

Nathalia Canhedo



# **Breaking Chains, Building Bridges:**

cooperation in upholding the rights  
of workers rescued from conditions  
analogous to slavery in Tocantins



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Nathalia Canhedo

**Breaking chains, building  
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slavery in Tocantins**

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# ACRONYMS AND ABBREVIATIONS

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<b>ABRAINIC</b>	Brazilian Association of Real Estate Developers
<b>ADI</b>	Direct Action of Unconstitutionality
<b>AGU</b>	Federal Attorney General's Office
<b>CDDPH</b>	Special Committee of the Human Rights Defense Council
<b>CDVDH/CB</b>	Center for the Defense of Life and Human Rights Carmem Bascarán
<b>CF/1988</b>	Federal Constitution of Brazil of 1988
<b>CNBB</b>	National Conference of Bishops of Brazil
<b>CNJ</b>	National Council of Justice
<b>COETRAE</b>	State Commission for the Eradication of Slave Labor
<b>CONAETE</b>	National Coordination for Combating Slave Labor
<b>CONATRAE</b>	National Commission for the Eradication of Slave Labor
<b>CPB</b>	Brazilian Penal Code
<b>CPC</b>	Brazilian Civil Procedure Code
<b>CPT</b>	Pastoral Land Commission
<b>CRAS</b>	Social Assistance Reference Center
<b>CSMPT</b>	Superior Council of the Labor Public Prosecutor's Office
<b>DET</b>	Labor Inspection Department
<b>DETRAE</b>	Division of Inspection for the Eradication of Slave Labor
<b>GEFM</b>	Special Mobile Inspection Group
<b>GERTRAF</b>	Executive Group for the Repression of Forced Labor
<b>HDI</b>	Human Development Index
<b>IBGE</b>	Brazilian Institute of Geography and Statistics
<b>ILO</b>	International Labour Organization
<b>LC</b>	Complementary Law
<b>MPF</b>	Federal Public Prosecutor's Office
<b>MPT</b>	Labor Public Prosecutor's Office
<b>MTE</b>	Ministry of Labor and Employment
<b>PEETE</b>	State Plan for the Eradication of Slave Labor
<b>PF</b>	Federal Police
<b>PNETE</b>	National Plan for the Eradication of Slave Labor
<b>PRF</b>	Federal Highway Police
<b>PRM</b>	Regional Prosecutor
<b>PRT</b>	Regional Labor Prosecutor
<b>RAICE</b>	Integrated Action Network to Combat Slavery
<b>SEBRAE</b>	Brazilian Micro and Small Business Support Service

<b>SECIJU</b>	Secretariat of Citizenship and Justice
<b>SEDH</b>	Secretariat of Human Rights
<b>SINE</b>	National Employment System
<b>SIT</b>	Labor Inspection Subsecretariat
<b>SRTb</b>	Regional Labor Superintendent
<b>STF</b>	Brazilian Supreme Federal Court
<b>STJ</b>	Brazilian Superior Court of Justice
<b>TAC</b>	Conduct Adjustment Term
<b>UDHR</b>	Universal Declaration of Human Rights

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# PRESENTATION

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This work is the result of a master's dissertation, but especially of the author's concern to understand how, in the 21st century, we are still discussing degrading forms of labour without ever having actually freed ourselves from the chains of slavery experienced in centuries past.

The state of Tocantins, as one of the Brazilian states that most often supplies slave labour, as well as importing this form of labour, has repercussions both domestically and internationally, which is why the study was justified.

The north of Brazil, where the state of Tocantins is located, is a vast region with low levels of education, where many people live below the poverty line and with little state action, making it a favourable environment for workers to be recruited in slavery-like conditions.

However, modern slavery has much deeper roots than can be measured and was only formally extinguished by political and economic interests, which contributes to the fact that even today the issue is the subject of worldwide studies and criticism, since the marginalised class of yesteryear has become the modern slaves of today.

Unfortunately, history proves that the abolition of slavery was due to British pressure on Brazil to establish a new society: the consumer society. In other words, the new type of society would require products to be commercialised, but above all people to consume them, which justified the end of slavery.

However, the end of slavery did not really mean the end of the exploitation of human labour power, because the excluded class of former slaves formed the marginalised class of modern Brazilian society, as they were left at the mercy of a capitalist system that was not inclusive and had no real opportunities for social mobility.

Thus, this class of workers defined the future of their generations in which the barriers of social injustice and non-belonging could never be overcome because labour for the former slaves was never an emancipating mechanism, marking secular social injustices that continue to this day.

The truth is that freed slaves, especially black, poor and illiterate slaves, started to be chained in other ways, especially those that caused physical and emotional illness, because they had to be subjected to degrading work due to the lack of education, culture and opportunities, making the same slave society of ancient times persist, but in a new guise.

The slave of precision, that is, the individual who faces the absence of

opportunities to achieve basic survival, becomes the worker in conditions similar to slavery by accepting work in precarious and humiliating conditions for personal and family needs given the demands of the capitalist world, creating a favourable environment for the perpetuation of modern slavery.

Therefore, it is against this backdrop that the study of labour in conditions analogous to slavery becomes fundamental so that one day we can actually put an end to this vicious cycle from the perspective of coordinated actions between the various bodies that are responsible at the domestic legal level for combating and eradicating neo-slavery once and for all.

# INTRODUCTION

Brazil, since colonial times, has been strongly marked by the presence of enslaved labor, mainly from Africa but also from indigenous Brazilians. This undeniably defined the country's work patterns and social structure, leading to the superexploitation of human beings and the perpetuation of a slave-based culture from ancient times to the present day.

Although the Golden Law formally abolished slavery in Brazil, the harsh reality is that slavery, in a different form, still persists. Enslaving human beings has been the foundation of ancient Greek and Roman civilizations, viewed as a necessary expiation for human evolution, and in more modern societies, as a source of social control and power over others.

The freed slaves formed a class of abandonment and invisibility, excluded from society. This, coupled with factors such as unemployment and poverty, subjected them to a new form of enslavement: socio-economic vulnerability.

The end of slavery over 130 years ago was not enough to eradicate the slave-based culture in our country. Today, human beings are still subjected to exhausting work hours and degrading conditions, which is now classified as "slave-like labor" and is a crime under Article 149 of the Brazilian Penal Code.

International and national regulations enacted after the Golden Law proved insufficient to end the issue of slavery. Consequently, many countries, including Brazil, had to acknowledge the existence of contemporary slavery centuries later. Forced or compulsory labor was recognized by the International Labour Organization in 1930 as work for which an individual did not offer themselves voluntarily. Its abolition became a universal commitment with the Universal Declaration of Human Rights.

In domestic law, this conduct, besides being a criminal offense, was regulated by Ordinance No. 1,293/2017 of the now-extinct Ministry of Labor, which provides detailed descriptions of the modes of execution that constitute the crime of reducing someone to conditions analogous to slavery.

However, since the creation of the first national plan in 2003 to the present day, there has been a gradual increase in the number of cases of workers rescued from conditions analogous to slavery. This growing issue sparked interest in studying the topic.

The recognition of modern slavery domestically led to various initiatives to combat it, including the creation of two National Plans for the Eradication of Slave Labor, making it a top priority for the federal government until 2011. However, the change in the federal government to Michel Temer's administration and later to Jair

Messias Bolsonaro's led to a dismantling of anti-slavery policies in Brazil, especially in complying with international standards, which require coordinated efforts from the Executive, Legislative, and Judicial branches, as well as the Public Prosecutor's Office and civil society organizations.

Work, a cornerstone of the Democratic Rule of Law, has shifted from a social value to the commodification of human beings due to the inversion of values, resulting in true social, political, and economic alienation. Life has been trivialized, and ethical and moral values have been lost.

The dignity of the human person, enshrined in Article 1, Section III of the Constitution of the Federative Republic of Brazil, is a fundamental principle of our Republic. It is inherent to every human being, and legislation mandates that the State take social actions to guarantee and preserve it.

However, studying contemporary slave labor reveals that true dignity cannot be achieved when there are still people subjected to grueling work hours and degrading conditions. This leads to the conclusion that the State has not worked to fulfill the fundamental rights of workers' dignity.

The Tocantins region (Brazil) ranking sixth nationally, according to data from the Observatory for the Eradication of Slave Labor and Human Trafficking, raised the problem of this research: analyzing the cooperative measures adopted by the Public Prosecutor's Office, the Regional Labor Superintendent, the State Commission for the Eradication of Slave Labor, and the Pastoral Land Commission to reduce the socio-economic vulnerability of workers rescued from contemporary slave labor.

To address the research problem, it was necessary to analyze slave labor from colonial times to the new forms brought by modern slavery. Additionally, distinguishing the competencies and responsibilities of oversight organizations was essential. Finally, the ultimate general objective was to present a cooperative model for use in combating and eradicating slave labor.

In this study, a qualitative approach was adopted to understand the cooperative measures taken by the Public Prosecutor's Office, the Regional Labor Superintendent, the State Commission for the Eradication of Slave Labor, and the Pastoral Land Commission after rescuing workers from contemporary slave labor in Tocantins. The research focused on documentary analysis, examining historical and national and international regulations related to contemporary slave labor, as well as the profile of rescued workers. Interviews were conducted with representatives of these organizations, whose identities were not disclosed, to understand cooperative practices. The interviews were recorded, transcribed, and analyzed regarding the technical cooperation agreements between organizations from 2007 to 2020, excluding years before these dates. The study seeks to highlight the vulnerabilities of communities

where workers are rescued from conditions similar to slavery and present alternatives to improve the socio-economic conditions of these workers in Tocantins.

The text was initially structured, emphasizing the essential requirement of interdisciplinarity through the first chapter, narrating slave labor from Classical Antiquity through Brazilian history, including the enslavement of indigenous Brazilians and later African descendants, until the decline of slavery with the formation of quilombos, the formal end of slavery in Brazil, and the formation of a marginalized class of freed black people.

The text recognized the existence of contemporary slave labor both internationally and nationally, defining the four modes of execution for the crime outlined in Article 149 of the Brazilian Penal Code and the groups combating and eradicating modern slave labor, as well as the profile of workers rescued under such conditions.

The final chapter introduced the cooperative model as a guide for repressive and preventive actions against modern slavery through plans to eradicate slave labor, presenting the research results obtained from interviews with representatives of the organizations under study.

# FROM CHAINS TO FREEDOM: A JOURNEY THROUGH THE CYCLES OF SLAVERY IN BRAZIL

The arrival of Europeans in the Americas, specifically in Brazil, was marked by extensive slavery, shaping the country's history in terms of both workforce and the formation of an ethnically marginalized group since colonial times.

It is estimated that 2,263,914 (two million two hundred sixty-three thousand nine hundred fourteen) Africans disembarked in the country between 1501-1866 (Slavevoyages, 2019), reaching major ports along the Brazilian coast to become enslaved. This illustrates Brazil's deep connection with the Americas and its roots in Africa, as emphasized by Gomes (2019).

Brazil's history is defined by centuries of intense slave trade activity through slave ships from Africa, which unloaded millions of human beings here, treating them as mere commodities. These individuals were subjected to inhumane and humiliating work, contributing to the settlement and colonization of the country by European whites using African labor, for the most part.

Mostly from Portugal to inhabit the new country, the Europeans brought with them a latifundium model of land exploitation, which required three major factors: land, labor, and capital (Corrêa do Lago, 2014). Labor was the only challenge they faced, given the vast land expanses in the country and the numerous benefits Portugal offered to those willing to venture here. However, the workforce was scarce, and those arriving did not want to submit to arduous work, initiating centuries-long periods of exploitation.

The arrival and permanence of the Portuguese in Brazil were not due to a desire to stay here, but rather strategic reasons for territorial domination, especially against the French, and to open the market for the consumption of Western products.

Thus, both the largely unknown and unexplored Africa, which provided the enslaved individuals, becoming the continent's most significant wealth, and the unexplored Brazil, offered the Portuguese what they desired most: domination and fortune (Mattoso, 2017).

To comprehend labor reduced to conditions analogous to slavery, post-formal abolition of slavery, it is essential to understand how slave labor arrived in Brazil historically, the reasons it endured for over three centuries, and why there are still studies on the topic today, as well as the historical, political, and economic consequences of enslaving millions of human beings.

## **From Antiquity to Post-Abolition: Trajectory of Slavery in Brazil**

Since classical antiquity, in major Mediterranean civilizations, slave labor existed, although it cannot be seen as a universal phenomenon. Considering it “natural” would contrast with what evolutionary theorists believed was necessary for species’ evolution.

Charles Darwin believed that slavery was the result of traces of human savagery and the cruelty of civilized people, as pointed out by Pétré-Grenouilleau (2009). He argued that natural human evolution would lead to the end of this type of exploitation, although he recognized that, until then, all possible forms of forced labor would be employed.

However, the institution of slavery is not linked to a particular type of society and cannot be simplistically explained as the result of a linear progress of civilization, which would naturally lead to a proportional reduction in human exploitation by their peers, as observed by Pétré-Grenouilleau (2009).

On the contrary, slavery arises due to the complexity of human relations in society, especially the internal and external inequalities of these societies. In this context, economic and social disparities give rise to the first type of slavery, debt slavery, where economic influence transforms into power over others (Pétré-Grenouilleau, 2009). This form of social control goes beyond mere exploitation of human strength.

The Code of Hammurabi, a set of laws created in Mesopotamia in the 18th century BC, consisted of 282 laws and contains records of slave sales, demonstrating that slavery dates back to antiquity. Biblical passages regarding Hebrew slaves (Exodus, 21:2) show that this institution existed, with the Hebrew people being the first to consider God as a noble lord guiding them toward liberation, obedience, and future abundance (Campos, 2007).

In classical ancient Greece and Rome, the presence of war slaves was a striking feature. These slaves, captured foreigners, were subjected to servitude. Philosophers like Plato viewed them as deficient beings in terms of reason. For Plato and others, slavery was justified and could not be eliminated without compromising the beauty and balance of the whole (Campos, 2007).

According to Aristotle, humanity is divided into two distinct groups: masters, who have the right to command, as noted by Gomes (2019), and slaves, who are destined for obedience. This discourse persists to this day as an open wound in human history, as the use of captive labor served as the foundation for all ancient civilizations, including Egyptian, Greek, and Roman cultures (Gomes, 2019).

It can be inferred, therefore, that work in ancient Greece and Rome was divided

into two aspects, one performed by intellectuals such as philosophers, and the other subordinate and laborious, executed by enslaved individuals from conquered wars (Ornellas; Monteiro, 2006).

Work was also interpreted as punishment for sins, as mentioned in the Bible (Genesis), which describes the curse on the land due to human actions, where people could only extract food through arduous daily labor. This view considered work as a form of torture, an expiation for some wrongdoing (Melo, 2013), and was seen as a punishment imposed by the gods for human errors and transgressions (Ornellas; Monteiro, 2006).

In classical civilizations, slaves were considered mere objects (not recognized as people, but as property), equal to animals or tradable goods (Lima, 2016). This practice was widely accepted in society, both culturally, politically, and economically. Thus, the slave was perceived as a commodity, easily bought and sold.

A slave society, therefore, is one in which slavery becomes an essential institution for its economy and way of life, in the sense that the income that maintains the dominant elite substantially comes from slave labor (Joly, 2017), exactly as it happened in cultures like ancient Greece, Rome, Brazil, Portugal, and the United States.

In the societies of Classical Antiquity, there was no thought of a society without slaves, unlike today, where a society with slaves is unthinkable (Joly, 2017), as for the ancients, slavery wasn't even a matter of conscience since man was seen as property, akin to a domestic animal.

The fragmentation of the Roman Empire gave rise to the feudal system, which changed little in terms of labor relations and the miserable situation of slaves. Slaves only began to be recognized as "persons" with the Renaissance and the emergence of humanism and the concept of the human being. This environment set the stage for one of the most significant events in the realm of labor, the Industrial Revolution, which occurred from the 16th to the 18th centuries.

The moral problem of slavery began to be addressed only from the slave systems of the Americas in the 16th to 19th centuries as a result of abolitionist social reactions and the need to include liberated slaves in society.

The French Revolution and the rise of industry were crucial events that caused various transformations in global history. Gradually, they contributed to the abolition or weakening of the ancient systems where slavery prevailed. This phenomenon occurred mainly because machines began to replace human labor. Consequently, industrialization made slave labor less efficient, condemning it to gradually disappear, driven purely by economic reasons (Pétre-Grenouilleau, 2009).

In America, however, the abolition of slavery was slow to happen, a movement



that only began in the 18th century after the global backdrop of the French Revolution, Industrial Revolution, and the pressure, especially from England, to open consumer markets in a policy oriented toward free trade.

