# FROM COLONIAL SLAVERY TO THE "ANALOGUE TO SLAVE CONDITION"

AN ANALYSIS OF HISTORICAL MATURITY

Déborah Barbosa Camacho<sup>1</sup> Waleska Malvina Piovan Martinazzo<sup>2</sup>

**Abstract:** This article deals with slave labor in Brazil and involves a critical analysis of the origins of the influential figures of slave labor in our country. In this sense, the present highlighted the main characteristics of Brazilian colonial slavery, going through Partnership, Settlement, Aviation, Peonage contracts, analyzing such institutes and demonstrating how slave labor established its own nuances in the regionalized context of the Brazilian economy, society and politics delineating the crime of reduction to the condition analogous to slavery. This article is result of a research whom was adopted the deductive method and the techniques of bibliographic, documenta-

REVISTA DIREITOS, TRABALHO E POLÍTICA SOCIAL, CUIABÁ, V. 6, N. 11, P. 217-241, JUL./DEZ. 2020

<sup>&</sup>lt;sup>1</sup> Professora do Curso de Direito na Universidade do Estado de Mato Grosso, Coordenadora do Projeto de Pesquisa em Cadeias Produtivas na UNEMAT, Advogada no Escritório Teixeira Camacho e Brasil Advogados, Mestranda em Direito na Universidade Federal de Mato Grosso e Presidente da Comissão de Direito Empresarial da OAB - Subseção de Tangará da Serra - MT. **E-mail:** deborah.camacho@unemat.br **ORCID:** https://orcid.org/0000-0002-6819-6391, **LATTES:** http://lattes.cnpq.br/1267858361014842,

<sup>&</sup>lt;sup>2</sup> Possui graduação em Direito pela Universidade Estadual de Maringá (2002) e mestrado em Direito Agroambiental pela Universidade Federal de Mato Grosso (2013). É professora da graduação em Direito na UNEMAT - Universidade Estadual de Mato Grosso, admitida através de concurso público (2014). Professora em pós-graduações lato sensu em Direito. É advogada, inscrita na Ordem dos Advogados do Brasil subseções do Paraná desde 2003 e, após, Mato Grosso, atuando especialmente no direito público. Parecerista da Revista da Faculdade de Direito e Relações Internacionais da UFGD e da UFERSA. É coordenadora do PROMECON - Projeto de Extensão de Mediação e Conciliação de Conflitos Jurídicos da UNEMAT. Membro do Grupo de Pesquisa "Direito, Estado e Sociedade", da UNEMAT. E-mail: waleska.martinazzo@unemat.br ORCID: https://orcid.org/0000-0002-3066-2270. LATTES: http://lattes.cnpq.br/8017035363522995

ry, descriptive and historical research. The present text projects a critique of ineffective public policies to eradicate slave labor in the country, finally envisioning that such scope will only be reached by chance private sector is genuinely involved in this process.

**Keys Words:** Slavery; Partnership; Colonate; Aviation; Peonage.

DA ESCRAVIDÃO COLONIAL À "CONDIÇÃO ANÁLOGA A DE ESCRAVO"

LIMA ANÁLISE DO AMADURECIMENTO HISTÓRICO

Resumo: Este artigo trata do tema do trabalho escravo no Brasil e envolve análise crítica das origens das figuras influenciadoras do trabalho escravo em nosso país. Neste sentido, o presente destaca as principais características da escravidão colonial brasileira, passando pelos contratos de Parceria, Colonato, Aviamento, Peonagem, analisando tais institutos e demonstrando como o trabalho escravo estabeleceu as suas nuances próprias no contexto regionalizado da economia, sociedade e política brasileira delineando o crime de redução à condição análoga a de escravo. O artigo em questão é fruto de pesquisa em que se adotou o método dedutivo e das técnicas da pesquisa bibliográfica, documental, descritiva e histórica. O presente texto projeta uma crítica às políticas públicas inefetivas para erradicar o trabalho escravo no país, vislumbrando, por fim, que tal escopo apenas será alcançado acaso a iniciativa privada se envolva genuinamente neste processo.

**Palavras-chave:** Trabalho escravo; Parceria; Colonato; Aviamento; Peonagem.

#### Introduction

Brazil is a country marked by slavery, using it for centuries. Although the most striking phase of Brazilian slave labor was colonial slavery, it can be said that it remains a major and latent problem in the country. The increasing number of cases of submission of workers to the worst forms of labor, in expressive and increasing

numbers, is undeniable. Neo-slavery is a reality with serious legal consequences. For this reason, it is imperative to understand more effectively the phenomenon in the country, to seek other alternatives for the eradication of contemporary slave labor in Brazil, especially because public policies to confront the socio-environmental issue involving slave labor are not being effective.

