

VIDAS SECAS AND THE RELATIONS OF RURAL DEGRADING WORK IN CONTEMPORARY BRAZIL: TRANSDISCIPLINARITY BETWEEN LAW AND LITERATURE | *VIDAS SECAS Y LAS RELACIONES DE TRABAJO RURAL DEGRADANTE EN BRASIL CONTEMPORÁNEO: TRANSDISCIPLINARIEDAD ENTRE DERECHO Y LITERATURA* | *VIDAS SECAS E AS RELAÇÕES DE TRABALHO RURAL DEGRADANTE NO BRASIL CONTEMPORÁNEO: TRANSDISCIPLINARIDADE ENTRE DIREITO E LITERATURA*

CIRO ANTONIO DAS MERCÊS CARVALHO
LÍLIAN DE BRITO SANTOS

ABSTRACT | This work explores the fictional depiction of the farm worker, in *Vidas secas*, by Brazilian novelist Graciliano Ramos, in dialogue with a contemporary labor reality in rural areas, based on a series of conventional sources of labor law in Brazil. As for the procedures applied, this is a theoretical and interdisciplinary research with a predominantly qualitative character, and a primarily bibliographic nature. By means of a concatenation of the data obtained in both fields of knowledge/culture – law and literature –, theoretical, analytical and critical arguments were made. An attempt was made to raise reflections on the facts presented in the literary work and their resemblance with the current Brazilian reality mainly concerning slave labor and employer-employee deals.

KEYWORDS | *Labor Law. Farmer. Graciliano Ramos.*

RESUMEN | *El trabajo explora la realidad ficcional del trabajador sertanejo, en Vidas secas, de Graciliano Ramos, en diálogo con la realidad laboral contemporánea en el medio rural, a partir de fuentes doctrinarias del ramo del derecho del trabajo. En cuanto a los procedimientos aplicados, se trata de una investigación teórica e interdisciplinaria con carácter mayoritariamente cualitativo. El trabajo es principalmente bibliográfico. Por medio de una concatenación de los datos obtenidos en las áreas de conocimiento/cultura, se sumergió teórica, crítica y analíticamente en el Derecho y en la Literatura. Se buscó despertar la reflexión sobre los hechos representados en la obra literaria y sus similitudes con la realidad contemporánea, principalmente en relación al trabajo esclavo y las negociaciones entre patrón y empleado.*

PALABRAS CLAVE | *Derecho Laboral. Trabajador rural. Graciliano*

Ramos.

RESUMO | O trabalho explora a realidade ficcional do trabalhador sertanejo, em *Vidas secas*, de Graciliano Ramos, em diálogo com a realidade laboral contemporânea no meio rural, a partir de fontes doutrinárias do ramo do direito do trabalho. Quanto aos procedimentos aplicados, trata-se de uma pesquisa teórica e interdisciplinar com caráter majoritariamente qualitativo. O trabalho é prioritariamente bibliográfico. Por meio de uma concatenação dos dados obtidos nas áreas de conhecimento/cultura, imergiu-se teórica, crítica e analiticamente no Direito e na Literatura. Buscou-se despertar a reflexão quanto aos fatos representados na obra literária e suas semelhanças com a realidade contemporânea, principalmente em relação ao trabalho escravo e as negociações entre patrão e empregado.

PALAVRAS-CHAVE | Direito do Trabalho. Trabalhador rural. Graciliano Ramos.

1. INTRODUCTION

It has been more than eighty years since the first publication of *Vidas secas*, by the Brazilian writer and journalist Graciliano Ramos. The novel is a social portrait that describes and denounces situations that are still part of the rural scenario of Brazil. In the work, which takes place in the interior of the *Sertão* of Alagoas, Fabiano, an illiterate and hardworking *sertanejo*, needs to negotiate directly with his boss, landowner and regional colonel. It is at this point in the novel that the most striking and believable scenes of the unequal relationship between the worker and his boss are described. It is a passage in which literature serves as a mirror for reality, outlining situations that still insist on happening in the daily lives of many workers in the country.

Faced with this internationally recognized literary work, the will to develop a research that explores the fictional verisimilitude of the *sertanejo* worker, in *Vidas secas*, in transdisciplinary dialogue with the contemporary labor reality of the rural environment, emerges. For this, procedures related to theoretical research were applied with a mostly qualitative character of the data obtained. In addition, it was necessary to make a concatenation of the information obtained in the areas of knowledge that served as a contribution to this research, specifically the areas of Law and Literature.

It is important to emphasize that this work does not intend to exhaust the debate on any thesis, but to use Literature and Law together to develop reflections and demonstrate facts related to the contemporary Brazilian rural worker, in comparison with the narrative of *Vidas secas*. In addition, the political situation that the country is going through in recent years brings to light the need to explore the theme of rural labor. After all, Brazil is one of the largest producers and exporters of products from the primary sector, especially thanks to agribusiness entrepreneurship. On the other hand, the one who gives the sweat and his labor power directly on the land is the rural worker who, like Fabiano, in the literary text of Graciliano Ramos, does not run away from work and is always giving his maximum to support himself and his family.

The theme becomes even more relevant when one has access to data from national and international bodies that reveal the breadth of degrading work analogous to slavery, mostly concentrated in rural areas. Thus, nothing more Brazilian and authentic than to use the exploitation of the rural worker in the national literature as a starting point to reflect the relationship of the real-world rurícola, a flesh-and-blood human being endowed with the essential (and still much attacked) dignity of the human person.

It is emphasized that the present article, in turn, is developed through counterpoints between excerpts from *Vidas secas*, facts and data from official bodies, as well as concepts of the doctrine and legislation of labor law. Therefore, in a transdisciplinary way, it will be demonstrated how the degrading exploitation of the rural worker, as well as with Fabiano, the central character of this analysis of the novel by Graciliano Ramos, is still present in Brazil in the twenty-first century. In this way, the situation of Fabiano, a rural worker of the early twentieth century in a degrading situation, will be compared to the similar situations of workers found in agribusiness latifundia today, many of whom are rescued in labor inspections.

The purpose of the approach used here (which breaks disciplinary barriers) is, in addition to the necessary expansion of the fields of legal thought, to draw attention to the existence of the exploitation of degrading labor that still insists on being practiced in the country. It will be verified that the characters of the political-democratic game, which are the jurists, the legislators and the members of the Executive Power, who act in functions that have the capacity to mitigate such abusive practices, are the key pieces so that the literature of *Vidas secas* stops repeating itself in the rural reality.

2. TRANSCIPLINARITY: THE POSSIBILITIES OF DIALOGUE BETWEEN LAW AND LITERATURE

It is known that no area of knowledge develops in a hermetic way or isolated from the others, either in the field of the human sciences, in the natural

sciences, or in the exact sciences. Thus, there is an increasingly significant academic effort in the sense that the different areas of knowledge dialogue with each other. This effort aims to broaden cognitive horizons, build plural knowledge and exchange new discoveries and results that only enrich scientific productions.

When it comes to Law, a branch of the social sciences essentially based on knowledge of the legal language, it is important that there is dialogue with the most diverse areas of knowledge. Legal science, in turn, constantly seeks to develop in line with social and linguistic developments, either through intellectual and academic productions, or through its daily jurisprudential construction in forums and courts around the world, especially in the Brazilian judicial system.