By driving other European countries to abolish slavery, England became even more developed in terms of industry, as other countries were still beginners in this field. Consequently, England benefited in two ways: the end of slavery led to its development and limited its competitors (Pétre-Grenouilleau, 2009).

Thus, it is easy to see that slavery dates back to the oldest societies and formally persisted worldwide for various reasons. Whether through the approach of the need for societal evolution, religious aspects, or the sense of ownership and possession of others, it eventually came to an end, especially with the advent of industry and the substitution of man by machine.

America was initially discovered by the Spanish in 1492 and later by the Portuguese in 1500 on the coasts of Brazil, a time when slavery was disappearing in large regions of Europe (Maestri, 1994). During this period, the first expeditions began to arrive in the new country, disappointing the Portuguese as the native communities did not produce attractive goods that could be sold in Europe.

Colonial Brazil, inhabited by local natives of the Tupinambá indigenous culture, was occupied on its coastal strip by independent villages that survived mainly from cassava cultivation, hunting, and fishing. They exchanged products when Portuguese and French ships arrived (Brazilwood, skins, herbs, animals, etc.).

Fearing French dominance, which frequently visited the Brazilian coasts, Portugal decided to occupy the country territorially through hereditary captaincies granted to members of the Portuguese bourgeoisie and middle nobility. They settled along the Brazilian coast, dividing into fifteen hereditary captaincies, especially in search of gold mines.

Sugarcane cultivation, widely practiced in the Mediterranean, began to be grown in Brazil because the land and climate were highly suitable for it. However, for Brazilian products to enter the international market, large-scale production and a large supply of labor were needed since Portuguese peasants were not willing to come to the new country to be exploited. Besides, this would have increased the cost of the product for Portugal.

In summary, the first concerns arose about how the problem of labor shortage would be solved. Portugal offered significant incentives, including the donation of extensive land areas, called sesmarias, to attract more workers to the new country (Corrêa do Lago, 2014).

Thus, to solve this challenge and considering it had already been employed in

other nations, the use of slave labor was the first and only solution found. As a result, slavery, a form of production considered secondary and decadent in Europe, played a dominant role in the New World for over three centuries (Maestri, 1994).

The first enslaved workers were captives, also known as rope Indians because European settlers, despite all incentives, were not interested in coming to work in Brazil, as they wanted to get rich – and if possible, quickly (Maestri, 1994; Corrêa Lago, 2014).

The Tupinambá indigenous people, about 600,000 of them, lived on the coastal strip, as mentioned earlier, when European whites arrived, and they had already explored almost the entire Brazilian coast, as they were good hunters and needed large tracts of land for their collective activities.

They engaged in battles among themselves, and those captured were turned into captives, cohabitating with others until they were killed. They wore a cotton necklace around their necks, with beads made from fruits or bones, attached to a rope indicating the number of moons they would survive. For this reason, they were known as “rope Indians” (Maestri, 1994).

Interested in these rope Indians (also known as captives), the Portuguese began to encourage their hunting by the natives. However, it was still insufficient as a workforce for plantations. The settlers began enslaving enemy communities and later, allies to use them in sugarcane cultivation.

This situation caused numerous internal wars and significant conflicts and resistance between natives, captives, and Portuguese settlers. Indians were captured from the north to the south of Brazil, forcing King John III to create new rules for imprisonment so that only the true rope Indians or those captured in a just war were enslaved. By the mid-1560s, the natives offered little resistance to capture, accepting living under Portuguese rule or migrating to the hinterland under the protection of the Jesuits.

However, the use of indigenous slave labor did not last long, replaced by Africans who were more docile and physically adept at sugarcane cultivation. They were also better adapted to the climate and more robust and reliable than the indigenous people (Corrêa Lago, 2014).

According to Maestri (1994), explanations of the time suggested that blacks and Indians had distinct racial characteristics. Indians were considered wild and fragile, incapable of continuous work, seen as useless to civilization, leading to their inevitable disappearance. In contrast, blacks were seen as docile, resistant, and lacking initiative, adapted to *hard* labor. These racist explanations asserted that only Europeans in the Colony and the Empire possessed superior human qualities such as initiative, love of

work, and leadership skills.

The aforementioned replacement was not a response to the failure of indigenous enslavement but emerged in a socioeconomic context where indigenous slavery was economically disadvantaged due to the resistance of Indians to forced labor, combined with various epidemics such as smallpox, flu, and measles. This justified the exploitation of the African slave trade as an alternative (Pedroso *apud* Lima, 2016).

Therefore, the Portuguese Crown, very interested in the African slave trade, abolished the slavery of Brazilian Indians, whether native or captives, in 1755, to intensify the trade in human beings for sugarcane cultivation. This did not mean, of course, that after the prohibition of Indian slavery, it did not persist illegally for another period.

Portuguese maritime expansion in search of slaves occurred especially along the Atlantic coasts of the Sahara, eventually moving into the interior of Africa, particularly north of the Senegal River, transforming Upper Guinea into the largest center for capturing African captives, with a record of 188 (one hundred and eighty-eight) departure ports for captives on the African continent (Slavevoyages, 2019).

It is estimated that between 1501 and 1875, slightly over 5,000,000 (five million) enslaved Africans disembarked in Brazil, according to the Transatlantic Slave Trade Database (Slavevoyages, 2019). However, the same data show that many Africans embarked in Africa never reached their final destination.

Africans were transported from the interior regions of the continent to the coast in deplorable conditions. During months of overland travel, they were deliberately undernourished to weaken them and prevent any resistance to slavery. Upon reaching the coast, they were confined in barracks, usually in groups of ten, chained to a structure, awaiting the “*tumbeiros*” - ships that would bring them to Brazil (Maestri, 1994). The waiting period for embarkation could last up to five months, adding to the time of the voyage and arrival in Brazil, resulting in about a year of captivity (Gomes, 2019).

In the waiting areas until the arrival of the *tumbeiros*, African slaves were kept in environments alongside animals and treated as such. They were even branded with a hot iron, receiving up to four different types of marks, a terrifying ritual whose scars would forever be marked on the bodies of these slaves.

Enslaved individuals coming from the interior already had identification from the merchant who sent them to the coast. Afterward, a seal from the Portuguese Crown was engraved on their right chest, indicating the payment of taxes. A third mark in the form of a cross indicated that the captive had already been baptized. The fourth mark, which could be on the chest or arms, identified the trader dispatching the cargo. Upon

arrival in Brazil, they could receive a fifth mark from the new owner, indicating who they would work for the rest of their lives (Gomes, 2019).

Due to these circumstances, the mortality rate among Africans was very high, whether during the journey from the interior to the coast, during the voyage to Brazil, or upon disembarking, especially due to the proliferation of diseases and the poor nutrition they had, as they were worth less than the food that fed them.

A study conducted by the English historian Joseph Calder Miller, mentioned by Gomes (2019), reveals that 40% to 45% of Africans captured in the interior of the continent died during the journey to the coast, where they waited for the *tumbeiros*. Of those, 10% to 15% who survived the walk would not survive the wait for the ships. During the ocean crossing, an additional average of about 10% died. Thus, according to Miller's estimates, out of every hundred slaves captured in the interior of Africa, only forty survived this grueling journey (Gomes, 2019).

Interestingly, it is necessary to explain that the ships carrying captured Africans were called "*tumbeiros*" because during the ocean journey, thousands of slaves who did not survive the trip were thrown into the sea, hence the designation "*tumbeiros*," meaning floating graves (Gomes, 2019).

After arriving in Brazil, Africans underwent a rigorous inspection process, treated as commodities. They were fed, cleaned, and displayed in showcases, all with the aim of being sold for the highest possible price to local merchants. These slaves were meticulously examined for hidden diseases and to confirm their strength and resistance to work, especially in rural activities. This stage represented the most profitable phase of the business, leading traffickers to develop sophisticated techniques to turn human beings into attractive commodities at the time of sale (Gomes, 2019).

To present the slaves in the best possible way days before the ship docked in Brazilian ports, Africans were well-fed, washed, their hair was shaved, and beards were neatly trimmed. In the end, their bodies were oiled with palm oil to make them appear as hydrated and healthy as possible. The moment of sale occurred through a public bidding system, similar to modern-day animal auctions in Brazil, where they were sold to the highest bidder, often being compared to draft animals.

Brazilian society during the colonial period developed in rural areas, with cities serving primarily as administrative, social, and ancillary commercial functions. Slave labor was used for sugar plantations, gold mines, and livestock breeding.

The main economic activity in colonial Brazil, until the mid-16th century, was sugar production. However, the country also had cattle and tobacco exploitation, especially in the interior where the soil was not as fertile as on the coast, allowing cattle farming to gain strength from the 17th century onwards.

Nevertheless, the crisis in sugar production caused primarily by the expulsion of the Dutch from northeastern Brazil for sugar ventures in the Caribbean prevented Portugal from competing with the lower-priced and higher-quality product from the Caribbean, leading to a decline in Brazilian production.

The decline of the main product exported by Brazil stimulated territorial expansion by bandeirantes (explorers) from São Paulo heading into the interior of the Northeast and Paraguay in search of new indigenous peoples, gold, precious stones, and an expansion of the cattle breeding area (Corrêa do Lago, 2014).

The transfer of the Portuguese Crown to Brazil in 1808 marked the end of the colonial period and the beginning of the Empire. Brazilian slaveholding cities, adapted mainly to rural environments, required new transformations, especially in Rio de Janeiro, the country's capital at the time (Maestri, 1994), also leading to changes in labor relations.

The fall in sugar production, as mentioned earlier, led to new discoveries in Brazilian territory. The luso-Brazilians dedicated themselves to searching for precious minerals when, finally, in the mid-17th century, they discovered the so-called "minas gerais" (general mines) in Brazil's hinterlands.

Thus, the Paulistas began to explore the remote and mountainous regions north of the captaincy in search of the legendary Eldorado, a place supposedly filled with pure gold, easy to collect by hand, as described by Gomes (2019). In reality, Brazil was indeed abundant in gold, with large quantities of the precious metal.

The gold rush led to centuries of backbreaking exploitation in Brazil's interior, as a significant amount of slave labor was required to find the ore, making Brazil the world's largest gold producer in the 18th century. This had serious social and economic consequences, especially due to strong demographic growth and the increasing importation of African blacks (Corrêa do Lago, 2014).

The growth around mining areas caused not only significant migration and the development of the region (Marquese, 2006), but especially the significant increase in the price of slaves and the human trafficking into the country, especially through Rio de Janeiro, causing a severe scarcity of slave labor in the remaining sugarcane cultivation regions.

In summary, it can be deduced that the creation of the captaincy of Minas Gerais in 1720 brought a considerable increase in the slave trade and, consequently, a territory occupation marked by numerous conflicts: hunger, social inequalities, wars, and an important social conflict: a significant number of slave escapes and the formation of quilombos (Marquese, 2006).

It is essential to note that in the first three centuries of Brazil, there was a

plurality in the organization of labor depending on the region, as well as the economic activity of the area. However, slavery was always present in all of them, either as the predominant or accessory form of labor, demonstrating that enslaved Africans became indispensable in field work, sugar mills, domestic environments, and services such as carpenters and shoemakers, among many others (Corrêa do Lago, 2014).

Unlike what happened during the peak period of sugar cane cultivation, in mining regions, although slave labor was also used, a phenomenon occurred where slaves could, by retaining part of the gold extraction, buy their freedom through the so-called “carta de liberdade” or conditional manumission.

Conditional manumissions were obtained through immediate payment, exchange for another captive, or installment payment (coartação) and were also linked to the death of the owner, as observed by Silva (2010). This indicated a subtle opportunity for social advancement for black slaves, as pointed out by Corrêa do Lago (2014), and represented timid measures that slaves could take to achieve their freedom: to escape, die, or be manumitted, as highlighted by Mattoso (2017).

Brazil thus began to move away from being a colony and became a nation, separating from Portugal in 1822 and becoming an empire, a period when slavery effectively began to decline in the country, especially due to political and economic independence and the encouragement of new settlers for coffee cultivation.

However, before the formal abolition of slavery in Brazil, a global movement gained strength, especially with England in the 18th century, marking it as the first Western nation to actively engage in the abolitionist struggle on an international scale. This momentum partly arose due to the advancement of the Industrial Revolution, making slavery less necessary for industrialized nations (Pétre-Grenouilleau, 2009).

The need for open trade for the consumption of industrial products, the invasion of Portugal by French troops, and the escape of the royal family to Brazil were some of the factors contributing to the eventual decline, decades later, of slavery. Additionally, religion played a significant role in convincing its followers to sign petitions against slavery.

There were numerous factors, which jointly contributed to the abolitionist movement, as the history of the end of slavery involved much of the planet for three consecutive centuries with several generations and no single cause for it to have been formally prohibited worldwide. Nevertheless, today the struggle is for the recognition of work under conditions analogous to slavery.

The arrival of Prince Regent Dom João VI in Brazil, fleeing the French invasion, brought serious consequences for the Brazilian colony, now the seat of the Portuguese monarchy, especially with the opening of ports to all friendly nations, eliminating the

so-called colonial pact and gaining strength through British encouragement.

However, the high prices charged for imports and exports led to a decline in the Brazilian economy. By the end of the 19th century, the country had only one prosperous sector, coffee cultivation, whose need for abundant labor further encouraged the trafficking of slave ships, even though the international movement was moving in the opposite direction.

However, the change from colony to empire did little to transform the patterns of labor demand required in coffee cultivation, remaining quite similar to the colonial period, even though there were already wage workers in the country coexisting with the slavery of African blacks as if it were natural.

The process of land occupation by coffee growers resembled the sugar expansion, where lands were acquired through sesmarias (land grants) in the Paraíba Valley, Rio de Janeiro, São Paulo, and Minas Gerais, whose ownership was guaranteed by the 1850 Land Law. A large amount of African slave labor was used for coffee planting, in contrast to the southern region of the country where slaves seemed less important to the economy.

Thus, even after decades of postponement by the Brazilian government, despite all international pressure, especially from England, the cessation of the slave trade occurred only in the early 1850s, significantly affecting both the workforce and the labor relations that were greatly transformed.

The formation of quilombos with the escape of numerous slaves, combined with social movements coordinated by jurists and liberal thinkers such as Joaquim Nabuco, José do Patrocínio, Ângelo Agostini, José Bonifácio, Eusébio de Queirós, Visconde do Rio Branco, Luís Gama, Bento Gonçalves, Rui Barbosa, and Castro Alves (Lima, 2016) contributed to the creation of abolitionist campaigns to end slavery.

The abolition of slavery, as mentioned earlier, did not occur mainly due to the protection of slaves and the guarantee of their minimum rights. It was primarily the result of English pressure to establish a consumer society. Especially after the Industrial Revolution, England needed to market its manufactured goods, creating the conditions for the transition from the slave system to a market society (Lima, 2016).

Fearful of the numerous insurrections of enslaved workers, slaveholders increased repression against African blacks. Conspiracy of twenty or more captives against their owners was even punished by the Penal Code of the time.

In the period between 1807 and 1835, Bahia was marked by successive attempts at revolt by the enslaved masses (Maestri, 1994), with one of its prominent figures being the abolitionist Luís Anselmo da Fonseca. In his work titled "A escravidão, o Clero e o Abolicionismo" (Slavery, the Clergy, and Abolitionism) he portrays that the

end of slavery had occurred only formally:

Quanto á affirmação de ja estar a escravidão acabada, cumpre a este respeito consultar a opinião dos que ainda se achão condemnados a trabalhar gratuitamente para outrem e a soffrer as arbitrariedades e os caprichos d'aquelles a quem servem.

A escravidão ainda não está acabada.

Nada seria mais inconveniente para a causa da liberdade do que seus amigos se considerarem victoriosos antecipadamente.

Com certeza ainda é preciso aos abolicionistas trabalho e esforço para que desmoronem e destruão inteiramente esta criminosa e aviltante instituição, que martyrisa n'este paiz, ha mais de tres seculos suas pobres victimas por meio do azorrague, da palmatoria, da gargalheira, da péga, da corrente, da corda de sedenho, do tronco, do viramundo, do ferro em braza, do collête de couro, dos anjinhos, do collar de gancho e campanhia, das urtigas, das navalhas seguidas de salgadura das incisões, dos supplicio dos insectos, da roda d'água, da fractura dos dentes a golpes de martelo, da castração, da amputação dos seios, do assassinato, e todas as mais praticas selvagens e barbaros instrumentos de tortura. (Fonseca, 1887, p. 560-561).

