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Eradicating Slavery in Maranhão: Impunity and Capitalism

Zachary Patton
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Eradicating Slavery in Maranhão: Impunity and Capitalism

Patton, Zachary Keenan

Academic Director: Calhoun, Bill

Advisor: Masson, Nonnato

University of Pittsburgh

Majors: Philosophy, Communication

Brazil, Maranhão, São Luís

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Abstract

The purposes of this research are to raise awareness of the occurrence of slavery in the 21st century, explain how and why slavery still exists in the northeast of Brazil, more specifically in Maranhão, and to explain what state and federal agencies and NGOs are attempting to do to eradicate slavery. Despite the emancipation of slavery in 1888, this insidious practice continues in regions with a history of slavery and a lack of anti-slavery legislation implementation. Through examining the challenges of enforcing legislation in the criminal justice system, the author constructs a current characterization of slavery in Maranhão. In the northeast of Brazil, poverty and profit drive the practice slavery. Moreover, a lack of resources, a passive strategy, impunity for those guilty, and lack of political will result in the failed implementation of human rights and the subsequent continuation of slavery in Maranhão, Brazil.

In the introduction, the author brings forth a historical setting to demonstrate the progression of anti-slavery legislation in Brazil, and contextualize his field research findings. Towards the end of this section, the author describes the current policy and governmental structure organizing the forces combating slavery in Maranhão. The following methods section addresses the approach of the author given the preceding contextual information as well as a justification and explanation of his auto-ethnographic approach. In Findings and Discussion, Patton explains his findings while offering analysis and auto-ethnographic commentary on the thematic sections corresponding to understanding slavery, its causes, how Maranhão combats slavery, and obstacles such as political complacency and society's role in public policy.

The author cites primary sources including findings from 15 interviews from the cities of Açailândia and São Luís, Maranhão. He cites interviews with the NGOs Pastoral Land Commission, Center for the Defense of Life and Human Rights, a researcher from the Federal University of Maranhão, activists, private attorneys, labor judges, the President of the State Commission for the Eradication of Slavery, Secretary of the State Office of Human Rights and Citizenship, and a federal criminal prosecutor. These primary sources, field research, and analysis make for an auto-ethnography that characterizes modern-day slavery and undermines the role of capitalism in the continuation of slavery in the northeast state of Maranhão, Brazil.

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The other staff members helped me build the confidence and social ability to leave Fortaleza, which become my “home” city while in Brazil. My interactions with the Brazilian staff members, Oelito a program assistant, his wife Ceissa, and Neilyanne Almeida allowed me to realize that I could fit in, be accepted, and build relationships with people of a foreign culture and language. Without their openness and encouragement, I would not have had the mental and emotional acumen to relocate myself to São Luís, Maranhão, move into a new homestay, and build an entirely separate social network from the one they provided me in Fortaleza. In these ways, SIT has made my research proposal possible. However once in Maranhão, I received additional assistance that bolstered the preparation SIT offered me.

I especially acknowledge Nonnato Masson, a human rights activist, attorney, and masters candidate at the Federal University of Maranhão, São Luís. Most importantly to me, Masson also served as my research advisor during my three weeks in Maranhão. Besides offering me a room in his home and extending a genuine hand of friendship that will inevitably last a lifetime, Masson’s depth of human rights experience related to modern-day slavery, goodwill and sociability, and incredibly contagious positive attitude guided me and inspired me to dive headfirst into my project, beginning day one. Every interview, interaction, observation, and event that I recorded during my field research depended on the generous help Masson provided me. For all of the help and cooperation I received during my research period I will be forever grateful.

Of those who provided additional support, I would particularly like to acknowledge the Center for the Defense of Human Rights in Açailândia , the Office of Human Rights and Citizenship, and the entire Public Ministry of Maranhão. Without their kind cooperation and

generous donation of time, my project would lack substance and connection to the reality of the northeast of Brazil. May my humble acknowledgments serve as token of appreciate to all people and organizations that participated in my research project.

List of Abbreviations

The names of the organizations below are in English. However, they retain their Portuguese acronyms.

CDVDH/CB or CDVDH – Center for the Defense of Life and Human Rights

CEDDHMA – State Counsel of the Defense of Human Rights, Maranhão

CEDDHMA is a counsel of government offices across a variety of agencies and disciplines that work to solve the human rights issues.

CLT – Consolidation of Labor Laws

COETRAE is a commission of government and nongovernment agencies, citizens, and public partners that gather to discuss the challenges and needs of the fight against slavery.

COETRAE – State Commission for the Eradication of Slave Labor

CPT – Pastoral Land Commission

CPT is a national nongovernment, nonprofit organization support by the Catholic Church that is advocates sustainability and fights injustices of land workers.

FAETMA – Power of Support to the Student and the Worker, Maranhão

FAETMA is an organization representing the interests of unions and workers in legal training.

FUNRURAL - Rural Workers' Assistance Fund

ICC – International Criminal Court

ILO – International Labor Organization

INCRA – National Institute of Colonization and Agrarian Reform

MPF – Federal Public Ministry

MPF is the national group of federal prosecutors

MTE – Ministry of Labor and Employment

MTE is the federal office that regulates labor and employment through legislation, policy, and funding related to the eradication of slavery.

SEDIHC – Office of Human Rights, Social Assistance, and Citizenship

The CDVDH is a national nongovernmental, nonprofit organization that defends the human rights of persons living in poverty. CDVDH provides legal advocacy and social services for victims that experienced a situation of exploitation, including slavery.

The CEDDHMA is a state government office that promotes public policy related to the defense of human rights.

TRT – Regional Labor Court

TRT is a non-criminal judicial office overseeing legal cases pertaining to labor law violations.

UFMA –Federal University of Maranhão

Introduction

Problem Statement

The agriculture industry of northeast Brazil has used slave labor since the Portuguese arrived in the 1500's, but in 1888, Brazil was the final western country to abolish slavery. Today, the insidious practice slavery continues to exist in the northeast state of Maranhão and across Brazil. The United Nations (UN) estimates that there are currently 21 million enslaved people in the world, the most in history. While the Public Ministry of Labor of Brazil (LPM) estimated that there were 21,000 enslaved people in 2011, non-governmental-organizations, like the Walk Free Foundation and Free the Slaves, consistently report estimates that are at least ten times higher.

Despite conflicting data, Brazil is admits its responsibility and has taken significant measures to combat contemporary slavery. In 2010, the UN Special Rapporteur on Slavery claimed that Brazil's anti-slavery efforts were "exemplary". Strong anti-slavery policies expatriate land belonging to slave owning farmers and "dirty-list" suppliers that rely on slave labor. Brazilian government has combated contemporary slavery in a potentially meaningful way, but failures in implementation and strategy undermine these efforts.

Until federal, state, and local governments are able to implement this exemplary legislation through enforcement in the criminal justice system, it may merely acknowledge the most basic civil rights mandated by international law. While arguments attributing slavery to capitalism progress, it is possible that economic models (capitalism) can contribute to manifestations slavery. However, as these arguments with massive breadth, depth, and scope continue to be debated, failures in guaranteeing the most basic freedom from slavery have been set aside. I argue that these centuries-old failures are the most direct source of the continuation of slavery, regardless of economic model.

I plan to investigate the measures of implementing anti-slavery legislation. I hope to discover if and then how failures in these measures have contributed to the continuation of slavery. I plan to characterize slavery through examining the strategies, efforts and obstacles of implementing the human rights that protect northeastern Brazilians from slave labor. In the state of Maranhão, a culmination of circumstances, a culture of slavery, and a history of governmental struggles create modern obstacles carry slavery into contemporary study.

Background

Slavery in the agricultural industry in Brazil takes many forms. Inconsistent statistics regarding accounts of slavery ranging from 25,000 to 100,000 complicate assessment and eradication.¹ The agriculture sector in the Northeast and Amazonia regions are especially prone to the use of slave labor because of the physical nature of the work, poverty, and isolation. Corruption and income disparity frustrate efforts to end slavery, while the judiciary is sympathetic to landowners with political influence.²

Forced labor frequently involves cases of young men from the northeast of Brazil, Maranhão, Piauí, Tocantins, Pará, and Ceará. The National Campaign to Combat Slave Labor predicts between, 20,000 and 50,000 people working in slave-like conditions. The Pastoral Land Commission's 2012 report stated that there were 168 incidents of slavery with the majority of these incidents taking place in the northeast in farming, charcoal making, and ranching.³ Frequently, landowners or recruiters dupe poor people into slavery and maintain them through a system of debt, deceit, coercion, and violence. Impoverished people living in villages or slums are enticed into labor contracts with cash bonuses and empty promises. Once recruiters remove these often uneducated and illiterate persons from their communities, the laborers must attempt to work back unsurmountable debt acquired from everything from ridiculously high living expenses, to inflated costs for tools and transportation. Human rights groups report 1,200 murders annually, labeled farming accidents, resulting from working conditions connected to situations of slavery.⁴ These occurrences of slavery are part of a history of dysfunctional governance of Brazil.

Under the dictatorship of Getúlio Vargas (1937-45), Brazil created the labor judiciary within the federal justice department in 1939, the national labor department, and the regional labor inspectorates and local boards. These creations lead to the consolidation of all labor laws; this is known as the *Consolidação das Leis do Trabalho* (CLT) in 1943. Beginning in 1940, the administration implemented minimum wages for urban and industrial workers, later

¹ Monti Narayan Datta. "Using Big Data and Quantitative Methods to Estimate and Fight Modern Day Slavery." *SAIS Review of International Affairs* 34.1 (2014): 21-33. *Project MUSE*. Web. 20 Oct. 2014. <<http://muse.jhu.edu/>>.

² Campbell, Justin. "A Growing Concern: Modern Slavery and Agricultural Production in Brazil and South Asia." *Human Rights and Human Welfare*. Du.edu. Web. 23 Oct. 2014. <<https://www.du.edu/korbel/hrhw/researchdigest/slavery/agriculture.pdf>>

³ JAMES L. BISCHOFF (2006). *Forced Labour in Brazil: International Criminal Law as the Ultima Ratio Modality of Human Rights Protection*. *Leiden Journal of International Law*, 19, pp 151-193
doi:10.1017/S0922156505003225

⁴ 2

regulated by the CLT laws. The administration constructed the labor court with state-level tribunals, and a federal tribunal called Tribunal Superior de Trabalho at the top. Today, a very similar structure exists, with the TRT being the regional courts that compose the states Supreme Labor Tribunal (TST).⁵

After the dictatorship ended, Brazil democratically elected President Vargas in the 1950's. However, with the suicide of Vargas in 1954, Vice President Café Filho became President until he left office one year later because of a poor health. Carlos Luz was President for three days, but stepped down. President Nereu Ramos held the spot for three months, until President-elect Juscelino Kubitschek assumed office in 1956 bringing stability to the country for five years. During this period, the administration failed to guarantee rural workers' rights, and the agriculture industry operated similarly to a feudal system. Following the coup and President Janio Quadros' resignation in 1961, Vargas's former labor minister Joao Goulart became President. (Bi⁶

Goulart helped to guarantee an ending of widespread and blatant slave conditions throughout the interior. Although we know today, that implementation of these policies never guaranteed the end of slavery; rural workers began to enjoy legislation demanding minimum wages, regulation on hours and contracts, weekly breaks and even paid vacations. Violators received financial penalties that supported the Fundo de Assistência ao Trabalhador Rural (FUNRURAL, or the Rural Workers' Assistance Fund).⁷ As workers' rights were officially established and agriculture workers began unionizing, a military dictatorship toppled the Goulart administration, stifling the worker's rights movement. The growing rights of workers met resistance from corrupt judges and violence at the hands of employers who held power with impunity under the coup.⁸

Today, Brazil's labor law expressly prohibits "slave labor," defined as "reducing someone to a condition analogous to slavery." The most recent data reports that in 2012 the Minister of Labor and Employment (MTE) in coordination with the Federal Labor Prosecutor Office and Federal Police, 2,428 laborers were freed and paid 9.9 million B\$. Yet, NGO's note high re-victimization rate, likely due to lack of follow up services provided for those freed.⁹

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⁷ Thomas D. Rogers. and Christine Rufino Dabat. "'A Peculiarity of Labor in This Region': Workers' Voices in the Labor Court Archive at the Federal University of Pernambuco." *Latin American Research Review* 47.4 (2012): 163-178. *Project MUSE*. Web. 20 Oct. 2014. <<http://muse.jhu.edu/>>.