The fields of knowledge most commonly worked by jurists are also mentioned: sociology, anthropology, psychology, philosophy and even the exact sciences for studies of criminal expertise. These areas are always addressed to exhaustion in the formation of a bachelor's degree in Law in Brazil. However, little (or nothing, in many courses) is heard in Literature in the formation of a bachelor in the legal sciences. By the way, these Brazilian bachelors who are also nowadays called "operators" (translated), in their daily toil, are closer to what can be called "workers of the Law" (translated).

Therefore, in order to bring together these two fields, Law and Literature, it is necessary to appropriate the so-called transdisciplinarity. This term was coined by Jean Piaget, in the 1970s, and is very well conceptualized by Pombo (2009), when he says about transdisciplinarity is linked to

Global integration of the various sciences. The stage of interdisciplinary relations is followed by a higher stage, which would be transdisciplinarity that would not only reach the interactions or reciprocities between specialized investigations, but would also situate these relations within a total system, without stable borders between the disciplines. It would be a general theory of systems or structures that would include operative structures, regulatory structures and probabilistic systems and that would unite these diverse possibilities through regulated and defined transformations. (PIGEON, 2009,). (Translated).

Given the complexity of legal knowledge and the richness of literary narratives, which express society in an artistic and/or realistic way, only through transdisciplinarity will it be possible to break cognitive barriers and unite these two strands of thought. Here the words of Carvalho (2013, p. 271) about transdisciplinarity are rich, arguing that "[...] the potential breaking of boundaries between disciplines does not imply chaos. On the contrary, it means that the different fields of knowledge collaborate with each other, in order not only to add knowledge, but to be able to organize it in a complex way." (translated).

After this brief conceptualization of transdisciplinarity, we will then explore the branch of study already established, called *Law and Literature*, developed mainly in the law academies of the Anglo-Saxon countries, where the so-called Common Law predominates. However, as will be discussed below, in Brazil there are also very relevant manifestations of the intersections of law and literature.

When talking about law and literature in Brazil, on the other hand, it is still common for interlocutors, especially jurists, to treat it as if it were a "novelty". So much so that a significant portion of the scientific community approaches the subject with a certain strangeness, as if it were a superfluous academic "fashion". In this sense, Bernsts and Trindade (2017) affirm that this line of academic thought is historically consolidated, with publications already centenary and that only

In the United States, for example, its origin is traditionally attributed to the publication of John Wigmore's essay *A List of Legal Novels* in 1908. Under the aegis of what was later conventionally called Law in Literature, Wigmore lists numerous novels, especially modern Anglo-Saxon narratives, in which the most varied legal themes emerge. Years later, in 1925, it was the turn of Benjamin Cardozo to publish the well-known essay *Law and Literature*, focused on the study of *Law as Literature*, through which he examines the literary quality of Law. (BERNSTS; TRINITY, 2017, p. 226). (Translated).

In this sense, it is worth mentioning several renowned writers of Brazilian Literature came from the law academies. Bachelors were formed in

the legal sciences parallel or concomitantly to the literary art. It is from this argument that Bernsts and Trindade (2017, p. 229) conclude that, because of the so-called "bachelorism", there are several examples of great writers who had legal training. One of the famous cases is that of José de Alencar, "the greatest exponent of Brazilian romanticism" (translated), who was Minister of Justice during the Second Brazilian Reign, under the aegis of Dom Pedro II, in the period from 1868 to 1870.

Law and literature, in fact, is not a branch that seeks to be disciplined and adopted, for example, as a procedural legal practice. It is closer to being a hermeneutic means of developing legal knowledge, expanding and innovating the range of possible reasoning in the face of literary works, of the most diverse genres, consecrated in human history. In this way, it can be said that

Literature, especially popular literature, can be a great driving force to propose and problematize the alteration of social and legal directions. Literary discourse as a human product, like legal science, undoubtedly reflects, to a greater or lesser extent, the vicissitudes, peculiarities and idiosyncrasies of its subjects, as well as the context in which it is inserted. (FACHIN; FACHIN; GONCALVES, 2008, p. 10). (Translated).

The seed of the right-literature interface has therefore long been planted in Brazilian soil. This soil is intellectually and creatively fertile. Thus, with the intention of breaking with the positivist way of thinking, which predominated in Brazil until the mid-twentieth century, the field of studies in law and literature is shown, in the words of Barbosa and Correia (2007, p. 5), as "[...] one of several anti-positivist tendencies, which tries to act in the formation of the legal professional in order to rescue humanistic aspects from which legal careers have moved away without, in fact, articulating itself as a practice of Law." (Translated).

It is normal, in view of the historical manifestations of Brazilian positivist law, that there is a real estrangement of jurists when called to literature, since they are so accustomed to the Cartesian logic of law. They are, after all, always

seeking perfection and the maintenance of the *status quo* that imposes itself as morally and socially adequate.

Faced with the transdisciplinary invitation to seek new reasoning in the literature, this estrangement is, above all, healthy in the face of the novelties presented. It is from this notion that the view that

Legal education focuses on techniques, on theories that underlie law, and praxis is directed exclusively to the legal field. Literature contributes to give visibility to another dimension of knowledge that is not addressed in pedagogical methods, that is, a literary work that thematizes a judicial conflict, gives visibility to characters of the legal universe (lawyers, judges, public defenders), whose discourses allow the understanding of possible excerpts of legal norms contextualized in judicial demands. In addition, the familiarization of the use of argumentative strategies by accusation and defense in discursive clashes in the literary sphere becomes an additional possibility of reflection on the legal universe. (SANTOS, 2012, p. 30). (Translated).

Literature is, in this sense, based on the consciousness of the one who reads. The reader is responsible for creating in his consciousness the fictional universe that was developed and described by the authors/writers in their works. While for the right this form of cognition is completely strange, since the traditional is to go from social reality to normative fiction. As stated by Barbosa and Correia (2007),

The estrangement, in fact, as Levi-Strauss noted, is the source of the delights of the work of art, behold, built as a human model of the world, in the fictional production the reader enjoys a universe that - because it is a reproduction of the natural Universe - was the construct of a similar, and evidences the power of man over a nature, however fictitious. The fictitious power of man - the game in which his humanity becomes omnipotent - revived by the reader is only pleasurable because the work is strange, evidenced as something distinct from Nature. (ROBINSON; CORREIA, 2007, p. 13). (Translated).

When faced with this estrangement, it is demonstrated the importance of always reasoning about a new and valid perspective. Being incited to reason,

especially when it comes to the legal disciplines, is essential to air them, as well as to demonstrate the breadth of human thought and its complexity.

In this work, the work *Vidas secas*, written by Graciliano Ramos in the first half of the twentieth century, was chosen to cause estrangement before the reality of the law and its social pertinence before the present time, specifically in the scope of labor law and its consequences in relation to rural labor.

3. VIDAS SECAS: HISTORICAL AND SOCIAL CONTEXT

First published in the year 1938, *Vidas secas* is a fictionalized account of a country with citizens completely on the margins of any state attention and in undignified living conditions. The drought and the lack of prospects for improvement surround the *sertaneja* family, described in the novel in its diaspora through the interior of Alagoas. In the very first paragraph, the reader is referred to the pilgrim conditions and the difficult environment in which the family lives:

On the reddish plain the juazeiros widened two green spots. The unfortunate had walked all day, they were tired and hungry. Ordinarily they walked little, but as they had rested a great deal on the sand of the dry river, the journey had progressed well seven leagues. They had been looking for a shadow for hours. The foliage of the juazeiros far away, through the naked branches of the catinga rala. (RAMOS, 2000, p. 9). (Translated).