In Brazil, there was no significant organized movement by slaves against slavery. This was partly due to the country's geographical challenges, where many slaves lived in isolated areas with little contact with each other. Additionally, many enslaved individuals died within a few years of their arrival from Africa, and the constant renewal of the slave labor force made it difficult to develop a tradition of resistance and anti-slavery consciousness (Maestri, 1994).

Therefore, as mentioned earlier, the first major blow against Brazilian slavery came from the British, who pressured the Portuguese government to halt the slave trade, as Africans were being used to supply the raw materials needed by British industries.

In the early 19th century, when England began its fight against slavery, Portugal was unquestionably the country that transported and imported the most African blacks to be enslaved, leading England to convince the Portuguese government to adhere to British legislation to protect Dom João VI, the Prince Regent of Portugal, against Napoleon Bonaparte's French invasion.

Thus, in January 1808, Dom João VI landed in Bahia with the royal family, opening Brazilian ports to friendly nations, including British trade, and later moving to Rio de Janeiro, which became the seat of the Brazilian government and the capital of the Portuguese Empire (Bethell, 2002).

In this way, Great Britain linked the recognition of Brazilian independence to the end of the international slave trade. This was established through the signing of an anti-slave trade treaty on November 23, 1826. Since 1807, British legislation had already prohibited the slave trade by its subjects, and they pressured other countries to



establish abolitionist agreements and comply with their own anti-slavery laws, exerting this influence on nations like Brazil (Catani, 1976).

Dom João VI's return to Portugal strained ties with Brazil, with the condition that the New World continued to obey his demands, which would no longer be possible, as Brazil had progressed politically and economically with the opening of its ports, leading to the independence movement and forcing Dom Pedro I, on January 9, 1822, to declare a definitive break with Portugal.

Independence consequently led to Brazil's non-compliance with the treaty signed between Portugal and Great Britain to end the African slave trade since the development of coffee cultivation would require even more enslaved individuals as a workforce, who continued to be clandestinely landed in Brazilian ports. Thus, the 1826 treaty, Law No. 7 of November 1831, became a mere formality (Maestri, 1994).

However, for the country to gain international recognition, it was necessary to meet the conditions of the most developed nations, such as Great Britain, many of which demanded the renunciation of the slave trade. Brazil resisted this measure, highly unpopular at the time (Bethell, 2002).

It took many years of debate between England and the newly-formed nation to reach an agreement to end the African slave trade. A drastic measure in a short amount of time would harm the Brazilian economy and displease especially the farmers, the basis of the Brazilian economy at the time, undermining Brazil's already precarious finances.

Therefore, it was necessary that before the abolition of slavery, there was a supply of labor from free and salaried workers. This, undoubtedly, clashed with the interests of the large Brazilian slave-owning coffee planters and contradicted the profits and advantages of a few individuals (Bethell, 2002). This demonstrates that the persistence of slave labor was driven by the interests of a few, contrasting with the suffering of many.

Anticipating that Brazil would not cease international African slave trading, England authorized its navy, through the Aberdeen Bill, passed on August 8, 1845, to capture and treat Brazilian slave ships as pirates (Maestri, 1994) due to Brazil's notification of the termination of the treaty it had previously signed to end the slave trade (Bethell, 2002).

However, Brazil feared English reprisals, including the blockade of its ports. Therefore, the imperial parliament signed Law No. 581 on September 4, 1850, formulated by politician Eusébio de Queirós Coutinho Matoso da Câmara, which provided for the extinction of the slave trade, undoubtedly provoking reactions from the Brazilian slave-owning elite.

Even before the signing of the Eusébio de Queirós Law, the slave trade via slave ships had already significantly decreased, with internal trafficking (known as interprovincial) remaining to feed the needs of coffee production at the time. However, this new model of slave trading would bring profound changes to society, breaking the slave system that had prevailed in the country until then.

The approval of Law No. 581 in 1850 encouraged the arrival of European immigrants to work on coffee plantations, with the reorganization of land policy through the promulgation of Law No. 601 on September 18, 1850, known as the Land Law. It determined that the only way to access the nation's vacant lands was through purchase from the State, ensuring, however, the revalidation of old land grants and possessions made up to that moment, provided they had been obtained peacefully and without conflict.

The rise of capitalism in the 19th century led to the birth of numerous workers' and socialist movements in Europe, creating antagonism with the slavery still experienced in Brazil. This pressure, both international and internal through the abolitionist movement, demanded the end of slavery because there was no longer room for the continuation of this monstrous form of enslaving human beings.

The challenge related to the availability of labor would persist for a long time due to the expansion of the coffee industry in northwestern São Paulo. The interruption of abundant supplies of cheap slaves from Africa resulted in a significant shortage of workers in Brazil, dealing a significant blow to the slave system itself (Bethell, 2002).

The significant increase in European immigrants, combined with the existing enslaved population, made Brazil, in 1865, the only independent slave nation, demonstrating that the end of slavery was still far away. Especially the coffee farmers, who held the reins of the nation, remained extremely attached to the manual exploitation of human beings (Maestri, 1994).

However, the free population demanded an end to slavery, supported by the abolitionist movement throughout Brazil. Young academics, such as Castro Alves, provided even poetic support for the immorality of slavery to end. In 1871, the Lei do Ventre Livre (Law of the Free Womb) was enacted, which provided free status to the children of enslaved women from its promulgation onwards.

Even the enactment of the Eusébio de Queirós and Free Womb Laws was not enough to bring an end to slavery in Brazil, as slave-owning coffee planters, faced with the severe drought in the Northeast (1877-1880), continued to accumulate enslaved individuals in the coffee-growing regions, dominating the country's economy and creating obstacles to its end after centuries of enslaving Africans.

The 1880s, therefore, were marked by increasingly strong abolitionist agitation,

even without a single abolitionist deputy elected, as the entire bench was dominated by slave-owners. In 1883, the Abolitionist Confederation was founded in Rio de Janeiro, organizing the escape of slaves and driving the enactment of a new law.

Thus, in 1885, Law No. 3,270, known as the Law of the Sexagenarians, was passed, gradually abolishing slavery by requiring enslaved individuals over sixty years old to provide services for a determined period of time. This undoubtedly angered the abolitionists of the time, as only the enactment of a law to end slavery could alleviate the evils and miseries caused by it (Fonseca, 1887).

The end of slavery in Cuba in 1886 made Brazil the last slave nation in the Americas, intensifying the antagonism between pro-slavery and anti-slavery forces and showing enslaved Africans that they had popular support. This encouraged mass escapes at the end of 1887 and consequently led to the granting of freedom by some São Paulo coffee planters to enslaved workers.

The new slave nation was on an irreversible path. It was no longer possible to coexist with slavery, especially with thousands of European workers arriving in the country for wage labor jobs. The abolition of slavery was rapidly approaching, and in the following years, a large number of immigrants would join the workforce. They would become part of the army of unemployed and underemployed, leading to a trend of falling wages, especially in the coffee sector (Maestri, 1994).

The imperial parliament enacted Law No. 3,353 on May 13, 1888, known as the Golden Law, which declared slavery abolished in Brazil. The first article of this law marked the end of over 350 years of slavery in the country. Brazil's long history of slavery still casts a melancholic shadow over the nation's present (Maestri, 1994).

The formal abolition of Brazilian slavery had come to an end, where African blacks were freed from the chains that bound their physical bodies and where they could finally be integrated into a free, just, and supportive society.

However, the reality after the formal abolition of slavery showed that former slaves became the excluded class of contemporary society. Upon gaining freedom and with slavery abolished, African blacks remained on the fringes of today's Brazilian "rabble," a result of their abandonment by society, which explains much of Brazil's political, social, and economic situation (Souza, 2017).

Lack of support and neglect towards former slaves left them to their own devices in a capitalist system that offered no inclusion or real opportunities for social mobility. Freeing them without assistance was akin to a life sentence, as liberated Africans were not prepared, in all aspects, to integrate into a society that was largely unknown to them (Souza, 2017).

The social hierarchy occupied by the large coffee plantation owners, especially

in São Paulo, undoubtedly did not allow any space for former slaves at the time, creating a massive social opposition between existing social classes, crushing liberated Africans due to competition from salaried European immigrants.

The foreigner was seen by the rural aristocracy as a great national hope for progress, annihilating the liberated ones through racial prejudice, as blacks were always considered an inferior race and only suitable for slave labor, which no longer fit into a capitalist, anti-slavery, and abolitionist society.

Although formally liberated, blacks (mulattos/mestizos) faced a new form of degradation: societal marginalization marked as their inevitable fate due to their abandonment. Souza (2017) describes the formation of a class structure that characterized selective and unequal modernization in Brazil. For blacks, excluded from the competition with real opportunities in the new order, only marginal spaces in society remained: low-paying jobs, disguised unemployment, or occasional or persistent involvement in criminal activities as a way to preserve their dignity as “free men.”

Thus, a society of abandonment was formed in which we have unrecognized and unincorporated black individuals within a society where their absence, as studied by Axel Honneth, triggers social conflicts where feelings of injustice and neglect are fertile ground for political resistance (Fuhrmann, 2013).

The lack of integration of liberated blacks, in a way, meant the non-recognition of their dignity and social justice, leaving them on the margins, where not only economic precariousness shows itself as an obstacle for these citizens to have all kinds of access and recognition, but also the contempt caused by society at the time for not integrating them properly into a possible existing social structure.

Before abolition, slaves were no longer considered human beings, let alone as labor agents. Losing this status with the abolition of slavery deprived them of any kind of classification within society, fiercely competing with salaried Italian whites.

Without proper recognition, the liberated, previously used in arduous and inhumane services, had to learn the *hard* way to become a free worker proud of their work life, a job that had always been an expression of barbarism and inferiority (Souza, 2017), validating the existing social antagonism.

Thus, the non-belonging of former slaves to the existing social group at the time, associated with marginalization, non-inclusion, unemployment, poverty, and other social factors, led to the emancipation from the physical slavery of ancient times to modern slavery, also known as reducing to a condition analogous to that of a slave.

Brazilian sociologist Jesse Souza (2017), summarizing the two forms of slavery highlighted above, emphasizes that slavery depended on daily physical and

psychological torture to subjugate the enslaved and force them to give up their will. The elites who led this system were the same ones who later abandoned the humiliated individuals, devoid of self-esteem and self-confidence, leaving them to their own devices.

Cast adrift, a term the author likes to use, the former slaves, mostly black, fought real battles, never won, against the barriers of social injustice and non-belonging to which they were placed, especially in the field of work where they were never recognized as agents finding an emancipatory mechanism.

In this way, the non-recognition of certain social groups becomes a determining factor within a society for the emergence of longstanding social injustices that are never resolved, as is the case in Brazil today, like a wound to be healed without knowing or wanting to know the antidote for such a purpose.

The imperial slave Brazil gave way to a new democratic and enslaving country, even after the abolition, as formal as it was, of slavery, with new features of domination of human beings left without assistance and marginalized since ancient times, never accepted within the dominant social structure as having the same rights and duties as any other citizen.

Over a century after the abolition of slavery, we find ourselves studying new forms of degrading, humiliating, and painful conditions that reduce human beings to oppressive labor. The slave mentality persists even after more than 500 years of history, continuing to treat man, especially the poor, black, and illiterate, as a commodity. Nowadays, re-enslavement occurs when workers, despite being free from overexploitation, are forced to accept jobs with the same degrading conditions as in the past, due to lack of education, culture, and opportunities that prevent them from seeking new prospects (Chehab, 2015).

Decades after the enactment of the Golden Law, especially in the sixties, seventies, and eighties, reports brought to the attention of public authorities highlighted the persistence of slave labor, however, with new appearances and denominations, leading Brazil to be one of the first countries in the world to acknowledge the existence of labor in conditions analogous to slavery. Therefore, it is necessary to understand what neo-slavery is, which will be addressed in the next chapter.

## **The Persistence of Slave-Like Labor in Brazil: Recognition and Combating**

In the previous chapter, an attempt was made to analyze historically how slavery during the colonial and imperial periods contributed to the formation of a marginalized, poor Brazilian society with numerous disparate social differences, creating a fertile

environment for the emergence of a new model of enslaving humans, known as neo-slavery.

The Industrial Revolution associated with capitalism marked the transformation of the lives of workers and their modes of work. Machines began to dictate the pace at which these people should work, replacing human labor. This period was characterized by significant growth in production, rural exodus, and urban concentration. Workers were subjected to workdays lasting 12 (twelve), 14 (fourteen), and even 16 (sixteen) hours, with low wages insufficient to ensure the necessities for the survival of the workers and their families.

Contemporary labor relations in the 20th and 21st centuries, referred to as “voluntary servitude,” are linked to the tension between the desire to work and the obligation to serve, resulting in the crushing of the individual (Vieira, Marinho, Ghizoni, 2018). In this context, work, often considered a means of social emancipation and economic ascent, has transformed into a source of suffering and illness for modern workers.

The socioeconomic vulnerability of thousands of Brazilians significantly contributes not only to the existence of slave-like labor but also to the return of numerous workers to degrading conditions, repeating the same situations they have previously endured. As seen in the previous chapter, the social woes of a marginalized class without integration and recognition lead to the formation and perpetuation of a “Brazilian rabble.”

It was in this scenario that the State, especially international public organizations, noticed and recognized, decades after the abolition of slavery, the coexistence of wage workers and so-called modern slaves. International organizations began to enact regulations to combat slave labor, which now takes on a new form.

Therefore, the intention is to discuss what is meant by labor reduced to a condition analogous to slavery in the legal system.

### ***Legal Recognition and Contextualization of Slave Labor in Brazil***

After World War I, the major world powers signed a peace treaty called the Treaty of Versailles, which officially ended the global conflict. One of the objectives of this treaty was to create an organization aimed at promoting social justice, leading to the establishment of the International Labour Organization (ILO) as the only United Nations agency with a tripartite structure comprising representatives from governments, employers’ organizations, and workers’ organizations (ILO, 2020).

According to the ILO (2020), the concept of decent work is crucial to overcoming poverty, reducing social inequalities, ensuring democratic governance, and promoting

sustainable development. Decent work is considered a global social awareness, and since the organization's inception, issues related to the world of work, especially decent work, have guided the main areas of ILO's activities. This approach is seen as a fundamental strategy to drive a nation's economic and social progress.

It's important to note that slavery had already been abolished worldwide by the end of the 19th century. However, nations were still concerned about the issue, leading to the signing of the 1926 Slavery Convention, which aimed to put practical effects on the end of slavery and slave trade.

This convention defined, in its Article 1, slavery as the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised (Ministry of Foreign Affairs, 2020). Brazil ratified this convention through Decree No. 58.563, dated June 1, 1966. However, no sanctions were imposed on countries for non-compliance with the convention, allowing gaps that enabled the continuation of slavery practices.

The League of Nations, noticing that the measures imposed by the Slavery Convention were insufficient to prevent nations from acting against the end of slavery, requested the ILO to adopt more drastic measures on this issue.

During its 14th meeting held in Geneva in 1930, one of the ILO's early conventions, Convention No. 29, also known as the "Forced Labour Convention of 1930," was adopted. In its Article 2, this convention defined 'forced or compulsory labor' as all work or service that is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily (ILO, 2020).

The end of the Second World War marked humanity's history with its brutality and necessitated the proclamation of a universal declaration on human rights violated during the two world wars, leading to the United Nations General Assembly's proclamation of the Universal Declaration of Human Rights (UDHR) in 1948.

The UDHR once again reaffirmed the global commitment to combat slavery, stating in its Article 4 that "no one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms" (Rio de Janeiro, 2020).

However, the promulgation of the aforementioned regulations was not sufficient to eliminate various forms of harsh labor, especially after World War II, when remnants of the so-called agrarian feudalism persisted in developing countries (Silva, 2010). This led to the creation of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery in 1956, and later to ILO Convention No. 105 in 1957.

Given the constant scenario of practices similar to slavery, clearly not completely eradicated, it became imperative to intensify efforts both nationally and internationally to

definitively abolish this form of exploitation. Article 7 of the Supplementary Convention reaffirms that slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised, and the slave is a person in such condition.

On the international legal front, in 1966, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights were signed. Article 8 of the former covenant reinforced the prohibition of slavery and the slave trade as one of the requirements for recognizing the inherent dignity of all human beings, whose enactment in Brazil occurred through Decree No. 592, dated July 6, 1992.

These highlighted covenants were also complemented by the American Convention on Human Rights, approved in 1969, better known as the Pact of San José, Costa Rica, which recognized among the essential rights of the human person the prohibition of slavery and servitude, justifying international protection. This convention became part of Brazil's international law as a supralegal treaty through Decree No. 678 of 1969.