The recurring problem of situations of over-exploitation of workers, especially rural workers, enslaved in different ways, demonstrates the survival of slavery in the economic, social and cultural processes of our nation in a cycle that seems endless.

In international headquarters, the International Labor Organization - ILO alludes to the terminology "forced labor", while in the Brazilian legal system criminal law presented what is considered slave labor by prescribing that illegal conduct related to the worst forms of labor typify the crime of "reduction to the condition analogous to that of slave".

After the reservations, in order to obtain the effect of drawing attention to this problem so present, was chose the word "slave labor", since this is an expression of strong connotation and that refers to the effective sense of practice so abominable that it remains in a constant in Brazil and in the world.

With the perspective of demonstrating the similarities or intersections between other figures portrayed throughout the evolutionary process of labor relations in Brazil, this article has the problem of analyzing how the slavery relations existing throughout Brazilian history influenced the law, so that it matures in the description of the criminal type currently understood as "reduction to the analogous condition of the slave", which today comprises contem-

porary enslavement in Brazil. Thus, this text is the result of research on the theme, in which a qualitative focus was used, predominantly inductive, also using the historical method, aiming to contextualize the phenomenon of "slave labor" with its current interpretation, using historical, legal texts and legislation on the subject.

Currently there are millions of slave workers in the world, most of them enslaved as a result of debts. It should be remembered that Brazil was the largest slave territory in the West for centuries and our country was the scene of a humanitarian tragedy of proportions embodied in colonial slavery financed by slave trade. Unfortunately, this picture still persists, as workers are exploited and placed in a degrading situation today, despite the existing legal framework. Public policies are far below expectations and initiatives in the private sector to eliminate the practice of this vile exploitation are sly.

Thus, in the first part of this article, the main characteristics of colonial slavery are traced, with the predominance of African objectification and its use as a mere object. This phase of the work emphasizes that many of the prejudices and social problems that we currently have stem from how the situation of Africans was handled during the procedures of gradual release of these, and that in addition to not having effective public policies, they did not even receive help from those who kept them captive. In the same way, we analyze the second great form of exploitation of the work carried out in Brazil, that is, the great incentive for European immigrants to come to the country.

In the second part of the work, the forms of work that were adopted in the Brazilian rural environment in the 20th and 21st centuries are presented, starting with the aviation, passing through

the peonage and the way the worker in the interior of the country was enticed and maintained in the operating economy that was being designed.

Finally, in the third part of the work, these characteristics were presented in the two previous topics with the current panorama that is drawn in relation to contemporary slave labor, focusing mainly on the developments that the conducts of previous centuries caused in the current working relationship in which most Brazilians live, especially those in rural areas or that make up large productive chains.

With these premises aims to understand the insistent cases of rescues and analyze perspectives under the focus of the elements proper to the development of the country and others that can act in the fight against the harm caused by slave labor and that Brazil is not, besides being recognized as the last country to abolish slavery, also to eradicate slave labor

# 1 From object to subject of Rights: the worker and his precarious condition in Colonial Brazil

The slavery that plagued Brazil in the exploitation by the Portuguese was not an unknown phenomenon in the world, because slavery in a way accompanied the entire development of civilization. Slavery, in fact it is phenomenon is as old as the history of mankind itself. According to Gomes, "(...) from the most remote antiquity, from Babylon to the Roman Empire, from Imperial China to the Egypt of the Pharaohs, from the conquests of Islam in the Middle Ages to the pre-Columbian peoples of America, millions of human beings were bought and sold into slavery" (2019, p. 25).

The slavery of the African people marked the colonization of the Americas and lasted for almost three and a half centuries, and 40% (forty percent) of the total twelve and a half million slaves were shipped to America, for this reason there are numerous influences resulting from this great humanitarian tragedy, so much so that the characteristics of the population, culture, economy, among others result from the miscegenation of the black or African population as Gomes reports (2019).

In brazil-colony, in this case, slavery influenced the formation of society with expressive numbers, including, it was the greatest time lapse of trafficking and slavery in these molds in the world, besides initiating another stigma, which unfortunately is very present in daily life and again echoed in the world, given the connection of slavery to skin color, which had never been related before. With this, new paths and contours, not only of the slavery until the racial segregation of blacks has its milestone during this period (GOMES, 2019).

Thus, it is perceived that the main distinctive point of colonial slavery in the face of the other figures arising in Brazil is that the slave was defined as a thing, that is, as property, and from the beginning, legislative protection was destined to the slave owner, that is, the slave owner had the right title and thus could buy, sell, lease, punish, restrict freedom in all forms among others (GOMES, 2019).

Considering this panorama, colonial slavery lacks analyses to cope with persistent figures in work relations, conditions, environment and moment conducive to the continuity of the worker's exploratory maze. This situation is aggravated especially in the face of the policy of deregulation and flexibilization of labor rights that has been implemented in Brazil, especially after 2017.