Note that *Vidas secas* has very well constructed and detailed characters, despite their crude and simple-minded behaviors. Mainly because it portrays the loved ones and the life of a *sertaneja* family that faces the desolation of the scorching Brazilian *Sertão*, the work draws attention to the struggle for the survival of the underprivileged in a region forgotten by the State in which they live in a clear situation of misery.

As much as it is described by many as a dystopia, it is undeniably a masterpiece of the literary movement called regionalism. The plot is based on

the author's own experiences when in his childhood he lived in the interior of Alagoas, as was observed by Custódio and Coimbra (2012).

It is a work all written in the third person in which Graciliano Ramos does not criticize the drama of the drought directly and does not issue explicit personal opinions. It narrates in an impartial way the family's pilgrimage through the desert region in search of asylum and some kind of prosperity. It describes the impossibility of those people to get the minimum of goods and food to survive with dignity. Among the various nuances, it tells clearly how the dishonesty of the boss and the arbitrariness of the ruling class in relation to the character Fabiano worked.

That is why, among all these characters presented and facts constructed in the work, in this research the focus will be concentrated mainly on Fabiano, the patriarch and rural worker of the family. Specifically in the chapter "Accounts" (translated) in which the observer narrator details with descriptive richness how the relationship between Fabiano and his boss occurs, in addition to also exploring other striking moments of the novel focused on the theme in scope.

In several passages of the said chapter, the narrator refers to Fabiano's boss with the term "master", which connotes submission of the employee, since this was the way vassals referred to their kings (overlords) in the medieval feudal period. An example of this submission is in the following excerpt: "[...] he left with his family, without saying goodbye to his **master**. It could never liquidate that exaggerated debt. All that remained was for him to throw himself into the world as a fugitive negro." (RAMOS, 2000, p. 116, emphasis added). (Translated).

It is perceived there how the labor relationship was abusive, truly analogous to slavery. In fact, Fabiano was always extorted by the boss, working to pay debts that were soon renewed by the employer. It is the so-called debt bondage (United Nations in Brazil, 2016) that is still one of the characteristics of contemporary slave labor. In debt bondage, the worker is always indebted to his employer, working to pay off endless debts that are always renewing.

In addition to the debt bondage, it is still possible to see that there was the inhuman way the character was treated and how his boss was described, as well as in the clipping: "Fabiano, a farm **thing**, a fret, would be fired when he least expected it. When he was hired he had received but when he left he dropped everything to the new cowboy. [...] And the boss was dry too, shriveled, demanding, and thief, prickly as a mandacaru's foot." (translated) (RAMOS, 2000, p. 23-4, emphasis added).

The way the boss is described can also be equated with the managers of rural properties who are hired to watch over rural workers placed in degrading situations. They are species of foremen who supervise production, pay wages, punish workers and make complaints to the contractor/boss.

It should also be noted that Graciliano Ramos wrote his narrative during the historical period of Brazil called the Estado Novo, which comprised the years between 1937 and 1946. This moment in Brazilian political history, when the country was under the command of Getúlio Vargas, was marked by nationalism and authoritarianism, with strong influences of European fascism. This theme is very well addressed in the book *Rethinking the Estado Novo* (translated), organized by Dulce Pandolfi, particularly in the chapter written by Romita (1999) entitled " Labor Justice: product of the New State" (translated):

The normative power was implemented in Brazil together with the Labor Justice. Initially provided for by the Constitution of 1934, its institution was reproduced by the Charter granted of November 10, 1937, however, implemented practically, at the level of infraconstitutional legislation, by Decree-Law No. 1,237 of 1939. It was the time of the Estado Novo, a closed, dictatorial political environment that intended to implant in Brazil the organization of the economy on a corporate basis, taking as a model the fascism of Mussolini's Italy. (ROMITA, 1999, p. 102). (Translated).

Thus, even in the face of these dictatorial nuances, a few years after the publication of *Vidas secas*, in 1943, Decree-Law no. 5,452 was published, which brought the Consolidation of Labor Laws, the first great codex to protect the Brazilian worker. Despite being undeniably a great advance in the field of labor law, the Consolidation of Labor Laws explicitly excluded the rural worker.

It is in this context that Mauricio Godinho Delgado (2008), when analyzing the Brazilian population sense of 1940, points to the segregation that occurred in relation to the rurícola. So much so that there is not much precise data on how the exploitation of rural labor took place at that time. The period between 1930 and 1945, although significant for social inclusion, the right to work remained distant from the rural environment. In his words, it says that:

The labor legislation structured or expanded in that historical phase did not apply to rural workers, despite the fact that about 70% of the country's population was still located in the countryside. This allows us to conclude the presence of a duality regarding public policy and its socioeconomic impacts in such a historical moment [...]. On the other hand, there was also the finding that this process was significantly limited, since it covered, at least in its beginning, no more than 1/3 of the Brazilian population. (DELGADO, 2008, p. 132). (Translated).

Faced with these historical events, we have Fabiano, a practically destitute citizen who can be seen beyond the narrative of *Vidas secas*. It can be understood as a portrait of the Brazilian rural worker. As much as one closes one's eyes to this situation, there are still several "Fabianos" being exploited unworthily in several rural properties of Brazilian agribusiness. Therefore, the social relevance of the work and the current legal-normative developments in relation to the rural worker enable a rich link between law and literature.

4. RURAL WORKER, LABOR STANDARDS AND INSPECTION BODIES

Concerning the proposal of this work, it is relevant to make the conceptual and scientific contribution of labor legislation and the consolidated legal doctrine of labor law. In this sense, the delimitation of the concept of rural work existing in the Brazilian legal system is paramount.

The most pertinent legislative provision about this type of work is in Law No. 5,889, of 1973, called the Rural Worker Statute, which provides, in its Article 2, that rural workers "[...] is any individual who, in a rural property or

rustic building, provides services of a non-casual nature to a rural employer, under the dependence of the latter and for a salary" (translated). Therefore, in an exegesis of this norm, the rural worker is legally defined by the activity developed by his employer and by the locality in which he provides the services.

It is also important to say that Law No. 5,889/73 was accepted by the Federal Constitution of 1988, in its Article 7, which deals with the "rights of urban and rural workers", without major legal or legislative consequences.

The Rural Worker Statute (Estatuto do Trabalhador Rural), in line with the labor legislation common to urban activities, provides for a maximum working day of eight hours per day and 44 (forty-four) hours of weekly work. The labor rights of the rural worker guarantee that, between one day and another, there is a rest of at least eleven hours. If there is no respect for the rest period, each hour disrespected must be paid as an overtime for the worker.

The Consolidation of Labor Laws (BRASIL, 1943), widely known by the acronym CLT, in turn, excludes rural workers from its list of coverage. The CLT provides in its Article 7, paragraph b, that "rural workers, **thus considered those who, exercising functions directly linked to agriculture and livestock**, are not employed in activities that, by the methods of execution of their work or by the purpose of their operations, are classified as industrial or commercial" (emphasis added). (translated)

For the majority doctrine of labor law, the rural worker is also called "rurícola" (LEITE, 2017), a term that lexically means the person who works on the land. Adding this idea with the exclusion of the scope of the category made by the CLT, it is perceived that the rural worker is the one who works in the various sectors of agriculture linked to the land and, in particular, to agribusiness.

