *domésticas* primarily viewed themselves as involved in a class struggle rather than a racial one. As stated above, they needed to disconnect themselves from the black movement – then seen as subversive by the government – and begin to focus on being recognized as part of the working class. They were extremely distrustful of the primarily white and middle-class dominated feminist movement during this period and instead worked with other labor unions which were primarily male-dominated. In addition to collaboration with the labor unions, the domestic workers movement (like many other movements and organizations at the time) began to work closely with the Catholic Church, as the Church itself had undergone radicalization during this time and remained the only contentious organization the state could not dissolve. In addition, the Church came with ready-made inter-organizational communication networks, bureaucratic leadership, and financial assistance. The Juventude Operária Catolica (JOC)<sup>86</sup> was active throughout the country and worked with many organizations, including the domestic workers associations. With their influence, the domestic workers movement began growing quickly, developing associations centered on a working class perspective.

In 1960, the first National Conference of Young Domestic Workers was held in Rio de Janeiro, marking a huge milestone in the development of the domestic workers movement. In

<sup>85</sup> Tarrow, Power in Movement, 54

<sup>&</sup>lt;sup>86</sup> Brazilian Portuguese: the Young Catholic Worker's group

March of 1962, an association of domestic workers was founded in São Paulo and one year later in Rio de Janeiro. Puring these first crucial years working with JOC, Odete Maria Conceição, a co-founder of Professional Association of Domestic Employees in Rio de Janeiro was vocal about the incompatibility of the domestic workers movement with the labor unions. Phe voiced what many others would also articulate after her: male-oriented labor unions did not view domestic work as an equal profession and therefore, did not view their associations as worthy of legalized status as unions. In May of 1963, activist domestic workers marched in a parade in Recife for the first time, adding this important strategy to their repertoire. The same year, Laudelina founded the Association of Domestic Workers of Campinas, which was linked to multiple labor unions and the remnants of the then defunct TEN.

In April of 1964, the U.S.-supported military coup overthrew then President João Goulart and replaced him with General Castelo Branco. With the support of the United States, the military government began an intense suppression of communist subversion and strengthened the influence of the Catholic Church over social and civil society organizations. Simultaneously, the ranks of the *domésticas* were growing. Nicknamed the "Brazilian Miracle", the time period between 1967 and 1974 saw the growth of the Gross Domestic Product (GDP) by 10 percent per year and a systematic deterioration of the federal minimum wage leading to an influx of women entering the workforce. <sup>91</sup> Due to the rapid industrial expansion of this time period, urbanization began to increase exponentially as well, rising from 35 percent in the 1950s to approximately 78

<sup>&</sup>lt;sup>87</sup> Margaret H. Martens and Swasti Mitter, eds., *Women in Trade Unions: Organizing the Unorganized*, (International Labor Organization, 1994), 18

<sup>88</sup> Bernardino-Costa, "Destabilizing the Hegemonic Narrative," 39

<sup>&</sup>lt;sup>89</sup> Martens and Mitter, Women in Trade Unions, 18

<sup>90</sup> Bernardino-Costa, "Destabilizing the Hegemonic Narrative," 39

<sup>91</sup> Brown, "Invisible Maids," 78

percent by the mid-1990s.<sup>92</sup> Most rural women migrants were absorbed into urban society as domestic workers due to a lack of training in skilled or formal professions.

In 1968, the first National Congress of Domestic Workers was held in São Paulo, having been autonomously organized by the domestic workers associations. The National Congress grew to be an important event for the domestic workers movement. After this significant move, Lei 5.859 was passed in 1972, under the military government, legally recognizing domestic work as a profession and granting domestic workers the right to regularized work documents, vacations, and social security pensions. By the end of this period, the domestic workers movement was the most active in Rio de Janeiro, Recife, São Paulo, Belo Horizonte, and Porto Alegre. Working with the JOC had helped them spread their influence and keep individual associations and organizations united under the same mission. Despite the failure of their affiliation with the labor unions, the *domésticas* learned important lessons from them about how to organize effectively. Specifically, they began to focus more on the importance of legal protections, they learned more about the pros and cons of unionization, they developed a distinct class perspective, and they understood the necessity of nationwide tenets and principles that united their far-flung associations.

The current party in power in Brazil, the Partido dos Trabalhadores (PT)<sup>93</sup>, began forming and being active in between the *domésticas* second and third waves of organizing. The roots of the PT lie in the late 1970s when metalworkers in São Paulo began a radical workers' movement designed to respond to workers' needs and aspirations.<sup>94</sup> The party was established in 1980 by former members of communist parties, leftists, and labor activists. As the PT was beginning to organize as a political party, the labor movement was becoming increasingly militant. In the

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<sup>&</sup>lt;sup>93</sup> Brazilian Portuguese: the Workers' Party, referred to primarily as PT (pronounced "pay-tay")

<sup>94</sup> Prevost, et al., Social Movements and Leftist Governments, 36

1980s, Brazil had the highest strike rate of any capitalist country. The Central Workers' Union (CUT) was established in 1983 and quickly brought together different labor and rural poor unions and associations to organize massive strikes. In addition, the Movimento dos

Trabalhadores Rurais Sem Terra (MST)<sup>96</sup> was established in 1984, combining their grassroots activism with the multitude of organizations associated with CUT and the political power of the PT. These three massive groups used their combined repertoires of contention to play a key role in both the Constitutional assembly of 1988 and the presidential elections of 1989. Both the PT and CUT would later play equally significant roles in the domestic workers movement as well.

The third wave of the domestic workers movements' organizing encompasses the 1980s and the 1990s. This was an incredibly active and significant time for the domestic workers movement all over Brazil. After the end of the military dictatorship in 1985, the *domésticas* were able to return to a heavier involvement with the black movement. In addition, after having tried to affiliate with the labor unions during the second wave with varied success, the domestic workers opened up to associating with the feminist movement. Traditionally, the feminist movement in Brazil, like most other similar movement around the world, had been comprised of white, middle-class, educated women who were often the employers of domestic workers. Nevertheless, there were still strategies and contention politics used by the feminist movement which would become a part of the *domésticas* repertoire.

As previously stated, 1985 marked the end of the military dictatorship and redemocratization began taking place. There was a significant amount of increased activism by the black and feminist movements immediately following redemocratization. Unfortunately for the domestic workers movement, "while their concerns about race largely went unheeded by the feminist

<sup>&</sup>lt;sup>95</sup> Ricardo Antunes and Marco Aurélio Santana, "The Dilemmas of the New Unionism in Brazil: Breaks an Continuities," *Latin American Perspectives* 41.5 (September 2014), 13

<sup>&</sup>lt;sup>96</sup> Brazilian Portuguese: the Movement of Landless Workers

movement, their concerns about gender were often marginalized by the black movement, which is movement, their concerns about gender were often marginalized by the black movement, which is making it hard for domestic workers to feel as though they were a part of either of these two more mainstream movements. The same year, the fifth National Congress of Domestic Workers was held in Recife and it included the feminist NGO, SOS Corpo, based in Recife. From this initial collaboration, a coalition emerged in 1987 made up of the National Council for Women's Rights (CNDM), the black movement, opposition political parties, including the PT, and the domestic workers movement calling for the incorporation of domestic workers' rights in the new Constitution. This was a unique moment in the development of the movement because it showed a visible shift to a focus on gendered concerns and a consciousness of the necessity of bringing the narratives of race, class, and gender together.

Unfortunately, the Constitutional Convention rejected the domestic workers bill and the *domésticas* blamed the labor unions for their lack of support. In fact, "Brazil's 1988 constitution *restricts* the application of social rights to domestic workers; of the 34 rights listed in the chapter on social rights, only 9 apply to them." Some of the rights that the 1988 constitution protects for domestic workers include: a monthly minimum wage set by the federal government; a yearly thirteenth month wage; one mandatory day off per week; 30 vacation days per year; 120 days of maternity leave with pay from the state social services, a non-dismissal notice, and up to five months of leave after giving birth; reasonable notice; and, a retirement plan paid by social security. 99

Meanwhile, also in 1988, the National Council of Women Domestic Workers sent four representatives to the first Latin American and Caribbean Domestic Workers' Conference in

<sup>&</sup>lt;sup>97</sup> Caldwell, *Negras in Brazil*, 155

<sup>98</sup> Bernardino-Costa, "Destabilizing the Hegemonic Narrative," 36

<sup>&</sup>lt;sup>99</sup> Mary Garcia Castro, "The Alchemy Between Social Categories in the Production of Political Subjects: Class, Gender, Race, and Generation in the Case of Domestic Workers' Union Leaders in Salvador-Bahia, Brazil," *The European Journal of Development Research* 5.2 (December 1993), 21

Bogotá, Colombia.<sup>100</sup> Their presence there was an important step in the expansion of the international presence of the Brazilian domestic workers movement. During and after the Constitutional Convention and the conference in Bogotá, the domestic workers movement enlarged its presence in the municipality of Campinas and in Bahia state, where they had historically strong ties to the black movement. During this period, the Brazilian government officially recognized the union in Salvador, Bahia and they gained 150 formal members.<sup>101</sup> Then, in 1989, was the sixth National Congress of Domestic Workers.