When the face of colonial slavery is analyzed, the main feature that emerges is, in addition to the treatment of the worker as an object, the restriction to freedom of movement, captivity, degrading conditions, and the main one the legal sphere violated is, without a doubt, the freedom to come and go of the captive.

Despite, the legislative scenario of gradual "liberation" of the enslaved African peoples in Brazil, namely the Law of the Free Womb, law of the Sexagenarians, and finally, the Golden Law, the fact is that there was no preparation neither of society nor of the workers for this new condition. The Golden Law dates from 1888, but other modalities of substitutes for African slaves were immediately elected in Brazil, taking advantage of this situation to establish a "policy of whitening the Brazilian population" with the encouragement of Italian, German and other European immigrants coming to Brazil (SCHWARZ, 2008).

The abolition implemented in Brazil, therefore, was nothing more than a weak piece of paper, since, without public policies and private policies for the absorption of human beings despised as things on the streets, abolition has opened the doors to countless social problems that persist to the present day, among them: crime, racism, hunger, mortality, misery and slavery itself today (GOMES, 2019).

In the late 1860s international and domestic pressures began to grow for the abolition of African slavery, and with these forces, the abolitionist movement grew with strong support from intellectuals, including writers, journalists, politicians, doctors and others, except for elites who feared losing customers and providing products as well as some workers fearful of losing their jobs to slaves freed under Peniani (2010).

The newly freed slaves could not get a job, did not have a study, did not obtain effective government aid and were not welcomed by the rest of the Brazilian population. This sad reality persists and has repercussions on relations and the scenario hardly changes in the present day in the country and in the world, especially when a detailed analysis of the daily events involving the Afro descendant population is made.

As said, even before the abolition of slavery, the transition to free labor had already begun in Brazil, the figures of the Partnership, Colonato, and, later, when the mill masters already held the solution to the question of labor, came the ultimate form of abolition, at which time also emerge the Peonage and Aviation, all with remnants of the slave order, but with a totally different tonic, in the in which, workers are faced with the consolidation of relationship between subjects of free rights, whose manifestation of will occurs under the aegis of an employment contract, and no longer, with the African slave of the seventeenth century, which was someone else's thing.

Thus, in the 1870s Europe received the propaganda of existing jobs in Brazil, since England banned the slave trade and maintained an intense surveillance in the seas. Under these conditions, the captive workforce was drastically reduced. On the other hand, monocultures in Brazil expanded greatly, especially the cultivation of sugarcane, which corresponded to the need for intense but new hands for the work of slaves who were now freed (SCHWARZ, 2008).

The State, at this historical moment, tried to maintain the pace of economic development and, for this, was based on encouraging the exploitation of monoculture in an extensive way. To maintain

this scale of growth, the State thus carried out some state subsidies that were the impetus for countless immigrants to come to Brazil with the purpose of working in the rural sector, mainly in the activities of sugarcane and coffee, in the transition period between slavery and free labor, starting with the figure of the Partnership and after the Colonato. In both relationships, one of the parties persisted, that is, the landowner did not change and continued to carry out practices similar to those employed at the advent of African slaves. You enslaved and often acted in new relationships under the same slave influx, although, in theory, the relationship is between free people.

The legal institutes of The Partnership and the Colonato emerged in Brazil, therefore, with the arrival of immigrants, mainly Italians, but also came Portuguese, Belgian, German and Swiss who landed in Brazil for the first contracting format (SCHWARZ, 2008). In partnership system, the landowner was the one who paid all the expenses of the immigrant with the trip and accommodation, that is, the newly arrived worker entered the country with debt and the reimbursement to the farmer was tied to the value of the income of the families recruited, who upon arriving here, would work until they paid off their debts, with little chance of success. In theory, the immigrant would participate in the profits obtained in the plantation, but these were usually insufficient to settle their debts.

In this contract signed by two subjects, initially free, it was given the possibility of enjoying the land by the partner in the short time left over and a small share in the profits of the coffee, that is, in this contractual modality the partner already immigrated indebted by the travel, food and accommodation costs in the form of an advance, the that caused perplexity in these workers and several were

the reasons for the revolt among the immigrants who already felt the burden of debt bondage. What is certain is that all expenses were accounted for by the farmers with the start of work in Brazil, as an advance, including the indispensable survival of the partner and his family, the risks of the harvest and the costs of it, that is, everything that was risk and debt was shared by the partners, which undermined any chance of debt independence. (LIMA, 1998).

In this contractual model, each partner family received a portion of coffee land within the possible parameters for cultivation, harvesting and processing, with all family partners jointly and severally liable for the work and debts incurred which al freed not only the hired employee, but from every family nucleus.