The specific and essential factual elements for the definition of rural worker were consolidated in the doctrine, based on the norms already mentioned. Thus, in the words of Maurício Godinho Delgado (2017):

The rural worker is the individual who provides services to the rural borrower, performing such services in rural property or rustic building. In turn, rural employee will be the natural person who adds to these two special factual and legal elements the other characteristics to any employment relationship. (DELGADO, 2017, p. 435). (Translated).

Alice Monteiro de Barros (1994), in turn, states that it is irrelevant to discuss whether rural property is rustic or not, and it should be preponderated that the nature of the work is essentially rural. In his words, "what really matters is the nature of the business activity. Thus, the farmer who cultivates a vegetable garden in the center of São Paulo will be rurícola Paulo; and urban the employee of a warehouse in the most lost of 'sertões'". (translated) (BARROS, 1994, p. 293-294).

Finally, Carlos Henrique Bezerra Leite (2017), when analyzing the current understanding of the Superior Labor Court in relation to the rural worker, also ponders about this delimitation. For him, what really must be considered is the main economic activity of the employer to define labor as rural and, consequently, to classify the worker as rurícola.

In his explanation, Bezerra Leite (2017) still says that there are atypical species of rural workers: false partners and false contractors. These are admitted to work under the pretext of partnership and works contracts, which are legal figures protected by civil law. In practice, on the other hand, they are just front contracts. The workers actually provide services to the contractor (employer) meeting all the traditional requirements of the employment relationship (onerosity, habituality, personhood and subordination), in the case of illegal distortion of the works and partnership contracts.

It is also important, after the conceptualization of rural worker, to talk about the state agencies that oversee working conditions and the application of labor laws in the country. These bodies are responsible for overseeing labor relations and work environments, regardless of whether they are rural or urban. In this sense, they play an essential role in protecting and guaranteeing the constitutional and fundamental rights of workers in Brazil.

One of these bodies is the Public Ministry of Labor (MPT - Ministério Público do Trabalho). As stated on its official website, "[...] is the branch of the Federal Public Prosecutor's Office that has the task of supervising compliance with labor legislation when there is a public interest, seeking to regularize and mediate relations between employees and employers." (translated). The MPT is responsible for the defense of collective interests, when social rights constitutionally guaranteed to workers are disrespected. It is an organ provided for in the Federal Constitution of 1988, in its Article 128, item I, b. The MPT may adopt measures at the administrative level, such as the execution of Terms of Adjustment of Conduct with companies and/or employers that do not comply with labor standards. It may also act in the judicial sphere before the Labor Court with public civil actions and, when necessary, through injunctions and precautionary measures.

Another key body was the Ministry of Labor (MTb), of the Federal Executive Branch, which was officially abolished in January 2019. Its competence included developing policies and guidelines for the generation of employment and income and support for the worker; policies and guidelines for the modernization of labor relations; supervision in occupational safety and health; labor supervision, as well as the application of sanctions provided for in legal or collective norms; pay policy; among others.

It is also mentioned that the Ministry of Labor has drafted the Regulatory Standard (NR) n. 31, which regulates, among other things, several essential safety and health measures in rural work. This regulation was published in 2005 and is of great importance to detail procedures to be adopted by rural employers in relation to the work environment and for Brazil to seek to adapt to the international forecasts of the International Labor Organization (ILO) (Organização Internacional do Trabalho – OIT). In addition, it specified the rights of farmers, such as: safe and healthy work environments, choice of their representation in matters of safety and health at work, formation of a workers' committee to deal with matters related to safety and health at work, as well as instructions on safety and health, among other measures.

However, even with these legislative advances, with the existence and performance of labor protection and inspection bodies, both in the Executive Branch and in the Federal Public Prosecutor's Office, there is still the degrading exploitation of labor, especially in rural areas, exposing workers to truly degrading situations. This situation tends to become more serious with the extinction of the Ministry of Labor, an organ of paramount importance for conducting inspections and applying administrative fines to employers who do not comply with labor standards.

5. DEGRADING RURAL WORK IN BRAZIL: CONTEMPORARY SLAVERY

The daily work in rural areas, by itself, is already naturally exhausting. Working in the open with the sun at a pin, heavy equipment and not always in the best conditions of conservation, adverse weather conditions, exposure to natural weather, among other conditions, are some of the most common characteristics of the work of the rurícola.

Degrading rural labor, analogous to slavery, could be an unfortunate fiction only in literature. It could be a portrait of a past reality and kept in the historical memory of the nation so as not to happen again in the future. However, it is still a fact that happens significantly in the Brazilian rural environment. Therefore, it is important to conceptualize degrading labor analogous to slavery in current national doctrine and legislation.

The labor prosecutor Wilson Prudente (2006), in his work entitled *Crime of slavery*, mentions the Rio de Janeiro Declaration on Environment and Development of 1992, approved at Rio-Eco-92 by the participating nations. That declaration adopted in its Principle 1, an anthropocentrist conception in which human beings are at the center of concerns, with the right to a healthy, sustainable and productive life. Prudente goes on to conceptualize work in degrading conditions as "[...] one in which the degradation of sanitary and hygienic conditions injures, at first, the axiom of the dignity of the human person." (translated) (PRUDENTE, 2006, p. 64). Thus, degrading work directly

violates the principle established in the Rio de Janeiro Declaration, as well as Article 5 of the Brazilian Federal Constitution with regard to human dignity.

Still in *Crime of slavery*, it deals with the essential characteristics for the verification of degrading work in rural areas, which did not have a specific definition until Law 10,803 of 2003, and cites a situation that he experienced in:

The finding of work in degrading conditions, in rural areas, will always have to take into account the housing **and housing conditions of the worker. The quality** of the water made available to workers will be another relevant element in the characterization of work in degrading conditions. Depositing workers in degrading accommodation in extreme conditions amounts to torture. I remember a lodging I visited of workers brought from Maranhão, Minas Gerais and Espírito Santo, to provide services in favor of a large sugar mill [...]. There were 31 men packed in bunks, one on top of the other. [...] A lodging where staying for five minutes is a reason for great suffering, so for those who have to sleep in it every day, it is effectively torture. (PRUDENTE, 2006, p. 61-2, emphasis in the original). (Translated).

In view of this, the conditions of the dwellings in which the workers find themselves while working on the rural properties must have at least humanly dignified conditions. However, there are still workers who are placed in real "warehouses" of people, without ventilation, with high temperatures and with overcrowding. Another essential factor is the supply of drinking water that must be available to people, not being able to let workers drink water from streams or wells without treatment, since they can contain organisms and substances that cause diseases.

An example of this situation occurred in 2018, in Minas Gerais, in which nineteen people were rescued by the Ministry of Labor from a degrading situation, analogous to slavery. As reported by the G1 portal (2018), there was a minor under seventeen years of age among the workers. The farm had no sanitary facilities, the physiological needs were made in the bush, and the water consumed was not drinkable, it came from an open spring. There wasn't control of the working day and the workers stayed in lodgings where they ate on the floor.