Another union was formally recognized in 1989, the Union of Women Domestic Employees (UWDE) in Recife, Pernambuco. The UWDE began offering vocation specific training courses to promote self-esteem in domestic workers. In addition, beginning in 1992, the new union was affiliated with CUT, which had become the largest of the trade union confederations in the country, even though many domestic worker considered this affiliation to be somewhat counterproductive due to its formal male-oriented resources and scheduling. The UWDE in Recife also actively encouraged their members to engage in the fight against racism by getting involved with black organizations. This union had already begun to make the transition that would take place nationwide during the fourth wave by bringing together CUT, UWDE, and the black movement.

In interviews during this time period with leaders of the newly formed union in Salvador,
Mary Garcia Castro (1993) explains that many of the leaders felt that they had many more points
in common with the black movement than with the feminist movement. Even though they

<sup>&</sup>lt;sup>100</sup>Martens and Mitter, Women in Trade Unions, 19

<sup>&</sup>lt;sup>101</sup>Garcia Castro, "Alchemy Between Social Categories," 7

<sup>&</sup>lt;sup>102</sup>Martens and Mitter, Women in Trade Unions 10

<sup>&</sup>lt;sup>103</sup> Garcia Castro, "Alchemy Between Social Categories," 6

described the black movement as "machista" and said that it did not always respect their union as an actual workers union, the black movement was for the poor and the feminist movement was not. Furthermore, while conducting her own interviews in the late 1990s, Kia Lily Caldwell (2008) stresses that domestic workers in Belo Horizonte, Minas Gerais involved in the National Meeting of Black Women did not feel as though domestic workers were represented in that meeting either physically or ideologically. Caldwell points out that "the educational and occupational backgrounds of many activists in the black women's movement distinguish them from the majority of Afro Brazilian women" and issues related to domestic workers get lost in the "disparities in life experiences and class-status." The 1990s had seen a huge expansion of the Negra 107 movement and the formation of many organizations specifically for black women; however, nothing exemplifies the need for organizations that tell the very specific narrative of domésticas more than the two examples above. Labor unions did not see domestic work as an actual profession, the black movement marginalized their gendered perspective, the traditional feminist movement marginalized their racialized perspective, and the black women's movement was not representative of their socio-economic class.

The Brazilian government in the 1990s was primarily characterized by the neoliberalism of President Fernando Henrique Cardoso, who was elected in 1994 and reelected in 1998. His government set in motion a sweeping wave of privatizations in the industrial sector, increased the presence of foreign capital, and furthered opened up the Brazilian economy to the international market leading to increased levels of informality and underemployment. His

<sup>&</sup>lt;sup>104</sup> Insinuating that they are traditionally masculine; related to the Spanish use of *machismo* 

<sup>&</sup>lt;sup>105</sup> Garcia Castro, "Alchemy Between Social Categories," 11

<sup>&</sup>lt;sup>106</sup> Caldwell, *Negras in Brazil*, 173

<sup>&</sup>lt;sup>107</sup> Brazilian Portuguese: black woman; used by the black women's movement as a term of empowerment but often viewed by society at large as a derogatory term

<sup>&</sup>lt;sup>108</sup> Antunes and Santana, "The Dilemmas," 17

economic policies affected domestic workers in particularly by swelling their ranks and making their socio-economic mobility even more limited. With more poor women stuck in informal employment as domestic workers, wages for those workers during this period could be kept low and the workers themselves were considered expendable. However, in large numbers there is also the potential for substantial leverage and massive organizing power. Taking a page from CUT, the *domésticas* put their growing numbers to use by founding the Federação Nacional das Trabalhadoras Domésticas (FENATRAD), <sup>109</sup> in 1997. The then President of the Campinas union, Anna Semião de Lima, became the first president of FENATRAD that year. <sup>110</sup> FENTRAD has remained an impressively active and highly influential organization in the movement to this day.

The fourth and final wave stretches through the 2000s up to the present. During the organization of this period, strong intersectional ties can be discerned with the black and feminist movements. In addition, the foundation laid in the third wave helped the national *doméstica* movement incorporate association with the labor unions and the *Negra* movement as well. Likewise, the 2000s saw the strengthening of several international ties to prominent NGOs and other domestic workers organizations all over the world.

In 2001, the eighth National Congress of Domestic Workers was held, leading to the election of Creuza Maria Oliviera as president of FENATRAD. Oliviera had been an active member of the Movimento Negro Unificado (MNU)<sup>111</sup> in Bahia since 1983.<sup>112</sup> She has been increasingly vocal since her election in both telling her own story – Oliviera began working as a maid when

<sup>&</sup>lt;sup>109</sup> Brazilian Portuguese: the National Federation of Domestic Workers

<sup>&</sup>lt;sup>110</sup>Bernardino-Costa, "Destabilizing the Hegemonic Narrative," 40

<sup>&</sup>lt;sup>111</sup> Brazilian Portuguese: the Unified Black Movement

<sup>&</sup>lt;sup>112</sup> Bernardino-Costa, "Destabilizing the Hegemonic Narrative," 40

she was nine years old and she has run for political office several times<sup>113</sup> – and the collective narrative of black women domestic workers throughout Brazil. Under her guidance, the doméstica movement has formed strong bonds with the feminist movement and while she acknowledges the tensions, Oliviera also emphasizes the need for solidarity:

Us domestic workers, our relationship with [feminist from the elite] leaves a lot to be desired. Everyone knows the feminist movement is dominated by the elite...the most recognized are the academics. But women's struggle has to take place in each and every corner...there are 'women' and there are 'Women', right? Oppression and domination exist, but there are differences, right? The oppression a white woman suffers is not the same a black woman suffers. The oppression a black academic woman suffers is not the same as that a black domestic worker suffers. 114

Today, FENATRAD is a massive association formed of over 26 unions and associations in 15 states, representing around 7.2 million domestic workers in Brazil. 115 In 2006, according to their website, the work of FENATRAD and its affiliates resulted in it being deemed illegal to arbitrarily deduct the expenses of food, hygiene, clothing, or housing from the pay of a domestic worker. FENATRAD helped organize the tenth National Congress of Domestic Workers on September 15, 2011 in Recife with CUT and several antiracism groups.

On April 2, 2013, the Emenda Constitucional do Trabalho Doméstico (EC 72/2013)<sup>116</sup> was passed guaranteeing domestic workers overtime pay, worker's compensation for injuries on the job, equal pay, and prohibiting child labor for domestic workers who work three or more times

<sup>113</sup> MacCallum, "Women Out of Place?," 65

<sup>114</sup> Ibid., 66 [emphasis mine]

<sup>115 &</sup>quot;Institucional," FENATRAD, accessed November 13, 2014, http://www.fenatrad.org.br/site/institucional/

<sup>&</sup>lt;sup>116</sup> Brazilian Portuguese: Proposta de Emenda à Constitução for Domestic Work; PEC 72 was the common reference to this constitutional amendment

per week at the same place<sup>117</sup>. Immediately following the passage of this law, many were worried about job security for *domésticas* and the new accounting burden on employers. A week after EC 72/2013 was passed, the Instituto Doméstica Legal estimated that up to 815,000 domestic workers could lose their jobs due to the inability or refusal of employers to comply with the law. As Jenny Barchfield explained in her Associated Press article on August 21, 2014, the EC 72/2013 was strengthened in August of 2014 by allowing for fines of several hundred dollars to be levied against employers who do not register their domestic workers. This increases the potential for backlash on domestic workers themselves. However, Barchfield goes on to quote Mario Avelino, who heads the Instituto Doméstica Legal in Rio de Janiero, who says the lack of registration is hard to prove due to another part of the Brazilian constitution which prevents authorities from inspecting a person's private home without their permission. However, "data from the Federação Nacional das Trabalhadoras Domésticas (FENATRAD) indicates that approvals for termination of employment contracts had only increased by 3.6%, in April, after publication of EC 72/2013."