In spite of the apparent relationship of freedom attributed to the immigrant in this relationship of Partnership, when they arrived in Brazil, they encountered owners who imposed themselves on a logic influenced by the slave trade, prevailing over their partners, subjecting them to a very demanding discipline of an abusive day, heavy work to fulfill the amount of coffee delivered, restriction of locomotion to the family group, because the partners did not even have the right to leave the farm without having previously communicated in writing to the owner and through the effective balance of all debts contracted, not to mention that they lived in poor working conditions, housing and food.

Thus, as the gains were tiny, the amounts owed were always high, including, abusive interest was imposed on the partners, precisely as a trigger for the tie of the partner and his family to the farmer, a figure that resembles contemporary slavery when linked to the current notion of work in a condition analogous to slavery,

specifically, when delimits the restriction of locomotion due to debt contracted or bondage by debts worker in the words of Figueira (2011, p. 246).

In this context, there was even a disincentive on the part of workers from old world countries to emigrate to Brazil in the form of Partnership, then a negative repercussion at an international level began, which motivated the government to draw a new plan to encourage immigrants to come.

Then, the Colonate appears and the massive propaganda in Europe continues, ensuring the cost of travel, food, accommodation and travel without any discount or requirement to pay the advance, that is, the immigrant worker did not arrive in debt.

In this contract the settlers also received part of the coffee crop as consideration for work, together with the remuneration that was composed of two modalities, namely, a consistent annual in fixed amount and the second consideration was resulting from the result of the harvest of coffee (LIMA, 1998).

In this way, distinctions can be drawn between the Partnership and the Settlement Contract, in the first, there was work with a division of profits and losses, while in the second, the landowner paid for the coffee harvested through a previous arrangement. In the on Colonate, and more, the colonist received for his use and as another source of survival a small area of land where he was allowed to grow food that helped in his subsistence economy. In this place, they could also raise animals to increase the family's livelihood and the colonist also had the right to sell his surpluses (LIMA, 1998).

The same author (1998) observes, however, that the Colonate was an important point, since the partner, having partial

control of the production process, entailed a consideration in the mold of a disguised wage earner. It also notes, the risks of the volume of production, losses inherent to the cycle of agricultural production and the costs of reproduction of the workforce that were transferred to the partner, on condition of true socialization of the losses, but not of profits.

On the other hand, in the Colonato the agricultural work system presented a fixed remuneration for the payment of the activities that the colonist performed in the field and another part variable remuneration to reward him for the harvest, also having the differential of providing the cultivation permission and breeding animals to the colonist.

But the new advantages did not have the ability to remove deformations caused by slavery in the Brazilian rural environment, as they were the same contracting figures, who nourished a semi-slavery view, so to speak, in relation to European immigrants, restricting freedom, compromising consent, imposing ill-treatment and conditions bad work (SCHWARZ, 2008).

# 2 The expansion to the North and the continuation of the vilification of the rights of the rural worker: Aviation, Peonage, Peasantry

In more recent times, that is, in the twentieth century, immigrants gradually no longer made up the rural environment of Brazil, just as they did during the 19th century, but the expansion of agriculture was taking place in full swing on Brazilian soils. With the culture of "saddler worldwide" impregnated in the way we produce and foodstuffs being the biggest source of export, the country expanded

towards the North and Center-West, in order to encourage urban development and the rural.

And, similarly as it did to the European immigrant, the State guided its public policies to encourage the occupation of land in several States of the Federation, this time offering financial incentives to those who settled there.

The Amazon appears to the world and national economy in the years between 80 1880 and 1910, given the production of natural rubber that derived from the raw material extracted from the *Hevea brasiliensis* tree, there was a peak of 40% (forty percent) of revenues of export from Brazil expanding foreign investment and wide occupation of the Amazon region that was uninhabited. (IPEF, 2020).

The peak of rubber appears shortly after the end of slavery, which heated up the economy of the North of the country.

Although it has brought economic success to the region, there are serious negative points brought about by the exploitation of rubber in that context. There was a proliferation of diseases and life difficulties in this biome, the imposition of highly difficult and expensive transportation, hostile diseases in workers, lack of any type of infrastructure, shed system, coercion at work, a totally dispersed work environment and without any resources and groceries so that employees could buy, even the most essential ones, they needed to withdraw from nature or buy from bosses (CHEROBIM, 1983).

Contracts with rubber workers were generally fixed by production for weekly delivery to the shed managed by the landowner, and the contractual modality adopted was that of a land lease, that is, the land was assigned percent through a percentage of the rubber local extractivism, thus, the owner delivered the rubber to the aviator or trader who reverted food, work utensils and other goods (KLEIN, 2014).

Thus, it is clear that the worker in this context continued to exchange his work force for objects, food and other goods necessary for labor and his livelihood, perpetuating a system that is very similar to the slavery concept and the Settlement in this sense.

It is said that the rubber tapper initially participated in a free work relationship. But, it seems, in practice it was easy to manipulate and exploit these works, mostly immigrants.