Only in 2014, therefore, with Constitutional Amendment No. 81, which gave new wording to Article 243 of the Federal Constitution, did the fight against slave labor gain constitutional status. In fact, this is the only passage of the Greater Charter to use the term "slave." The Penal Code (CP) also dealt with the subject, conceptualizing slave labor legally in its Article 149. This was amended by Law 10,803 of 2003 to include forced labor and degrading conditions. Silva (2010) describes very well Article 149 of the CP when he says that

Forced labor, in turn, includes the restriction, by any means, of the worker's right of movement due to debt contracted with the employer or its agents (CP, art. 149, caput, in fine); the restriction on the use of any means of transport by the worker, in order to retain him in the workplace (CP, art. 149, § 1º, I); and the maintenance of ostensible surveillance in the workplace or the seizure of documents or personal objects of the worker, in order to retain him in the workplace (CP, art. 149, § 1º, II). The degrading work, of another band, covers the subhuman conditions under which the service is rendered and the submission of the worker to the exhausting day (CP, art. 149, caput). (SILVA, 2010, p. 59). (Translated).

Silva (2010, p. 64) goes on to say that slave labor was previously characterized by the need to restrict the freedom of the worker. After Law 10.803/03, forced and degrading labor was also included, since while forced labor violates the right to freedom, degrading work directly affects the dignity of the human person. Thus, it is not enough only to violate the right of freedom of the worker victim of the restriction to come and go, but also the imposition of work without the slightest conditions of dignity.

In addition, in 2003, in parallel with this amendment of Article 149 of the CP, the Special Commission of the Council for the Defense of the Rights of the Person, of the then Special Secretariat for Human Rights of the Presidency of the Republic of Brazil, launched the *National Plan for the Eradication of Slave Labor (Plano Nacional para Erradicação do Trabalho Escravo)*. It was a document that made explicit the commitment of the Brazilian State in the fight against slave labor with measures to be fulfilled by the organs of the Executive, Legislative, Judicial and Public Prosecutor's Offices. These measures bring

hope that the realization will not go back to the fictional situations described in *Vidas secas*.

The Inspection Division for the Eradication of Slave Labor (Divisão de Fiscalização para Erradicação do Trabalho Escravo - Detrae), of the extinct Ministry of Labor (MTb), developed a "dirty list" composed of employers who they subjected their workers to slave-like conditions. The measure responsible for Official creation of the list dates from the year 2004, however it was only released to the public only the from the year 2016. When analyzing the information from the Ministry of Labor (2016), it is possible to conclude that 43% (forty-three percent) of these slave employers are from agribusiness. As Julia Dolce (2018) indicates, this percentage of employers is mainly concentrated in the branches of sugarcane production and in logging, billionaire entrepreneurship businesses.

The non-governmental organization Conectas Human Rights (Conectas Direitos Humanos) (2018), which since January 2006 has had consultative status with the United Nations (UN), in turn, asserts that, in more than twenty years of operation (between 1995 and 2016), more than fifty thousand people were rescued and/or freed from situations analogous to slave labor in Brazil. These numbers result in a staggering average of six people rescued per day. As for the "dirty list" of slave labor issued by the Ministry of Labor, this is how the non-governmental organization Conectas Human Rights characterizes it:

Considered an exemplary state policy by the UN and the ILO, the dirty list has suffered repeated attacks from entities representing sectors such as agribusiness and construction, which try to abolish the instrument through the courts. More recently, the Federal Government itself tried to weaken the "list", with the edition of Ordinance No. 1,129/2017, which imposed obstacles to the publication of the list. Before that, the Temer government had already refused to disclose the "list" even after a decision by the Supreme Court (STF) that declared its constitutionality. (CONNECTAS, 2018). (Translated).

Conectas (2018) also points out that in 2017 there was a significant reduction in the number of labor inspections to reported establishments, which

resulted in fewer workers removed from situations analogous to slavery. It is seen that the sectors involved in the exploitation of slave labor try to inhibit labor inspections and their results, cutting funds from the state agencies responsible for carrying out inspections, as well as scrapping the work of the fiscal auditors of the then Ministry of Labor.

The most recent debates on slave labor in Brazil have unfortunately encountered political barriers and limitations to build more accurate discussions. The legislators, who have an ethical and constitutional duty to act as representatives of the people in the Houses of the National Congress, have shied away from debates about this type of labor exploitation. These limitations are very well addressed by magistrate Luciana Paula Conforti (2017), when she states that

Such analytical limitations have allowed the distortion of the debates in the legislative propositions that reduce social rights or that try to prevent the punishment of employers who still use the threat, deception, suffering, indebtedness and violence in labor relations, as can be seen from the Bills in progress in the National Congress for the modification of the legislation of the work and alteration of the concept of the crime of keeping workers in conditions analogous to slavery. (CONFORTI, 2017, p. 3). (Translated).

Given the absence of debates by the Legislative Power on the subject, the transdisciplinary view of the subject presented by Fachin, Fachin and Gonçalves (2008), who developed a dialogical work between law and literature, is pertinent. At the time, they used the work *Morte e vida severina*, by João Cabral de Melo Neto, as a literary contribution. This narrative portrays a situation very similar to that of *Vidas secas*, in which the sufferings of a *sertanejo* migrating from the Northeast to the Southeast of the country in search of work and better living conditions are described. Thus, we highlight the difficulty that the legal text and the legal praxis encounter until its implementation:

The contemporary complexity of the agrarian question has aggravated the inability, at least on the practical level, of the traditional legal theory to respond to the social demands that echo in the voices excluded from the process of material life. The rural latifundia communed with the great legal vacuum. [...] The gap between legal theory and the nefarious social reality reveals the insufficiency of positivist dogmatics that is incapable of responding to the demands placed on the law by the demands of citizenship. (FACHIN; FACHIN; GONCALVES, 2008, p. 1). (Translated).

Nothing more pertinent in a country where it still lives with the work analogous to slavery of reflecting on the gap that exists between positivist legal theory and social reality. To add to the difficulties, the debates are still being hampered by sectors of the Legislative Power, which does not want to allow the effectiveness of greater punishments for those who keep workers in degrading situations.

Given this, it will already be possible to achieve the objective of this work and establish more solid relations between *Vidas secas* and the current situation of degrading work in the Brazilian rural environment.

6. THE CURRENT SITUATION OF RURAL WORKERS IN BRAZIL: VIDAS SECAS IS STILL A REALITY

In *Vidas secas*, Fabiano is a destitute man: no surname, no papers, no schooling, no money, and forced to work to pay eternal debts to his boss. The character is completely devoid of any prerogative of dignity to which a human being is entitled in a state of law.

The colonel boss, for his part, constantly takes advantage of the *sertanejo's* lack of knowledge regarding letters and numbers to extort him. Therefore, it is necessary that there are public policies to change the educational reality in the field and improve the data in relation to the levels of studies of rural workers. Even today, they continue to have the difficulties faced by Fabiano, who in a certain scene "wished to know the size of the extortion. The last time he had done the math with his master the loss seemed less. He

was alarmed. I heard about interest and terms. Whenever the wise men said difficult words to him, he was successful" (translated) (RAMOS, 2000, p. 96). In this sense, the data presented by Coutinho Júnior (2014) are alarming:

The schooling of most [rural] workers, according to the study, is low. 39.3% have no or at most three years of schooling, which adds up to 1.6 million employees in situations of illiteracy or with very low education. Considering the informal ones, the share of workers with up to 3 years of schooling rises to 45.8%. In the group of rural workers, the majority has low schooling: 72.3% have up to seven years of schooling, a percentage that rises, a factor that hinders the qualification process and the achievement of better jobs. (COUTINHO JUNIOR, 2014). (Translated).