### **Conclusions**

Alliances between different subaltern groups that experience discrimination in different ways are hard to form and hard to maintain; yet, the domestic workers movement in Brazil inevitably created and maintained facilitatory relationships with the black movement, the *Negra* movement,

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contratos-de-domesticas

<sup>&</sup>lt;sup>117</sup> "Guia Informativo – PEC das domésticas," FENATRAD, accessed November 13, 2014, http://www.fenatrad.org.br/site/banner-pec-guia/, my translation

<sup>118</sup> Goodman, "Maids Winning Rights"

<sup>&</sup>lt;sup>119</sup> Jenny Barchfield, "Brazil expands labor rights for domestic workers," *The Associated Press*, August 21, 2014, accessed August 28, 2014, <a href="http://bigstory.ap.org/article/brazil-expands-labor-rights-domestic-workers">http://bigstory.ap.org/article/brazil-expands-labor-rights-domestic-workers</a>

<sup>&</sup>lt;sup>120</sup> Secretaria de Políticas para as Mulheres (SPM), "Em encontro com SPM e Seppir, Fenatrad indica baixa rescisão de contratos de domésticas," accessed February 1, 2015, <a href="http://www.spm.gov.br/area-imprensa/ultimas">http://www.spm.gov.br/area-imprensa/ultimas</a> noticias/2013/05/13-05-em-encontro-com-spm-e-seppir-fenatrad-indica-baixa-rescisao-de-

the labor unions, and transnational networks devoted to similar causes. The domestic workers involved in the movement have sought autonomy in conjunction with affiliation in order to valorize their profession, decrease the level of informality associated with it, and mobilize for the passage of national legislation protecting their rights as laborers.

In the first wave, the 1930s to the 1950s, the domestic workers movement established lasting ties to the black movement. These ties would wax and wane due to government suppression but were never severed completely. However, the *domésticas* could not operate solely as a branch of the Brazilian black movement because it was unable to recognize and incorporate their perspective as women, particularly working women. In the second wave of organizing, the 1960s through the 1970s, the domestic workers movement was able to build an educational affiliation focusing on class solidarity and a relationship with labor unions. Thanks to the previous influence of the black movement, they concentrated on creating a sense of valorization both professionally and personally and on vocational training that could facilitate social and economic mobility. In the third wave, the 1980s to the 1990s, the domésticas widened their scope to a larger integration with the black movement, began affiliating with the feminist movement, and laid the foundation for their international ties. They also were finally able to establish legally recognized unions. Finally, in the fourth wave of mobilization, the 2000s to now, the domestic workers brought together their ties to the labor, black, Negra, feminist, and international movements. They also oversaw the passage and strengthening of sweeping national legislation during this period.

# **Chapter Three:**

# **Measuring Vulnerability**

According to a census conducted by the Instituto de Pesquisa Econômica Aplicada (IPEA), there were 7.2 million domestic workers in Brazil in 2009. That survey found that of that 7.2 million, over 93 percent were female and approximately 61.6 percent of those women being black. The overwhelmingly gendered and racialized nature of this profession is a major part of what drives the vulnerability associated with it. Additionally, the associated vulnerability keeps the cost of hiring and maintaining a domestic worker low, making it less necessary for the Brazilian government and private enterprise to supplement reproductive work. Because the vulnerability associated with domestic work is a combination of occupational informality and a lack of legalized protections, I ask, how has the vulnerability associated with domestic work changed over time? In doing so, I show that measurements of the informal nature of domestic work have decreased over time and the number of workers with access to benefits and legal protections has increased during the same period. I argue that this is due to the organizing efforts of the domestic workers' movement in order to combat the roles that the legacy of slavery in Brazil and the feminization of reproductive work have played in institutionalizing the vulnerability of domestic workers. Yet while significant advances have been made through the

work of the domestic workers movement and its allies, it remains clear that there is still significant work to be done.

I will assess the changes in vulnerability by looking at measureable indicators related to both decreasing the level of informality associated with domestic work and to increasing the number of legalized labor protections and benefits for domestic workers. Some such indicators that I will measure are: the sheer number of domestic workers in Brazil and their proportion of the economically active workforce; the number of live-in domestics versus day workers; income levels; benefits; the racialization of the occupation; the level of unionization of domestic workers; the effect of urbanization; access to education; the feminization of domestic workers; and, the number of homes serviced, etc.

## **Sheer Numbers**

According to official government statistics, domestic workers in Brazil have consistently made up approximately 7 to 8 percent of the entire economically active population for the last several decades. However, the census data off which this supposition is based cannot be assumed to be one hundred percent accurate for several reasons: a.) data collection missions within the country are notoriously hard to conduct due to issues with sheer size (both in terms of territory and population) and the inaccessibility of several communities (most especially the urban *favelas*); b.) data collection methods may vary enough state-to-state or between organizations to make data inconsistent and, therefore, unworkable; c.) it is highly unlikely that all domestic workers were counted appropriately, in part, because several do not have their *Carteira de Trabalho e Previdência Social* (CTPS)<sup>121</sup> officially signed because they do not want the stigma

<sup>&</sup>lt;sup>121</sup> This is the Work Registry and Social Security card that is used to track all the jobs, salaries and raises, holidays and vacations, etc. throughout a workers' lifetime.

associated with having been a *doméstica*; d.) there are several different Portuguese terms that can be used to refer to these workers including, but not limited to, *babá*, *cozinheira*, *diarista*, *empregada*, *faxineira*, *lavadeira*, *limpadora*, *acompanhante*/ *ajudante*/ *auxiliar de* function performed, *ama seca*, etc. that could make counting them difficult; and, e.) there is a historical trend within Brazil of families taking on "adoptive" female members who are not paid and yet still assume the role of a domestic worker but more than likely would not be aggregated.

Despite these statistical difficulties, the numbers that are available are telling. Overall, domestic workers have been increasing at a fairly fast pace since the early 1990s with the neoliberal economic restructuration of the Cardoso government. In 1992 and 1993, there were between 4.3 and 4.5 million domestic workers, respectively; however, by 1995, a year after the start of President Cardoso's first term, that number had jumped up to 5.1 million. While that number stayed relatively static through 2002, 123 the number of domestic workers in 2008 was 6,636,000, 124 an increase of over 1.5 million. The next year, 2009, saw those numbers grow to 7.2 million with a small decrease in 2011 to 6.7 million. 125

Despite the fluctuations in the sheer numbers of domestic workers, their percentage of the economically active population stays relatively static. In 2004, the domestic workers as a percentage of the economically active population was 7.6 percent which then dropped to 7.2 percent in 2008 and back up to 7.8 percent in 2009. Therefore, one could argue that the

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<sup>&</sup>lt;sup>122</sup> Instituto Brasileiro de Geografia e Estatística (IBGE), "Mapa do Mercado de Trabalho no Brasil," 106 <sup>123</sup> IBGE, "Mapa do Mercado," 52; Cecilia MacCallum, "Women Out of Place? A Micro-historical Perspective on the Black Feminist Movement in Salvador da Bahia, Brazil," *Journal of Latin American Studies* 39.1 (February 2007), 55; Bernd Reiter, *Negotiating Democracy in Brazil: The Politics of Exclusion*, (Boulder: FirstForumPress, 2009), 74

<sup>&</sup>lt;sup>124</sup> Instituto Brasileiro de Geografia e Estatística (IBGE), "Pesquisa Nacional por Amostra de Domicílios (PNAD): Síntese de Indicadores," 142

 <sup>125</sup> Goodman, "Maids Winning Rights Squeezes Brazilian Families' Wallets," *Bloomberg*, April 8, 2013; Secretaria de Políticas para as Mulheres (SPM), "Dados revelam situação do trabalho doméstico no país"
 126 IBGE, "PNAD," 65

fluctuations in the number of workers are mirroring general economic trends within the country rather than stemming from any change in supply or demand for this specific occupational sector.

The chart below shows the numbers that I have been able to collect from 1992 to 2011 from a variety of sources on the total number of domestic workers, the number of those workers that are female, and the number of those workers that are negra, negra, or both female and Afro-Brazilian. The red line depicting the number of domestic workers who are female stays near the blue line depicting the total, sometimes reaching almost 100 percent. The number of domestic workers who are negra, as represented by the grey line, remains well over 50 percent of the total.

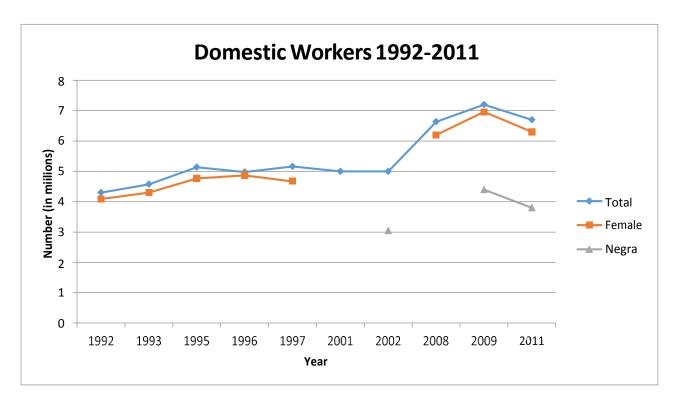


Figure 1. Domestic Workers 1992 – 2011

<sup>&</sup>lt;sup>127</sup> I use this term in the same way it is used by the *negra* movement within Brazil. These women may identify as either fully or partially Afro-descendant and it is used by the movement as a way of valorizing that heritage through a shared identity.