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In 2003, the Lula administration began Brazil's first effort to eradicate contemporary slavery with the "National Plan for the Eradication of Slavery" which involved harsher penalties for landowners and funding mobile inspection units. Between 2003 and 2005, these heavily armed squads freed nearly 7,000 enslaved people. Another method explored by the International Labor Organization, involves protecting impoverished people through access to low interest micro credit. Yet, for landowners the benefits outweigh the risks, especially when they are favored in the courtroom. Impunity for those guilty means that the legislation does little to prevent the continuation of slavery.¹⁰

COETRAE is one organizational mechanism used to oversee the state efforts of eradicating slavery. It is comprised of Secretariats of Justice, Labor, Agriculture, Environment, Treasury, and Education, members of the Public Ministry, police forces and NGO's. Each state has its own COETRAE, which falls under the auspices of the Federal Ministry of Labor and Employment (MTE). In Maranhão, the Secretary of the Office of Human Rights, Public Assistance and Citizenship (SEDIHC) serves as the President of COETRAE. SEDIHC's main correlation to antislavery legislation is through its role in public policy promotion. In March 2013 nine members left the Mato Grosso state COETRAE, expressing their concern with the federal strategy with a letter signed by the Pastoral Land Commission, judges, and the Federal Public Ministry citing inconsistency, disorganization, lack of effectiveness, and lack of validity of the MTE's "dirty list", which listed 488 names in November of the same year.¹¹ The National Institute of Colonization and Agrarian Reform (INCRA) manages the dirty list, this occurring outside of the judicial system.¹²

INCRA, founded in 1970, is an organization that facilitates land redistribution and manages public lands and falls under the auspices of the Ministry of Agriculture Development. It is composed of 30 regional Superintendents throughout the country. The organization works with local authorities to determine environmental liabilities, but is also in charge of managing the "dirty list" along with the Public Ministry of Labor. It is a list publicly shaming companies that have been charged with exploiting workers to the point of slavery. Guilty companies can lose access to government loans and have product sales restricted. Another related responsibility of INCRA and the Federal Ministry of Labor is the

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¹² United States Department of State, Bureau of Democracy, *Human Rights and Labor*, "Country Reports on Human Rights Practices for 2013: Brazil", Section 7.b. *Worker's Rights-Prohibition of Forced or Compulsory Labor*

management of land that it takes from slave using farm owners, given the appropriate judicial ruling. What that ruling is, is uncertain. Despite the hundreds of names on the dirty list, INCRA has only facilitated the redistribution of one landowner's property in relation to slavery. This impunity eliminates the purpose of the law. Although the causes of the continuation are muddled, some organizations aim to create international pressure to expedite the eradication of slavery in Brazil.¹³

This aim was likely the source of motivation of the government first acknowledging the problem in 1993 as an attempt to save face after an international disgracing conducted by the Pastoral Land Commission and several other international NGOs. Later, Lula's National Plan for the Eradication of Slave Labor consisted of inspections, criminal sanctions, high-fines and moral damages, and suspension of financing. Yet, in certain parts of the country, primarily in the northeast, Brazil has not made human rights advances since the nation abolished slavery in 1888.¹⁴ Meanwhile, sugarcane ethanol demand, primarily in the south and south-central parts of the country, is stimulating growth in the industry, but also in the occurrence of slavery.

The International Labor Organization reports that Brazil is along-side Mauritania, Sudan, Pakistan, India, Thailand, Haiti, Peru, and the Dominican Republic as having one of the world's worst forced labor problems. Every year Brazil that fails to eradicate slavery, the failure of international law should be put to question. The creation of which was intended for human rights mechanisms, originally created to for the abolishment of slavery. Prosecution in the International Criminal Court for crimes against humanity is one way to create this pressure, but this project will focus on internal failures not just in Brazil, but the northeast state of Maranhão.¹⁵

In this region, wealthy landowners (fazendeiros) subcontract their land (to empreiteiros) and engage in several business ventures at once, suggesting an ability to insulate the landowners from the labor conditions on their own land. Recruiters (gatos) scout impoverished northeast cities looking for unskilled laborers (peoes de trecho) promising good pay and working conditions. Isolation in the Amazon, violence, subhuman living and working conditions, and a never-ending debtor-payer relationship create circumstance

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¹⁴ "2008 Human Rights Report: Brazil." *U.S. Department of State*. U.S. Department of State, 25 Feb. 2009. Web. 23 Oct. 2014. <www.state.gov/j/drl/rls/hrrpt/2008/wha/119150.htm>.

¹⁵ 3

analogous to slavery. The historical perspective outlined above contextualized the sources of potential obstacles in organization, policy, and the judiciary.

As the reader may notice, some of the efforts outlined above go unmentioned in the proceeding sections, for example, the police squad that has reportedly freed thousands of enslaved persons. I will not make a direct comparison between the national characterization of slavery and that of Maranhão. However, the reader should note these differences, remaining aware that this project characterizes slavery in Maranhão not Brazil as a whole.

Motivation

The most fundamental motivation I have is for my research to contribute to the public understanding of the challenges of human rights implementation. I expect to observe how economic development paired with poorly implemented human rights creates conditions that contribute to slavery. However, I do not assume that economic development is the source of failures in human rights implementation. By the nature of these rights, they are to be guaranteed regardless of economic or political system. I will examine the totality of the challenges of eradicating modern-day slavery in Maranhão. Whether or not certain economic systems create challenges in governing, is matter I hope to examine. My motivation is based on the assumption that obstacles in judicial system may co-exist with capitalistic economic development. However, these judicial obstacles, in and of themselves, could offer an alternative to capitalism when explaining the continuation of slavery.

Residents of the city of Fortaleza have provided with the idea of capitalism being the source of slavery. They have warned me that the streets are more dangerous here, pollution is more toxic, poverty is more prevalent, prejudice is less subdued, and time and law are loose guidelines. Following explanations of these struggles, is the frequent and quick finger pointed at the capitalistic model. I have read about projects ranging from a bevy of social, environmental, and energy reforms to crucial infrastructure supporting the 2014 FIFA World Cup and the upcoming 2016 Olympic Games. It is my impression that, surrounding this economic evolution is a fury of rhetorical fodder flung at a woefully uninformed population that is legally required to vote. However, since arriving in Brazil three months ago, I have not been exposed to a coherent argument that explains precisely how capitalism contributes to exploitation in the form of human rights violations, leading to slavery. I feel confident that this argument exists. However, it is only an indirect concern.

I worry that politicians could be playing puppeteer, using sweeping generalizations and untargeted blame to excite or tend to voting groups. Indeed, I believe it is possible or even likely that capitalism is a cause of modern-day slavery in Brazil. However, I think the public needs to understand precisely where the failures of human rights implementation are taking place, as opposed to imprecisely blaming entire economic systems. That is, capitalism is possibly a contributing factor of slavery, but surely, slavery is not a necessary result of capitalism. If this is true, then placing blame solely on economic models, instead of poor governance, or whatever the cause, could be a distraction that in some ways contributes to the continuation of slavery.

Human rights cannot merely be written and expected to implement themselves. They must be taught, exercised, protected, and thus implemented through due process and punishment for those who violate the law. In the northeast of Brazil, I suspect that failures in the implementation of human rights is both the necessary and sufficient cause of the continuation of slavery, making it the primary challenge of eradicating slavery. Through my characterization of contemporary slavery in Maranhão, I hope to develop a case that contributes to this on-going debate and, contingent upon corresponding results, shifts attention towards the implementation of human rights, good governance, and law and order. Through my research, I will be sure to monitor my motivations, making sure to be aware of how my perspectives evolve. I will remain impressionable and open-minded. For now, I am self-vetting my motivations so that the reader does not need to come up with assumptions of my motivation. These motivations are clearly stated and I incorporate their progression throughout my project using an auto-ethnographical methodology.

Methods

Already, I have developed a description of the historical and current context of slavery in the northeast of Brazil. I have explained some of the state and federal processes in which Maranhão uses to combat slavery. Next, I will move to a more embodied section of this project where I will examine the roles of specific organizations, agencies, and individuals within the strategy to eradicate slavery in Maranhão. I will reveal the underlying challenges of eradicating slavery in the northeast of Brazil through discussing the causes and solutions that are at work. I will attempt to understand why slavery continues to exist today, identifying the main obstacles and challenges within the process. Throughout this characterization, I will offer my own auto-ethnographical findings so that the reader will understand this project in light of my own experiential context. During the conclusion, I will summarize my sub-conclusions from the Findings and Discussion section, close out the auto-ethnography, and provide my final thoughts, fitting this account into the social relevance explained in the following section.

I began my field research with Nanato Masson, an attorney residing in the capitol city São Luís, Maranhão whom served as my research adviser. There, I planned to bolster my historical findings regarding policy history and develop an understanding of the implementation of anti-slavery legislation in the criminal justice system. I have gathered information through interviewing judges, labor inspectors, prosecutors, legislators and other actors of state and federal justice systems. These interviews came-about using a snowball approach beginning after attending a COETRAE meeting, where many parties active in the eradication of slavery meet on a monthly basis. With the help of my advisor, I reached out to people working with NGOs and people throughout the judiciary. With each interview, I was pointed in the direction of others who had expertise on the subject. Using this method and the expertise and professional network of my advisor, an attorney activist, I conducted fifteen interviews. After researching the implementation of legislation in the judiciary and government agencies, I moved closer to actual manifestations of slavery.

My advisor and I spent four days in the interior city of Açailândia, where I interviewed staff and board members of Center of Human Rights Carmen Bascarán (CVDH/CB) and observed their approach and obstacles in eradicating slavery. I interviewed a labor judge, took observations of poverty and living conditions, and interviewed a family of formerly enslaved persons. I also interviewed a private attorney who was the former legal

coordinator of the CDVDH in Açailândia , a title that my adviser, Nonnato Masson also bears.