In addition to the legal prohibition of slavery, servitude, and the slave trade, the Rome Statute of the International Criminal Court was promulgated in 1998, which in its Article 7 established slavery as a crime against humanity.

In the Brazilian legal system, the Penal Code came into effect in 1940, which included in its Article 149 the crime of reducing someone to conditions analogous to slavery. The wording of this article was amended by Law No. 10.803 of 2003 and imposed a penalty of imprisonment for two to eight years for those subjecting someone to forced labor, exhaustive workdays, whether under degrading conditions or due to restrictions on movement due to debt.

However, all the aforementioned legal provisions were not sufficient to effectively end slavery. After several reports, the ILO committee officially recognized the existence of contemporary slavery in 1995.

A letter written by D. Pedro Casaldáliga, bishop of São Félix do Araguaia/MT, entitled "Uma Igreja da Amazônia em Conflito com o Latifúndio e a Marginalização Social" (A Church of the Amazon in Conflict with the Latifundium and Social Marginalization), was an important document supporting the recognition of work under conditions analogous to slavery, especially with the creation of the Pastoral Land Commission (CPT) in 1975 (Arbex; Galiza; Oliveira, 2018).

Brazil was thus one of the first countries in the world to internationally admit neo-slavery within its territory, leading internally to the creation of norms and mechanisms to combat and eradicate labor reduced to conditions analogous to slavery.



The abolition of slavery in Brazil gave rise to a modern form of slavery, different from that of the colonial and imperial periods, especially in the 16th, 17th, and 18th centuries. During these periods, Africans were brought to the country in chains to work on sugarcane plantations, gold mines, and in the coffee industry.

While abolition freed these slaves from the chains that bound them to their masters, it subjected these same liberated human beings to other types of invisible shackles, often within conditions of destitution that led to new forms of overexploitation, albeit legally legitimized.

As mentioned earlier, the end of the world wars, marked by serious human rights violations, raised global awareness about the need to guarantee fundamental rights, such as human dignity and decent work. This occurred amid an increasingly voracious capitalism that frequently exploited and disregarded rights in pursuit of profit, especially in sectors benefiting from tax incentives and considered strategic for the country's economic growth (Lima, 2016).

All international standards developed in the 20th century to protect decent work, despite the existing reprisals, did not nullify the violations of the dignity, freedom, and autonomy of workers, who, due to socio-economic vulnerability, were once again subjected to work under conditions analogous to slavery.

International legal protection clearly indicates that slave labor, in a nutshell, is work for which the worker has not offered themselves voluntarily. For its occurrence domestically, the presence of four essential requirements is necessary: degrading conditions, exhaustive work hours, forced labor, and debt bondage.

The characteristics described above, defining work analogous to slavery, are recognized as internal and, when combined with external elements such as unemployment, illiteracy, land income concentration, regional inequalities, etc., enable abusive practices against workers. Modern workers, identified by Flávia de Almeida Moura (2011) as "slaves of precision," are contemporary individuals facing a lack of opportunities to achieve basic survival. They find themselves in jobs offering precarious and degrading conditions, below the minimum legal standards, compelled by personal and family needs to accept these abusive conditions due to the relentless demands of the economy and the job market (Lima, 2016).

"Precision," marginalization, socioeconomic disparity, lack of recognition, prejudice, poverty, the capitalist system, among many other factors, are fundamental elements that turn these workers not into victims of slavery, but into products of the precision economy (Lima, 2016). These factors contribute to creating an environment conducive to the perpetuation of the slavery phenomenon.

After Brazil acknowledged the presence of modern slaves, the government

established in 1995 the Special Mobile Inspection Group (GEFM), whose objective is to combat contemporary slave labor through effective actions to identify the existence of slave labor and to punish slave-like practices. Reports are received by the Labor Inspection (now under the Ministry of Economy), Regional Labor Superintendent (SRTb), Labor Public Prosecutor's Office (MPT), Federal Public Prosecutor's Office (MPF), CPT, Federal Police, and Federal Highway Police.

To assist in combating and eradicating slave labor, in 2003, then-President Luiz Inácio Lula da Silva created the National Commission for the Eradication of Slave Labor (CONATRAE) through Decree No. 9,887/2003, which was linked to the Special Secretariat for Human Rights of the Presidency of the Republic. Its competencies were described in Article 2 of the aforementioned decree.

However, CONATRAE underwent profound and significant changes in 2019, during President Jair Messias Bolsonaro's administration, through Decree No. 9,887/2019. It is currently linked to the Ministry of Women, Family, and Human Rights, and its competencies are outlined in Article 2.

The Article 2 establishes that the National Commission for the Eradication of Slave Labor is a consultative body linked to the Ministry of Women, Family, and Human Rights. Its duties include monitoring the implementation of the National Plan for the Eradication of Slave Labor, proposing necessary measures for its implementation, overseeing international cooperation projects, suggesting studies and research related to the eradication of slave labor, and drafting its internal regulations.

In the same year of CONATRAE's creation, Brazil developed the I National Plan for the Eradication of Slave Labor (PNETE) through the Special Committee of the Human Rights Defense Council (CDDPH) of the Presidency of the Republic. This plan established a permanent public policy aiming to eradicate all forms of slave labor and degrading work in the country, emphasizing integration as the hallmark of their efforts (Brazil, 2020).

In 2008, CONATRAE was responsible for the production of the II PNETE, aiming to consolidate and expand actions to combat contemporary slave labor, making it an absolute priority for the government in addressing this issue that afflicts society as a whole.

To aid in the fight against analogous slave labor, the Employers Registry, popularly known as the "Dirty List," was established in 2004 through Ordinance No. 540/2004 of the former Ministry of Labor. This registry is populated by including the employer's name after analyzing the infraction report resulting from an inspection action.

All the mechanisms described above significantly contribute to the fight against

the eradication of modern slavery. However, it is of utmost importance to outline the necessary requirements for its characterization.

### ***Requirements, Combat, and Socioeconomic Vulnerability of Rescued Workers***

The Brazilian Penal Code (CPB), enacted in 1940, was the first legal instrument in the country to address contemporary slave labor, criminalizing the act of reducing someone to conditions analogous to slavery. The original wording of this provision was amended by Law No. 10,803/2003.

However, the legal framework outlined above was not reasonable enough to enforce the law and prosecute human traffickers under the crime described in the aforementioned legislation. Often (or always), this was not done due to the interests of those who held power, at the expense of an invisible class.

The impunity in the penal sphere also had its repercussions in the labor sector when acknowledging the presence of labor under conditions analogous to slavery. This led, in 2003, to a legislative amendment of the aforementioned article to include its defining elements.

The previously mentioned crime is of an alternative mixed nature or multiple actions, and therefore, it is constituted when any of the modalities described therein are present, not necessarily requiring physical violence, as well-decided by the Brazilian Supreme Federal Court (STF, Inq. 3412, Plenary, Justice Rosa Weber, judged on 03/29/2012; and STJ, HC 239,850, 5th Panel, Justice Gilson Dipp, judged on 08/14/2012).

For a long time, the Brazilian Supreme Federal Court (STF) and the Superior Court of Justice (STJ) debated the legal interest to be protected by the cited legal provision, believing that the crime of reducing someone to a condition analogous to slavery would only be established when there was a loss of the worker's freedom of movement since the article is included in Chapter VI of the CPB, dealing with crimes against individual freedom.

However, this has no longer been the prevailing stance. The prevailing view is that the protected interest includes not only personal freedom but also the right to work and the dignity of the human person.

Although there is no specific prohibition of slave labor in the Brazilian Federal Constitution (CF), this practice is clearly incompatible with constitutional principles that protect the social value of labor (Article 1, IV, CF) and freedom in the exercise of any occupation (Article 5, XIII, CF). Furthermore, it contradicts the main foundation of the Federative Republic of Brazil: the dignity of the human person. This reflects that the legal system is based on protecting the essential rights of human beings, including

those who depend on their work for subsistence (Brito Filho, 2014).

Preserving human dignity, a fundamental principle in society, makes dignified work an essential pillar to prevent dehumanization, where work does not turn human beings into mere commodities, as long as it is carried out under appropriate conditions. The value of dignity should be the foundation of any labor activity (Miraglia, 2015), representing a minimum civilizational standard established by society at a certain historical moment (Delgado, 2017).

Therefore, to configure the crime of reducing modern slave labor, as mentioned earlier, the presence of four types of modes of executing the crime is necessary: (1) forced labor; (2) exhaustive working hours; (3) degrading work conditions; (4) restriction of freedom of movement, due to debt contracted with the employer.

The systematic division presented above is based on Ordinance No. 1,293, of December 28, 2017, issued by the now-extinct Ministry of Labor, due to the difficulty in conceptualizing the crime of slave labor, especially regarding the classification and conviction of slaveholding employers.

The International Labour Organization provides in its Convention No. 29, Article 2, that forced or compulsory labor is any work demanded from an individual under threat of any penalty and for which they did not offer themselves voluntarily.

In Brazil, Ordinance No. 1,293/2017 establishes regulations on the subject by defining criteria for granting unemployment benefits to workers rescued from situations analogous to slavery. According to Article 2, item I, of this ordinance, forced labor is characterized as that demanded under the threat of physical or psychological punishments, in which the worker did not volunteer and does not wish to remain voluntarily.

The aforementioned ordinance makes it clear that forced labor is not only linked to freedom, as was once thought since the threat to the worker can occur both physically and morally, where work is carried out against the worker's will. Brito Filho (2014) emphasizes that compulsory work, performed by a worker for an employer, is considered when it is not the result of the worker's free will or when the obligation occurs due to the annulment of their will by various circumstances.

In this sense, Miraglia (2015) defines forced labor as one in which the worker is prevented from ending the employment relationship due to physical or moral coercion, fraud, or deceitful artifices, violating their right to freedom.

It is important to note, finally, that the subjection of a human being for the configuration of the crime of slave labor occurs not only when there is imprisonment but also in situations where the victim is subjected to the possession and domination of another (Proner, 2010).

Thus, forced labor, i.e., work for which the individual did not volunteer and for which they suffer physical and/or psychological threats, can be one of the characteristic elements of the typical conduct described in Article 149 of the Brazilian Penal Code (CPB).

The definition of exhaustive working hours is established in Article 2, item II of Ordinance No. 1,293/2017 as any type of work, whether physical or mental, that, due to its duration or intensity, violates the worker's fundamental rights, especially those related to safety, health, rest, and family and social life.

It is important to consider, when it comes to exhaustive working hours, that many situations, although violating labor laws, do not necessarily constitute exhaustive working hours to describe a particular case as slave labor, with a very thin line regarding the configuration of this requirement in the analysis, especially by federal judges when convicting employers of the crime of reducing slave labor.

To configure exhaustive working hours, the presence of an extremely demanding schedule that leads the worker to a reduction or almost annihilation of their physical and/or mental strength is necessary. This schedule must be exhausting enough to go beyond what is acceptable or considered normal according to labor laws. Brito Filho (2014) explains that exhaustive working hours refer not only to its duration but also to the ability to exhaust the worker, harming their health and potentially leading to death, regardless of the total time worked.

In January 2020, the Federal Judge of the 16th Federal Court of the Judicial Section of Ceará, in a rare application of Article 149 of the Penal Code for the conviction of the crime of reducing to conditions analogous to slavery, defined exhaustive working hours as when the worker exceeds the legal maximum limit of 10 (ten) hours per day or when, from a qualitative perspective, there are physical and psychological pressures on the worker or due to the significant intensity of the work performed (Boselli, 2020).

It is evident that configuring exhaustive working hours involves repeated violations of constitutional and infraconstitutional norms regarding the workday, which is established as 8 (eight) hours a day and 44 (forty-four) hours a week (Article 7, XIII, CF). Additionally, the worker can work two extra hours, limiting their workday to a maximum of 10 (ten) hours per day.

When physical or mental exhaustion goes beyond the aforementioned limits, it constitutes a fatiguing schedule. In this case, excessive work is not limited to overtime; it can threaten the worker's health, especially when the intervals between shifts are insufficient for energy recovery (Saraiva; Silva, 2019).

The legislation aims not only to eliminate excessive work, as often happens in many workplaces, but also a grueling schedule. Thus, the complicated interpretation

of effective working time is used as an excuse by lawmakers who, in a way, are linked to the gains derived from slave labor. They exploit the gaps in the legal approach to modern slave labor (Marinho; Vieira, 2019).

In summary, this is also one of the enabling requirements for the configuration of the crime of reducing to conditions analogous to slavery.

The third mode of executing work under conditions analogous to slavery is defined in item III of Article 2 of Ordinance No. 1,293/2017 as any action that denies human dignity by violating the fundamental rights of the worker, especially those related to labor protection standards, safety, hygiene, and occupational health.

Degrading work conditions, as one of the enabling requirements specified in Article 149, are particularly related to the work environment of workers found in conditions analogous to slavery. These conditions include the absence of housing in minimum health and hygiene conditions; lack of drinking water; failure to provide personal protective equipment for work safety; supply of spoiled food; absence of plumbing in restrooms, among others.

These circumstances resemble a true slave and not a free and dignified human being, an experience that, especially for labor inspectors who are members of the Mobile Inspection Group, can contribute to classifying the situation as the crime specified in Article 149 of the Penal Code, not just a mere labor irregularity.

The broad nature of this method of execution often makes it difficult to classify a situation as degrading. It is easier to identify what does not constitute a degrading condition than to define the opposite. This category refers to the absence of basic working conditions, housing, hygiene, respect, and food, all of which must be guaranteed together—a point that, although obvious, needs to be clarified (Brito Filho, 2014).

The Federal Constitution, by establishing fundamental guidelines regarding social rights, provides in its Article 7, item XXII, that it is the right of all workers to reduce the inherent risks of work through health, hygiene, and safety standards, compliance with which binds all employers as mandatory rules.

In this context, we are dealing not with mere preferences or standards but with imperative norms, fundamental ethical principles (Proner, 2010). The Federal Constitution is not just a statement of intentions; it represents a concrete set of rules that guide human behavior. Its provisions are of immediate application and are intended to ensure the exercise of social and individual rights, freedom, security, well-being, development, equality, and justice, all considered supreme values of society (Brazil, 2020). Additionally, the Constitution has as a fundamental principle the social value of labor (Article 1, IV, CF/88).

In summary, ensuring the dignity of the worker also implies protecting their health and safety conditions. Therefore, subjecting a worker to a degrading work schedule, whether in terms of quality or quantity, is a violation of their dignity (Proner, 2010).

Degrading work, as defined in Article 149 of the Brazilian Penal Code, involves a violation of the minimum necessary human rights: human dignity. This implies fair remuneration, compliance with occupational health and safety standards, appropriate limitation of working hours, correct payment of overtime when necessary, sufficient time for rest and energy recovery, and access to social security guarantees. These are essential elements for a dignified existence, as argued by Miraglia (2015).

If any of the aforementioned points are present, a degrading work condition is established, justifying the conviction of the employer and/or representative for the crime of reducing to conditions analogous to slavery.

The last way to characterize neo-slavery refers to the restriction of freedom of movement, as defined in item IV of Article 2 of Ordinance No. 1,293/2017. This refers to limiting the fundamental right to come and go or terminate work due to debts attributed by the employer, their representatives, or due to manipulation for debt with third parties.

The mentioned practice is commonly known as debt bondage and is defined in Article 1, §1 of the Supplementary Convention to the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery as follows: Debt bondage is the state or condition resulting when a debtor pledges their personal services or the services of someone under their authority as a security for a debt. This occurs when the value of these services is not fairly assessed at the time of debt repayment, or if the duration and nature of these services are not properly limited or defined (Brazil, 2020).

Due to a possible infinite debt between employee and employer, where the former cannot leave the workplace, first because they must and never know how much they owe, and second because overt and armed surveillance prevents them from doing so, a constant feeling of control is instilled.

Overt surveillance is defined in Article VI of Ordinance No. 1,293/2017 as any method of monitoring or inspection, both direct and indirect, carried out by the employer or their representative, preventing the worker from leaving the workplace or their residence (Ministry of Labor, 2020).

The “debt” incurred by the slave worker is artificially created by the employer/ representative from the moment they are taken to places of overexploitation, starting with the charge for the equipment necessary for labor, a burden that falls on the employer, to the overpricing of food and other inputs consumed by the slaves in question.

In summary, the growing debt (whether through illicit practices and/or the incidence of extortionate interest) associated with the inability to pay it imprisons the worker invisibly to the employer, which, combined with other means of execution, constitutes contemporary slave labor. Brito Filho (2013) describes the situation where the victim is forced to work without permission to leave the place until fully settling the debt with the employer or their representative. In many cases, this debt is not settled in cash but through difficult-to-fulfill compensations.