## Live-in domésticas versus diaristas 128

As previously stated, there is a historical tradition in Brazil of elite or upper-middle class families taking in young, lower-class Afro-Brazilian women as adoptive members of the family and then using these women as free sources of domestic labor. While this is not the trajectory for every *doméstica*, it is fairly commonplace to this day. Donna Goldstein (2003), for example, found that almost every woman living in the Rio *favela* in which conducted her research had, at one point in her life, worked as a domestic worker and most had previously or still worked as live-ins. Additionally, for the majority of these women, "these negative work experiences during their childhood did not necessarily contribute to rebellion, since emotional dependence on their employers is quite high." In fact, live-in workers often suffer from emotional and social isolation and are vulnerable to forming affective ties with their employers that can keep them in an economically and emotionally abusive situation (potentially, even physically abusive).

In 1995, over 12 percent of domestic workers lived in the homes where they worked, <sup>130</sup> or over 600,000 women. By 2003, the proportion of live-in workers was only 5.2 percent. <sup>131</sup> The trend in the decline of this practice has continued and by 2009, live-ins only made up 2.7 percent of all domestic workers, or close to 248,000 workers. <sup>132</sup> Yet the Brazilian tradition of building brand new apartment buildings and homes with *dependências completas*, as discussed in Chapter One, continues on. Despite what the numbers depict, aspiration for or even the actual

<sup>&</sup>lt;sup>128</sup> Brazilian Portuguese: daily worker; the connotation behind using this word is that these women work less than three days in any one home, they do not live in the homes where they work, and they are not protected by the labor laws concerning domestic work

<sup>&</sup>lt;sup>129</sup> Mary Garcia Castro, "The Alchemy Between Social Categories in the Production of Political Subjects: Class, Gender, Race, and Generation in the Case of Domestic Workers' Union Leaders in Salvador-Bahia, Brazil." *The European Journal of Development Research* 5.2 (December 1993), 8

<sup>&</sup>lt;sup>130</sup> SPM, "Dados revelam situação"

<sup>&</sup>lt;sup>131</sup> Instituto Brasileiro de Geografia e Estatística (IBGE), "Pequisa Mensal do Emprego (PME): Algumas das principais características dos Trabalhadores Domésticos vis a vis a População Ocupada," 14
<sup>132</sup> SPM, "Dados revelam situação"

employment of a live-in worker is still a completely socially acceptable practice in modern-day Brazil.

In 1980, approximately 16 percent of all domestic workers worked part-time<sup>133</sup> as *diaristas*. This practice became more widespread between 1998 and 2008 when daily workers grew from 17 percent to 25 percent of all domestic workers.<sup>134</sup> One of the benefits of being a *diarista* is the ability to work in more than one home per week, potentially making more money than if one was to work in only one home every day for the entire week. In addition, with more job security due to a lessened reliance on each individual employer, domestic workers are more likely to have a better work-life balance with more say in how they manage their time and less social or emotional isolation.

The chart below shows the percent of domestic workers that worked in more than one home in the six major metropolitan regions<sup>135</sup> in 2003 and 2009. The typical divide on major trends between the Northeastern region and the rest of the country can be seen here in that the two major cities of the Northeast, Recife and Salvador, significantly lag behind the other cities. Despite this fact, it can be seen that in each of the major metropolitan cities, the increase in the number of *diaristas* was close to the national increase or approximately 7 percent.

### Unionization

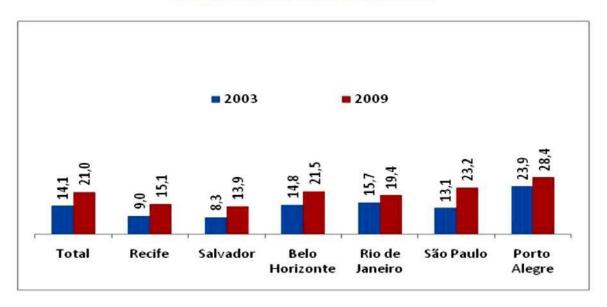
It is important to note here that even though the domestic workers movement turned towards unionization in the early 1960s, the initiative has not been as successful among their ranks

<sup>&</sup>lt;sup>133</sup> Edward Telles, "Urban Labor Market Segmentation and Income in Brazil," *Economic Development and Cultural Change* 41.2 (1993), 237

<sup>&</sup>lt;sup>134</sup> Peter Wade, "Articulations of Eroticism and Race: Domestic Service in Latin America," *Feminist Theory* 14.2 (2013), 197

<sup>&</sup>lt;sup>135</sup> There are several places where I will use data from these areas as they are statistically representative of the whole of Brazil and contain the bulk of the country's population.

# Percentual de trabalhadores domésticos que trabalhavam em mais de um domicílio - média anual - 2003 e 2009



**Figure 2. Title (translation):** Percentage of domestic workers that worked in more than one home – Yearly Average – 2003 to 2009

**Source:** IBGE Diretoria de Pesquisas, Coordenação de Trabalho e Rendimento, Pesquisa Mensal de Emprego

as it has been in other professions in Brazil. Despite the fact that "the major advantage of a trade union is that it is a legally registered organization [where] its members are entitled to certain rights and protections offered by the State to working members of the population," unions have not traditionally appealed to women, nor do they typically address the issues that affect working women. Many activists who favor unionization have argued that domestic workers are hard to organize because they are more likely to be more isolated; yet, associations, rather than unions, and umbrella organizations like FENATRAD have successfully been able to organize large numbers of domestic workers. One of the major deterrents of unionizing for

<sup>&</sup>lt;sup>136</sup> Margaret H. Martens and Swasti Mitter, eds., *Women in Trade Unions: Organizing the Unorganized*, (International Labor Organization, 1994), 6

domestic workers is the levy of fees and dues and the requirement of registration. In addition, it seems as though the lack of unionization, in favor of less official and more loosely organized associations, has become a more successful repertoire for the movement. In 1986, 14.4 percent of all adult women workers were in a union or work association yet only 6 or 7 percent of all domestic workers were in a union or work association. Even by 2001, of the 200,000 nonprofit organizations registered with the Brazilian Federal Treasury, workers' associations and trade unions made up only 4.4 percent of the total and domestic workers organizations only a miniscule fraction of that number. In 2009, "the number of unionized domestic laborers [was] extremely small: only 101,000 female domestic workers, a number that corresponds to 1.6 percent of all Brazil's female domestic workers, [were] unionized. Of these unionized women, 61.1 percent [were] black." Even by 2011, the number of domestic workers that were unionized had only risen to 133,000, or 2 percent.

### **Benefits & Labor Protections**

Many scholars argue that "emphasizing that domestic workers are workers are covered by an employment contract rather than some quasi-familial relationship has been very important in organizing for their rights." <sup>141</sup> In Brazil, for domestic workers, having their *carteira de trabalho e previdência social* (CTPS) signed works as a formal contract and regulates the benefits that they receive. In many instances, not having the CTSP signed and not paying taxes is actually the choice of the worker; however, this is due to societal factors such as stigmatization of domestic

<sup>&</sup>lt;sup>137</sup> Garcia Castro, "The Alchemy Between Social Categories," 6

<sup>&</sup>lt;sup>138</sup> Bernd Reiter, "What's New in Brazil's "New Social Movements"?," Latin American Perspectives 38 (2011), 160

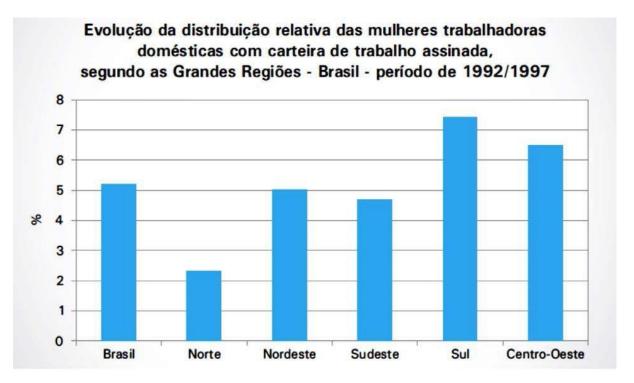
<sup>&</sup>lt;sup>139</sup> Joaze Bernardino-Costa, "Destabilizing the National Hegemonic Narrative: The Decolonized Thought of Brazil's Domestic Workers Unions," *Latin American Perspectives* 38 (2011), 34

<sup>&</sup>lt;sup>140</sup> IPEA census 2011

<sup>&</sup>lt;sup>141</sup> Bridget Anderson, "Just Another Job? Paying for Domestic Work," *Gender and Development* 9.1 (Mar. 2001), 31

labor and the unwillingness of many to pay the higher wages of a *doméstica com carteira* meaning that even when it is her choice, a domestic worker may have limited other options should she not make that choice.