I recorded each observation and interview using my laptop and or cellular telephone. I recorded the audio of each interview and then transcribed and the translated the information. My advisor and his family helped me work through transcriptions that I struggled with. However, I did all of the translations by myself, using a combination of my one language skills and online tools, such as dictionaries and searching through officially translated government documents with similar wording using a website called (bab.la). Even prior to my field research beginning, I took extra measures to avoid unnecessary struggles with language. However, having only one 2 semester courses and a little over 70 days in Brazil at the time of my field research, I did struggle.

As related to my methodology, my level of speaking ability is important because of the way that interviewees related to me and the opportunities that presented themselves. I believe that the help that I received is a product of having a limited speaking proficiency, and the kindness and helpfulness of the Maranhese people. However, knowing that I would struggle, I took proactive measures.

I developed a specialized Portuguese vocabulary that was necessary in conducting my interviews, which were all non-English speaking participants. I attained this vocabulary by 1) familiarizing myself with relevant government and non-profit reports, webpages, and other literature written in Portuguese such as information provided by the Ministério do Trabalho e Emprego Comissão Pastoral de Terra. 2) Preparing, discussing, and editing potential interview questions with SIT faculty/staff members and my research adviser Nanato Masson 3) Journaling and organizing agency names, technical terminology, legislative initiatives, rhetorical phrases, that I came across in 1) and 2) and finally, 4) Practicing the interviewing process in Portuguese. Practicing the interviewing process was a crucial component in my preparation for field research. Through practicing the interview process with Brazilians, an experience prepared by SIT, I learned to respond and direct a live conversation in Portuguese while also showing appreciation for whatever information the speaker shares in the moment.

I asked varying follow-up and clarification questions, but all of the people that I interviewed were asked the following questions in the same general order.

List of Interview Questions

1. What direct or indirect contact have you had with slavery?
2. What is the role of your work in relation to combating slavery?
3. How do you describe slavery today in the northeast of Brazil?
4. Are there different interpretations of slavery, if so why?
5. How is it possible that slavery still exists today?
6. What do you hope that your work will do to end slavery?
7. What tools would make this work more effective?
8. Is there a problem with impunity? If so, why?
9. What is the greatest obstacle in eradicating slavery?
10. What is the most important thing that you want people to know about slavery in the northeast of Brazil?

Ethical Considerations

This project served as an opportunity for me to engage in considering how I understand and know the world. Certain ethical considerations foregrounded my examination of contemporary slavery, and I planned to address ethical responsibility in the following ways. First, I will address my ethical responsibility in associated to the methodology above. Second, I will describe how and why I plan to execute an auto-ethnographical approach. Third, I will address how the assumptions I make related to my own motivation in introductory section above may influence my perceptions and understanding of information I collect and analyze. These ethical considerations guided my methodological approach, influencing my research behavior. For my methodology to be duplicable, a researcher would need to incorporate similar considerations.

Selecting the topic of modern-day slavery, I hoped to raise awareness of the occurrence of the insidious practice banned over a century ago. In doing so, I aimed to protect and promote the rights and wellbeing of all people I meet during my field research. Given that would have conflict arisen; I was prepared to do all that is necessary to protect the dignity and privacy these people. My fundamental responsibility was to anticipate difficulties in communicating and understanding during the course of my field study, but also to do what is necessary to prevent undue or harmful conflict. I anticipated and prevented these conflicts through the procedural implementation of informed consent, identity safeguards, recognizing vulnerability, maintaining security and integrity of research data, and transparency of intention.

The matter of vulnerability is especially important because I interacted with people who were previously exploited and victimized in the in the form of being enslaved. Whenever I interviewed formerly enslaved people, I anticipated a need to provide more leniency and patience, while approaching educated professionals more critically. Despite objectivity being the convention, I recognize an advantage that legislators, attorneys, and judges have in their mastery of language and their professional position in defending their own institutions. Within my investigation I of anti-slavery implementation, I remained objective and consistent while also engaging critically. This means my critical approach will remain consistent while interacting with all actors outside my interaction with formerly enslaved persons. For example, I asked a less direct version of the questions above and did my best to avoid applying labels such as “slave” or “poor”.

I also utilized measures of informed consent, which includes explaining my association and purpose, while explicitly requesting permission to use their words as part of my research. All participants signed a form stating that they read and understood a written explain of my purpose and association. I anticipated the possibility that some interviewees may not be able to read the form, however none of these cases occurred. However, all of my interviewees claimed that they fully understood the form and signed it. In the cases of interacting with formerly enslaved workers, a representative from the CDVDH and my advisor accompanied me. In all of my interviews, another Brazilian besides the interviewee accompanied us and in most cases, it was my advisor. In every interview with my advisor, he explained what my intentions were in native Portuguese, in addition to me explaining informed consent form.

With two of the government officials, the interviewee asked to have another person sit in on the interview after reading the form. I complied with these requests on every occasion. Concealing the identity of my interviewees depended on their request. For those wishing to conceal their identity, I was prepared to take extra care in revealing information about my interviewees, so that my reader will not be able to determine their identity. This case never occurred. However, I did conceal the names of the formerly enslaved persons because of their vulnerability. Given that I need to contact these participants, I have a photograph of them and the CDVDH in Açailandia would be able identify them. I saved all collected data digitally on my notebook and backed it up to a private and protected cloud account. This option offers a beneficial balance of ease of input and access within reasonable expectations of privacy.

Auto-ethnography

I will apply an auto-ethnographical approach in two ways, indirectly and directly. I indirectly apply an auto-ethnographical approach by explaining my incoming argumentative motivations and the social relevance of my project in terms of the precedence of human rights over economic development. This allows the reader understand the positioning of my entire project in terms of my own understanding and assumptions. I call it indirect because, besides a few points of reflection and clarification, it is up to the reader to discern the significance of my vetted motivations. My reader should attempt to understand my project in light of those motivations and corresponding assumptions. This is especially important in the Conclusions section. In this section, my thoughts and assumptions will interact with evidence that I have described as factual. The reader should carefully follow where I make these distinctions. In general, the auto-ethnographical approach insures the value of this project. Such that, whether or not my methodology or analysis meets the reader's expectations, the reader will be able to examine how I, as a subject of my own research, experienced this project.

In written sections with corresponding field experience, I directly apply an auto-ethnographical approach. This approach is not only the product of the field observations that I have recorded, but also in light of who my own expectations, judgments, and feelings of towards slavery and its causes in the Açailandia and in Maranhão. Through sharing my own worries, motivations, hopes, and expectations, I offer the reader an additional level of transparency while adhering to an ethical responsibility. I call it direct, because during my research my assumptions directly affects what I notice, record, and prioritize as worthwhile. This process ought to change my role from an "objective researcher" to a participatory subject and provide a system for adhering to my ethical concerns throughout my research. The reader should understand the final product of this project not by merely considering the informational content, but also my own progress as an individual attempting to understand a foreign people and their challenges with slavery. In the following paragraphs of this section, I will introduce the intellectual and emotional starting point that prior to my field research. This base information is important in understanding my motivations, commentary and discussion in the Findings and Analysis section, as well as the Conclusion section, which contains my final thoughts.

My first perception of slavery was rooted in pre-Civil War U.S. and I was unaware of its existence in the modern world. I had seen or heard about cases

of trafficking from FBI investigations in the news, in television shows like Law and Order, or even in action films portraying international criminals involved in the sex trade. Sadly, until maybe two years ago I was entirely unaware of the prevalence, severity, and reality of the issue of slavery in world. Today, I understand modern-day slavery to be a result of exploitive relationships between the greedy and the vulnerable. Driving it - profit. Allowing it - failing governance. Protecting it – corruption. These opinions will undoubtedly effect how I formulate and execute my project, but I will remain reflective and self-aware in my auto-ethnography, paying special attention to these opinions throughout my research. Currently, my perceptions towards poverty and rule of law represent some of the most important points of self-reflection.

I assume that the effective governance can fix the problems associated with capitalism, but it is possible that these problems are inherent in the capitalistic model. As an American student with just a short time in Fortaleza, CE, my understanding of poverty here is rapidly evolving in a way that may influence my research. Recently, I met a 16-year-old boy living in the periphery of Fortaleza who showed me his scars from being shot four times and malnourished 5-year-old boy asked me to share my dinner with him as he sat down at my table at restaurant. Poverty here looks much different from the poverty I experienced in rural Western Pennsylvania, USA.

In Fortaleza, I have perceived a regular and general disrespect for law and order. I have witnessed rampant, regular, public, and careless law breaking. For example, motorists, even bus drivers, refuse to obey all types of traffic signals. I have seen people openly smoking crack downtown during mid-day. At the same time, I frequently see armored police vehicles often times with four officers all wearing bullet proof gear multiple firearms and weaponry. This is a strong police presence in one of the most dangerous city in the world, but I wonder what influence these observations have on my understanding of the northeast of Brazil. These strong perceptions of poverty and enforcement challenges will contribute understanding modern-day slavery, but I must make

sure to remain open to considering a variety of other issues surrounding slavery in Açailândia of Maranhão.¹⁶

¹⁶ Patton, Zachary. ISP Field Journal. Fortaleza, SIT. 2014. Pp. 18

Findings and Discussion

Understanding Modern-day Slavery

In Maranhão, slavery has never ended, but “it has a new face” and affects women, children, and men in ages varying from youth to old age.¹⁷ Slavery most commonly takes place in industries related to agriculture. In Maranhão, approximately 70% of occurrences of slave labor relate to the livestock industry, but according to the Ministry of Labor, which regulates working conditions, slave labor is most common in agriculture. Laborers remove trees and brush from forested areas and prepare the soil for planting food for the cattle.¹⁸ Another industry where slave labor is commonly used is in the production of coal that is used in the steel industry. Less common industries include soybean and sugarcane production. In the production of coal, companies buy large portions of land called “pawns” to harvest eucalyptus wood that is then transformed into coal. Laborers work exhausting hours often more than 10 hours per day, stripping the land, hoeing, and removing wood. Workers are frequently from poor communities and unable to read, write, and perform basic arithmetic, making tracking their efforts very difficult.¹⁹ In Maranhão, the type of labor within these industries helps to clarify the working conditions of enslaved peoples. For many, the labor is physically challenging, outdoors, and in Amazonian climate. Living conditions consist of sleeping on the ground without cover and drinking water from streams or large puddles.

In agriculture, slavery becomes relevant to people living in poverty. The scale to which slavery is taking place is enormous. As mentioned in the Introduction section above, the very nature of slavery makes it difficult to assess. However, in the last ten years, over 45,000 people have been rescued from a situation of slave labor. Labor Judge Carlos Veloso estimates that these numbers are likely triple in reality. Another general characteristic of the slavery is that the person that is being enslaved is being exploited because they live in a situation of poverty. In Maranhão, the situation is predominately rural where, “poverty, low

¹⁷ Patton, Zachary. ISP Field Journal, Event 25: Interview Brigida Rocha Coordinator CDVDH. Fortaleza, SIT. 2014. Pp. 92

¹⁸ Patton, Zachary. ISP Field Journal, Event 4: Interview Joao Antonio Moereira Franca: Coordinator CPT. Açailandia, SIT. 2014. Pp. 49

¹⁹ Patton, Zachary. ISP Field Journal, Event 7: Interview Karla Suzy Pitombeira: Doctoral Student, Social Sciences, UFMA. São Luís, SIT. 2014. Pp.53

levels of human development lead to these misfortunes”.²⁰ I will discuss the issues of poverty in the following section, which discusses on the sources of slavery. For now, poverty is another general attribute of slavery, describing those who fall victim.