There was a continuity of a coercive model, mainly due to the servitude for debts derived from overpriced foods, however, it could not resist, because, on the one hand ser the rubber tappers were dispersed through the forest and unable to organize collectively, on the other, they could escape coercion by delivering the rubber to another aviator, in another area due to their mobility (CHEROBIM, 1983).

Such mobility made it difficult to characterize debt bondage, as the rubber tapper modified his work locus, changing the region of the Amazon rainforest to be explored, which does not mean that his condition before the aviator was better than that of a settler, for example.

It should also be noted that there was no use of currency, so the trade in essential items was bartered: one provided food and tools, while the other provided rubber and the lack of money for circulation implied purchase of items of first necessity with the aviator for notation of passbooks and vouchers, without the possibility of choice by another competitor, since the rubber was delivered in a single place, establishing itself in a relationship of exclusivity and overpricing on the worker (CHEROBIM, 1983).

The work called "Peonage" was also highlighted around the 1970s, with a focus on the development of the northern region, remembering that Brazil presented an economic policy focused on agricultural projects under the aegis of the military government in the country (CASALDÁLIGA, 1971).

Peonage inaugurates the contractual wording distinct from the typical and direct wages, therefore, the "cats" or intermediaries for the hiring of workers appear, the definition of remuneration for production begins as more elementary features of the relationship, but there was the contracting in the type of contract, that is, different for each of the activities such as tree felling, demarcation trails, opening of roads, among others. Again, it is noticed that the relationship between pawn and boss permeates debt bondage.

The labor activity exercised in the planting of rubber trees in the rubber cycle in the North region brought serious difficulties to pedestrians in their occupation of the legal Amazon. With the water tied around the waist, the cruel indebtedness that involved everything from travel expenses, to the payment of work tools, food, medicine, restriction of freedom, degrading housing conditions, food and work in a real attack on the dignity of those pedestrians. It should be noted that pedestrians got into the woods, slept in hammocks, were subject to all the risks of attacks by wild or venomous animals, and among the difficult tasks included moving the utensils, even if the kitchen was precarious, tools, groceries, clothes and other things over great distances that required, in addition to strength, training in rough terrain, as highlighted by Casaldáliga (1971).

In fact, what is noticeable is that the debt bondage of pedestrians was the major control mechanism for these workers who participated in the clearing of extensive areas for grazing.

The numerous workers were enticed by cats who brokered labor, under numerous false promises of good pay and good working conditions. Again, the landowner or owner dominates workers with threats, clear suppression of citizenship and social rights in general, with physical and psychological assaults and, equally, with the exploitation of the poverty and vulnerability of these workers who left their home in search of livelihood in other regions of the country (ESTERCI, 2008).

In this type of work, there is the so-called "valley", that is, the salary advances among pedestrians, pension owners, contractors and farmers, since all the figures were indispensable in the chain of exploitation of the work force in the terms reported in the research by Esterci (2008).

#### 3 The 21st century and neo-slavery

It can be seen that the colonial slavery that ended in Brazil in 1888 was definitely not the only model of exploitation of the existing worker in the country. Thus, the practice of exploitation and exposure of workers to procedures similar to those that characterize slave labor is remodeling and adapting to new requirements, with no signs that will be banned from the country.

Law no. 10.808 / 2003 is that it included article 149 of the Penal Code, dealing with the hypotheses of slave labor and this article showed the wording attentive to the peculiarities of the economy,

social and labor relations in Brazil, evolving notably from the concept that it was formulated at the ILO on the theme of forced labor, but it is worth noting the distinctive features of the Brazilian type that encompassed a bundle of other convergent illicit with the figures discussed throughout this article.

It is crucial to admit that labor law is being abruptly transformed in Brazil, but, unfortunately, to further depreciate worker rights and weaken it, this is because, the advent of reforming labor laws, namely: Law no. 13,467 / 2017 and Law no. 13,429 / 2017 brought about a hollowing out of the celestite protection, facilitating the clear exploitation of workers in numerous points, which is reflected in the rural area of the country.

In the national Judiciary, the situation is equivalent, since the repression of the conduct of employers who expose their employees to slave labor in legal proceedings, whether they are labor or criminal, is ineffective. Thus, slave labor persists, from the explicit to the most veiled form, emerging in different areas, reinvigorating to the extent that new resources appear and adapting according to the progress and changes of the system capitalist and technological.

Therefore, the crime of reducing to a condition similar to that of a slave that aims to protect freedom in the face of forced labor, the dignity of the human person that encompasses health, physical and psychological integrity, the right to leisure, social bonds, the environment ecologically balanced demonstrates such complexity and, therefore, the protagonist of all involved, thus, it is that it deserves the business haven to be fought.