The following chart shows the average percentage of increase in the domestic workers that had a signed CTPS from 1992 to 1997 in the major regions. As with other social data trends, the North lags behind in this statistic and the South contains the highest percentage. Surprisingly, the Northeast region is not the second lowest as is typical, but instead it stands barely above the Southeast. The data shows that the average increase in Brazil from 1992 to 1997 in the number of *domésticas com carteira* was just over five percent. The highest increase was in the Southern region of Brazil (*Sul*) which saw an increase of well over seven percent.



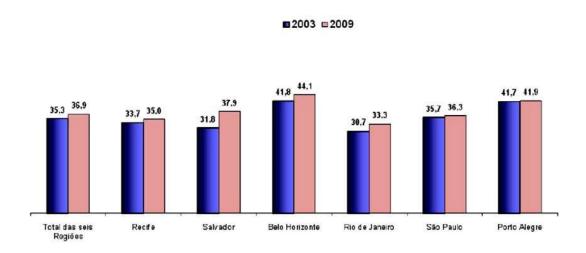
**Figure 3. Title (translation):** Evolution of the relative distribution of female domestic workers with signed CTPS, by region – Brazil – 1992 to 1997

**Source:** Pequisa nacional por amostra de domicílios 1992: microdados. Rio de Janiero: IBGE, 2001; Pequisa nacional por amostra de domicílios 1997: microdados. Rio de Janiero: IBGE, 2001.

**Note (translation):** This excludes the population of the rural states of Rondônia, Acre, Amazonas, Roraima, Pará, and Amapá.

Below is another chart showing the raw numbers for domestic workers with a signed CTPS in the major metropolitan regions from 2003 to 2009. It can be seen here that the number of *domésticas com carteira* was somewhere between 30 and 40 percent of all workers in these areas and that, between 2003 and 2009, every city saw at least a small increase in that number. It would be expected for these numbers to be somewhat higher than those for the country as a whole but they are representative of the movement towards holding a signed CTPS.

Percentual de <u>trabalhadores domésticos</u> com carteira de trabalho assinada, por regiões metropolitanas - média anual - 2003 e 2009



**Figure 4. Title (translation):** Percentage of the domestic workers with signed CTPS, by metropolitan region – Yearly Average – 2003 to 2009 **Source:** IBGE, Diretoria de Pesquisas, Coordenação de Trabalho e Rendimento, Pequisa Mensl de Emprego

Between 1992 and 1997, in the least developed regions of Brazil, the proportion of domestic workers *sem carteira* represented, on average, more than 90 percent of female domestic workers. However, by 2002, over 24 percent of all domestic workers had a formal work contract with a signed CTPS. In 2003, this number jumped up to 34.7 percent throughout the country, staying relatively close to the percentage in the major metropolitan cities shown in the graph above. Yet this still leaves almost two-thirds without an official employment contract and, therefore, exempted from receiving benefits. Between 2004 and 2009, the number of domestic workers rose 11.9 percent and the number *com carteira* rose 20 percent. Between 2008 and 2009, with an increase in overall numbers of domestic workers of over half a million, there was also a 12.4 percent increase in the number of domestic workers *com carteira*.

There is also a significant amount of gender stratification among domestic workers *sem* carteira. Even as recently as 2011, of the approximately one percent of male domestic workers, 47 percent had a formal contract; however, among women only 29.3 percent had a formal contract.<sup>147</sup>

Whether or not a worker is a *diarista* and whether or not they have their CTPS signed also affects the workers access to pensions and social security. Only 38 percent of domestic workers have access to a pension with a similar percentage being covered by health benefits.<sup>148</sup> This percentage is similar to the number of workers *com carteira*. In regards to social security, the same is true. The number of contributors to social security increased from 38.5 percent in

<sup>&</sup>lt;sup>142</sup> IBGE, "Mapa do Mercado," 31

<sup>&</sup>lt;sup>143</sup> Reiter, Negotiating Democracy, 77

<sup>144</sup> Instituto Brasileiro de Geografia e Estatística (IBGE), "Mulher no Mercado de Trabalho: Perguntas e Respostas,"

<sup>&</sup>lt;sup>145</sup> IBGE, "PNAD," 66

<sup>146</sup> Ibid.

<sup>&</sup>lt;sup>147</sup> SPM, "Dados revelam situação"

<sup>&</sup>lt;sup>148</sup> Victor Tokman, "Domestic Workers in Latin America: Statistics for New Politics," *WEIGO Working Papers* 17 (2010), 8

2003 to 44.7 percent in 2011.<sup>149</sup> When compared to the percentage of the entire population contributing to social security, the percentages of domestic workers are certainly lower. Additionally, the degree to which the entire economically active population is outpacing the percentage of domestic workers contributing is slowly increasing despite the fact that the number of contributors among domestic workers is increasing overall. In 2004, the percentage of the total economically active population contributing to social security was 46.4 percent whereas for domestic workers it was 28.1 percent; in 2008, the percentage for the total was 52.1 percent and for domestic workers it was 30.2 percent; and in 2009, the percentage for the total was 53.5 and for domestic workers it was 31.3.<sup>150</sup>

## **Racialization**

Jose Moya (2007) describes domestic work as having an ethnic niche in almost every country in which the practice is widespread. According to Moya, an ethnic niche is created where an ethnic workforce is concentrated in a particular industry. In this case, *negras* concentrated in reproductive work. What social practices facilitated the creation of this niche? Moya points to discrimination, a lack of choice or alternatives, economic necessity, and word-of-mouth within ethnic communities to spread job opportunities. However, the more accurate historical basic mechanism of ethnic niche formation shows that the latter generations may have remained in the sector not because of failure to achieve upward mobility but because of intergenerational information, assistance, and selection<sup>151</sup> which gave them more power over their circumstances. On the other hand, Judith Rollins (1985) refers to this phenomenon as

<sup>&</sup>lt;sup>149</sup> Secretaria de Políticas para as Mulheres, "Com aprovação da PEC das Trabalhadoras Domésticas, 16 direitos poderão ser ampliados na Constituição Federal"

<sup>&</sup>lt;sup>150</sup> IBGE, "PNAD," 67

<sup>&</sup>lt;sup>151</sup> Jose C. Moya, "Domestic Service in a Global Perspective: Gender, Migration, and Ethnic Niches," Journal of Ethnic & Migration Studies 33.4 (May 2007), 573

occupational ghettoization where "the interracial form of the arrangement deserves attention because it reflects the racial division of labor in the overall society." The ethnic niche created in domestic labor in Brazil reflects and reproduces a power arrangement designed to hinder lower-class, poor women of color from obtaining social mobility; however, the domestic workers movement has been successful in fighting against some of the structural inequalities that make them vulnerable. In part, this is due to the creation and maintenance of communication networks by which they educate, valorize, and provide outreach to one another.

In 1980, 86.4 percent of *pretas* and 71.6 percent of *pardas* worked in household services. A decade later, in 1990, these numbers had dropped to 48 percent of *pretas* and 30.5 percent of *pardas*. A little over two decades later, this percentage had continued to decline so that by 2011, 21 percent of employed black women are domestic workers as opposed to 12 percent of white women. Despite the decline in the percentage of Afro-descendant women who work as domestic workers, as I discussed in Chapter One, domestic work remains the number one form of employment of black women in Brazil. In addition, black women are still twice as likely as white women to be domestic workers.

In the makeup of domestic workers as a whole, in 2002, 37 percent of domestic workers were *pardas* and 24 percent were *pretas*, <sup>155</sup> combining for a total of 61 percent. This number did not seem to decline at all in the last decade due to the fact that in 2009, 62 percent of female domestic workers were Afro-Brazilian women, or 4.4 million, and 21 percent of all black women workers were *domésticas*. <sup>156</sup> The figure has remained stagnant in recent years as well since in

<sup>&</sup>lt;sup>152</sup> Judith Rollins, Between Women: Domestics and Their Employers, (Philadelphia, PA: Temple UP, 1985), 7

<sup>&</sup>lt;sup>153</sup> Kia Lily Caldwell, *Negras in Brazil: Re-envisioning Black Women, Citizenship, and the Politics of Identity* (New Brunswick, NJ: Rutgers UP), 70

<sup>&</sup>lt;sup>154</sup> IPEA census 2011

<sup>&</sup>lt;sup>155</sup> Reiter, Negotiating Democracy, 74

<sup>&</sup>lt;sup>156</sup> SPM, "Dados revelam situação"; IBGE, "Pequisa Mensal do Emprego," 5

2011, of female domestic workers, 61 percent were black. <sup>157</sup> These numbers are incredibly problematic when one considers additional factors such as benefits and wages. In 2008, black women made up 59.2 percent of those *sem carteira*. <sup>158</sup> In addition, in December of 2013, *pretos* and *pardos* made 57.4 percent as much as whites. <sup>159</sup> With this particular group making up such a large proportion of domestic workers and being particularly vulnerable to occupational discrimination, it will take a change in the societal factors comprising a racist ontology before many of these statistics will begin to change dramatically.