As for the abusive and unworthy exploitation, one can notice the description of the boss made by Graciliano Ramos, who makes it clear that the "master" only went to the farm to demonstrate his power and practice mistreatment before the *sertanejo*:

The other whites [bosses and colonels] were different. The current boss bellowed without precision. He almost never came to the farm, he just set foot on it to find everything bad. The cattle increased, the service went well, but the owner decomposed the cowboy [...] everything was in order, and the master just wanted to show authority, to shout that he was the owner. (RAMOS, 2000, p. 22). (Translated).

The next transcribed excerpt shows Fabiano's unhappiness, his anger and his suffering before his fate, condemned to work to death in other people's lands under the judgment of bosses who do not see him as a human being, but as an object of work, forgotten and abandoned by any kind of state or government.

Apparently resigned, he felt an immense hatred for anything that was at once the dry meadow, the boss, the soldiers, and the agents of the city hall. Everything, in fact, was contrary to him. [...] He had an obligation to work for others, of course, he knew his place. [...] Bad fate, he would kill himself in the service of others and live in someone else's house as long as they let him stay. Then he would starve to death in the dry catinga. (RAMOS, 2000, p. 95-6). (Translated).

This excerpt is another excerpt from the chapter "Accounts", in which the central character finds himself in the same situation of inhumanity and debt bondage that many workers are still forced to live today. It is one of the most striking passages in Brazilian literature because it describes the degradation of a man who uses all his vital energies to work on the lands of others. However, this could well be an account of any of the millions of people who still live and work in the same situation of extreme indignity and exploitation around the world, thousands of them in Brazil alone.

According to estimates of the International Labor Organization (ILO) released by the United Nations (UN) in 2016, on its official website, slave labor in the form of debt bondage still happens in a contumacious and

"Even though it occurs all over the world, in various sectors of the economy, and is a form of slavery, with deep historical roots, debt bondage is not universally understood," Bhoola said during the presentation of his latest report to the UN Human Rights Council. Currently, there is no reliable estimate of the number of people enslaved in this condition worldwide. However, the expert pointed to an estimated 21 million people suffering from forced labor, according to the International Labor Organization (ILO). (United Nations in Brazil, 2016). (Translated).

Given these facts, as well as almost a century after the publication of the literary work of Graciliano Ramos, the situation of many rural workers is still the same as Fabiano's:

His father had lived like this, so had his grandfather. And behind him there was no family. Cutting mandacaru, entangling lategos - that was in the blood. If they gave what was his, he was right. They didn't. He was a wretch, he was like a dog, he only got bones. Why would rich men still take a share of his bones? [...] Insomnia from persecution; routine of mending fences and riding on the back of a horse. (RAMOS, 2000, p. 96-7). (Translated).

Finally, it is enough to adapt the facts to the different specific situations of degrading exploitation today, such as the situation reported by labor attorney Wilson Prudente and transcribed in the previous topic. In this way, life imitates art, art imitates life. It is often not possible to distinguish whether the work is a

mere fiction or a faded portrait of an unhappy and degrading reality that still exists in Brazil.

The alternatives proposed to curb these abuses in a democratic state based on the rule of law need to originate, above all, from its rulers and political agents. These are undoubtedly the sources of representation from which emanates the democratic power delegated by the people for the promotion of changes, especially in relation to the underprivileged and disadvantaged, according to what is foreseen in the principled context of the Citizen Constitution of 1988. Just like Fabiano who, in fact, had no political or trade union representation, the farmers of twenty-first century Brazil have practically no political-democratic support in the Legislative and Executive Branches.

To corroborate this finding, we have the information brought by Coutinho Junior (2014) who states that rural workers, in general, in addition to the few political references in Congress, are not represented by rural unions. Of the total of four million rural wage earners, only 591,000 (about 14%) declared to be affiliated with a union. Other than that, the informal workers, by their precarious condition, further distance themselves from any unionized movement.

According to the reports of human rights organizations and labor law, what is observed is only the perpetuation of the exploitation of modern "colonels" who subject the rural worker to situations similar to those that Fabiano lived.

The workers are still hostages of the famous "bancada ruralista" that has hundreds of deputies in the Legislative Chamber. Thus, as in *Vidas secas*, the rural worker is still hostage to the "colonels" of today, at the mercy of their decisions and institutional norms. The times and the respective titles of the game's characters have changed, but the exploration is not over, it has just been transvestited into contemporary molds. This is what makes clear the need for the existence and maintenance of the "Dirty List" (translated) (Conectas, 2018) of slave labor, only proving that the problem in Brazil is far from being fully solved.

What is observed in recent times, in addition, is the dismantling of the main labor inspection body at the federal level, the Ministry of Labor, which had been suffering several budgetary attacks and the constant precariousness of the performance of its auditors, until it was finally extinguished in 2019 after 88 (eighty-eight) years of existence. The National Union of Labor Auditors (SINAIT) denounced on its online portal the decrease of 70% (seventy percent) of the budget funds for inspections in 2018, already being a measure that indicated the tendency to end this important labor body. SINAIT states that

The government's priority now is the parliamentary amendments that were negotiated to approve the labor reform [...]. Meanwhile, the Ministry of Labor's enforcement against slave labor and child labor and other services provided to workers will stop nationwide from mid-August for lack of resources to supply the vehicles used by the Labor Auditors-Inspectors. The inspection of degrading working conditions in the field and in works should be stopped. (SINAIT, 2018). (Translated).

Thus, short-term measures that bring optimistic perspectives regarding investments in labor inspections and for the realization of social awareness campaigns are not envisaged. There is no concern of the current political sector of the country to further strengthen the labor inspection bodies.

The increasingly precarious conditions of the jobs available in the market, in the face of the current high unemployment rates, added to the growing disbelief of the population in representative democracy, dispel the debates around the struggle for decent working conditions. In fact, what we see daily in the media are movements in the opposite direction of progress. The Jorge Duprat Figueiredo Foundation, from Occupational Safety and Medicine (FUNDACENTRO), in 2017, after the realization of specific research aimed at labor inspections in the field regarding the effectiveness of NR 31, warned that

There was a decrease in the number of regularizations by the fiscal action, which went from 40,116 in 2007 to 4,148 in 2016, and notifications, from 17,577 in 2007 to 6,115 in 2016. The data are from the Federal System of Inspection at Work, the SIT / MT (Secretariat of Labor Inspection / Ministry of Labor). Some reasons for the drop are: drastic reduction in the number of auditors of the Ministry of Labor; auditors' strike; data feeding problems; and

lack of physical infrastructure to carry out rural inspection such as damaged cars, lack of supply and drivers. For Avancini, it is necessary to increase the number of auditors. In addition, often the employer prefers to pay the fine to make the modification, since the largest fine in the OSH area of the Ministry of Labor is 6 thousand reais, which can still have a discount of 50%. (FUNDACENTRO, 2017). (Translated).

The debates in the Houses of Congress, in this way, have turned to the flexibilization and bargaining of labor standards, with the consequent precariousness of working conditions in the name of a supposed "economic recovery" of the country. The political view that is in vogue is that the fewer labor rights there are and the fewer inspection bodies that act, the more the business sectors will grow and profit. The worker is placed as a barrier to progress and development. They hold workers and labor rights responsible for the nation's institutional and economic crises with warm speeches.