Besides the relevant industries, scale, and poverty, slave labor has four main legal characteristics established during the Lula administration in 2003; forced labor, degrading conditions, extreme hours, and debt. There are levels of slave labor. The worst cases are level one, which exhibit all four characteristics above. The less serious cases are level three, where only some characteristics are exhibited. In level two, it is a combination of levels two and one where the nature of the employees account or the evidence makes it difficult to determine what characteristics were exhibited.²¹

From the point of view of one federal criminal prosecutor working in Maranhão, there are two additional types of slavery, rural and urban. Slavery in the northeast of Brazil is typically described as rural. The rural nature of slavery in Maranhão corresponds to the largest industry in Maranhão, which is agriculture. Another corresponding characteristic is isolation. Workers often leave large northeast cities and are taken far away from society. At times, employers keep important official documents from employees until the work back insurmountable debt. The restraint of these documents and or salaries prevents the workers from leaving. Without the worker's official documents, he will not be able to enter into a formal contract and in many ways, these documents necessary to be recognized as a member of the state and receive government benefits.²²

Descriptions of the restrictions of liberty are also based on a variety of circumstances, but often involve key factors of debt, violence, informality, and isolation. Restrictions of liberty can be characterized by the following.

“Geographic isolation, armed guards, poor food, without decent food, water that is dirty. There are also the loss of freedom that happens through armed guards and debt. The worker leaves to work on a farm and doesn't have a formal contract, works more than eight hours per day, has no working tools

²⁰ Patton, Zachary. ISP Field Journal, Event 9: Interview: Luiza de Fatima Amorim Oliveira: Secretary of CEDDHMA and President of COETRAE. São Luís, SIT. 2014. Pp.60

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²² Patton, Zachary. ISP Field Journal, Event 15: Interview Ubirajara do Pindare Almeida Sousa, “Bira do Pindare”, State Representative of Maranhão. São Luis, SIT. 2014. Pp.76

(boot, hoe, hammer) and gains debt to buy work tools, therefore he can't afford to pay the boss and is unable to leave the farm."²³

In other cases, employees are unaware for a period of time that they are being enslaved, or they are too embarrassed to admit their circumstance. They remain hopeful that they will be paid or that they will be able to work off their debt. This is one way in which modern-day slavery differs from historical slavery.

"The question of whether the workers knows or not that they are in conditions of slave labor is an obstacle, because when the worker isn't seen in these conditions of slave labor it is hard to report. The very term of 'slave labor' has a negative connotation. For this, many workers are reluctant to identify their situation as slave labor."²⁴

In comparison to slavery of the past, "...it is more hidden disguised, veiled."²⁵

Often times, it is difficult to determine exactly what level of slavery took place. These levels are decided through a legal investigation. "Interpretations vary by inspectors, judges, and labor prosecutors, whom differ in opinions and some use more strict criteria to define slave labor."²⁶ The laws describing slave labor are very open, although I will address the challenges of this in a later section, understanding the combination of crimes that come together to create a situation of slave is important in understanding how it occurs. Part of the reason that the laws are open is so that is because slavery "intersects with other crimes, like human trafficking, racisms and labor exploitation and directly conflicts with human rights...To have this interpretative analysis is fundamental to understand what slavery is."²⁷ Today there are still ongoing discussions and debates about the different interpretations of slavery, in the Obstacles section I will revisit how these interpretations contribute to challenges.

²³ Patton, Zachary. ISP Field Journal, Event 10: Interview Elbna Ferreira Carvalho: Coordinator CDVDH/CB Santa Luiza. São Luís, SIT. 2014. Pp.64

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²⁵ Patton, Zachary. ISP Field Journal, Event 13: Interview Thayna Freire de Oliveira: Federal Prosecutor, Public Federal Ministry. São Luís, SIT. 2014. Pp.67

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Although these definitions and key attributes offer the necessary characteristics of determining a case of slavery, they do not entirely capture the circumstances of the victim or the experience of the crime. Mr. Batista, a Labor Judge with TRT, working in the interior city of Açailândia, confirms this. “To see it closely is completely different, especially for research. We are discussing processes of people being enslaved, to be a human and be reduced to animal like conditions. To witness and comprehend the social factors is fundamental, so that this will be seen with greater frequency, gravity, and sensitivity.”²⁸ In Açailândia, I interacted with formerly enslaved persons and observed the prevalence of poverty surrounding them.

The state of public infrastructure here is, in places, appalling. Sewage runs into the streets. The roads are dust. Some places on the streets smell so bad that I could not physically prevent myself from gagging. On several occasions, people were burning trash in the streets. I am staying at a house provided by the Umbanda House of Zazuleira. Soon after we arrived, my advisor and I visited Zazuleira to thank her for letting us stay in the house. Upon arriving, I asked the woman about the characters of the paintings on the walls. She explained that they represented the saints, and saint-like spirits, in the religion of Umbanda. All of the characters on the wall were called "pretas velhas" representing the spirits of slaves. Another man that sat with us was wearing a shirt that depicted a crossed out chained hand. It was an anti-slavery shirt. Despite not seeking research material, the house was full of artifacts that represented the prevalence and history of slavery in this region.

At the house, I have to step over a stream of sewage to get to the front door. A cockroach crawled across the counter top during lunch. Last night whenever I was typing for this project, mosquitos bit me at least 34 times. These unpleasanties appear to go totally unnoticed by the other people in the house. My advisor, Masson told me that, “Tudo casas no Brasil tem baratas”, meaning that all houses in Brazil have cockroaches. I am staying in the house with other people from the church. They are pleasant, kind, generous, fun, and

²⁸ Patton, Zachary. ISP Field Journal, Event 24: Interview Carlos Eduardo Evangelista Batista dos Santos, Labor Judge (TRT). Açailândia, SIT. 2014. Pp. 89

welcoming. I feel humbled to be offered a room in their house. One woman at the house asked me if I would want to live in Açailândia. I answered honestly and said that I could stay here for maybe a month. The people in the room enjoyed a laugh over my comment. Maybe they were taking pride in their resiliency, or gawking at my sense of privilege.

I met up with Brigida Rocha, a coordinator with the CDVDH. She wanted to help me interview a formerly enslaved worker. We walked up a very steep hill to a location where a man was apparently preparing a site for a home. He was digging out the side of the hill, making it flat; a fifteen-foot space in between two houses already built on the hillside. Brigida approached first calling this man by name and I followed behind. We shook his hand and she explained that we were trying to get an interview for my research. He explained that he was embarrassed because his hands were dirty and that he was sweaty.

Brigida suggested that we do the interview right there at that moment, but I asked what the man would prefer. I noticed he was not wearing shoes, even as he was digging away ten feet of dirt in a dimension of about 15 by 50 feet. He explained that he would rather interview when he was clean. We made arrangements to meet the following day with his brother. I thanked him for his time and we left. The following day, I traveled to a location provided by the CDVDH where the man that I met, his brother, his brother's spouse and child would be for a group interview.

I entered a building, passed through a dark hallway, and into a one-room apartment. It had concrete floors, one light bulb, one twin sized bed, one refrigerator, one stove, and a bathroom shared with other tenants. A middle-aged couple and a small child, appearing to be no more than 4 years old, and a teen-age girl appearing to be no more than 17 years old lived in this single room. They kept their cloths in luggage lined up against the wall. There were no chairs, furniture, countertops, or cupboards. Upon arriving, I realized that the man that I met the day before was not present, but the others were there. I conducted the interview. I had expectations that the formerly enslaved peoples were kept at a specific place, against their will. The people that I spoke with

explained that there was no violence. Although their poor living circumstances were in line with my expectations, it was not until I stepped into their world that I realized why they did not have to be kept the farm with the use of violence.

I asked the man how he was kept in slavery and he explained that he and his family took a job offer from a man, that was actually a “gato” or a slave recruiter that preyed on poor people to exploit. The two men and the women got on the back of a water truck and did not return for two years. They explained that they weren’t kept with the force of violence, but they stayed because they had enough food to survive and they wanted to earn money. However, they were never paid because they earned a very low wage and had accrued a large amount of debt for tools, traveling to the location, food and water, and renting a barrack. They were embarrassed to leave with debt, and they had no place to go after they left. After the work became unbearable, they left one farm for another. Both farms had the same owner. The work was too difficult and the woman became pregnant. They eventually left after waiting to earn money for two years.

I asked them how their circumstance compares to the circumstances that they experienced in their experience in slavery and they both agreed that their apartment was so much better. They pointed out that they enjoyed sleeping indoors, and having a variety of food options instead of rice and beans every day. They explained that they are happy that their daughter can go to school and that they have access to fresh water. Talking to them, I realized that they appeared tired physically and mentally. The man kept laughing when I would ask questions about his living circumstances. Perhaps, he was nervous or maybe he thought my Portuguese was bad. I think he thought my question comparing his current situation to his situation in slavery was humorous, as if I could not imagine how bad it really was or that he was retrospectively

*realizing how absurd his situation was. Maybe he felt awkward discussing a situation that he was in and that situation being described as slavery*²⁹

This experiential account is valuable, because it is a window into understanding slavery in Maranhão. There are key legal characteristics in slavery, debt, forced labor, poor conditions, and long hours, but listing these factors exist without context does little to contextualize slavery in Maranhão. The industries for slavery in Maranhão are nearly entirely related to agriculture. With these industries come grueling physical labor and rural isolation. However, listening to, interacting with the people that were subject to a situation of slavery, and observing the circumstances of poverty in the interior of Maranhão, are crucial in understanding modern-day slavery. These actions are not just necessary in beginning to understand the attributes of slavery, but also in understanding the causes of slavery, as well as the solutions and obstacles in eradicating it.

²⁹ Patton, Zachary. ISP Field Journal, Event 22: Observation and Unrecorded Interview Workers (formerly enslaved persons) at home Açailândia , SIT. 2014. Pp. 39

Capitalism: Vulnerability and Industry

In this section, it is important to note that the causes that I discuss here are different from the obstacles of combating slavery. In this project, I place the failures of implementing anti-slavery legislation as a top priority, but this section explains the sources of slavery and their importance. One analogy to understand this distinction that I make here, is to think of the differences in the cause of a disease and the treatments for a disease. For example, some of the treatments of cancer are surgery or chemotherapy. However, the causes of cancer could be genetics, smoking, diet and or a combination of a variety of many other causes. These are the sources of cancer. This section focuses on describing the sources of slavery, whereas the following sections focus on curing slavery through removing obstacles between the disease and treatments, slavery and the criminal justice system. This distinction becomes increasingly important in the following sections.

The strongest source of slavery is a combination of disregard for the workers and greed. As Franca of CPT points out, these sources are imbedded into the culture of the region.