# **Urbanization and Regional Views**

Beginning in the early 1940s, Brazil's population began to urbanize quickly. In 1940, only fifteen percent of the population in Brazil was urban yet by 1950 that percentage had risen to 36.1 percent. Within the next two decades the number of people living in urban areas throughout the country continued to climb and by 1970, 55.8 percent of the population was urbanized. The primary source of this urbanization was internal migration. In fact, net rural to urban migration accounted for between 40 and 50 percent of Brazilian urbanization from the early 1940s through the 1970s. As in other countries throughout the world during this time period, the mechanization and industrialization of agriculture created a decline in the number of jobs available in rural areas. With the elimination of the need for the traditional labor pool, some rural laborers began to seek alternative employment elsewhere. In 1980, F.E. Wagner and John Ward conducted a study in which they found that the principal factor which explained migration

<sup>&</sup>lt;sup>157</sup> SPM, "Com aprovação da PEC"

<sup>&</sup>lt;sup>158</sup> Secretaria de Políticas para as Mulheres (SPM), "SPM celebra o Dia Nacional das Trabalhadoras Domésticas com o lancamento de um relatório sobre a categoria"

<sup>159</sup> Instituto de Pesquisa Econômica Aplicada (IPEA), "Desemprego tem o menor nível histórico"

<sup>&</sup>lt;sup>160</sup> F. E. Wagner and John O. Ward, "Urbanization and Migration in Brazil," *American Journal of Economics and Sociology* 39.3 (July 1980), 249

<sup>&</sup>lt;sup>161</sup> Ibid.

<sup>&</sup>lt;sup>162</sup> Ibid., 250

in Brazil was the "information factor." They state that "workers who were privy to more information regarding employment options were more likely to migrate than were those without such information." Rural migrants went because they expected to find jobs and had inside information on where those jobs will be and with whom to seek them out. In regards to ethnic niche theory, the information factor for rural women – who either migrated with their husbands and families or on their own seeking better prospects – was, more often than not, the communication networks of the domestic workers who had gone before them.

In 2006, domestic workers comprised 20 percent of the female workforce in the six main metropolitan regions, <sup>164</sup> in keeping with national statistics. In 2010, domestic workers made up over 9 percent of total urban employment (higher than the national average) and between 15 to 17 percent of female urban employment. <sup>165</sup> Figure 5 shows the average percentage of the employed population comprised of domestic workers in the six major metropolitan regions in 2003 and 2009. The total shown is right on track with the national average; however, Salvador and Belo Horizante both show consistently higher percentages than the national average.

In 1989, in the Metropolitan Region of Salvador, approximately 73,572 people were domestic workers, making up 17 percent of all women workers. At that time, women made up 32.7 percent of the entire workforce, yet women made up 92.5 percent of domestic workers. In addition, while 60 percent of the population identified as non-white, over 93 percent of domestic workers were non-white versus 77 percent of the rest of the workforce. Like many other cities in Brazil at that time, the makeup of domestic workers as opposed to that of the overall employed

<sup>163</sup> Ibid., 252

<sup>&</sup>lt;sup>164</sup> Lisa Brown, "Invisible Maids: Slavery and Soap Operas in Northeast Brazil," *Agenda: Empowering Women for Gender Equity* 70.1,2 (2006), 76

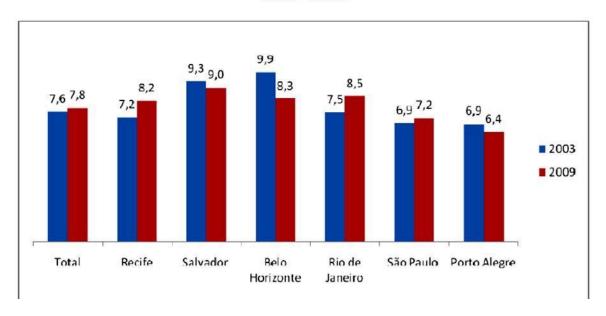
<sup>&</sup>lt;sup>165</sup> Tokman, "Domestic Workers in Latin America," 2

<sup>&</sup>lt;sup>166</sup> Garcia Castro, "The Alchemy Between Social Categories," 4

<sup>&</sup>lt;sup>167</sup> Ibid.

<sup>&</sup>lt;sup>168</sup> Ibid., 6

# Percentual de trabalhadores domésticos na população ocupada - média anual 2003 - 2009



**Figure 5. Title (translation):** Percentage of domestic workers in the employed population – Yearly Average- 2003 to 2009

**Source:** IBGE, Diretoria de Pesquisas, Coordenação de Trabalho e Rendimento, Pesquisa Mensal de Emprego

population in Salvador shows the hyper-concentration of Afro-descendant women in domestic work. As previously stated, the racial and gender disparities in this industry are particularly problematic when one considers wages and other benefits. In the same year, in Rio de Janeiro, over half of the domestic workers earned from zero to fifty percent of the minimum wage with over 79.5 percent working longer than a 40 hour work week. More than likely the makeup of the domestic workers in Rio was very similar to that of Salvador despite the population of Rio de Janeiro having an even lower percentage of Afro-descendants than Salvador. This is in part due to the fact that many women working as domestic workers in the Southeast cities of Rio de Janeiro and São Paulo came from the Northeast and had Afro-Brazilian backgrounds. In fact, in

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<sup>&</sup>lt;sup>169</sup> Reiter, Negotiating Democracy, 74

Rio and São Paulo, "so many of the servants came from the poor northeast region of the country that *nordestino* became almost synonymous with 'servant' in the popular language."<sup>170</sup>

The chart below compares the average monthly salaries of workers between industries and between regions in 1992 and 1997. In the chart, it can be seen that the domestic workers in the Northeast remain the lowest paid of the largest regions despite the fact that their salaries saw

Grandes Regiões e posição na ocupação no trabalho principal	Rendimento médio mensal do trabalho principal da população de 10 anos ou mais de idade, ocupada e com rendimentos (R\$)		Taxa de crescimento (%)
	1992	1997	
Norte	312	438	40,4
Empregados	310	422	36,1
Trabalhadores domésticos	72	117	62,5
Trabalhadores por conta própria	269	410	52,4
Empregadores	1 027	1 755	70,9
Nordeste	206	284	37,9
Empregados	223	301	35,0
Trabalhadores domésticos	59	101	71,2
Trabalhadores por conta própria	168	214	27,4
Empregadores	679	1 223	80,1
Sudeste	427	613	43,6
Empregados	429	566	31,9
Trabalhadores domésticos	120	188	56,7
Trabalhadores por conta própria	374	637	70,3
Empregadores	1 171	1 925	64,4
Sul	391	527	34.8
Empregados	372	480	29,0
Trabalhadores domésticos	106	156	47,2
Trabalhadores por conta própria	376	501	33,2
Empregadores	1 137	1 697	49,3
Centro-Oeste	361	526	45,7
Empregados	337	482	43,0
Trabalhadores domésticos	93	139	49,5
Trabalhadores por conta própria	310	502	61,9
Empregadores	1 336	1 901	42,3

Figure 6. Title (translation): The average monthly salary of the working population over 10 years of age, by the major regions and the principle occupation -1992 to 1997

**Source:** Pesquisa nacional por amostra de domicílios 1992: microdados. Rio de Janiero: IBGE 2001. Pesquisa nacional por amostra de domicílios 1997: microdados. Rio de Janiero: IBGE 2000.

**Notes (translation):** 1.) Data excludes the rural states of Rondônia, Acre, Amazonas, Pará, and Amapá. 2.) Numbers are adjusted for inflation based on values from September of 1997.

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<sup>&</sup>lt;sup>170</sup> Moya, "Domestic Service in a Global Perspective," 568

the highest percentage of increase. In addition, the underdeveloped North maintains the second to lowest pay despite the second to highest percent increase. It can also be seen that, in every region, domestic workers are the lowest paid workers.

### Income

As many other statistic thus far have already shown, the income disparity between domestic workers and workers in other industries in Brazil is vast. In 1980, about 70 percent of domestic workers earned less than the minimum yearly salary. <sup>171</sup> By 2006, domestic workers on average were still only earning about 35 percent of the minimum wage. 172

Figure 7 depicts the average monthly salary for the economically active population over 10 years of age in 1992 and 1997. Among domestic workers, males make more than females by about 30 percent throughout the entire period. Additionally, while the rate of increase in salaries is higher for *domésticas* than for the rest of the population, they still receive the lowest pay overall.