The capitalist economic regime takes advantage of social ills and makes use of the precariousness of labor for its growth, constituting slave labor as an de element of social domination integrated in the world market, as it is intertwined in the way of organizing the work, as well as integrating the productive organization.

In this path, there is no way to avoid the clear exploitations that occur in the production chains, which redesigned the universe of workers from the same supply line to different locations, different continents and making it difficult to connect the exploitation of the workforce. slave from the corners of Brazil to the final products consumed on the planet. (SEVERO, 2018, p. 113).

What can be noticed is a reorganization of the world economy in the same sense, because capitalist expansion submits workers to new forms of precariousness in a new experiment that is called "Third Slavery" as adopted by Tomich (2011) when treating of slavery after the industrial revolution, and which also dictates that sequentially fourth slavery will ensue, since the eradication of slave labor has never been achieved, and illicit ones tend to reprogram themselves, just as they did in the reinvention of the contracts described in this research and that currently occurs with technology and globalization.

The challenges are installed and new are the paths in search of identifying the violations and the new devices to make the enslaved and the evildoers invisible, reaching from the first productive link, and therefore, knowing the evolution of each of the practices enables the creation of legal, business, educational and technological mechanisms that can contribute to the effective fight against slave labor that is distributed in the production chains (SEVERO, 2018, p. 113).

In this new dynamic of production and relations established in the globalized economy, which develops in global production

chains, practices of reinvention in the exploitation of workers are often found in a bundle of contracts diverse, so much so that the ILO itself when disciplining this terminology refers to the modality of subcontracting people for the production and supply of goods and services in a dynamic of fragmentation of organizational structures (ILO, 2016a, p. 1).

In view of this brief historical panorama, it is noted that not only state policies, but mainly employers from all sectors, whether urban or rural, must permeate their business, hiring and activities for a new dynamic and responsible role in the constant search to eradicate slave labor in all its nuances and throughout the extension of its chain of relationships, with a proactive stance to combat slave labor.

Given the peculiarities of Brazil's eminently agricultural economy, the social, political and economic context that will be decisive in combating slave labor, it is certain that the involvement of the private sector, especially so that planning includes social actions aimed at combating exclusion, the miserability and vulnerability of people, above all, the subjection of slave labor are fundamental for the promotion of the eradication of slave labor and social well-being, with the emergence, in this sense, of governance to develop balanced economic and social performance. (ILO, 2016a, p. 37).

#### Conclusion

Throughout the article, it was demonstrated that the country experienced a sequence of economic production modes that were mainly based on agriculture, extensive crops, usually monocultures, which required, in the first centuries, a lot of labor and Slavery of the

African people was a practice that tried to supply the problems of the lords of planters, but, ended up unveiling stigmas that were never removed from Brazilian thought. The reification of the African slave was imposed with harsh penalties and with irreparable consequences for history. These consequences have shaped, among other things, the way in which Brazilian workers are seen and treated today.

Thus, in the first part of the article, the main characteristics and the problems brought about by African slavery were highlighted, which was marked by mistreatment, humiliation and the lack of rights to workers who were released without a plan for insertion in the economy installed in the country. Brazil. Afterwards, the intention was to cross the abolition of colonial slavery as a "new economic era" in the Brazilian rural environment, which, in truth, did not happen successfully, but sim many external interventions, with the contact with inflation, with economic crises, including, and to the same extent, the replacement of slave labor by that of European immigrants, subsidized by the State. This provided, in addition to innumerable social contradictions, the reinforcement of the servile model of a false partnership offered to immigrants that was very similar to slavery, which was not resolved with the Colonate.

In a second part of the article, forms of labor relationship that inherited the rancidity of colonial slavery in many of its features were examined: Peonage and Aviate. The background is the same: the maintenance of a strong, economy, of exports, which, consequently, would generate wealth for all. But, in fact, what is observed under the aspect of the worker is that he is attracted again by the State's incentive propaganda, just like the European immigrant, and finds himself, again, subjugated and abandoned to his own fate. These models of

instruments used to regulate joined labor relations reproduced patterns imposed in the 18th century, in an exploitation economy.

In the third topic of the present, it is analyzed that the current panorama of rural work is still bleak, especially with the enactment of laws such as Law no. 13,467 / 2017 and Law no. 13,429 / 2017 that greatly weaken the employment relationship, bringing problems similar to those that occurred in the exploitation of African slaves, with the deprivation of workers of their most basic rights, under the false auspices of flexibility to make the relationship more equal. On the contrary, what is seen is the depreciation of labor rights, weakening the worker, who submits himself, to obtain food and shelter, thus constituting neo-slavery. It was reinforced, in this topic, that for the maintenance of the economy of exploitation as it was conceived in the 17th century and consolidated over the years to come in the country, the worker must remain in this configuration, working in degrading conditions in many of his work environments, in which the protection and enforcement arm of the state law does not have the strength to reach them.