“In production, both rural and commercial product, the main cost is man power. The idea of reducing production costs and turn competitive in the market, employers do this. Also, there is disregard for the workers and the law, because in most cases the employer is able to hire and properly contract the work, but doesn't, primarily because of the culture bearing here since the time of colonization and remain today.”³⁰

The combination of disrespect for vulnerable workers and the urge to increase profits are a reflection of a history of slavery and colonization. This culture manifests as a reflection of the exploitive history of Brazil. In the northeast, there is concentration of land and wealth stemming from colonial Brazil. The leading sector is agriculture; therefore, those owning the land control the industry and the economy of the state of Maranhão. Often times, these landowners blindly lease their land to large companies from other states or countries that exploit the land and the workers for raising livestock and harvesting eucalyptus for coal production. A level of comfort with exploitation and the history of slavery increase the power of landowners through increasing profits and monopolies of land control and economic

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might. “The concentration of money and the concentration of land are the primary factors for slave labor happening.”³¹

The agriculture industry and international demand is one of the driving factors of the urge and opportunity to increase profits. This is especially prevalent in the coal making industry. Ms. Pitombeira a PhD student at UFMA explains this phenomenon.

“Maranhão, which is the place where we are, makes up part of the Eastern Amazon and here there is a complex of pig iron production. The iron mineral is extracted from Serra dos Carajás, Pará, and brought to Maranhão to be transformed into big iron and exported to other countries, primarily the United States. Pig iron is used as raw material for the manufacturing of electronics, computers, etc. In 1996, there was a publication in a North American magazine that said that, the production of steel used slave labor from the Amazon and this publication had a strong impact.”³²

In the 1980’s these companies began to recognize their need for social responsibility and there has been a recent discourse stimulated out of social movements. Many of these movements are critical of the economic model of capitalism, supporting the idea that slavery is a result of liberalism and capitalism. Another source or better contributing factor of slavery is a population of vulnerable people. There are many workers do not know their rights and therefore do not exercise them.

“There is a lack of awareness of your rights as a worker. We have fight hard to disseminate this information, must work with the population...” In many cases this lack of knowledge and subsequent cases of slavery connects to other factors such as poverty and “low levels of human development”³³

These factors contribute to the combination of social factors that “unleash slavery”. In this mix of social factors, include a lack of public policy and low human development indexes. Yet, even these factors are likely a product of a history of colonization.

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“These causes already came since the colonization of Brazil, which was done irregularly and this reflects today. This is the major causes that we still have slavery, is the absence of government in public policy in the fight against poverty; our indexes of human development are low, although they have increased in the last years. We still have a lot of poverty; this is a structural issue, in housing and education.”³⁴

People living in slavery make easy targets. They need to work to eat and survive. Whenever a person is uneducated and does not know his rights, farm owners can easily take advantage of their situation, knowing that they are, in many cases, offering a last resort.

"Because of the lack of knowledge of the actual misery of people, mainly in the north-northeast. They go [into a situation of slavery] because they need to eat, need something to survive and submit to that situation. Then the owners exploit this labor, because they know what the workers need."³⁵

It is the lack of investment in the people, to bring them out of poverty, to educate them and offer them more than the worst opportunity available. Historical social inequality accounts for the neglect of the people, and poor education, which subjects the workers to the situation of slavery.³⁶ As a State Assemblyman explained, it is a set of factors in which the situation of slave labor can exist.

“The environment favors the situation of slave labor. A main factor is the high degree of poverty of the population. The lack of opportunities that people have for a better alternative to survive. And the ambition of businessmen that want to make easy money and take the worker to a point of over exploitation. Maranhão is characterized by economic activities in the primary sector and ends up favoring this type of exploitation.”³⁷

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³⁶ Patton, Zachary. ISP Field Journal, Event 14: Interview Valdileia de O.R. Murbach: Lawyer of Labor Salary, FAETMA. São Luís, SIT. 2014. Pp.73

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The idea that the main cause of slavery is poverty is widely cited among government officials as well as non-profits. There is a wide consensus that the combination of poverty and industry create a dangerous environment that is prone to slavery. Antonia Filho, a private attorney that has been recognized nationally, including by President Dilma Rouseff, for his work at as the legal coordinator at CDVDH/CB Açailandia , puts the whole picture in a clear perspective. It is a combination of poverty, lack of opportunity, and industry.

“There are many people living in poverty, especially in the northeast of Brazil. Many people do not have opportunities to stay on land, personal growth, and education and end up becoming easy and cheap labor for farm owners that come looking for these workers. There is an absence of public policies that can give people permanence in their original place so that they are not subject to this.”³⁸

For many of the people that I interviewed in Maranhão, this combination of poverty and industry are attributes of capitalism. My interviews and interactions in Maranhão led me to believe that, many people believe that capitalism is to blame for occurrences of slavery. Yet, after reviewing the interviews more closely it is possible that they could be saying something different. That is, perhaps many of the people who blame Brazil’s economic model only blame it as one of many sources of slavery. Nobody that spoke directly about capitalism as the source for poverty, racial discrimination, lack of education, lack of public policy, or concentration of wealth and land. Frequently, interviewees would mention or reference capitalism as being a significant or fundamental cause of slavery today. However, they mentioned capitalism in light of a bevy of other sources and never demonstrated how those sources connected to capitalism.³⁹It is important to note that I never pressed the issue of capitalism or questioned about economic models specifically in my interviews. None of my interviewees had an economic expertise.

In many ways, I intended to observe passively their use of the word and how it they couched it in terms of being a cause of slavery. The transcriptions and translations of the interviewees reveal a weak connection between capitalism and slavery. This is incredibly

³⁸ Patton, Zachary. ISP Field Journal, Event 18: Interview Antonio Jose Ferreira Lima Filho, Private Attorney, former legal counsel at CDVDH Açailandia . Açailandia , SIT. 2014. Pp. 81

³⁹ Patton, Zachary. ISP Field Journal, Fortaleza, SIT. 2014.

important in understanding how my own opinions and perceptions influence the interview process. One possibility is that I aggravated the criticism of capitalism, and reacted passive aggressively by not questioning the issue and then criticizing it in my research. I understand the merits of this potential point of view, but I cannot ignore the strong impressions of the negative connotation and sweeping use of the word capitalism. During my time in Açailândia, I wrote the following.

*I have only been exposed to the winning side of capitalism in the U.S. Whether it is actually a winning side is debatable, but compared to the circumstances that I have been exposed to here, this is where my thoughts are right now. To explain further, I have always seen capitalism as a source of wealth. I doubt that that perspective will ever change. However, I am beginning to see some serious side effects of capitalism. However, I still don't even know the poverty that I am viewing is really a side effect of capitalism. This is just what I have heard from some, but not all, of the people that I am interviewing. My reaction to the poverty here is that it is unnecessary and that it shouldn't be tolerated. I feel that the Brazilian government is failing its people.*⁴⁰

Later on, I appeared to avoid the topic of capitalism. This could be an effort of defending against ideas that conflict with my ideas of capitalism being a source of wealth in the U.S.

*This week, I have had some strong thoughts. One of which is the role the U.S. or capitalism plays in contributing to poverty in Brazil. This point, however, is not directly related to my research, and thus, I will not further explore this forceful thought at this time. It does however fit into the social motivation that I established, to contribute to arguments related to the relationship of human rights and capitalism.*⁴¹

Again, throughout my research I tracked my thoughts regarding capitalism. I expressed a mix of strong opinion and reflection, demonstrating a sort of internal struggle.

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Reflecting back, I would characterize some of my thoughts as aggressive or even angry. This section is incredibly important because in reflection, it seems that I may have considered denying capitalism as a source of slavery whether it was or not. The following is a note that I took early on in my research.

I have heard a common phrase among the research community in Brazil. It is, "Brazil is not for beginners." I think that I understand this statement, but I hope that Brazilians will understand that capitalism isn't for beginners either. If capitalism were a horse, then law and order would be the reins that steers capitalism toward higher life expectancy, better education and health care, and over all better standard of living.⁴²

I want to make sure to reveal these feelings to the reader and continue the auto-ethnographic approach. Although it is my own expression, looking back, I must confess that I am not entirely sure why I was being defensive to critiques of capitalism. Perhaps I associate these critiques to critiques of the U.S. system, a system that is regarded as capitalistic but also a system that existed while government policies prevented my family from falling into a situation of dire poverty. Perhaps my mentality is nationalistic. In so many ways, I understand a system of private ownership, capitalism, as a source of motivation to work hard and achieve success, and escape the effects of poverty. These reflections are important, because they reveal my mindset but further explanation may be off task. As I recorded and interpreted my feelings, I quickly suspended judgment on the issue of capitalism in my argument, remained objective, and focused on the issue of slavery. Later, I wrote the following.

When exploring the relationship between two things, analogies can be elucidatory. At the beginning of this I tried to make an analogy to describe the relationship of capitalism as a horse and law and order as the reins. As I am making my translations, I am beginning to realize that, this relationship was not fully developed.

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In this project, capitalism can be interpreted as one of many sources of slavery or as the main source of slavery, in which poverty, lack of education, inequality stem. I think either interpretation would be acceptable given my findings above. A source of clarification could exist in methods of combating slavery and the obstacles in doing so. These methods and obstacles may reveal where the sources of slavery are being managed. From here, one could deduce what the sources of slavery are, based off where the efforts are being focused. Still, regardless of economic model, slavery is illegal. Following from the cancer analogy above, I recognize that the sources and treatments of a disease can be somewhat unrelated. For example, chemotherapy treatment does not stop cancer because it addresses the source of the problem, a lack of chemotherapy. Instead, it is used to remove or treat what already exists, despite whatever the source may be. The following section focuses on the efforts used to end slavery, eliminating the sources and the occurrences. Leaving this analogy behind, the distinction made in the following section is between preventative methods and eradicated methods (later referred to as detective).

Combating Slavery

The efforts of combating slavery include methods of prevention and eradication. I will begin with the efforts of the non-government organizations, CDVDH and CPT. Their efforts are concentrated on both prevention and eradication. They aim to prevent cases of slavery by advocating public policy that helps put those in precarious economic circumstances in circumstances less vulnerable to slavery. This effort is done by organizing social groups and through activism. They also raise awareness in the form of informing laborers of their rights so that they can recognize when their rights are violated and know where to go for help. Moreover, they raise awareness to stimulate discussion and create pressure on the government to find policy solutions. Mr. Franca, a coordinator at CPT describes the model in which his organization combats slavery.

“We [CPT] have three fronts of action: Prevention (Lecture at schools, in settlements and in the outskirts of the city. We distribute material, posters and videos that are displayed so that people know what slavery is and to denounce it). The second is the denouncing, (We have denouncement forms that are filled out when the worker finds us that are sent to the ministry of labor). The third is the reintegration, (We need to guarantee that the workers do not return

to that situation. This can be through another form of work, a training course or could be benefits through agrarian reform).”⁴³

In general, the model of CPT is replicated by other organizations working to end slavery. CPT has had historical success in combating slavery. It is perhaps one of the most important organizations working in to end slavery in Brazil by raising awareness.