Therefore, the presence of physical and/or moral coercion on the worker to restrict their freedom of movement due to debts incurred also constitutes one of the basic elements for the characterization of the criminal offense specified in Article 149 of the Penal Code. These four modes of possible execution can appear together or separately.

The official recognition by Brazil of the existence of contemporary slave labor in the country in 1995 led to the creation of the Executive Group for the Repression of Forced Labor (GERTRAF) through Decree No. 1,538, dated June 27, 1995, with the purpose of coordinating and implementing necessary measures to repress forced labor, which was later replaced by CONATRAE.

To collaborate in eradicating neo-slavery, Special Mobile Inspection Groups (GEFM) were founded through Ordinance No. 265, dated June 6, 2002, from the extinct Ministry of Labor, which was revoked by Ordinance No. 2027, dated December 19, 2013. Its purpose, as stated in Article 2, is both to combat work in conditions analogous to slavery and to eliminate the worst forms of work, such as child labor.

The aforementioned group is composed of teams of labor inspectors, labor prosecutors, as well as federal police and/or federal highway police officers. Its main objective is to investigate reports of slave labor on-site, rescue affected workers, notify farm or establishment owners where these situations are found, determine the amounts due to workers as severance pay and compensation for individual damages, as well as conduct formal procedures for granting unemployment benefits (Gomes; Guimarães, 2018).

Continuing national efforts to combat the complete eradication of modern slavery in 2003, the I PNETE was created, with the prediction of 76 (seventy-six) short, medium, and long-term proposals for the complete elimination of neo-slavery, prioritizing the eradication of all forms of slave labor for the achievement of the Democratic State of Law.

The I PNETE, right from its introduction, foresees that tackling this scourge of humanity needs to be done in an articulated, planned manner, with well-defined actions and political will, to be executed by the Executive, Legislative, Judiciary, Public Prosecutor's Office, and civil society entities, whose integration must be the hallmark



of the work, thus demonstrating the need for cooperation among all the mentioned entities (Brazil, 2003).

In order to monitor the actions proposed by the I National Plan for the Eradication of Slave Labor (PNETE), the National Commission for the Eradication of Slave Labor (CONATRAE) was created (Decree of July 31, 2003). CONATRAE was recently modified by Decree No. 9,887, dated June 27, 2019, and is currently under the Ministry of Women, Family, and Human Rights, following the dissolution of the Ministry of Labor by the current President of Brazil, Jair Messias Bolsonaro.

The changes undergone by CONATRAE in the current federal administration represent a significant setback in the fight against slave labor. These changes began with the reduction of the participation of non-governmental entities in the national commission and the exclusion of the authority of inspection groups to take necessary measures for integrated actions in inspections and crackdowns on slave labor. This reduction in their role has had a detrimental social impact and has hampered the effectiveness of projects aimed at combating degrading work conditions.

To address the gaps in the initial plan, the II National Plan for the Eradication of Slave Labor (PNETE) was established in 2008. This plan aimed to fulfill all previously established goals crucial for eliminating the stigma that shames Brazil. It included Constitutional Amendment Proposal No. 438/01, which allowed for the expropriation of lands where workers are found in conditions analogous to slavery.

The frontline in the fight against contemporary slave labor, especially the Special Mobile Inspection Groups (GEFM), operates in accordance with the National Plans for the Eradication of Slave Labor. This centralized approach ensures unified supervision of operations, guaranteeing prevention, support for victims, and adequate punishment for those responsible. This is achieved through issuing fines and penalties to violators.

However, numerous budget cuts and significant structural changes, especially with the dissolution of the Ministry of Labor, have severely weakened inspections by mobile groups. Threats to discontinue inspection activities arise due to the limited number of labor inspectors and federal highway police officers assisting in the safety of inspection teams. Additionally, the number of GEFMs has significantly reduced.

Therefore, it is crucial to clarify the procedures related to reports, inspections, and organized plans in the fight against contemporary slave labor.

Regarding inspections, it is noteworthy that they are mobile and conducted by GEFMs with the aim of implementing coordinated actions among various agencies combating modern slavery. Slave labor involves not only labor aspects but also social, economic, and criminal dimensions, among others.

Reports of possible instances of workers in conditions analogous to slavery can be made by any citizen to the Regional Labor Superintendencies (SRTb); Public Labor Prosecutors (MPT) (including through the MPT Pardal app); Dial 100 Human Rights; Federal Public Ministry (MPF); and Pastoral Land Commission (CPT).

Rescue operations are carried out by two main entities: GEFMs, consisting of labor inspectors, labor prosecutors, public defenders, and federal and federal highway police officers; and SRTbs, with only 12 of them in Brazil having permanent teams combating slave labor.

Normative Instruction No. 139, dated January 22, 2018, by the Secretariat of Labor Inspection, regulates inspections for the eradication of slave labor. Inspection actions are planned and coordinated by the Secretariat of Labor Inspection (Ministry of Economy) and are carried out directly by GEFM teams and/or SRTbs. In the latter case, communication with the Division of Inspection for the Eradication of Slave Labor (DETRAE) is required.

If there is a probability of humans working in conditions analogous to slavery, GEFMs or SRTbs will investigate the reported irregularities through inspections. This can lead to the rescue of the worker, notification of the employer and/or representative to take necessary labor regularization measures, if applicable.

To file a report, it is necessary for a person to be working in degrading and humiliating conditions with their rights violated, leading to the involvement of all organizations fighting against slave labor. This raises the question of how these workers are lured into modern slavery.

Workers experiencing contemporary slavery, according to data from the Observatory for the Eradication of Slave Labor and Human Trafficking (Smartlabbr, 2020), have low income and education levels, mostly concentrated in the states of Pará, Mato Grosso, Goiás, Minas Gerais, Bahia, and Tocantins.

In all Brazilian states, slave labor predominantly occurs in rural areas, especially in cattle farming, rice cultivation, and raw sugar production, according to data from the mentioned website. Cattle farming is the most frequently reported economic sector in 16 states. Tocantins, Pará, and Espírito Santo are the states where most workers were rescued in cattle farming. In São Paulo, while cattle farming is also significant, there is a notable presence in the sewing and general garment sector, with almost 30% of workers in conditions analogous to slavery.

In rural areas, workers are lured into conditions analogous to slavery by intermediaries known as “gatos” or recruiters. They are transported to distant locations away from their homes and families, where they are under the control of foremen, inspectors, or gunmen. This control is maintained through armed surveillance, physical

violence, psychological coercion, debts, or by taking advantage of the workers' geographical isolation.

This situation often arises due to the desperate pursuit of decent work, good pay, and the possibility of social advancement to lift their families out of economic vulnerability. The proposals offered by the “gatos” are highly attractive to individuals living in precarious situations, as stated by Moura (2011).

However, upon arrival at the destination, workers are confronted with work vastly different from what was promised and begin to experience the physical and psychological consequences of contemporary slave labor. They attempt, in vain, to leave the workplace (especially in rural slave labor situations) but are prevented due to restrictions on mobility owing to debt, extensive surveillance, isolation, lack of transportation, or confiscation of personal documents and belongings, hindering any escape attempts.

Many manage to escape and report the neo-slave working conditions to the relevant authorities. Inspections conducted as a result of these reports lead to the liberation of other workers in similar situations, payment of labor debts, and the relocation of workers to their hometowns, where they often return to the socioeconomic vulnerabilities they left behind when they were recruited.

The characteristics of rescued workers reveal that they come from deeply impoverished regions, often unemployed, with low or no income, highlighting one of the significant indicators of social disparities and lack of social protection in Brazil (Lima, 2016). This underscores the social, economic, and educational instability of a country profoundly affected by social inequalities.

The essential attribute of vulnerability among these workers is largely rooted in the Brazilian government's negligence. The government is responsible for ensuring basic rights such as education, health, decent work, housing, security, among others. By not fulfilling this responsibility, the state becomes complicit in neo-slavery.

One of the strategies to combat slavery is prevention, which involves access to land, education, information, and income generation. The state has failed to comprehensively guarantee these fundamental elements of citizenship and protect workers from exploitation. This failure has also made it difficult to empower them to defend themselves against exploitation (Silva Filho; Neves; Silva, 2011).

The prevailing conditions of inequality in Brazil, dating back to colonial times and persisting to the present, exacerbated by capitalist society and the impunity of slaveholders, facilitate the persistence of contemporary slave labor in a vicious cycle (Lima, 2016).

A significant concern regarding contemporary slavery is the high rate of

recurrent victims, especially among those with low levels of education due to the difficulty in accessing public policies, especially education. This further increases the vulnerability of these workers.

Data from the Observatory for the Eradication of Slave Labor and Human Trafficking, maintained by the ILO and MPT, show that between 2003 and 2017, over 35,000 workers were rescued in conditions analogous to slavery. Among them, 611 were recurrent workers (ILO, 2018). In total, in Brazil, according to the aforementioned source, 45,028 workers were rescued from neo-slavery between 2003 and 2018. Regarding the education level of the rescued workers, the Observatory for the Eradication of Slave Labor and Human Trafficking shows that over 50% of those rescued are illiterate or have completed up to the 5th grade of school.

The previously mentioned references about rescued workers identify economic activities, supply chains of slave labor, socioeconomic vulnerability, and the ethnic groups most socially disadvantaged, particularly concerning race and education.

Demographic data also reveal that the states where the most people were found working in conditions of contemporary slavery were Pará (10,043), Mato Grosso (4,394), Goiás (3,944), Minas Gerais (3,711), Bahia (3,256), Tocantins (2,916), and Maranhão (2,694), according to data from the Observatory for the Eradication of Slave Labor and Human Trafficking.

The information regarding the municipalities of origin of the rescued individuals demonstrates the poverty of Brazil's interior, which is poorly addressed by public policies, especially in the fight against slave labor. This situation emphasizes the need to improve the living standards of these workers so that they do not return to the same conditions.

The cycle of contemporary slave labor is closely marked by the worker's state of destitution. Unable to escape this condition, the worker seeks seemingly advantageous offers as a means to achieve the desired social ascent. The statistics of former neo-slave laborers validate the existing barriers preventing these workers from seeking more qualified positions. This is precisely because they lack this attribute. The continuous reduction of wages, combined with unemployment and job insecurity, is transforming the composition of the workforce. Women, young migrants, ethnic and racial minorities are increasingly subjected to precarious and informal work, often in legally clandestine situations. Moreover, elderly and low-skilled workers, as well as young people from low-income families, face difficulties entering the job market (Sousa, 2019).

In addition to social difficulties, rescued workers also face feelings of inferiority, discrimination, and social devaluation when they reunite with their families. They carry within themselves the personal failure experienced, as identified by research conducted

by Chehab (2017) and Leão (2016). The interviewed individuals highlighted the lack of social recognition for sugarcane cutting work, considered shameful and stigmatized. Being a sugarcane cutter is seen as something dirty, leading to discrimination and social isolation. This creates an ideology of shame, becoming a powerful mechanism of submission, transforming this work into a socially devalued activity, known as “dirty work.”

While trying to survive in a society strongly marked by social inequalities and without proper recognition, workers without choices end up submitting to a situation incompatible with human dignity. This proves that addressing the problem cannot be solely based on repressive measures but also on prevention and assistance concerning the social vulnerability of these individuals (Kalil; Ribeiro, 2015).

Recognizing the need to analyze these circumstances for the true eradication of forced labor, the International Labour Organization (ILO) issued Recommendation No. 203 – R203 in 2014, establishing effective measures for prevention.

The implementation of approaches based on ILO guidelines helps break the cycle of slave labor, especially by addressing socio-economic vulnerability. This facilitates the creation of initiatives for support and social integration for the benefit of slavery victims (Kalil; Ribeiro, 2015).

A study conducted by De Souza, Bandeira, and Baptista (2018) demonstrates a strong correlation between modern slavery and political-economic power, evidenced by the low levels of income and education in which

(im) mobility is a direct result of the social conditions of vulnerability to which the potential victims are subjected and, consequently, could also be a predictor of re-occurrence in the dynamic of the game of slavery. (De Souza; Bandeira; Baptista, 2018, p. 688).

The authors further emphasize that the poor conditions in states where workers in conditions similar to slavery are more prevalent are associated with health, education, infant mortality, lower life expectancy, and social inequality. These conditions, linked to indicators of race, color, gender, and education, constitute “a set of historically constructed beliefs that establish a consecrated status in relations of dependency and work” (De Souza; Bandeira; Baptista, 2018, p. 689).

The first chapter of this study, which aimed to provide a historical overview of slavery from colonial times, makes it clear that the issue of race/color in Brazil is intimately linked to the sociocultural condition of modern enslaved workers, representing a historical debt never repaired by failing to recognize and include freed blacks as true human beings deserving the same fundamental rights and guarantees of a Democratic State of Law.

The absence of social mobility in Brazil is one of the main foundations for

the maintenance of modern slavery, especially attracting blacks and browns with low educational attainment in regions of extreme poverty and limited access to public policies, leading to their return to similar or very similar situations upon rescue by GEFM or SRTb.

Despite the eradication of work in conditions analogous to slavery being a commitment made by Brazil to international organizations, as well as domestically, the fragility of socioeconomic measures to break the cycle of slavery highlights the constant return of rescued workers to the same degrading situation, indicating that much remains to be done.

The two National Plans for the Eradication of Forced Labor include the need for integrated action, establishing preventive and repressive actions against modern slavery carried out by ministerial, judicial, and civil society organizations to effectively eradicate slavery, as mentioned earlier.

However, the timid cooperation between the authorities responsible for the prevention and repression of slavery, in conjunction with civil society, especially regarding the scope of public policies aimed at breaking socioeconomic vulnerability and the (re)insertion of workers into the labor market with dignity, contributes to the persistence of modern slavery.

Cooperation as a guiding model for integrated actions in organizing the roles of the parties involved in the execution of a task can be instrumental in achieving an even better, more effective, and swift result when studying contemporary slavery, as will be demonstrated in the subsequent chapter.

# **COOPERATION AS A GUIDING PROCEDURAL MODEL FOR INTEGRATED ACTIONS AGAINST CONTEMPORARY SLAVERY IN TOCANTINS**

This chapter aims to demonstrate the final specific objective of the research and to highlight the results obtained through interviews conducted with the research participants, showing the possible existence of cooperation established among the investigated organizations. Initially, the guiding procedural model for integrated actions against contemporary slavery is presented.

The cooperative procedural model, recently expressed in Article 6 of the 2015 Brazilian Civil Procedure Code (CPC), emerged in the legal system as a way to abandon the old inquisitorial and adversarial procedural models. These previous models, where one figure always stood out more than the other, were replaced by the collaborative model, in which the integrated and coordinated participation of all parties best achieves judicial provision and true access to justice.

Coordinated cooperation among the responsible entities in the fight against contemporary slavery is of utmost importance, not only in the repressive aspect but also with the aim of (re)integrating the rescued worker into the labor market in a dignified manner, enabling their economic and social advancement.

Therefore, this chapter aims to study cooperation as a guiding procedural model in the actions of rescue and eradication of contemporary slavery in the context of Tocantins, as well as to highlight the results obtained through the conducted interviews.

## **Integrated Approaches in Combating Slavery in Tocantins**

The principle of Cooperation originates from the German Civil Procedure Code (Zivilprozessordnung – ZPO), the content of which underwent profound and significant legislative changes due to the political regimes in Germany, especially after the end of World War II.

Traditionally, cooperation was seen as a distinction between the adversarial principle (Verhandlungsmaxime) and the inquisitorial principle (Untersuchungsmaxime), known in legal doctrine as the adversarial and inquisitorial models.

In the adversarial model, also known as the adversarial system, the judiciary is viewed as quite passive, allowing the parties to act as adversaries within the process,

so that almost all judicial activity is performed by them.

As aptly noted by Ronaldo Kochem (2017), the State and society are not interested in the process and its just outcome, indicating that the parties should be responsible for providing evidence and acquiring means of proof.

On the other hand, in the inquisitorial model, the judiciary becomes the main protagonist of the process, where its inertia is broken by the activity of the litigating parties, and it is possible to observe that in both models there is always one figure standing out more than the other without a possible dialogue, a cooperation.

In the inquisitorial system, there is a public interest in determining the factual situation truthfully and comprehensively, aiming to render a correct decision in accordance with the law, as far as possible (Kochem, 2017).

The German jurist Karl August Bettermann was the first to mention the principle of cooperation in 1972, addressing in his initial work the influence of constitutional law on procedural relationships. He referred to the principle of cooperation as a balancing point between the adversarial and inquisitorial principles (Frigini, 2016).