Finally, we note the necessary accountability and involvement of business actors to hope for a more effective fight against slave labor, both for the active prominence throughout history to cause this evil, and to modify this scenario and gradually raise the reputation by conceiving the worthy values truly expected in all relationships.

#### References

BRAZIL. **Penal Code**. Available in: < http://www.planalto.gov.br/ccivil\_03/decreto-lei/del2848compilado.htm> . Accessed on: 06 jan. 2020.



BRAZIL. **Constitution of the Federative Republic of Brazil**. Promulgates the Constitution of the Federative Republic of Brazil. Available in: <a href="http://www.planalto.gov.br/ccivil\_03/constituicao/constituicao.htm">http://www.planalto.gov.br/ccivil\_03/constituicao/constituicao.htm</a> Accessed in: 06 Feb. 2020.

BRAZIL. **Decree Law 5452, of May 1, 1943**. Approves the Consolidation of Labor Laws. Available in: http://www.planalto.gov.br/ccivil 03/decreto-lei/del5452.htm Accessed on: 24 de Feb. 2020.

CASALDALIGA, Pedro. An Amazonian Church in conflict with the latifundium and social marginalization. First Pastoral Letter in the Church of São Félix do Araguaia, MT, Brazil, 1971. Available in: <a href="https://www.academia.edu/41597629/">https://www.academia.edu/41597629/</a> CASALD%C3%81LIGA\_Uma\_Igreja\_da\_Amaz%C3%B-4nia\_em\_conflito\_com\_o\_latif%C3%BAndio\_e\_a\_marginaliza%C3%A7%C3%A3o\_social. Primeira\_Carta\_Pastoral\_na\_Igreja\_de\_S%C3%A3o\_F%C3%A9lix\_do\_Araguaia\_MT\_Brasil\_1971> Accessed on: 27 Jan. 2020. P. 26-28.

CHADE, Jamil. The profit from slavery: Switzerland discusses repairing money that the country earned from the slave trade in America. Available in: <a href="https://noticias.uol.com.br/reportagens-especiais/sem-mar-ou-colonias-suicos-abrem-debate-so-bre-reparacao-pela-escravidao-/#tematico-3">https://noticias.uol.com.br/reportagens-especiais/sem-mar-ou-colonias-suicos-abrem-debate-so-bre-reparacao-pela-escravidao-/#tematico-3</a>. Accessed on: 19 Feb. 2020

CHEROBIM, Mauro. Labor and trade in the Amazon rubber plantations. Perspectives, São Paulo, 6:102-107, 1983

ESTERCI, Neide. **Conflict in Araguaia: pawns and squatters against the big company**. Rio de Janeiro: Edelstein Center for Social Research, 2008. III – Peasants and Peonies , p. 94-127. Available in: <a href="http://books.scielo.org/id/9jg68/pdf/esterci-9788599662519-04.pdf">http://books.scielo.org/id/9jg68/pdf/esterci-9788599662519-04.pdf</a> Accessed on: 26 Jan. 2020.

FIGUEIRA, Ricardo Rezende; Antunes Prado, Horácio Antunes de Sant' Ana Júnior. **Contemporary slave labor: a transdisciplinary debate**. Rio de Janeiro: Mauad X, 2011. P. 246.

GARCIA, Gustavo Filipe Barbosa. **Consolidation of labor laws 70 years later: labor reform, deregulation and flexibility**. Electronic magazine of the 9th Region Regional Labor Court, Curitiba, PR, v. 2, n. 24, p. 39-44, Oct. 2013.

GOMES, Laurentino. Slavery: from the first captive auction in Portugal to the death of Zumbi dos Palmares, volume I. Rio de Janeiro: Globo books, 2019. p. 25.

IPEF. INSTITUTE FOR RESEARCH AND FOREST STUD-IES. MARTO, Giovana Beatriz Theodoro. Hevea brasiliensis (Seringueira). Available in: <a href="https://www.ipef.br/identificacao/hevea">https://www.ipef.br/identificacao/hevea</a>. brasiliensis.asp>. Accessed on: 1 Feb. 2020.

KLEIN, Daniel. The rubber crisis: the supply chain in question between Pará and Acre at the beginning of the 20th century. History magazine, stories. Brasília, vol. 2, n. 4, 2014. ISSN 2318-1729. P. 187-199. Available in: <a href="https://webcache.google-usercontent.com/search?q=cache:RF-WTU4CBXIJ:https://periodicos.unb.br/index.php/hh/article/download/10818/9501/+&c-d=1&hl=pt-BR&ct=clnk&gl=br> Accessed on: 20 Feb. 2020.

LIMA, Rodne de Oliveira. **Partnership and Settlement: relations of production and ways of recruiting the workforce in Brazilian capitalist agriculture.** Mediations Magazine, Londrina, v.3. n. 2. P. 7-14, jul/Dec. 1998.