“The first entity that formalized and disseminated the concept of slave labor in Brazil is the Comissão Pastoral da Terra (CPT), which is fundamental in Brazil when it comes to disseminating at a national level. CPT, in 1970, published a series of allegations of slave labor in Brazil and it was from here that begun the national mobilization regarding slave labor and this triggered the publication of [a journal describing the prevalence of slavery in Brazil and its relation to American business]”⁴⁴

Another other way that NGO’s work to eradicated slavery is by being the first point of contact for people that are subjected to worker’s rights violations. CPT and CDVDH work to disseminate information and raise awareness, but also receive reports from workers who believe that their rights have been violated.⁴⁵ They can contact the centers or simply arrive and register a complaint called a denouncement. The legal staff at the organization assesses the complaints, and if necessary, passes the information along to the corresponding government offices. I had the opportunity to witness one of these denouncements taking place at the CDVDH. Below is my observation, followed by a description of the event from the perspective of the Ms. Rocha, an employee at the CDVDH.

I arrived at the Human Rights center at 9 AM. I had an interview planned with Brigida, but she was very busy. Brigida was receiving perhaps 30 or more men dressed in blue workers gear, appearing to be construction workers. The center's courtyard was crowded with these men. Each one was in line waiting to be received by Brigida and another worker in a small office taking down information from each person. She confirmed that there was a denouncement,

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*not of slavery, but of poor working conditions. This group of construction workers appeared to be ready for work today, but they are at the center.*⁴⁶

“There is a large civil construction company that does some work for the government and it’s them that are working. This company was reported several times, had an investigation, was notified and confirmed what looked like dangerous electrical installations in the quality of the housing accommodation. So it is a company that, from time to time, we have received information from it. We work on this issue of labor with missing payments. So we talk with the boss to enter an agreement.”⁴⁷

The non-governmental efforts are focused mainly towards raising awareness to stimulate public policy, governmental pressure, and inform laborers about their rights and how to protect them. Their second focus is connect the victims of human rights violations to the appropriate government offices, enforcement or the Ministry of Labor who receives the reports.⁴⁸ These non-government efforts are intended to support or fill in the gaps of government efforts, while also offering productive criticism. This criticism is important in considering the obstacles in the government’s ability to guarantee human rights. Before elaborating on those obstacles, I will explain the state efforts of eradication slavery.

In general, the state’s efforts represent a passive strategy in the criminal justice system. Their strategy depends on a case of slavery taking place and then being reporting through organizations like CPT and CDVDH. Once the criminal justice system is informed about a violation, depending on the level of case, the information is passed on to either the state or federal judiciary. The state judiciary handles the non-criminal prosecution and the federal judiciary handles all cases warranting criminal proceeding. The cases that go to the state are ones that can be resolved if the missing payments to the worker are made. The federal prosecutor tries for jail time.⁴⁹ These efforts have two effects, stopping the crime from taking place and deterring the continuation of slavery. At the federal level, prosecutors often find that prison sentences can be a difficult to win.

⁴⁶ Patton, Zachary. ISP Field Journal, Event 21: Observation Denouncement CDVDH/CB Açailândia . Açailândia, SIT. 2014. Pp. 47

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⁴⁸ Atlas politco-juridico do trabalho escravo contemporaneo no Estado do Maranhão/ Centro Defesa da Vida e dos Direitos Humanos Carmen Bascaran. - Imperatriz, MA: Ética, 2011.

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"We try to curb it through the prosecution. It is very difficult because almost all situations, the owner of the property has a lot of money. I think that the most effective part of that the labor prosecutor does, is to arrive at the property, make an agreement, make sure that the demands of the worker are met. Maybe taking money from these people is more effective than our work. But there are very serious cases, that sometimes we can recommend prison. Our work also is education, because as these farmers are punished, the others see and try to adjust to keep from also meeting justice." ⁵⁰

At the state level, the Regional Labor Tribunal (TRT) uses fines to bring justice to those who subject their employees to conditions similar to slavery.

"The Labor Justice fulfils the work of the judging process. We make this a priority, efficiency and effectiveness. There is fining and condemning. As a citizen, I participate in movements and actions, we have a Project called Caravana da Liberdade that is a volunteer job that tries to raise awareness and inform the people to end slave labor" ⁵¹

Another labor judge working in Açailândia describes his role as solely preventative. "We work to form a culture that slavery is an absurdity. We do activities in the schools, in the CDVDH. We work in prevention." ⁵² Without delving into the obstacles associated with efforts in the criminal justice system, the general strategy is receive reports and give fines or prison time to end the case of slavery and by also deterring others through punishment and public education.

There are also non-criminal justice efforts that the government utilizes to end slavery. As far as policy is concerned the Office of Human Rights, Social Assistance and Citizenship (SEDIHC), COETRAE, monitor the fight against slavery and make policy recommendations to the state government. In an interview, the Secretary of SEDIHC who also serves as the President of COETRAE explained her joint role in combating slavery.

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⁵¹ Patton, Zachary. ISP Field Journal, Event 16: Interview Manoel Lopes Veloso Sobrinho, Labor Judge "Vara do Trabalho (TRT)". São Luís, SIT. 2014. Pp. 81

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“We work to implant sensible policy, inform and call people to commit to NGOs and government, so that each organization facing these issues are dealing with the right skills. You must influence the collective awareness about the fight against slave today in the whole society. But without effective public policy, there are no results, because they have to believe and hold the farm owners responsible. We are making a social transformation and making a difference to eradicate slave labor.”⁵³

The SEDIHC and COETRAE have responsibilities to design and recommend policies that help the NGOs and the state effort in combating slavery. Some of the policy recommendations that are made are sent to the state legislature that ultimately needs to pass large-scale decisions that go beyond the scope of responsibility of the SEDIHC and COETRAE. Congressional representatives, or delegates, can fight slavery through producing legislation that assigns responsibilities or provides funding. Changes to the penal code and how NGOs or the criminal justice system works to combat slavery can be mandated through the legislature so long as it does not conflict with federal law. State Representative “Bira”, describes the role of the legislature as well as some of his own efforts in the fight against slavery.⁵⁴

“My job as a delegate is in the production of laws and supervision of institutions in relation to their action. We could facilitate a mandate that I was developing, it was a law that prohibited the government of Maranhão to hire and contract companies that have been caught using slaver labor. This law was passed and signed by the governor and is used today. There is another proposition that is establishing restrictions to companies with a cancelled registration to prohibit the commercialization of products of companies that have were flagged with slave labor in Maranhão, but this law was not approved. As a representative we are conducting oversight in the state of Maranhão, creating teams to carry out continual and systematic work for to meet the slave labor allegations that are have been coming to us.”⁵⁵

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The fight against slavery in Maranhão involves prevention. There is prevention in the form of preventative policies advocated and passed by state government, prevention in education and awareness by non-government groups, and prevention in the form of deterrence in the criminal justice system. The criminal justice system also eradicates investigations and subsequent fining or in rare cases sending farm owners to prison. Non-government organizations also participate in eradicating slavery by serving as the first line of defense, receiving reports, negotiating with farm owners, relaying reports to the criminal justice system. COETRAE is indirectly involved in the entire process as a monitoring commission that shares information among the parties participating eradicating slavery both through direct action and preventative measures. Non-government organizations also work to raise public awareness to pressure policy makers to come up with effective solutions. Together these efforts make up the fight against slavery in Maranhão.⁵⁶

I characterize this strategy because there are no active methods of eradicating slavery. That is, the process relies on slavery occurring, enslaved people escaping on their own accord, and then reporting the circumstance to an NGO that reports to the criminal justice system. In Maranhão, there are no considerable efforts to end the occurrences of slavery today. The process relies on time and the onus of reporting is on the victim. Although the intent of this project is not to recommend strategies, I will offer a couple examples of my own thoughts on what an active strategy would be.

It would involve the direct monitoring of farms. For example, a yearly license that demonstrates the farm has been inspected and that slavery is not taking place. This process would not have to be different from the health inspection process that is used in the United States. It would require that for a farm to continue it would have to be licensed and inspected. Another example would be through the tax system and auditing. If the amount of yearly revenues reported by farms exceeds what would normally be expected from a farm with the corresponding number of employees it could trigger a red flag and a subsequent health inspection. In general, there are options or possibilities for aggressive or active strategies of eradicating slavery. These examples are intended to demonstrate that the strategy that Maranhão has adopted is passive.

The final point that I will make in this section is addressing how this strategy corresponds to the sources identified in the previous section. The sources of slavery set out

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above relate to vulnerability and industry. I want to briefly revisit the question of whether my interviewees see capitalism as one of many sources or the general source of in which vulnerability and industry stems. It appears that, based on the strategies addressed above, capitalism is viewed (by those combating slavery) as the source of vulnerabilities and industry because there is no strategic method of removing capitalism. That is, the strategy above aims to treat the symptoms of capitalism not capitalism itself. If capitalism were one of many sources, I would expect that there would be some method above directed towards ending capitalism, private ownership of goods, property, and sources of production. Given that there is no effort to end or replace capitalism, for this project I will assume that it is irrelevant in the eradication slavery in Maranhão. I will continue with a renewed focus on the judiciary. In the final section, I will clarify the prior sections and explain the relevance of the importance of following “capitalism” throughout this characterization of modern-day slavery.

Obstacles: Impunity, Political and Social Will

The focus of this section reflects the words of Mr. Filho the former legal coordinator of the CDVD in Açailândia .

“... if the laws were met, if institutions functioned, even in such a vulnerable social situation from my social and economic point of view, I think that it would be possible to live without slavery.”⁵⁷

This is not to say that the issues of inequality, lack of education, racism, concentration of wealth are unimportant to the eradication of slavery. However, these sources of vulnerability stem from capitalism and there are efforts to treat these symptoms of capitalism, of which are efforts to eradicate slavery through prevention. These symptoms are sources of slavery, but delving into the obstacles of ending poverty or providing education could distract from this project. In this section, I focus on the obstacles in eradicating slavery itself, not dismantling the environment in which it exists.

I make this assumption because the efforts treating the symptoms of capitalism are different efforts than those treating what arises out of those symptoms of capitalism, slavery. I understand that there are two kinds of efforts here. Preventative efforts that treat the source

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or slavery (the symptoms of capitalism) and there are efforts that remove slavery itself. The latter are detective efforts. Because the state strategy to eradicate slavery is a passive one, it functions based off the concept that slavery exists, will take place, and will be reported. That is, the state effort to eradicate slavery assumes that prevention will not work alone, at least for now. It assumes that the necessary conditions of vulnerability and industry exist. However, slavery is illegal. The state's passive strategy depends on the criminal justice system to eradicate the cases of slavery that result from imperfections in prevention. Because vulnerability exists, the crux of the problem of slavery becomes the necessary and sufficient cause of slavery, the fact that antislavery legislation is not enforced. Additionally, there are efforts of prevention, namely deterrence, built into the criminal justice system. Because of the state's passive strategy, failures in the criminal justice system are necessary and sufficient causes of the continuation of slavery.

The problem with the criminal justice system is the inability to incriminate people that subject others slavery. This is widely cited as the largest and most important obstacle in eradicating slavery.