The work developed by the German jurist demonstrated the need to interrelate constitutional law with civil procedural law, especially regarding the distribution of competence, natural judge, judge's neutrality, etc., reflecting the Social State of Law, and whose association between the judge and the parties gave rise to what Bettermann called *Kooperationsmaxime*.

There has always been a certain consensus in legal doctrine that the adversarial model would be used in non-authoritarian regimes, and the inquisitorial model for interventionist regimes. This fact is criticized by Fredie Didier Jr. (2011) when describing that it is in this context that procedural guarantees emerge, a doctrine that aims to protect citizens from the excesses of the State, notably the increase in the power of the judge. This approach has its foundations in the doctrine of the Italian philosopher Luigi Ferrajoli.

Based on this procedural guarantee, the above-mentioned author finds a basis for the emergence of a third procedural model: the cooperative model.

In Brazilian law, the principle of cooperation was formally recognized only with the promulgation of the Civil Procedure Code of 2015, which establishes in its Article 6 the obligation of all participants in the process to collaborate with each other to achieve a fair, effective decision delivered in a reasonable time.

However, cooperation as a procedural model was already present in our legal system through the principles of due process of law, procedural good faith, and contradiction, which together contributed to the emergence of the principle of



cooperation.

Ana Catharine Lima (2017) argues that Neoconstitutionalism represents a milestone for the Democratic State of Law, promoting a reinterpretation in all areas of law, including civil procedural law.

Therefore, the need for a procedural model in which the prevalence of one party over the other was abandoned in favor of cooperation between them, influencing the final decision, led to the existence of the cooperative model.

For Fredie Didier Jr. (2011), in the cooperative model, the principle of contradiction is redefined, with the judiciary actively participating in the procedural dialogue, not merely as a spectator. Contradiction is valued as essential to improve judicial decisions.

It is noted, therefore, the abandonment of the adversarial model in which the judge was a mere spectator of the parties' actions within the process, but now, as the author mentions, it becomes an indispensable tool to obtain a fair and effective meritorious judicial decision, as established in Article 6 of the Civil Procedure Code.

In the cooperative procedural model, the joint work of all involved parties is fundamental. It aims to organize the functions of each participant to effectively achieve their objectives, equitably distributing responsibilities among them (Mitidiero, 2015).

Therefore, if cooperating means working together and fairly dividing tasks, as emphasized by Daniel Mitidiero, what is sought in this procedural model is for everyone to work to promote and guarantee the fundamental rights of those involved.

From this perspective, the Civil Procedure Code introduced two chapters dealing with cooperation, one on international cooperation and the other on national cooperation, set out in Articles 26, 27, 67, 68, and 69, where cooperation occurs on a procedural level of assistance between national judicial bodies and between these and foreign authorities.

However, the collaborative approach is not limited only to judicial processes, rejecting jurisdiction as the sole methodological viewpoint in civil proceedings. Instead, it prioritizes the idea of the process itself as the central core of its theory, adopting a more pluralistic perspective in harmony with the inherent democratic nature of the Constitutional State, as noted by (Mitidiero, 2015).

The intention is to demonstrate that the cooperative model should be used, within the aspect of rejecting a model as the methodological pole of civil procedure, as an instrument for realizing the rights of rescued workers in conditions analogous to slavery.

The procedures used in actions against contemporary slavery often do not

lead to judicial processes. However, these actions can be guided by the collaborative model among the organizations involved, such as the MPT and SRTb, whose purpose is to remove rescued workers from their situation and reintegrate them into the labor market, ensuring payment of their labor rights.

Therefore, it is imperative to distinguish between process and procedure as they are quite distinct concepts in Brazilian doctrine. Humberto Theodoro Junior (2015) states that the process is the method for resolving legal disputes through a binding legal relationship of public law, while the procedure is the specific way in which the process is conducted in individual cases.

The procedure is how the process is conducted, consisting of a series of interconnected legal acts with the common goal of achieving judicial relief in a legal process (Didier Jr, 2015).

Going further into these concepts, Professor Luiz Rodrigues Wambier (2017) asserts that the concept of process and procedure has gained new contours over the years, understanding that the process is not defined only by the organization of procedural acts but mainly by its intrinsic purpose. Its teleology is linked to the function of resolving conflicts of interests submitted to the Judiciary. Thus, process and procedure are different aspects of the same object, with the process being the state instrument for the pacification of conflicts in the Rule of Law.

Therefore, if the goal is not to allow workers to have their rights violated and be reduced to conditions similar to slavery, one will be facing a social solution procedure in which collaboration between everyone is perfectly possible and necessary.

The procedures available must be effective enough to ensure that workers rescued from degrading conditions do not return to the same situation after a certain period. For this to happen, collaborative work is necessary, not isolated, as it happened in the past.

The cooperative model represents real access to justice, not only by allowing the adaptation of the procedure to the specificities of the case but also by eliminating unnecessary procedural acts. This results in significant benefits for the speed of the process (Wambier, 2017).

When thinking about a procedure suitable for the given situation, it allows the parties involved, cooperatively, to seek the best solution appropriate to that reality, precisely the purpose for which the collaborative model is proposed, being flexible and adjusting to the best outcome to be achieved.

The rigidity of procedural rules from the inquisitorial and adversarial models was abandoned. However, this does not mean that principles like contradiction and legal certainty are discarded; on the contrary, it sought to adapt processes and procedures

to a new social reality.

Thus, the collaborative proposal, whether in the procedural sphere or even outside it, as suggested, is today more effective in solving social conflicts, such as the case of workers rescued in subhuman conditions, where greater participation of all agencies involved will contribute to a more efficient solution to ensure the breaking of the cycle of contemporary slavery through socio-economic vulnerability.

It is clear that the cooperative model, guiding both procedural and non-procedural actions, is a fundamental basis of the entire Brazilian legal system whose objective is to delimit the roles of the parties within the same problem.

Collaboration among the various agencies that make up the operations to rescue workers undoubtedly delimits the role that each one needs to play for a better result in such action, with the rescue of the largest number of workers and the guarantee of their basic rights, especially labor rights.

The CPC provides in its Article 67 for the duty of National Reciprocal Cooperation among the bodies of different branches of the state and federal judiciary to perform any procedural act, which must be promptly attended to by the requested agency.

This cooperation aims to reduce bureaucracy, thus improving judicial relief and facilitating access to justice. Access to justice goes beyond the mere declaration of citizens' rights; it is essential to ensure that these rights are effectively guaranteed to all (Canhedo, 2015).

It is crucial to highlight that the innovation in the 2015 CPC, especially in the chapter on National Cooperation, was inspired by Recommendation No. 38 of 2011 from the National Council of Justice (CNJ). This measure served as a modern mechanism to streamline judicial processes and also to enhance the administrative efficiency of the Judiciary, aligning with the principle of efficiency established in the 1988 Constitution (CF) (Avelino, 2015).

Avelino (2015) points out that reciprocal cooperation between judicial bodies, based on the cooperative model, is an administrative collaboration between different instances of the Judiciary. Its goal is to increase the efficiency of the administration of justice and, consequently, improve the provision of judicial relief. For this, it is crucial to have available structures and open communication channels among the various judicial bodies. This ensures broad and effective dialogue, streamlining the execution of necessary acts in the network of institutional cooperation at the national level.

For this reason, the collaborative model is so important within the actions to eradicate labor reduced to conditions analogous to slavery by aligning the actions of each entity cooperatively and delivering the final product that best meets the expectations of these individuals, which is precisely not to return to such a humiliating

situation, starting to be treated as true human beings and no longer as things.

The launch of the I PNETE in Brazil in 2003 was the starting point for integrated articulation and planning of joint actions to be developed by organizations from all branches of government in support of civil society entities to address the problem of eradicating all contemporary forms of slavery.

Among the proposals of the I PNETE in its Article 3, the establishment of joint action strategies regarding preventive and repressive actions by Executive, Judiciary, Public Prosecutor's Office, and civil society organizations is provided to eradicate slavery.

In 2005, the I PNETE was evaluated by the ILO, concluding that 68% (sixty-eight percent) of the stipulated actions had been partially achieved (Repórter Brasil, 2007), highlighting the difficulties and obstacles still existing for the complete eradication of contemporary slavery. As a consequence, the II PNETE was created in 2008.

The second plan, like the first, reaffirmed the need for the establishment of integrated actions in both repressive and preventive measures to eradicate slavery. The responsible entities for this achievement were identified as CONATRAE, COETRAES, MPF, MPT, Federal Attorney General's Office (AGU), PF, PRF, the former Ministry of Labor and Employment (MTE), and the Secretariat of Human Rights (SEDH).

The consequence of cooperative actions occurs not only in the field of repression but especially in prevention, aiming to prevent workers from being lured into neo-slavery. For this purpose, the II PNETE establishes short, medium, and continuous-term reintegration and prevention actions.

In Tocantins, the State Plan for the Eradication of Slave Labor (PEETE/TO) was created through Decree No. 3223, dated November 28, 2007. The implementation of these actions was the responsibility of COETRAE/TO, along with the necessary mediations with state agencies to ensure the effectiveness of the actions and coordination in building agreements with municipal managers.

In summary, both national and state plans envisage the need for the use of a cooperative model by various responsible entities in all fronts of combat and eradication of contemporary slave labor, whether in general actions, confrontation and repression, reintegration and prevention, or information and training actions, as demonstrated in the table below:

**Table 1 – Actions outlined in National and State Plans for the Eradication of Forced Labor.**

<b>National Plans for the Eradication of Forced Labor</b>	<b>State Plan for the Eradication of Forced Labor in Tocantins</b>
Need to establish strategic actions for integrated operational intervention concerning preventive as well as repressive actions by the Executive, the Public Prosecutor's Office, and civil society with the aim of eradicating forced labor (General Actions).	Implementation of literacy projects specifically targeted at vulnerable populations and individuals rescued from forced labor, introducing alternative forms of rural education, with a focus on the Family Farm School system, encouraging specific educational policies for rural areas.
Establishment of an Executive Group for the Eradication of Forced Labor to ensure joint and coordinated action in inspection operations (General Actions).	Directing professional training programs to regions with higher recruitment and incidence of forced labor.
Implementation of a social reintegration policy to prevent liberated workers from falling back into slavery, with specific initiatives focused on job creation, agrarian reform, vocational education, and worker reintegration (Reintegration and Prevention Actions).	Promoting a cooperation agreement between legal operators – the Brazilian Bar Association (OAB), state institutions, and the judiciary, aiming for coordinated action in both the investigation and punishment of criminals and the assistance to victims.
Establishment of local branches of the National Employment System (SINE) in municipalities where forced labor recruitment occurs to prevent illegal labor intermediation (Reintegration and Prevention Actions).	Mapping socioeconomic groups of vulnerable workers in the most affected municipalities and assessing the effectiveness of existing social programs for these groups (such as Bolsa Família, first employment initiatives, and agrarian reform).
Collaboration with social assistance reference centers in municipalities targeted for forced labor recruitment and worker liberation (Reintegration and Prevention Actions).	Implementing pilot income-generating initiatives with training, respecting the profiles of target communities and integrating available public policies within them (such as first employment programs, Bolsa Família, agrarian reform, direct food purchasing, and literacy programs).

**Source: Compiled by the author based on the National Plans for the Eradication of Forced Labor, as well as the State Plan for the Eradication of Forced Labor in Tocantins.**

Therefore, it is necessary to study the coordinated actions within the state of Tocantins, especially by COETRAE/TO, MPT, CPT, and SRTb, demonstrating the statistical data on modern slavery in the state and how the prevention actions have been promoted regarding access to public policies and the guarantee of social rights such as education, income, and decent work. These are indicators of the socioeconomic condition of the workers in Tocantins, making them vulnerable to work in conditions analogous to slavery.

### ***The Profile of Rescued Workers in Conditions of Modern Slavery in Tocantins***

Tocantins State ranks 6th nationally, according to data from the Observatory for the Eradication of Slave Labor and Human Trafficking. Between 2003 and 2018, 2,196 workers were rescued from conditions analogous to slavery in the state of Tocantins. The microregions of Bico do Papagaio (25 municipalities) and Araguaína (17 municipalities) have the highest incidence of modern slavery, with the most rescues occurring among both natives and residents of these regions.

According to data from the Brazilian Institute of Geography and Statistics

(IBGE), Tocantins has the 14th Human Development Index (HDI) in the country, with a per capita income of R\$1,056 (one thousand and fifty-six Brazilian reais), whereas the Brazilian average is R\$1,373 (one thousand three hundred and seventy-three Brazilian reais). In cities with a high number of recruited workers, almost half of the population has a nominal monthly per capita income of up to half the minimum wage (IBGE, 2010), indicating the low level of economic development in the region.

These statistics demonstrate the economic and social development disparity in regions where there are higher rates of recruitment for modern slavery. The population with low income is more easily deceived by offers that promise improvement in salary for themselves and their families, made by the so-called “gatos” (recruiters).

Educational levels correlated with per capita income highlight sociodemographic vulnerabilities. Among the rescued workers residing in Tocantins, 34% are illiterate, 36% have incomplete education up to the fifth grade, and 15% attended incomplete sixth to ninth-grade education.

Regarding age and gender, it is evident that the recruited and rescued workers in Tocantins are mostly male, nearly 92%, with a higher incidence between the ages of 18 and 35. The most common type of labor for workers in conditions analogous to slavery is general farming, accounting for 85% of cases (1,919 rescues), followed by itinerant agriculture workers (61), workers in cattle farming for meat (47), charcoal workers (37), chainsaw operators (23), cooks (20), and other occupations with insignificant numbers for this research.

Modern slavery in Tocantins is concentrated to a high extent in rural areas, especially in the western mesoregion of Tocantins, close to the states of Pará and Maranhão. Approximately 42% of the rescued residents identify themselves as brown, mixed-race, indigenous, or of mixed black heritage.

The municipalities with the highest rescue rates are isolated and distant from major centers, except for the city of Araguaína. Consequently, these areas lack access to land, education, vocational training, housing, and income—basic minimum rights. This situation explains why the region is fertile ground for modern slavery, especially due to the indifference of the Executive, Legislative, and Judicial branches (Mattos, 2014).

The workers are part of an enormous group of vulnerable and disposable people who are easily recruited due to their economic and social misery, a result of an abolition poorly executed and still accepted by Brazilian society, revealing the lingering slave culture in Brazil (Suzuki; Plassat, 2020).

The low level of education among contemporary slave labor survivors restricts their access to good vocational training, limiting their field of work and making them

easy targets for recruiters, as they are in desperate need of anything better than what they currently possess. This situation is why Moura (2011) refers to them as “slaves of necessity.”

In summary, contemporary slave laborers in Tocantins are characterized by their low level of education, with the majority being illiterate or semi-literate. They are mostly men between the ages of 18 and 35, of brown/mixed-race and black ethnicity, working in rural areas in general farming, with low per capita income.

The above-described profile allows the responsible authorities, whether in prevention or repression of modern slavery, to identify the socioeconomic vulnerabilities of the recruited population. It also highlights the existing barriers to eradicating this inhumane form of labor, emphasizing the need for necessary social actions to truly break the cycle of contemporary slavery.

Having established the profile of workers in conditions analogous to slavery in Tocantins, it is essential to assess the existing interventions in the state, especially concerning preventive measures for worker qualification and access to education as emancipatory tools to free them from the chains that still bind them to modern slavery.

## **Actions and State Partnerships in Combating Slave Labor**

The Labor Public Prosecutor’s Office (MPT) is part of the Union Public Prosecutor’s Office (Article 128, I, “b,” CF/88), whose competence is established in Complementary Law (LC) No. 75/1993, which defines the organization, attributions, and statute of the Union Public Prosecutor’s Office. Article 83 of this law outlines its responsibilities, including defending legal order, democratic rights, and non-negotiable social and individual interests.

Within the MPT’s areas of action to deal with labor law violations, there was a need in 2002 to establish the National Coordination for Combating Slave Labor (CONAETE) through the Attorney General’s Ordinance – PGT No. 231/2002, making it the MPT’s duty to combat slave labor and promote the exchange of experiences and discussions on the subject (Gomes; Guimarães, 2018).

CONAETE conducts task forces nationally and regionally with the assistance of the MPT, labor inspectors, and federal police (sometimes federal highway police) to inspect locations where there are reports of possible slave-like labor.