MAIA, Kenia Soares e ZAMORA, Maria Helena Navas. **Brazil and racial logic: from whitening to the production of subjectivity of racism.** *Psicol. clin.* [online]. 2018, vol.30, n.2, pp. 265-286. ISSN 0103-5665. http://dx.doi.org/10.33208/PC1980-5438v0030n02A04.

MARTINS, José de Souza. CONTRACONDUCT SEMINAR: Contemporary Slavery or Third Slavery. Lecture given in 1 de Jun. 2016. Available in: http://www.ct-escoladacidade.org/contracondutas/seminarios/seminario-primeiro-ciclo/jose-de-souza-martins-a-terceira-escravidao/ Accessed on: 24 feb. 2020.

UNITED NATIONS ORGANIZATION. **UNO: International Day calls attention to contemporary forms of slavery.** Available in:<a href="https://nacoesunidas.org/onu-dia-internacional-chama-atencao-para-formas-contemporaneas-de-escravidao/">https://nacoesunidas.org/onu-dia-internacional-chama-atencao-para-formas-contemporaneas-de-escravidao/</a>>. Accessed on: 20 jan. 2020.

UNITED NATIONS ORGANIZATION. **Debt bondage is still a common form of modern slavery, warns the UN expert.** Available in:<a href="https://nacoesunidas.org/servidao-por-divida-ainda-e-forma-comum-de-escravidao-moderna-alerta-especialista-da-onu/">https://nacoesunidas.org/servidao-por-divida-ainda-e-forma-comum-de-escravidao-moderna-alerta-especialista-da-onu/</a>>. 21/09/2016. Accessed on: 26 jan. 2020.

INTERNATIONAL LABOR ORGANIZATION. **Convention n. 29**. Available in: https://www.ilo.org/brasilia/convencoes/WCMS\_235021/lang--pt/index.htm Accessed on: 24 feb. 2020.

INTERNATIONAL LABOR ORGANIZATION. **Convention n. 105**. Available in: https://www.ilo.org/brasilia/convencoes/WCMS 235195/lang--pt/index.htm Accessed on: 24 feb. 2020.

INTERNATIONAL LABOR ORGANIZATION. **Convention no. 95.** Available in: https://www.ilo.org/brasilia/convencoes/WCMS 235184/lang--pt/index.htm Accessed on: 24 feb. 2020.

PENIANI, Ilza Maria Tiburcio. The concrete reality of slaves in the context of struggles for emancipation in the 19th century. Available in: <a href="http://www.diaadiaeducacao.pr.gov.br/portals/cad-ernospde/pdebusca/producoes\_pde/2010/2010\_fafipa\_hist\_artigo\_ilza maria tiburcio.pdf">http://www.diaadiaeducacao.pr.gov.br/portals/cad-ernospde/pdebusca/producoes\_pde/2010/2010\_fafipa\_hist\_artigo\_ilza maria tiburcio.pdf</a>>. Accessed on: 27 jan. 2020.

REZENDE, Ricardo. **Stepping out of the shadow itself: debt slavery in contemporary Brazil.** Rio de Janeiro: Brazilian Civilization, 2004. p. 41 – 42. Available in: <a href="https://books.google.com">https://books.google.com</a>. br/books?id=aayKoSLCA-8C&printsec=frontcover&hl=pt-BR&source=gbs\_ge\_summary\_r&cad=0#v=onepage&q&f=false>. Accessed on: 01 feb. 2020.

SAKAMOTO, Leonardo. Slave Labor: The main battle is just beginning. In: FIGUEIRA, Ricardo Rezende; PRADO, Adonia Antunes; GALVÃO, Edna Maria. Contemporary Discussions on Slave Labor: Theory and Research. Rio de Janeiro: Mauad X, 2016. P. 21-22.

SCHWARZ, Rodrigo Garcia. Slave labor: the necessary abolition: an analysis of the effectiveness and efficiency of policies to combat contemporary slavery in Brazil. São Paulo: LTr, 2008.

SEVERO, Fabiana Galera. Contemporary Urban Slave Labor in Brazil: analysis of extrajudicial mechanisms of repression and prevention. In: FIGUEIRA, Ricardo Rezende (Org); PRADO, Adonia Antunes; GALVÃO, Edna Maria; JACOB, Valena ET AL. Studies on Contemporary Forms of Slave Labor. Rio de Janeiro: Mauad X, 2018.

# SMARTLAB: Observatory for the Eradication of Labor and Human Trafficking.

<a href="http://smartlabbr.org/trabalhoescravo">http://https://smartlabbr.org/trabalhoescravo</a> Accessed on: 06 de dec. 2019.

TOMICH, Dale. **Through the prism of slavery**. Work, capital and world economy. São Paulo: Edusp, 2011. p. 32-34.