“Impunity is an enormous problem, because we have enslavers that were convicted but never went to prison. The fine that the enslavers pay is ridiculously low, but the impact that cause the workers and society is very large. Those processes are very slow, and the workers are the ones that lose.”⁵⁸

When asked what the biggest obstacle is, State Assemblyman Bira responded, “It is impunity. People commit crimes and stay the same, so a lack of punishment advances slavery.”⁵⁹ From the perspective of NGOs working to end slavery in Maranhão, there is a need to build public support to create pressure on the government to fix the problems in the judiciary.

“We have the support of (Comissão Pastoral da Terra) the CDVDH (Centro de Defenda da Vida e dos Direitos Humanos) and the Catholic Church, this year, to be guiding the subject of slavery. And we also have few partners in public power. Here in Maranhão there is an omission in the Ministry of Labor and

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Employment. For example, in the region of Balsas, since 2003 until now, 20 reports were made and just 5 were selected.”⁶⁰

“The biggest obstacle is the impunity and also the lack of government interest, because they do not take this as a serious problem of society.”⁶¹

Although there is a large-scale consensus describing the obstacle of impunity within the criminal justice system, there is disagreement on how to solve the problem of impunity and where it stems from. Some believe that the legislation is faulty and others are certain that the legislation works properly and the judiciary is to blame. In many cases, the interviewees respond as if it has to be one or the other, but not both. Even with interest and pressure stimulated by NGOs, there is a lack of strategy to fix the problem of impunity. Below are some of the responses I received whenever I asked what the source of impunity is.

“Brazilian legislation, which leaves many loopholes for the farm owners to continue to be unpunished. It doesn’t favor the worker, but the boss.”⁶²

“We have enough laws, but the structure of the judiciary for judging these crimes is very scanty. We have 217 municipalities in MA and there are just 4 federal court units here. The demand is very large and they are not priority cases in MA. For this, the feeling of impunity increases... In these organizations there is a lack of functioning policy. There is not a structure that meets demand. Here in Acailândia we do not have one labor inspector. If these institutions would be better structured, we would have advanced much more in eradicating slavery.”⁶³

“I think that the problem is the legislation, because for all judges we want the cases resolved quickly. The biggest problem of impunity is connected to the laws because there is no legislation to streamline the process.”⁶⁴

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“The judiciary is inefficient and can’t give effect through carrying out its purpose, but this isn’t because a lack of law. We could have better laws, but the current laws are already sufficient to punish those responsible. What lacks is justice working.”⁶⁵

“I fact it is the reality of our criminal justice system. The penal code is very good, which is the code that provides the crimes. The problem is the delay of prosecution for those who are ready to be arrested... The main problem is the enormous possible of recourses. Then it is going to be judged and this process is slow, each section is going to arrive at the Supreme Court, and the educational nature of the penalty is unproductive.”⁶⁶

Federal Prosecutor with MPF, Thayna Oliveira, points out an important consequence of impunity. Impunity results in the loss of the deterrence factor of in the criminal justices system. Whenever impunity occurs, it may result in the freeing of enslaved being and an end to one case of slavery. However, this impunity does little to deter other farm owners from continuing to subject people to the slavery. It is possible that impunity encourages slave owners to continue their illegal operations. Repeat offenders and repeat victims signify the lack of effectiveness in the actions of the judicial system. “In some cases, we even ask for a prison sentence, in severe repeat cases whenever the farm is caught more than once.”⁶⁷

“We need to guarantee that the workers do not return to that situation. This can be through another form of work, a training course or could be benefits through agrarian reform.”⁶⁸

“Today, the only ones who can investigate is the Public Ministry of Labor with the federal police. But we want to participate in the investigations because after workers are rescued, we do the social work of reintegrating the workers so that does not return to slavery.”⁶⁹

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Taking retrofitted preventative measures with already victimized persons helps to remove these people from the vulnerable situations. With the failures in the criminal justice system leading to impunity, some hope to resolve the issue of vulnerability, which as discussed about is a source of slavery. As a labor judge in Açailândia points out agrarian reform would help to prevent these circumstances for rural workers.

“The agrarian issue [is the biggest obstacle] because workers are coming back to slavery because they have no opportunity and become more vulnerable to harassment. The lack of opportunity of development, of education and distribution of farmland... I think that the educational process along with agrarian policies are the solutions.”⁷⁰

However, the fight against the vulnerability of victims will likely do nothing to ensure that the judicial system is functioning properly. It will only mask the failures of the criminal justice system by removing the source of its need, to protect vulnerable people from industry. Although this could be an effective measure to end slavery, noting it does little to characterize the eradication of slavery in the judiciary. Whenever the criminal justice system defers the continuation of slavery to the very environment in which it exists, it appears as if though it begs the question. The idea is that, the reason for slavery existing is its source. If the criminal justice system were working, then the mere conditions for slavery, what I has been described to me as vulnerability and industry, would not be sufficient in continuing slavery. Considering this, policy efforts that are intended to eradicate slavery through the criminal justice system should be directed towards removing the obstacle of impunity. After all, with impunity of the people that subject others to slavery, what does the criminal justice system offer to the fight against slavery? Impunity disarms law and order, making it nothing more than a public shaming, without punitive consequence.

The final obstacle that I will discuss is not one was directly addressed in the interviews that I had with attorneys, judges, activists, prosecutors, NGO coordinators, or formerly enslaved persons. However, this obstacle arises from the previous discussion and is supported by information that I gathered throughout the field research process. Another obstacle is a lack of focus in policy advocacy towards addressing the issue of impunity. Throughout my encounters with experts in interviews and meetings, I witnessed a general

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lack of discussion on how to solve the issue of impunity. Among these encounters were my interaction with COETRAE and the CEDDHMA. These organizations responsibilities are to monitor the eradication of slavery and advocate polices to defend human rights. Below are experts from observations that I made at two meetings. During both of these meetings, there was no discussion of impunity.

Nonnato and I arrived one hour late, but the meeting hasn't yet begun. There are 16 people in a meeting room set up similarly to a classroom... [the meeting begins...] Many people, perhaps 7 are all talking at the same time. More people are continuing to arrive there are about 25 people here. Many of the people in the room are concerned about the work that the state is doing to justice to those effected by slavery.⁷¹

The President of COETRAE is doing an obvious majority of all the talking from the front of the table. An extended dialogue is taking place between her and one member of the audience. They are having a disagreement regarding the details of how the state is dealing with a specific human rights case but it is not related directly to an issue of slavery. Luiz, in addition to doing much of the talking, spent the final 20 minutes of the meeting speaking standing up, loudly, with many gestures and facial expressions, and in an aggressive manner. Her lengthy monologue was a critique of how little of progress was made in the last 5 years regarding human rights.⁷²

In my one on one interview with Fatima, she agreed that impunity was the biggest problem in eradicating slavery and that public policy was the answer to this problem. Although in general, my observations gave me the impression of dysfunction stemming from disorganization. From my interviews, it is possible that a lack of resources could be the source of this lack of focus on the issue of impunity. In fact, the Secretary of the CEDDHMA supported with claim whenever I asked what instruments would make her work more effective.

⁷¹ Patton, Zachary. ISP Field Journal, Event 3: COETRAE Meeting. São Luís, SIT. 2014.

⁷² Patton, Zachary. ISP Field Journal, Event 8: CEDDHMA Meeting. São Luís, SIT. 2014.

“Increased budget, so that we can work closely with all social offices in the area that are implementing social public policy. We need to expand our joint efforts, the caravan, and the participation of the civil society.”⁷³

The lack of resources supporting the policy efforts then translates to what has been described as a lack of resources in the judiciary. Of which likely contributes to the inability to punish effectively employers who subject employees to conditions analogous to slavery.

“We have 217 municipalities in MA and there are just 4 federal court units here. The demand is very large and they are not priority cases in MA. For this, the feeling of impunity increases.”

[What is need to be more effective?] “Bettering the institutions of the Public Ministry of Labor, the labor prosecutors, and the regional superintendents of labor to have more inspectors and the federal courts. In these organizations, there is a lack of functioning policy. There is not a structure that meets demand. Here in Acaílnadia we do not have one labor inspector. If these institutions would be better structured, we would have advanced much more in eradicating slavery.”⁷⁴

Administrative policy efforts could change the way that the criminal justice system works. However, a lack of resources strains the ability of policymaking agencies to reform the criminal justice system. Meanwhile, the lack of resources creates a lack of focus on the specifics of impunity. Still, there are other methods of creating change in the criminal justice system. Legislators, whether state or federal, can mandate increases in funding or policy that streamlines the judicial process. For example, the definition of slavery could be made clearer, closing loopholes for the attorneys of wealthy landowners and quickening the adversarial justice process. During my field research, I took the following note.

*The organization of the agencies and systems that are intended to eradicate slavery are confusing. Multiple levels and organizations collaborate in order to organize their efforts. It is very possible that the level of collaboration needed exhausts some of the effort itself.*⁷⁵

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These changes could be made through advocacy to legislators through the democratic political process. One encouraging thing that I noticed is the number of passionate and hardworking people working to end slavery.

Social collaboration is very high. In general, I have noticed that the people attending the meetings for human rights and COETRAE have been very attentive and social. The people work with NGOs no their counterparts form other organizations as well as many of the government workers. There are individual citizens involved in the meetings. Overall, I think one theme of the fight against slavery in MA is the public involvement. It is very clear that there are a number of dedicated and passionate people who are motivated to end slavery. There is an entire community of these people.⁷⁶

However, this community has been unable to translate public will into political will that is directed towards ending impunity. Below is a note from a daily reflection followed by a quote from an attorney who represents labor unions.

Another criticism that kept coming up was the lack of political will. Perhaps the incentives of fixing the system are nonexistent for politicians or policy makers. There are plenty of issues in Brazil that compete for attention. There is a system in place, but there is little political will to improve it.⁷⁷

“Social organizations and justice agencies (Ministry Public and Mistry of Labor) have their weaknesses too. And they are closely linked to political decisions. There is no point. We decide some things, and national congress does not exercise the laws that we were approved. One of our greatest difficulties is with the national congress. We can make reports, but the evidence and judicial arbitration for the farm owners is very strong and prevents them from being imprisoned.”⁷⁸

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Ms. Valdileia also pointed out a piece of legislation that addresses the exact issue of impunity, but has not received political support.

“There is the PEC (Proposal of Amendment to the Constitution) 438, which is been in the congress since 2001... It ensures that the responsible farm owner is arrested and that their land be distributed to the workers, so that they can farm and have decent work. This has been in the chamber and senate since 2001 and nothing was approved because there is no political interest in ending slavery in Brazil.”⁷⁹

A lack of political will is an obstacle of eradicating slavery. However, the effort of NGO's and other awareness campaigns can build this support. They can inform the public or the international community and pressure legislators and policy makers to fix the specific problem of impunity. The final and perhaps most worrying obstacle in eradicating slavery is related to creating this pressure. It is expressed by the comment below, made by the coordinator at the CDVDH.