In 1992, domestic workers made R\$100 per month on average. <sup>173</sup> By 1997, this had increased to R\$156 per month on average. 174 Some differentiation can be seen between workers with and without formal contracts. In September of 2008, the average monthly income among workers with a formal contract was R\$523.50 but for unregistered workers, it was only R\$303.00, or 27 percent below the minimum wage (R\$415.00, at that time). These values were still lower for black women domestic workers who were informally employed, R\$280.00,

<sup>&</sup>lt;sup>171</sup> Telles, "Urban Labor Market Segmentation," 236

<sup>&</sup>lt;sup>172</sup> Brown, "Invisible Maids," 78

<sup>&</sup>lt;sup>173</sup> IBGE, "Mapa do Mercado," 50

<sup>&</sup>lt;sup>174</sup> Ibid.

<sup>&</sup>lt;sup>175</sup> SPM, "SPM celebra"

Sexo e posição na ocupação do trabalho principal	Rendimento médio mensal do trabalho principal da população de 10 anos ou mais de idade, ocupada e com rendimentos (R\$)		Taxa de crescimento (%)
	1992	1997	
Total	356	501	40,7
Empregados	363	481	32,5
Trabalhadores domésticos	100	156	56,0
Trabalhadores por conta própria	293	444	51,5
Empregadores	1 084	1 743	60,8
Masculino	412	573	39,1
Empregados	385	503	30,6
Trabalhadores domésticos	144	210	45,8
Trabalhadores por conta própria	336	490	45,8
Empregadores	1 137	1 836	61,5
Feminino	253	375	48,2
Empregados	315	438	39,0
Trabalhadores domésticos	97	152	56,7
Trabalhadores por conta própria	189	325	72,0
Empregadores	817	1 374	68,2

Figure 7. Title (translation): The average monthly salary of the working population over 10 years of age, by sex and principal occupation -1992 to 1997

**Source:** Pesquisa nacional por amostra de domicílios 1992: microdados. Rio de Janiero: IBGE 2001. Pesquisa nacional por amostra de domicílios 1997: microdados. Rio de Janiero: IBGE 2000.

**Notes (translation):** 1.) Data excludes the rural areas of Rondônia, Acre, Amazonas, Pará, and Amapá. 2.) Numbers are adjusted for inflation based on values from September of 1997.

or only 67.4% of the minimum wage.<sup>176</sup> However, while having a formal contract via a signed CTPS may guarantee the domestic worker better pay due to labor laws, it does not reduce the pay differential for other more formalized occupations. For example, a year later, in 2009, domestic workers *com carteira* made R\$662.94 per month versus R\$1304.13 for the general working population *com carteira*.<sup>177</sup>

The racialized nature of domestic work affects salaries as well. In 2004, in general, across all professions, the salary of the average black woman was R\$291, the average black man made

<sup>177</sup> IBGE, "PME," 14

<sup>&</sup>lt;sup>176</sup> Ibid.

R\$450, the average white woman made R\$562, and the average white man made R\$913.<sup>178</sup> Since domestic work is both feminized and racialized, these discriminatory pay practices combine to keep the cost of hiring a domestic worker comparatively low.

In 2011, the median monthly income in Brazil for domestic workers was R\$507 while other workers earnings were, on average, R\$1,302.<sup>179</sup> In addition to this gap between domestic workers and the rest of the working population, there is also a large disparity in the monthly salaries for domestic workers by region. The average in the Northeast region is the lowest in the country, approximately R\$336, followed by the Northern region, with R\$406, then the Central West at R\$523 and the South with R\$558; however, the best in the country is in the Southeast at R\$587.<sup>180</sup>

In recent years, domestic workers have started to have the highest gains in monthly salaries than of any other occupation. In 2012, the average salaries for domestic workers went up 13 percent, twice the pace of inflation, and faster than any other profession. In 2013, this trend continued with the median annual salary of *domésticas* rising 6.2 percent, three times more than that of other workers. In comparison to salaries from December of 2012, this group showed an increase of 8.2 percent to R\$843 while the rest of the country's overall average income only rose 3.2 percent.

In the graph below, the average monthly salaries of the working population, by industry and by sex are shown in 2003 and 2011. Despite their overall percentage gains, they remain the

<sup>&</sup>lt;sup>178</sup> Reiter, Negotiating Democracy, 26-7

<sup>&</sup>lt;sup>179</sup> SPM, "Dados revelam situação"

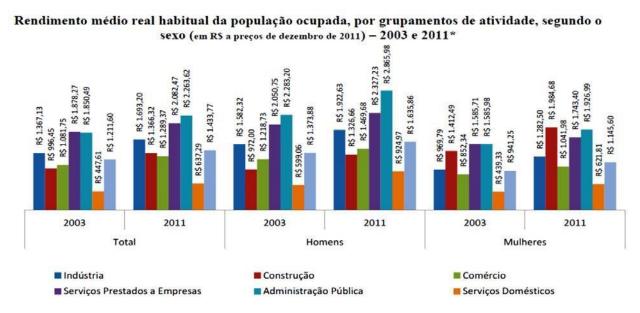
<sup>&</sup>lt;sup>180</sup> Ibid.

<sup>&</sup>lt;sup>181</sup> Goodman, "Maids Winning Rights"

<sup>&</sup>lt;sup>182</sup> IPEA, "Desemprego tem o menor nível histórico"

<sup>&</sup>lt;sup>183</sup> Ibid.

lowest paid sector. In addition, men consistently made more than women and were the recipients of a higher overall increase in salary.



**Figure 8. Title (translation):** The monthly salary of the working population, by industry and sex (values adjusted for inflation to values for December 2011) – 2003 to 2011 **Source:** IBGE. Diretora de Pesquisa, Coordenação de Trabalho e Rendimento, Pequisa Mensal de Emprego 2003-2011

### Gender

In his work on ethnic niches, Jose Moya (2007) argues that, within the developing world, Latin America displayed the earliest and most complete feminization of the domestic labor. Only in this region have women consistently accounted for more than 90 percent of domestic workers throughout modern history. In fact, in many Latin American countries, "it probably constitutes the single largest female employment sector (though its invisibility can make this difficult to document). It is work that is predominantly performed by women, and is usually managed by other women. Yet it has received very little attention, either from feminists or from trade

<sup>&</sup>lt;sup>184</sup> Moya, "Domestic Service in a Global Perspective," 562

unionists, or indeed from political activists in general - many of whom, particularly if they are women, depend on a domestic worker to facilitate their activism."<sup>185</sup>

In 1992, 21.5 percent of female workers in Brazil were domestic workers, a number which remains relatively static despite the increase of the number of women in the workforce through the 1990s. By 1997, domestic workers made up 22.4 percent of all employed females while only 1 percent of employed males were domestic workers. This remains true through 2002 when 21 percent of all employed females were domestic workers and the percentage of the male workforce remained close to one percent. This percentage has dipped slightly in recent years. In 2008, domestic workers accounted for 15.8 percent of total female employment. 188

When looking at the makeup of domestic workers, in 2003, 94.7 percent of domestic workers were female and, in 2009, women were still 94.5 percent<sup>189</sup> of all domestic workers. Between 2009 and 2011, the proportion of women stayed fairly consistent, according to the Pesquisa Nacional de Amostragem por Domicílio (PNAD).<sup>190</sup> In 2011, the Pesquisa Mensal de Emprego (PME/IBGE) pointed out that women still represented 94.9% of domestic workers.<sup>191</sup> These figures can be extremely problematic when one considers that not only are men more likely to have a formal contract with a signed CTPS, but they are also more likely to receive better pay. As recently as December 2013, women made, on average, 73.6 percent of the salaries of men.<sup>192</sup>

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<sup>&</sup>lt;sup>185</sup> Anderson, "Just Another Job?," 25

<sup>&</sup>lt;sup>186</sup> IBGE, "Mapa do Mercado," 52

<sup>&</sup>lt;sup>187</sup> Reiter, Negotiating Democracy, 74

<sup>188</sup> SPM, "SPM celebra"

<sup>&</sup>lt;sup>189</sup> IBGE, "PME," 5

<sup>&</sup>lt;sup>190</sup> SPM, "Dados revelam situação"

<sup>&</sup>lt;sup>191</sup> SPM, "Com aprovação da PEC"

<sup>&</sup>lt;sup>192</sup> IPEA, "Desemprego tem o menor nível histórico"

### Education

Domestic workers in Brazil tend to have a lower than average rates of schooling and higher than average rates of illiteracy. In 1980, the mean number of years of schooling for domestic workers was just 2.7 years.<sup>193</sup> Over a decade later, in 1995, domestic workers still only had an average of 3.9 years of schooling.<sup>194</sup> This number went up by only one year by 2001 when the average was 4.9 years of study.<sup>195</sup> Eight years later, in 2009, the average for domestic workers was up to 6.1 years of study.<sup>196</sup> In regards to higher education, from 2003 to 2011 the percentage of domestic workers with higher education only increased by 0.1 percent from 0.2 to 0.3.<sup>197</sup>

Figure 8 shows the average number of years of study for the working population as a whole juxtaposed against domestic workers in 2003 and 2009. In 2003, the graph shows 46.7 percent of the working population having eleven years or more of study, up to 57.5 percent in 2009. However, only 9.8 and 18.6 percent of domestic workers have eleven years or more of study in 2003 and 2009, respectively. Over forty percent of domestic workers in both periods have 4 to 7 years of study.