Upon receiving a report from any responsible agency, the Labor Inspection Department (DET) (Ministry of Economy) acts in a coordinated and articulated manner with CONAETE, which recommends the participation of MPT members through inter-institutional action forces with the Specialized Group for Mobile Inspection (GEFM), as established by Resolution No. 94/2010 of the Superior Council of the Labor Public

Prosecutor's Office (CSMPT).

Thus, the CONAETE coordinator, in conjunction with DET, screens the received reports and plans and organizes the operations to be carried out by GEFM (Article 1, §2 of Resolution No. 94/2010), with the fundamental participation of the MPT member for gathering and/or producing early evidence, entering into a Conduct Adjustment Term (TAC) regarding severance pay and individual moral damages, and taking other necessary measures.

CONAETE is composed of Regional Labor Prosecutor's Offices (PRT), including the one in Palmas/TO, especially since Tocantins ranks among the top positions nationally with the highest number of workers rescued from slave-like conditions.

The II National Plan for the Eradication of Slave Labor (II PENETE) establishes, among its general actions (items 02 and 03), the State Commission for the Eradication of Slave Labor (COETRAE), as well as the MPT as an integral member, to establish integrated strategies in both repressive and preventive actions aimed at eradicating modern slavery. This demonstrates the MPT's dual approach (repressive and preventive).

COETRAE/TO was established through Decree No. 3,018, dated April 27, 2007, later amended by Decree No. 4,589, dated July 9, 2012. Its collegiate composition has a consultative and binding character, being subordinate to the Secretariat of Citizenship and Justice (SECIJU) and consisting of members from the Executive Branch, public and civil entities, Federal University of Tocantins, Regional Labor Court, Institute of Colonization and Agrarian Reform, and non-governmental organizations involved in combating slave labor.

COETRAE/TO, the State Commission for the Eradication of Slave Labor, is tasked with stimulating, monitoring, and evaluating the implementation of the I and II National Plans for the Eradication of Slave Labor (PNETE) and State Plan for the Eradication of Slave Labor in Tocantins (PEETE/TO). It is responsible for executing the actions outlined in the state plan, particularly in terms of preventive measures aimed at eradicating slavery-like working conditions.

In Brazil, there are 16 COETRAEs, playing a crucial role in decentralizing the execution of public policies to combat modern slavery. As mentioned earlier, they focus on prevention and the reintegration of rescued workers. Remarkably, only one municipality in the country has a Municipal Commission, namely the city of São Paulo, established by Law No. 15.764/2013.

A study conducted by Jandecir Pereira Rodrigues and Shirley Silveira Andrade indicates that governmental disorganization hampers COETRAE/TO's effectiveness, with political will being a fundamental factor for the Commission's successful



collaboration with other affiliated organizations (Rodrigues; Andrade, 2012).

The issuance of Decree No. 9.759/2019, which imposes limitations on collegiate bodies like CONATRAE and COETRAEs, has reduced the effectiveness of these organizations, weakening control mechanisms in the fight against modern slavery. Additionally, the extinction of the Ministry of Labor, labor reforms, and the reduction in the number of labor inspectors have further hindered their efforts (Pagenoto, 2019).

Despite criticisms and restrictions imposed by the current federal administration, rescue operations remained active in 2019 through DETRAE and GEFM, now comprising 16 labor inspectors. They conducted 45 mobile operations in the last year, emphasizing the importance of collaborative efforts by all stakeholders to completely eliminate such inhumane working conditions.

The Pastoral Land Commission (CPT) was founded in 1975 in Goiânia, following Bishop Pedro Casaldáliga's public denouncement of slave-like conditions among workers in development projects in the Legal Amazon. The organization aimed to connect with the National Conference of Bishops of Brazil (CNBB) and provide support, guidance, and assistance to popular pastoral activities focused on rural workers (Plassat, 2017).

Initially affiliated with the Catholic Church, especially during the military dictatorship, CPT found protection for its activities within CNBB, eventually gaining ecumenical character with significant support from the Evangelical Church of Lutheran Confession in Brazil.

In Tocantins, CPT is based in the Araguaína microregion, the second-largest region in terms of the number of rescued workers in conditions similar to slavery. It is coordinated by Dominican friar Xavier Jean Marie Plassat, widely known as Frei Xavier.

The Pastoral Land Commission (CPT) is a non-governmental organization that provides significant support to public authorities in combating this issue. It serves as one of the main channels for reporting labor irregularities falling under the typification outlined in Article 149 of the Brazilian Penal Code. Their nationwide campaign titled "De olho aberto para não virar escravo" (Eyes Wide Open to Avoid Becoming a Slave), launched in 1997, has instilled strong confidence among workers in the Commission's activities (Nascimento; Lopes, 2015).

The extensive publicity efforts undertaken by CPT, especially in regions neglected by public authorities, have elevated prevention actions to unprecedented levels, improving access to information for workers, particularly in rural areas. Thus, CPT plays a significant role in civil society, actively contributing to the elimination of slavery-like working conditions. From 1995 to 2016, the organization received and

forwarded 1565 reports of slave labor to the authorities, representing 46% of the total 3438 cases identified over these 21 years. These reports involved 41.3 thousand workers, of whom 11.9 thousand were effectively rescued (Plassat, 2017).

On January 1, 2019, the Ministry of Labor, Employment, and Social Security was incorporated into the Ministry of Economy under the Secretariat of Labor. Labor inspections and oversight of employment relationships are now carried out by Labor Inspectors directly affiliated with the Labor Inspection Subsecretariat (SIT) under Instruction No. 91/2011. Labor inspectors have the authority to inspect situations where workers may be found in conditions analogous to slavery (Article 1, IN No. 91/2011). They can conduct rescue operations either through the national mobile group or regionally. In the latter case, inspections are always coordinated and integrated with COETRAE, aiming to diagnose and prioritize actions (Article 10, IN No. 91/2011). Labor inspectors are responsible for liberating workers subjected to conditions similar to contemporary slavery.

Penalties defined in Article 149 of the Brazilian Penal Code, when found during task force operations by Labor Inspectors, result in the issuance of fines and the inclusion of the offender's name in the "Lista Suja" (Dirty List). This list contains the names of employers and establishments where situations of modern slavery were identified and workers were liberated. The last update of this registry was on February 21, 2020 (SIT, 2020).

The term "Lista Suja" (Dirty List) serves as a critique of the shameful practice of recruiting human beings for work that does not meet decent standards, as defined by the ILO. The use of this term can be seen as a euphemism to describe the various innovative ways employers find to exploit workers, as identified by the Special Mobile Inspection Group (GEFM), as pointed out by Chagas (2007).

This list was the subject of Direct Action of Unconstitutionality (ADI) No. 5209/DF filed by the Brazilian Association of Real Estate Developers (ABRAINC) against the already revoked Interministerial Ordinance MTE/SDH No. 2, dated May 12, 2011. This ordinance was suspended due to a monocratic decision by then Chief Justice of the Supreme Federal Court, Ricardo Lewandowski.

The suspension of the ordinance led to the issuance of Ministerial Ordinance MTPS/MMIRDH No. 4, dated May 11, 2016, which is still in effect today. ADI 5209 was eventually dismissed due to a supervening loss of object.

Tocantins has four farms listed in the "Lista Suja." These farms are located in the municipalities of Sandolândia, Aliança do Tocantins, Aragominas, and Araguatins. A total of 13 workers were rescued from these locations under conditions similar to slavery.

It is noteworthy that the Regional Labor Inspectorate (SRTb) plays a significant role as one of the responsible bodies, especially in integrated actions related to repressive measures, being linked to the Secretariat of Labor, as outlined in the I and II PNETE. The SRTb has been facing challenges for years, including budget constraints and a limited number of labor inspectors. This situation has resulted in a decline in inspections and rescues, indicating a failure to comply with the actions outlined in the national and state plans for eradicating slave labor and highlighting the importance of studying this proposed topic.

## **Contextualization of Findings**

As demonstrated earlier, the National Plans for the Eradication of Slave Labor establish the need for cooperative and coordinated efforts among agencies with competence for both preventive and repressive actions, as well as civil society. Their purpose is to eradicate this plague that afflicts all humanity: contemporary slave labor. An effort was made to highlight the existence of a cooperative procedural model that promotes joint action across multiple fronts to streamline processes and actively contribute to the extinction of modern slavery.

The data collected in this study, through public opinion surveys conducted with COETRAE/TO, PRT of Palmas, CPT, and SRTb of Palmas, aimed to showcase the collaborative efforts between these organizations and civil society in Tocantins, particularly regarding the prevention of slave-like labor. This focus was especially on breaking the cycle through addressing socioeconomic vulnerabilities. We will now proceed to analyze the results obtained from the interviews.

One of the objectives of the II PNETE is not only the repression of contemporary slave labor but also prevention through education, access to public policies, income generation, and employment opportunities. One determining factor for the perpetuation of modern slavery relates to the economic and social instability of specific groups.

COETRAE/TO is among the organizations targeted by these objectives. Therefore, the importance of the research conducted with the commission is to reveal the role it currently plays in Tocantins concerning the state precautions taken to fulfill not only the national plan but also the PEETE/TO.

During the interview conducted with COETRAE/TO on February 28, 2020, it was noted that the budget constraint decree limits the commission's activities. However, despite this limitation, SECIJU intends to expand its operations, including through partnerships with the National Employment System (SINE). This expansion aims to develop a project to support people rescued from slave-like labor.

However, COETRAE/TO acknowledges the encountered barriers:

É o nosso, na verdade, calcanhar de Aquiles, o pós-resgate, porque às vezes a pessoa é resgatada da condicional da escravidão e ele retoma o ciclo porque ele fica vulnerável, sem trabalho e a maioria das vezes sem documentação básica. Então, a gente tá (sic) buscando essas parcerias com o SINE para ver se a gente consegue reduzir esse ciclo vicioso. (entrevista COETRAE/TO concedida em 28 de abril de 2020).<sup>1</sup>

Given the socioeconomic and demographic profile of the rescued workers in Tocantins, especially in the microregion known as Bico do Papagaio<sup>2</sup>, where the population has a per capita income well below the national average, is largely illiterate or semi-literate, and resides in rural areas, the COETRAE/TO's efforts related to access to information were evident through the "Escravo Nem Pensar" project by the non-governmental organization Repórter Brasil, believing it to be the:

Educação um aliado importante no combate a essa vergonha que é o trabalho escravo, principalmente nesse público mais jovem, o público escolar é um público que a gente aposta muito no diferencial desse número do trabalho escravo do Estado do Tocantins. (entrevista COETRAE/TO concedida em 28 de abril de 2020).<sup>3</sup>

However, there is no action taken by COETRAE/TO or even by SECIJU regarding the professional qualification of workers rescued from modern slavery, despite provisions in this regard in PEETE/TO, where the Commission has the mission to monitor and implement.

PEETE/TO includes, among specific social inclusion actions in item 5.4.3, the creation of pilot initiatives for income generation with qualifications, which, to this day, even with the creation of the plan in 2007, has not been put into practice.

A COETRAE tem conhecimento da necessidade dessa atuação, porém nesse atual governo federal que nós estamos aí limitou-se muito as atuações das COETRAES no Brasil inteiro, mas há essa possibilidade de um desenvolvimento de programas nesses aspectos, há essa possibilidade, mas no momento a gente não tem nenhum programa. (entrevista COETRAE/TO concedida em 28 de abril de 2020).<sup>4</sup>

The applied research also confirms the failure in interinstitutional cooperation due to the lack of coordination and communication among various organizations, particularly at the state level, that make up COETRAE/TO in complying with international, national, and state standards for eradicating slave labor, as observed.

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<sup>1</sup> "It is, in fact, our Achilles' heel, the post-rescue phase, because sometimes the person is rescued from the conditions of slavery and then returns to the cycle because they become vulnerable, without work, and most of the time without basic documentation. So, we are seeking partnerships with SINE to see if we can reduce this vicious cycle." (Interview with COETRAE/TO given on April 28, 2020).

<sup>2</sup> Located in the far north of the state, the Bico do Papagaio region is the transitional area between the Cerrado (Brazilian savanna) and the Amazon Rainforest. Tocantinópolis has a history involving religious missionaries and achieved economic success in the 19th century when it was part of the route connecting Goiás and the northern regions of the country.

<sup>3</sup> "Education is an important ally in the fight against this shameful practice of slave labor, especially among the younger population. The school-going public is a demographic that we rely on significantly to make a difference in the numbers related to slave labor in the state of Tocantins." (interview with COETRAE/TO conducted on April 28, 2020).

<sup>4</sup> "COETRAE is aware of the need for this action. However, in the current federal government, the activities of COETRAEs throughout Brazil have been greatly limited. There is a possibility of developing programs in these areas, but at the moment, we don't have any programs in place." (Interview with COETRAE/TO conducted on April 28, 2020).

A gente tem participado das reuniões da nacional, os órgãos a gente consegue às vezes se comunicar nas reuniões. Tem os grupos de trabalho, tem, mas a informação talvez quando chega ele já foi, já tá (sic) lá há três meses e se vê naquela situação novamente. Então este ciclo ele é ainda muito tenso de você conseguir rastrear um a um. A gente não tem um programa, um sistema nacional que faça a articulação, até mesmo através da secretaria nacional que dá os encaminhamentos, que costura isso diante dos órgãos ainda tem essas dificuldades dos protocolos. Não tem um protocolo sistematizado de atendimento. (entrevista COETRAE/TO concedida em 28 de abril de 2020).<sup>5</sup>

Thus, in Tocantins, there is no technical cooperation established among the State, Municipalities, National Employment System (SINE), Brazilian Micro and Small Business Support Service (SEBRAE), or the Social Assistance Reference Center (CRAS) with a focus on promoting the professional qualification of workers rescued from modern slavery, aiming to break the cycle through vulnerability.

The Labor Public Prosecutor's Office (PRT) in Palmas was also the subject of this study due to its significant role in both preventive and repressive actions and also because it is a member of COETRAE/TO, whose leadership in Tocantins has played an essential role in task force operations, especially given the low number of labor inspectors in the State:

E hoje, por conta dessas dificuldades na organização das operações, cortes orçamentários, contingenciamento de gastos e despesas, nós vimos uma redução dessas operações e aí o MPT quis assumir um protagonismo, seja articulando melhor com a DETRAE, nós temos uma coordenadoria nacional, um coordenador e um vice-coordenador e eles que fazem essas articulações com esses órgãos superiores, digamos assim. Quando há uma atuação mais centralizada isso não fica por conta das coordenações regionais, mas da nacional. E o MPT passou a participar de forma mais ativa querendo ocupar esse espaço de protagonismo pra viabilizar que essas operações acontecessem, inclusive desenvolvendo uma certa autonomia na organização de operações próprias. (entrevista PMT de Palmas concedida em 03 de março de 2020).<sup>6</sup>

In the same way as observed with COETRAE/TO, the same situation occurred with PRT of Palmas regarding the lack of support for workers when they are rescued from repressive operations against modern slavery:

O assistencialismo também tem que ser forte, tem que ser engajado, inclusive eu me reuni com o Secretário de assistência social no final do ano passado pra expor essa questão que nós precisamos de uma política de acolhimento às vítimas do trabalho escravo, inclusive logo após o resgate. Se houver res-

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<sup>5</sup> "We have participated in national meetings, and sometimes we manage to communicate during these meetings. There are working groups, yes, but the information, by the time it reaches us, the situation might have been ongoing for three months, and we find ourselves back in the same situation. So, this cycle is still very tense; it's challenging to trace each case individually. We don't have a national program, a system that facilitates coordination, even through the national secretariat that provides guidance, stitching things together among the organizations. There are still difficulties with protocols. There isn't a systematic protocol for handling these cases." (COETRAE/TO interview given on April 28, 2020).