This finding is confirmed after observing research conducted by the Inter-Union Department of Statistics and Socioeconomic Studies (Departamento Intersindical de Estatística e Estudos Socioeconômicos - DIEESE) and published by José Coutinho Junior (2014) on the website of the Landless Rural Workers Movement (Movimento dos Trabalhadores Rurais Sem Terra - MST). The study shows that most rural workers (59.4% or 2.4 million) do not have the Labor and Social Security Card (Carteira de Trabalho e Previdência Social - CTPS) signed. Thus, they are in an illegal situation, without the protections guaranteed by the formal bond. It also says that:

Slave labor persists. From 1995 to May 2014, 1,587 inspection operations were carried out to eradicate slave labor, in which 3,773 establishments were inspected and 46,588 workers were rescued, 44% of this total in rural areas. The main economic activities of the rural environment with the highest number of rescued are: crops (temporary and permanent), livestock, reforestation, charcoal, extractivism, sugarcane and deforestation. (COUTINHO JUNIOR, 2014). (Translated).

Therefore, it is up to us to reflect: what kind of economic growth is this that the political class is seeking through the vilification of working conditions? The proposals of the current policy, for the most part, are aimed at the direction

of retrogression. It's common to read and hear from bosses or opinion makers on social media arguing that "workers have too many rights." It is the emptying of the debates in the direction of improving working conditions for the institutionalization of veiled and increasingly constant abuses of the agribusiness bosses mirrored by Brazil.

Those who read *Vidas secas* today may find that they are far removed from the oppression and exclusion in which the characters are immersed, have the feeling that it is a past time and that those situations no longer exist. However, the official data show that this is an impression that does not fully match reality. Despite the disclosures of dirty lists, the carrying out of inspection operations, laws and efforts, the setbacks in the labor field are being increasingly visible. Much thanks to the political class supported in sectors of the economy and agribusiness. Of all those who suffer in this scenario of retrogression, no one will be more exposed to legislative inclement weather and the abandonment of the State than those who toil with the land. Especially those in situations of degrading labor analogous to slavery.

7. FINAL CONSIDERATIONS

One of the main objectives of this work was to serve as a warning for the still existing degrading exploitation of workers in rural areas. It can be seen, in view of the real facts presented, that Fabiano could have lived today, a hypothesis in which he would be just another of the thousands of victims of degrading labor analogous to slavery.

The literary fiction of Graciliano Ramos, indeed, fits perfectly as an allegory to guide the reasoning to the real problem: rural labor analogous to slavery has not ceased to exist. On the contrary, it insists on happening and needs to be fought. It is up to the Law, as an applied social science, and to the Judiciary, as an essential organ of the State, to carry out this fight with all the institutional and normative tools available. But before that, political representatives need to pay attention to their obligations. Whether from the

Legislative Branch or the Executive Branch, both have the duty to take constitutional care for workers, especially rural workers who are in a situation of greater vulnerability to unworthy exploitation.

The use of art in the present work did not serve only for purposes of contemplation. *Vidas secas* is in fact an instrument of reflection to guide the reader along paths that do not allow fiction to approach (or even become) more and more part of the social reality of Brazil. It is important, on the other hand, that the reader be careful not to fall into discourses that affirm that this reality of exploitation unworthy of the worker does not exist. Not only does it exist, it may be closer than you might think.

Political debates, in a democratic state based on the rule of law, cannot serve as an instrument for the country, through representatives who do not represent the mass of the working population, converge towards precarious work, covering up situations of exploitation analogous to slavery. Political discourses must serve, above all, as an instrument for the constitutional legitimation of the dignity of the Indians, especially the rural worker.

Like Fabiano's boss colonel, the speeches of the enticements and fomenters of slave labor are repeated throughout history, transforming the less educated worker, often desperate for any kind of job to support himself, into an eternal debtor of his own labor. Investing in the education and professionalization of rural workers is essential so that future generations have more dignified conditions to negotiate their working conditions and can grow professionally in other activities that they so desire.

Finally, it was up to literature to make the social description of the facts; It is up to the law, and always will be, to ensure that this reality of degrading work is continuously combated. It is up to the Justice, in turn, to exercise its coercive power so that those who practice labor abuses suffer the appropriate sanctions. The Law cannot be influenced by utilitarian and selfish discourses coming from various economic and political sectors with vested interests. It is up to the Law, first of all, to ensure the maintenance of the fundamental rights of individuals,

especially those who give their lives through work to support themselves and their families and move the national economy.

REFERENCES

BARBOSA, D. B.; CORREIA, A. F. **Direito e Literatura**: estudos de teoria do direito. Universidade Federal de Santa Catarina, 2007. Available at: <http://egov.ufsc.br/portal/sites/default/files/anexos/25441-25443-1-PB.pdf>.

BARROS, A. M. (Coord.). **Curso de direito do trabalho**: estudos em memória de Célio Goyatá. 2. ed. São Paulo: LTr, 1994.

BERNSTS, L. G.; TRINDADE, A. K. Estudo do direito e literatura no Brasil: surgimento, evolução e expansão. **Anamorphosis: Revista Internacional de Direito e Literatura**, 2446-8088, Vol. 3, N°. 1, 2017, p. 225-248. Available at: <http://seer.rdl.org.br/index.php/anamps/article/view/326/pdf>.

BRASIL. Constituição da República Federativa do Brasil de 1988. Brasília, DF: **Diário Oficial da União**, 5 out. 1988.

BRASIL. Decreto-lei nº 5.452. Aprova a Consolidação das Leis do Trabalho. **Diário Oficial da União**. Rio de Janeiro, RJ, 9 ago. 1943.

BRASIL. Decreto-lei nº 2.848, de 7 dez. 1940. Código Penal. **Diário Oficial da União**. Rio de Janeiro, 1940.

BRASIL. Lei n. 5889: Estatuto do Trabalhador Rural. Rio de Janeiro, RJ, jun. 1973. **Diário Oficial da União**, 11 jun. 1973, p. 5585. Available at: http://www.planalto.gov.br/ccivil_03/LEIS/L5889.htm.

BRASIL. Ministério do Trabalho. Cadastro de Empregadores que tenham submetido trabalhadores a condições análogas às de escravo. Brasília: Ministério do Trabalho. Portaria Interministerial nº 4, de 11 de maio de 2016. **Diário Oficial da União**. 13 maio 2016. Available at: <http://trabalho.gov.br/component/content/article?id=4428>.

BRASIL. Ministério do Trabalho. Portaria nº 86: Aprova a Norma Regulamentadora de Segurança e Saúde no Trabalho na Agricultura, Pecuária, Silvicultura, Exploração Florestal e Aquicultura (Norma Regulamentadora 31). **Diário Oficial da União**. 4 mar. 2005, Seção 1, p. 105-110. Brasília, DF, mar. 2005.

BRASIL. Ministério Público do Trabalho. O MPT. **Portal MPT**, online. Available at: http://portal.mpt.mp.br/wps/portal/portal_mpt/mpt/ompt/mpt/.

BRASIL. **Plano nacional para a erradicação do trabalho escravo**. Brasília, DF: Presidência da República, 2003.

CARVALHO, I. F. A luta pelo direito nas interseções do literário com o jurídico. **Revista da Faculdade de Direito da UFPR**. Curitiba: 2013. n. 57, p. 269-282.

CONNECTAS DIREITOS HUMANOS. Idas e vindas da lista suja do trabalho escravo no Brasil: entenda as alterações na regulamentação da lista suja nos últimos anos e quem está por trás das tentativas de enfraquecer o instrumento. **Portal Conectas**, *online*, fev. 2018. Available at: <https://www.conectas.org/noticias/lista-suja-trabalho-escravo>.