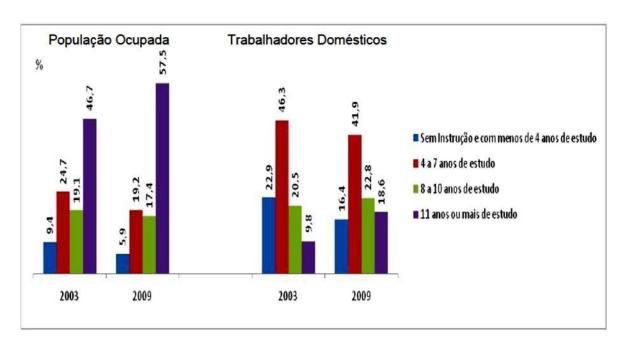
<sup>&</sup>lt;sup>193</sup> Telles, "Urban Labor Market Segmentation," 236

<sup>&</sup>lt;sup>194</sup> SPM, "Dados revelam situação"

<sup>&</sup>lt;sup>195</sup> Ibid.

<sup>&</sup>lt;sup>196</sup> Ibid.

<sup>197</sup> SPM, "Com aprovação da PEC"



**Figure 9. Title:** A comparison of the average years of study for domestic workers versus the working population -2003 to 2009

**Source:** IBGE, Diretoria de Pesquisas, Coordenação de Trabalho e Rendimento, Pesquisa Mensal de Emprego

# **Conclusions**

The data presented in this chapter clearly demonstrates that the two factors that contribute to vulnerability, informality and lack of legal protections, have diminished over time. Based on the trends in the overall numbers of domestic workers in Brazil, more than likely their numbers are stabilizing. In 2009, this employment sector saw its highest numbers ever with a slight dip in 2011. As many other statistics have shown, trends in domestic work mirror those of the rest of the economically active population which reinforces the fact that the social institution of domestic work is completely imbedded in the economy of Brazil.

When analyzing the data on the racial makeup and gendered division present within domestic work in Brazil, it becomes clear that the historical trend of the Afro-Brazilian woman cleaning, cooking, and taking care of the kids has not been eradicated with time. The labor funnel detailed

in Chapter Two is one major reason for the concentration of these women in domestic work; however, the data from this chapter highlights a vicious cycle that *keeps* them in this profession with low chances of socio-economic mobility. Among these factors are their low levels of education compared to other workers, the lack of a social net available to many in the way of government-guaranteed benefits, and low wages.

Despite the clear need for more work on the social, political, and economic vulnerability of domestic workers, there is a promising development present in all of this data as well. The doméstica movement has worked tirelessly to reduce the social isolation and emotional dependency of domestic workers. Their efforts can be seen in the increase of daily workers, the reduction of live-in workers, the rise in wages, and the increase in the number of workers with access to benefits. These increases have jumped significantly in the last decade or two thanks in large part to the fourth wave of organizing among the domestic workers movement. The fourth wave strengthened international ties to labor unions, domestic workers groups, and other organizations which brought both international attention and global scrutiny on the situation of domestic workers in Brazil. Likewise, the fourth wave brought together the repertoires of the Afro-Brazilian, negra, labor, feminist, and doméstica movements to pass the EC 72 constitutional amendment in 2013 – and its strengthening in 2014 – granting sweeping rights and benefits to the profession of domestic work. The effects of the passage of this law are not yet clear; however, as fertile ground for future research, this law stands to be one of the broadest expansions of the rights of domestic workers in the world.

# **Chapter Four:**

#### **Conclusions**

By analyzing the *doméstica* movement in Brazil through the framework of a social movement, I have been able to identify the repertoires of contention used by the movement and answer my question about how those repertoires have contributed to the success of the movement. In doing so, I have attempted to present a balanced analysis on the intersectional role of race, gender, and class in the domestic workers movement. These three dimensions of identity are inseparable from one another and make the entire repertoire of contention used by the movement more effective when used together simultaneously. Likewise, the unprotected and informal nature of domestic work makes it particularly vulnerable to the concentration of an ethnic niche created through social norms that funnel society's least protected workers into its least protected profession. I have shown throughout this work that domestic workers are primarily poor, Afro-Brazilian woman by design rather than happenstance. Both historical legacies and modern-day realities work together to keep domestic workers doing domestic work.

Domestic work remains a fundamentally ingrained institution even in the most modernized and advanced urban areas of Brazil. Therefore, domestic work is not simply just a leftover remnant of the past but an integral element of Brazilian modernity. To this day it is still the number one form of employment for black women and, as a whole, is a profession whose workers are over 90 percent female.

# **Summary of Contributions**

As I discussed in Chapter One, I have found a dearth in the academic research available on the organizing of domestic workers in Brazil. Due to the monumental amount of attention that has been given to social movements in Brazil in general, I was surprised when I began this project to find such an absence of my topic in the relevant literature. I now understand why this absence is not surprising at all: domestic workers in Brazil have traditionally been relegated solely to the private sphere where the stories of the women upon whose shoulders the reproductive work of an entire country rests are overlooked or, more likely, purposefully buried. Even when information was available, it was often heavily weighted towards the major metropolitan areas of Rio de Janeiro and São Paulo. Yet the employment of domestic workers across Brazil is systemic and pervasive, reaching every corner of the country. Throughout this thesis, I have incorporated as many resources as possible on these women and their struggle in order to make this document a go-to introduction for future scholars on the history of the domestic workers movement and the current state of domestic work in Brazil.

In regards to theory, I believe that this case study requires a synthesis of the Marxist derived theories presented in Chapter One. A feminist neo-Marxist theory that that allows for a focus on reproductive laborers and the insertion of history and context in the analysis of mobilizing factors would, in combination with pieces from resource mobilization, culturalism, and new social movement (NSM) theory, be an appropriate theoretical framework. The *doméstica* movement is one focused on material gains for its participants, a societal restructuration towards the valorization of domestic workers, and the reconstruction of their subjectivity on their own terms.

### **Future Research**

Due to time constraints and other limitations, there are several areas for expansion of this project. First and foremost, the historical timeline that I created in Chapter Two has space for improvement. It would be a fertile area of study to add more political context to that history and to explore the relationship between government repression and changes in repertoires of contention. As I have stated before, I believe my observations would stand up to the addition of this data and would even potentially be enhanced by it.

Throughout Chapter Three, there are many gaps in the statistical data that I was able to collect and analyze. The simple collection and aggregation of data on domestic workers in Brazil could consume a lifetime as there are so many angles of analysis and so many potential sources of information. My thesis is merely a small sample of what data is available from both official and other sources. Accessibility issues might prohibit any forthcoming comprehensive studies; however, I found a wide variety of information available freely to the public through online governmental or other organizational websites.

My initial research into the *O Diário Oficial da União* (DOU) proved to be inapplicable in the constraints of this study but is the area that I believe is the most fruitful for future study. Whole studies could be done merely on the production and style of these documents not to mention their content. The documents have always been written in a manner that makes them inaccessible to most Brazilians. The language is a high and formalized legalese that is not used by any but the governing elite. In addition, the layout and formatting of these documents is not intended to make them user-friendly but is merely aimed at preserving tradition.

In regards to domestic workers specifically, I do not know if this method of analysis would prove useful. My work here has shown that the domestic workers in Brazil generally work

outside traditional forms of organizing and without acknowledgement from the elites; and, in this I found that their presence (or lack thereof) in the DOU was no exception.

At the time of my research and the completion of this document, the full effects of the passage and strengthening of the Emenda Constitucional do Trabalho Doméstico (EC 72/2013) in 2013 and 2014 are still unknown. There are many who argue that the law will increase backlash and decrease job security for domestic workers without ever being fully implemented. Yet others, including domestic workers organizations, say that thus far this has not been the case and that a combination of education and outreach for domestic workers to inform them of their rights and the responsibilities of their employers will result in widespread implementation and enforcement of the EC 72. Based on the accomplishments of these workers to date, I suspect the latter will prove true.

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