<sup>6</sup> "And today, due to these difficulties in organizing operations, budget cuts, and spending constraints, we have seen a reduction in these operations. The Public Prosecutor's Office (MPT) wanted to take on a more prominent role, better coordinating with DETRAE. We have a national coordination, a coordinator, and a vice-coordinator, and they handle these interactions with higher authorities, so to speak. When there is a more centralized approach, it is not left to regional coordinations but rather to the national one. The MPT became more actively involved, wanting to occupy this leading role to ensure that these operations took place, including developing a certain level of autonomy in organizing their own operations." (Interview with the Public Prosecutor's Office of Palmas given on March 3, 2020).

gate já tem que haver o encaminhamento, se houver necessidade de essas vítimas serem acolhidas em algum abrigo temporariamente. (entrevista PMT de Palmas concedida em 03 de março de 2020).<sup>7</sup>

Although the Labor Prosecutor's Office in Palmas does not have the responsibility for accommodating rescued workers, there is institutional concern that these workers be attended to in all aspects. It is necessary for the organizations to fulfill their responsibilities, emphasizing once again the importance of coordinated and cooperative efforts among all responsible entities in addressing this issue:

Ainda é incipiente, até porque, como eu disse, não existe uma política regional ainda forte, consolidada de combate ao trabalho escravo. Eu vejo que existe uma motivação e uma boa intenção de entidades não governamentais, como a Comissão Pastoral da Terra ou outras entidades vinculadas à igreja, como quando teve aquele caso dos venezuelanos aqui e a igreja se mobilizou, a igreja católica se mobilizou para disponibilizar esses abrigos, mas a gente não pode deixar nas mãos das não governamentais porque é uma atribuição do Estado. O Estado tem que dar conta né. Então, nós estamos cientes disso e estamos já nos reunindo com o Estado para que essas políticas sejam desenvolvidas. (entrevista PMT de Palmas concedida em 03 de março de 2020).<sup>8</sup>

The II PNETE includes in item 46 actions aimed at reintegration the use of fines and compensation for moral damages resulting from slave labor inspections for prevention projects. There are no such projects in Tocantins; the focus has been primarily on repression rather than prevention:

Mas não existe, como eu disse, uma política pública do Ministério Público voltada especificamente a essa questão da redução do ciclo de pobreza e de vulnerabilidade das pessoas, apesar de nós sabermos que uma coisa leva a outra. Quando a gente vê o nível de escolaridade muito baixo em regiões extremamente pobres onde o Estado não chega, não tem uma presença, o trabalho infantil e o trabalho escravo são consequências fatais, fatalmente acontece essas situações. (entrevista PMT de Palmas concedida em 03 de março de 2020).<sup>9</sup>

Finally, in the interview conducted with the Public Prosecutor's Office (PRT) in Palmas, the importance of identifying the economic power operating in the pyramid of contemporary slave labor was highlighted as a preventive measure. It was noted that the issue does not lie in family agriculture but rather in agribusiness, especially with significant investments from banks through their credit lines at the top of the production

<sup>7</sup> "Welfare support also needs to be strong, it needs to be engaged. In fact, I met with the Secretary of Social Assistance at the end of last year to discuss this issue. We need a policy for welcoming victims of slavery, including immediately after the rescue. If there is a rescue, there must be immediate arrangements. If these victims need to be accommodated in a shelter temporarily, it should be provided." (Interview with the Public Prosecutor's Office of Palmas given on March 3, 2020).

<sup>8</sup> "It's still in its infancy, mainly because, as I mentioned, there isn't yet a strong, consolidated regional policy to combat modern slavery. I see that there's motivation and good intentions from non-governmental entities, such as the Pastoral Land Commission or other church-related organizations, like when there was that case with the Venezuelans here, and the Catholic Church mobilized to provide shelters. But we can't rely solely on non-governmental organizations because it's the State's responsibility. The State has to take charge. So, we are aware of this and have already started meetings with the State so that these policies can be developed." (Interview with Palmas Municipal Labor Prosecutor's Office, March 3, 2020).

<sup>9</sup> "But there isn't, as I mentioned, a public policy from the Public Prosecutor's Office specifically focused on reducing the cycle of poverty and vulnerability of people, despite knowing that one thing leads to another. When we see very low levels of education in extremely poor regions where the State doesn't reach, where there isn't a presence, child labor and slave labor are fatal consequences, these situations inevitably happen." (Interview with Palmas Municipal Labor Prosecutor's Office, March 3, 2020).

chain, as a way to dismantle the continuity of modern slavery. An attempt was also made to interview the Regional Labor Inspectorate (SRTb) as a partner of COETRAE/TO, equally important in inspection and combating work under conditions analogous to slavery. However, it was observed once again that SRTb does not engage in preventive actions against slave labor beyond informing the population through lectures and public events or through the NGO Repórter Brasil, limiting their activities solely to that.

The collaborative efforts of state agencies in Tocantins are still very incipient, despite this being the orientation of both national and state plans, whether in cautioning against the development of this type of work or in inspections when contemporary slavery has already occurred, as emphasized by the Public Prosecutor's Office (MPT) in its public opinion interview.

One of the reintegration actions envisaged is the implementation of National Employment System (SINE) agencies in municipalities with higher levels of slave labor recruitment. The SRTb is unaware of this project in Tocantins, and COETRAE/TO has expressed the hope that such an agreement will be made in the future, although it is not currently in effect.

Finally, it was once again noted in the interview conducted on March 19, 2020, with the Pastoral Land Commission (CPT) - a highly significant civil society member with a strong presence in Tocantins, especially in the Central-Northern and Bico do Papagaio regions, where most workers recruited into modern slave labor are rescued - that there is little or almost no state action in these areas. The national campaign coordinated by CPT has a strong presence in the interior of the country, especially in states like Tocantins, where state intervention is limited or absent.

Nos últimos 05/06 anos nós temos discutido mais profundamente as nossas estratégias frente a esse combate ao trabalho escravo, discutindo com comunidades camponesas formas de quebrar o ciclo da escravidão. Então, a CPT desde quando ela começa essa campanha ela pensa mesmo como quebrar o ciclo da escravidão, como que a gente atua com as comunidades e os povos para que eles não sejam tão vulneráveis. No Tocantins a CPT ela atua com isso e também atualmente nós estamos desenvolvendo um programa que a gente chama RAICE, que é uma estratégia pensando a partir das vulnerabilidades em comunidades camponesas em Nova Olinda, pensar estratégias para que essas comunidades deixem de ser vulneráveis. (entrevista CPT concedida em 19 de março de 2020).<sup>10</sup>

The Integrated Action Network to Combat Slavery (RAICE) program has been operating in the states of Tocantins, Pará, Maranhão, and Piauí since 2014, executed by CPT and the Center for the Defense of Life and Human Rights Carmem Bascarán (CDVDH/CB) in Açailândia/MA. Its target audience includes rescued workers and

<sup>10</sup> "In the last 5-6 years, we have been discussing our strategies more deeply in the fight against slave labor, engaging with peasant communities to find ways to break the cycle of slavery. So, from the beginning of this campaign, CPT has been thinking about how to break the cycle of slavery, how to work with communities and peoples so that they are not so vulnerable. In Tocantins, CPT is actively working on this, and currently, we are developing a program called RAICE, which is a strategy designed from the vulnerabilities in peasant communities in Nova Olinda. We are strategizing ways for these communities to stop being vulnerable." (Interview with CPT conducted on March 19, 2020).

those vulnerable to slave labor, along with their families. The program's proposal is to:

É criar uma rede interinstitucional, que vai ser uma rede municipal de combate ao trabalho escravo. Nós criamos essa rede em Nova Olinda envolvendo Secretaria de Saúde, Secretaria de Habitação, Assistência Social, Sindicato e Igrejas locais. Então, ali tem o primeiro caráter de pensar a partir de uma rede que envolve tanto os entes do município, mas também a sociedade civil pra depois discutir com a comunidade essas estratégias pra redução da vulnerabilidade. (entrevista CPT concedida em 19 de março de 2020).<sup>11</sup>

The pilot project is implemented in Tocantins only in the municipality of Nova Olinda so that it can later be replicated in other communities, considering the still very limited performance of COETRAE/TO in Tocantins, where CPT's concern is not only about training the workers:

Claro que ainda tá bem tímida a atuação, mas que tem algumas ações que caminham nesse sentido que envolvem algumas secretarias, mas que também ainda tá muito mais no plano de trabalho de prevenção e um pouco também da repressão ao crime porque o MPT tá lá, a SRTb tá lá que faz esse trabalho de fiscalização. Em relação à questão da formação profissional, na verdade, é uma questão que a gente tem que discutir mais e acho que as vezes a gente tem que ter cuidado porque parece ser uma saída fácil pra resolver o problema e que as vezes não é, entendeu? Só capacitar os trabalhadores e jogá-los no mercado de trabalho não resolve o problema muitas vezes. Então, o que pode acontecer é o trabalhador que vai ser escravizado numa fazenda trabalhando de tratorista, esse trabalhador pode ter passado por um processo de formação, mas que pode cair na mesma rede de escravidão porque é uma questão que você tem que ser discutida na base mesmo, com base em todos os problemas que são fundantes dessa problemática do trabalho escravo. Então, acho que só fazer essa capacitação de trabalhadores ela não resolve, é uma coisa que a CPT tem clara, uma discussão que a CPT vem fazendo há algum tempo já (entrevista CPT concedida em 19 de março de 2020).<sup>12</sup>

In the interview conducted with CPT, the need for interconnected public policies and the cooperative engagement of all organizations to truly eradicate contemporary slavery is evident. This involves discussing healthy alternatives with the most vulnerable communities, so not only the rescued worker but also their entire family can break free from the experienced vulnerability.

The analysis of numerical data obtained from the Observatory of the Eradication of Slave Labor, as well as the sociodemographic profile of workers lured and rescued in

<sup>11</sup> "It's about creating an interinstitutional network, which will be a municipal network to combat slave labor. We established this network in Nova Olinda involving the Health Department, Housing Department, Social Assistance, Labor Union, and local churches. So, there's the initial aspect of thinking from a network that involves both municipal entities and civil society, and then discussing with the community these strategies for reducing vulnerability." (Interview with CPT conducted on March 19, 2020).

<sup>12</sup> "Of course, the actions are still quite limited, but there are some initiatives moving in this direction that involve some government departments. However, it is mostly in the realm of prevention and somewhat in the repression of crime because the MPT is there, SRTb is there doing inspection work. Regarding vocational training, it's actually something we need to discuss more, and I think sometimes we have to be careful because it seems like an easy way out to solve the problem, and sometimes it's not, you know? Just training workers and putting them in the job market often doesn't solve the problem. What can happen is that a worker who is enslaved on a farm working as a tractor driver, this worker may have gone through a training process, but could still end up in the same slavery network because it's a matter that needs to be discussed at the grassroots level, based on all the foundational problems related to this issue of modern slavery. So, I think just training workers doesn't solve it; it's something that CPT is clear about, a discussion that CPT has been engaged in for some time now." (Interview with CPT conducted on March 19, 2020).



slave-like conditions in Tocantins, along with public opinion interviews with COETRAE/TO, PRT in Palmas, SRTb, and CPT, highlights a still nascent coordination among the entities that comprise the state commission, as well as in their individually conducted activities.

The lack of coordination, especially in preventive actions, perpetuates Tocantins' position at the top of the national ranking for consecutive years. This is particularly due to the fact that the areas with the highest recruitment occur in the state's interior, which is inadequately covered by state actions and relies more on civil society organizations, such as CPT.

The investigation highlights the existing obstacles, especially for workers to stop being easy targets for recruiters. The solutions primarily lie in the coordinated efforts of various state entities and ensuring fundamental rights to break not only the vulnerability of the worker but also that of the entire family and perhaps the entire local community.

Brito (2019) points out that workers rescued from contemporary slavery face social and state invisibility, demanding effective measures to improve their lives, promoting social and economic well-being, reducing poverty, increasing wages, and improving working conditions, housing, health, education, leisure, and food.

The Federal Constitution establishes, among its fundamental objectives, the construction of a free, just, and solidarity-based society, ensuring national development while eradicating poverty and marginalization and reducing social and regional inequalities, promoting the well-being of all citizens. The promotion of these fundamental rights ensures the development of the entire nation.

The lack of pursuit of these objectives by the state restricts the promotion of minimal survival conditions, even though the state is responsible for ensuring opportunities for all (Britto, 2019), especially in reducing the stark social inequalities within the country.

The still insufficient actions of state entities in Tocantins, as demonstrated by the conducted research, do not guarantee the fulfillment of workers' social rights, allowing them to remain subjected to exploitative labor and live in indignity, along with their families.

It is necessary for the entities comprising COETRAE/TO, as well as the Executive Power and civil society, to act cooperatively and engaged to seek more productive solutions in terms of prevention and the complete eradication of contemporary slavery. This goes beyond just providing support but involves the implementation of inter-institutional projects, such as the proposal presented by CPT, the RAICE program.

Brito (2019) emphasizes that public policy is defined by the effective

implementation of an action plan. It is not only about compliance with laws or legal effectiveness but also about achieving social objectives established in a specific context.

The collaborative model proposed in this study aims for cooperation between COETRAE/TO, Regional Prosecutor's Office (PRM) of Palmas, SRTb, and CPT to highlight the vulnerabilities of communities in Tocantins where workers are rescued in conditions akin to slavery. Moreover, it seeks to present alternatives for these workers' families, as well as for the workers themselves, to secure their social rights and achieve the fundamental objectives of the Federative Republic of Brazil.

Continuing actions in a disjointed manner, solely focused on repressive actions or even on providing information through lectures and public events, are not sufficient by themselves to change the panorama evidenced in this research, with Tocantins remaining one of the states with the highest numbers of rescues from contemporary slavery.

# FINAL CONSIDERATIONS

The research conducted started with the study of slavery in Brazil from the colonial period as a way to understand contemporary slave labor, given that the latter has its historical roots in the former. Understanding the whole is impossible without studying the historical context.

The enactment of Law No. 3,353/1888 by Princess Isabel, nicknamed the “Redeemer,” ended a period in which the slave society no longer essential for its economy the slave labor force, which had subsisted since classical civilizations.

However, the changes brought about by the abolition of slavery did not create a scenario of social inclusion for former slaves in a society strongly marked by class division. Instead, it led to new forms of overexploitation of human labor, validating the existing antagonisms of ancient times.

Social injustices present in colonial Brazil persisted and even worsened after the formal abolition of slavery in 1888. Once freed, former slaves became modern slaves, as drastic social inequalities prevented them from pursuing different paths than those experienced by their ancestors.

The study showed that all international norms, especially those issued by the International Labour Organization, were not effective enough to prevent the recognition, centuries later, of the existence of forms contrary to decent work. This led Brazil, in 1995, to publicly admit the presence of workers in conditions similar to slavery.

The liberation from the chains that bound the slaves to their masters gave way to an almost imperceptible domination of vulnerability for various human beings, subjected to new forms of labor exploitation. They were not only lured into modern slave labor but also became recurrent victims of the same issue, chaining them to an endless cycle.

The creation of working groups to address modern slavery led to a joint task force in both repressive and preventive actions, especially with the creation of the first National Plan for the Eradication of Slave Labor. This plan aimed to act cooperatively and coordinately among various members as a means to eradicate slave-like working conditions.

However, the analysis proved that structural changes, especially the extinction of the Ministry of Labor, related to budget cuts, weakened a significant line of defense against contemporary slave labor. This line was the repressive inspections to rescue workers in situations of labor irregularities, constituting a crime under article 149 of the Brazilian Penal Code.

The weakening of operations consequently leads to the disarticulation of preventive actions, a fundamental point for breaking the cycle of socioeconomic vulnerability experienced by workers and their families. This is because a significant portion of the Brazilian population is not covered by effective public policies due to State omissions.

The fact that Tocantins ranks 6th nationally among states with the highest number of rescued workers in conditions similar to slavery necessitated the interviews conducted to understand the roles played by state-level actors in both repressive and preventive actions.

The interviews conducted demonstrated the timid performance of the State Commission for the Eradication of Slave Labor, the Regional Labor Prosecutor's Office in Palmas, the Regional Labor Superintendent in Palmas, and the Pastoral Land Commission regarding preventive actions and the post-rescue aspect of workers found in contemporary slave labor conditions.

It was evident that the socioeconomic profile and vulnerability of rescued workers in Tocantins are correlated with low per capita income, a small human development index, and limited access to public policies such as land, education, and professional qualification.

Despite the repressive actions, even with the low number of labor inspectors for Tocantins' vast territory, there is a certain autonomy in the Regional Labor Prosecutor's Office in Palmas and the Regional Labor Superintendent regarding preventive actions. However, the same cannot be concluded.

The task forces undertaken by the aforementioned agencies, even with the creation of the State Plan for the Eradication of Slave Labor since 2007, are still in the early stages concerning prevention, mainly limited to the information actions envisaged in both the state and national plans.

The proposed cooperative model for integrated actions in the fight against contemporary slave labor in Tocantins focuses primarily on preventive measures. Changes in Brazilian sociocultural conditions, especially in the forgotten interior of north-central Tocantins, can be a great ally for the inhuman eradication of slave labor.

Therefore, it is proposed to establish a technical cooperation agreement by the State Commission for the Eradication of Slave Labor in Tocantins, the collegial body responsible for implementing plans to eradicate slave labor. This agreement aims to work in a coordinated manner, especially with municipalities, to create preventive strategies through access to education, professional qualification, information, and housing for a significant improvement in the quality of life of the population victimized by contemporary slave labor recruiters.

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