CONFORTI, L. P. A interpretação do conceito de trabalho análogo ao escravo no Brasil: o trabalho digno sob o prisma da subjetividade e a consciência legal dos trabalhadores. **CONPEDI**. Brasília, DF: jul. 2017. Available at: <https://www.anamatra.org.br/files/ConpediFINAL.pdf>.

COUTINHO JÚNIOR, J. Pesquisa revela aumento da informalidade e precarização no campo: estudo feito pelo Dieese traçou o perfil do trabalhador do campo brasileiro, e mostrou que as condições de vida dos trabalhadores tem piorado. **MST**, *online*, publicado em 05 nov. 2014. Available at: <http://www.mst.org.br/2014/11/05/pesquisa-revela-aumento-da-informalidade-e-precarizacao-no-campo.html>.

DELGADO, M. G. **Curso de Direito do Trabalho**. 16. ed. São Paulo: LTr, 2017.

DELGADO, M. G. **Capitalismo, trabalho e emprego**. 3. ed. São Paulo: LTr, 2008.

DOLCE, J. 43% da nova "lista suja" do trabalho escravo é do agronegócio. **Portal Brasil de Fato**: 2018. Available at: <https://www.brasildefato.com.br/2018/04/12/43-das-novas-empresas-da-lista-suja-do-trabalho-escravo-sao-do-agronegocio/>.

FACHIN, L. E.; FACHIN, M. G.; GONÇALVES, M. A. R. Morte e vida severina: um ensaio sobre a propriedade rural no Brasil contemporâneo a partir das lentes literárias. *In*: TRINDADE, A. K.; GUBERT, R. M.; NETO, A. C. (Orgs.). **Direito e Literatura**: ensaios críticos. Porto Alegre: Livraria do Advogado, 2008.

LEITE, C. H. B. **Curso de direito do trabalho**. 8. ed. São Paulo: Saraiva, 2017.

MIRANDA, A.; COIMBRA, C. Novas vidas secas. *In*: **O Globo**, Caderno Prosa, Rio de Janeiro, 1º de junho de 2013.

NAÇÕES UNIDAS NO BRASIL. Servidão por dívida ainda é forma comum de escravidão moderna, alerta especialista da ONU. **Portal ONU BR**, *online*, 21

set. 2016. Available at: <https://nacoesunidas.org/servidao-por-divida-ainda-e-forma-comum-de-escravidao-moderna-alerta-especialista-da-onu/>.

POMBO, O. (Org.). **Contribuição para um vocabulário sobre interdisciplinaridade**. Departamento de Educação, Universidade de Lisboa. Portugal. Available at: <http://www.educ.fc.ul.pt/docentes/opombo/mathesis/vocabulario-interd.pdf>.

PORTAL G1. Ministério do Trabalho resgata 19 pessoas em condições de trabalho degradante em MG. **Portal G1 Centro-oeste de Minas**, *online*, publicado em 05 de julho de 2018. Available at: <https://g1.globo.com/mg/centro-oeste/noticia/ministerio-do-trabalho-resgata-19-pessoas-em-condicoes-de-trabalho-degradante-em-mg.ghtml>.

PRUDENTE, W. **Crime de escravidão**. Rio de Janeiro: Lumen Juris, 2006.

RAMOS, G. **Vidas secas**. 80. ed. Rio de Janeiro: Record, 2000.

REIMBERG, C. Condições de trabalho no campo ainda são preocupantes: NR 31 trouxe avanços, mas nem sempre a norma regulamentadora é cumprida. **FUNDACENTRO**, *online*, publicado em 08 de jun. 2017. Available at: <http://www.fundacentro.gov.br/noticias/detalhe-da-noticia/2017/6/condicoes-de-trabalho-no-campo-ainda-sao-preocupantes>.

ROMITA, A. S. et al. Justiça do Trabalho: produto do Estado Novo. *In*: PANDOLFI, D. C. (Org.). **Repensando o Estado Novo**. Cap. 6. Rio de Janeiro: Editora FGV, 1999.

SANTOS, S. M. P. Direito e Literatura: perspectiva transdisciplinar na abordagem de temas sociais e jurídicos. **Interfaces Científicas – Direito**. Aracaju: 2012, v. 01, p. 27-34. Available at: <https://periodicos.set.edu.br/index.php/direito/article/view/156>.

SILVA, M. R. **Trabalho análogo ao de escravo rural no Brasil do século XXI: novos contornos de um antigo problema**. 2010. Dissertação (Mestrado em Ciências Sociais Aplicadas – Direito) – Programa de Mestrado em Direito da Universidade Federal de Goiás. Goiânia, 2010.

SINAIT. Mídia denuncia cortes orçamento que deverão parar fiscalização contra trabalho infantil e escravo. **Portal SINAIT**, *online*, publicado em 22 de jan. de 2018. Available at: <https://www.sinait.org.br/site/noticia-view/?id=15296/retrospectiva%202017midia%20denuncia%20cortes%20orcamento%20que%20deverao%20parar%20fiscalizacao%20contra%20trabalho%20infantil%20e%20escravo>.

ABOUT THE AUTHORS | *SOBRE LOS AUTORES* | *SOBRE OS AUTORES*

CIRO ANTONIO DAS MERCÊS CARVALHO

State University of Santa Cruz, Ilhéus, Brazil, Brazil

Doctoral student in Letters: languages and representations at the State University of Santa Cruz (UESC). Master in Letters from UESC. Specialist in Procedural Law from the Pontifical Catholic University of Minas Gerais. Bachelor of Law from UESC. Lawyer.

E-mail: cirocarvalho08@gmail.com

Lattes: <http://lattes.cnpq.br/0060870221439611>

ORCID: <https://orcid.org/0000-0002-4923-4110>

LÍLIAN DE BRITO SANTOS

State University of Santa Cruz, Ilhéus, Bahia, Brazil

Masters in English Teaching With Emphasis on TESOL from New Mexico State University, United States. Assistant Professor at the Department of Juridical Sciences (DCJUR) of the State University of Santa Cruz (UESC). Graduated in Law and Letters from the State University of Santa Cruz. Member of the Scientific Committee of Extension Projects of the DCJUR and researcher of the SER-Mulher reference service of women's rights.

E-mail: liliandebsantos@gmail.com

Lattes: <http://lattes.cnpq.br/4320380040933650>

ORCID: <https://orcid.org/0000-0001-9688-1233>

SUBMITTED | *SOMETIDO* | *SUBMETIDO* | 23/01/2019

APPROVED | *APROBADO* | *APROVADO* | 11/03/2019

THIS ARTICLE WAS TRANSLATED WITH THE SUPPORT OF THE FUNDAÇÃO DE APOIO À PESQUISA DO ESTADO DE MINAS GERAIS. | ESTE ARTÍCULO HA SIDO TRADUCIDO CON EL APOYO DE LA FUNDAÇÃO DE APOIO À PESQUISA DO ESTADO DE MINAS GERAIS. | ESTE ARTIGO FOI TRADUZIDO COM O APOIO DA FUNDAÇÃO DE APOIO À PESQUISA DO ESTADO DE MINAS GERAIS (FAPEMIG).

ORIGINAL PUBLICATION AVAILABLE AT: | *PUBLICACIÓN ORIGINAL*

DISPONIBLE EN: | *PUBLICAÇÃO ORIGINAL DISPONÍVEL EM:*

<https://periodicos.ufv.br/revistadir/article/view/6345>