“Sadly, I don't believe in the total eradication of slave labor. Because in practice, this requires a complete change of peoples conscience in the political system, the criminal, and in public policy. And this is all linked to the capitalistic system, to the exploiter system.”⁸⁰

It is my opinion that this comment represents the reason why the public effort to stimulate political will to eradicate slavery has been ineffective. Some people begin to lose their own will in eradicating slavery because they see the obstacles as insurmountable. They associate capitalism and slavery and believe that they are inseparable. Some people believe that drastic changes in policy, the criminal justice system, and the political system are necessary, to eradicate slavery. Those who do believe these changes are possible, demand that the economic system of capitalism is terminated. Yet, these drastic demands, which result from a crude association of capitalism and slavery, do little to motivate legislators to create specific solutions that solve the problem of impunity.⁸¹

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In many ways, the fight against slavery is contingent upon ending the sources of slavery. These are vulnerability and, what I referred to as industry. Yet, ending the vulnerability is similar to blaming the victim and changing the behavior or circumstance of the victim in order to prevent crime. It is important to remember what I called industry could be giving into the imprecision described in the obstacles section. Really, the source of slavery is not capitalism or industry itself, but illegality related to greed in industry to the extreme point of a person enslaving another person. The justice system aims to eliminate the criminal, not the vulnerability of the victim. Not all industrialists, business, or farm owners use slave practices, in fact, the vast majority of them, even in Brazil, do not.⁸² The obvious obstacle in ending slavery in Brazil is impunity for the people that subject others to slavery.

⁸² Report of the UN Special Rapporteur on Contemporary Forms of Slavery, Including its Causes and Consequences, Mission to Brazil” (2010), p7, Shahinian, G., Human Rights Council, United Nations: http://www.ilo.org/wcmsp5/groups/public/—ed_norm/—declaration/documents/publication/wcms_144676.pdf

Conclusion

Summary of Findings and Discussion

Although Brazil abolished slavery in 1888, it struggled throughout the past century to implement strategies that successfully eradicated slavery. The same is still true today. Much of the struggle to implement these strategies are contextualized in a history of colonization, revolving Presidential administrations, two dictatorships, and a powerful but spastic agriculture industry. Strong efforts to reform the agriculture industry and guarantee workers' rights took place in the 1930's and the beginning of the 1940's and then again in the 1970's, the 1990's and most recently with the Lula administration in 2003. Although these social movements resulted in changes in law, some locations in Brazil have been without substantive change since 1888. In between these periods, social rights movements were thwarted by political instability and two dictatorships. Through the 1990's, Brazil returned to a democratically elected government. After an international shaming in 1993 by the CPT, the government sought a more clear strategy on how slavery would be eradicated. In 2003, the Lula administration addressed the problem of slavery by creating the National Plan to Eradicated Slavery. Today there is a variety of federal, state, and non-governmental agencies that have responsibilities to ending slavery. There are an estimated 100,000 enslaved people in Brazil. In Maranhão, some of the organizations and agencies that are most involved in this fight are COETRAE, CEDDH, CPT, CDVDH, MTE, MPF, and the TRT.

Slavery is defined today as having four characteristics, forced labor, debt, degrading conditions, and long hours. The worst cases demonstrate all four characteristics. Cases of slavery in Maranhão typically take place in the agricultural sector. Because of the nature of the agricultural industry, there are specific characteristics of slavery relative to Maranhão. Thriving industries include the production of charcoal, which involves deforesting, burning, and moving wood-turned-charcoal and the preparation land for livestock. Labor takes place on farms in the eastern Amazon. Forced labor often includes physical labor taking place outdoors in high temperatures. Gatos, slave recruiters, prey on vulnerable people in populated cities and dupe them into working on farms, where they accumulate debt from highly priced transportation, living costs, and even for the tools that they need to work. This debt keeps workers from being paid, but also restricts their freedom as they hope to pay what they "owe" and begin earning money. The farm owners exploit the workers by unfairly and inaccurately calculating the debt. Farm owners give the workers rice, beans, and dirty water

as sustenance and it is common for workers to live and sleep outside and work long hours frequently exceeding 10 hours per day.

The methods to eradicate the practice of slavery are directed towards two fronts, the preventative actions and the detective actions. One mentality in Brazil is directed towards fighting what some describe as the symptoms of capitalism, which relate to the vulnerability of victims in industry. Through education, fighting poverty, advocating fairer distribution of wealth, and raising awareness, this effort attempts to make the vulnerable more resilient to the situation of slavery. The other method of eradicating slavery involves detecting and eradicating cases of slavery. In this effort, people who are victimized by farm owners report their case to NGOs like the CDVDH and CPT. Legitimate reports are sent through the criminal justice system where the worse cases are prosecuted by the federal government and less serious cases by the state. Federal prosecutors deal with the penal code, and try for jail time. The state tries for compensation of wages and fines farm owners. In general, I have described these efforts as passive because they require incidents of slavery to take place and can only eradicate slavery over a significant amount of time, if at all, and assuming these efforts are implemented successfully.

The obstacles that I have addressed arise out of a lack of focus on the issue of impunity and impunity itself. Although preventative measures could stop slavery from occurring, I have determined that treating the symptoms of capitalism is not an effort that is directly related to eradication slavery. That is, it would eliminate the vulnerability of the victim, but it would only indirectly curb slavery without eliminating the necessary and sufficient source of slavery, criminal action. Therefore, I have argued that effective means in which Maranhão combats slavery depends on the criminal justice system. However, impunity for criminals who have subjected others to slavery render the effects of the justice system ineffective. Policymaking entities such as COETRAE and CEDDH are thin on resources and lack focus on the issue of impunity. The problem is also apparent in the legislator, where there is a lack of political will to reform actions in the criminal justice system. Tied to this lack of political will, are social movements and constituencies that advocate treating the symptoms of capitalism, which redirects legislative attention and will away from the problem of impunity.

Auto-ethnography and Social Relevance

Throughout this monograph, I used prose distinguished in italics to represent my thoughts, feeling, judgments and observations. This information stems from the social relevance and motivation I discussed at the beginning. The auto-ethnographic section has tracked how I have reacted to the information I provide in my findings and analysis. I have vetted my assumptions, stating at the start that I worried that politicians play puppeteer to a woefully uninformed public. I have candidly used analogies comparing slavery to cancer and capitalism to a horse where law and order is the reins. My reader, at times, has seen where observations leave the italicized sections and enter the main font. For example, I used two observations and evaluations of meetings with the CEDDH, and two interviews that mention lack of resources as obstacles to justify an impression of disorganization that leads to a lack of focus. I have shared my feelings of capitalism, explaining my struggle of understanding why I feel obligated to defending it. In revealing this otherwise unseen thought process, I enable my reader to qualify my methodology, findings, and discussion, but also witness my own progress in understanding the challenges of slavery in Maranhão.

This process has affected the assumptions that I began with regarding the relationship between capitalism and human rights. At the start of this project, I would have willingly jumped to the defense of capitalism without considering the consequences. I had some intuition that capitalism is not the source of slavery because I expected it was the responsibility of the criminal justice system. However, through this journey I have realized that the assumptive nature in which proposed this project was as crude as the way in which I have characterized the accounts of people who attribute slavery to capitalism. At some point the truth of these sweeping generalizations become irrelevant in diagnosing the acute obstacles holding Maranhão back from eradicating slavery.

After witnessing some of the struggles of Brazilians living in Maranhão, of whom describe their challenges as symptoms of capitalism, I have begun to understand the significance of their challenges. I have learned that from their perspective, it is easy and common to associate slavery with the capitalism. This likely stems from a public priority to treat the perceived symptoms of capitalism related to the concentration of land, wealth, and resources and the vulnerability of those enslaved. The social relevance of this project has in some ways changed since the outset. I hope that the public can have an additional priority to treating the symptoms of capitalism. That is, to punish those who victimize vulnerable people, eradicating slavery through a justice system free from impunity for those guilty.

Final Thoughts

Moving forward from this project, I think that there are several opportunities that would be worthwhile to pursue. First, I recommend being actively involved in raising awareness about slavery and the obstacles of ending it. Awareness about slavery should be accompanied by information that can be used for preventing vulnerability to slavery and information that informs the public about impunity. It is important for the public to demand that their legislators do something about the problem of impunity. One related study would be examining the intersection of public argumentation, public policy, and political action. Public argumentation in Brazil would make fascinating study because of Brazil's voting mandate and lack of education. Considerations into a variety of policies and public arguments could contribute to a similar academic or social purpose as this project. That is, informing public opinion to force focused political action that solves specific keystone legislative issues.

Another interesting direction to build off this project would be to revisit the issue of capitalism and its effect on other aspects of my project. I wonder how symptoms of capitalism contribute and or repress to the spread of public policy information in Brazil. Could political action groups be connected to the issue of slavery? Capitalism inevitably has other side effects related to the democratic process as well as the criminal justice system. It would be interesting to investigate how successful high paid attorneys are at using loopholes in anti-slavery legislation and how those loopholes were put in place. Findings in this area could support or undermine the findings and or arguments in my own research. If one assumes that other symptoms of capitalism are wealth and influence, then how does this wealth and influence play into informing or misinforming the voting public to support or certain types of legislation? These questions lead to a set of potential directions of studies and research that can help clarify the connection of capitalism and human rights.

Appendix: The School for International Training

With my research in Brazil concluding, I feel confident that I could not have completed this project in the United States. Although some of the background information was available online, I would not have been able to produce the auto-ethnographic aspects of this project. I could have produced the interviews over the phone or using a video service. Maybe some secondary source observations could allow me to understand the levels of poverty without seeing them. However, the self-developing and experiential aspects of the project would have been impossible. I build relationships with people that unveiled relevant information especially considering myself as a subject in this project.

For example, I visited a formerly enslaved man while he was working at a construction site. I witnessed and empathized with his embarrassment of being approached while he was dirty, sweaty, and in no condition for an interview. The next day, when he refused to show up at the meeting place for an interview, I worried that our previous encounter made him uncomfortable to the point he felt pressured into saying yes, but really did not want to participate in the interview. This type of information is not based on scientific fact, but it lets the reader see how the author interacts with the interviewees. I cannot understand how this auto-ethnographical study could be conducted in a similarly productive way from abroad.

Through the ISP experience, I learned how to apply methodological research mechanisms to social experience. In the past, I viewed learning as reading, listening to lectures, and writing. Despite intuitively knowing that experience is important, the ISP showed me how to record social experiences in a way that is valuable in an academic arena.

I made an effort not to collect data that I would not need. Being immersed in a new place like São Luís or Açailândia, I knew that there would be plenty of observations to take, but I also recognized that opportunity cost of recording information that was not valuable to my research. I did my best to review my proposal and my outlines on a daily basis so that I would remain focused throughout the ISP period. Data that I did use are reflective writings that I wrote during down time. Some of these pieces were excluded because they did not accurately represent my thoughts and feelings. They were poorly and hastily written. I relied on data from all of my 15 interviews and all of my observations. In general, I incorporated all of my data.

With SIT, the practice exercises that we completed, such as the “drop-off” and interviewing residents of site visit communities, proved valuable in understanding what challenges we would face. I felt more confident and prepared because my first ISP interview was not my first interview in Brazil. I knew that it would be hard to understand everything. I knew that there is a chance that one of my interviewees may be illiterate. I knew that the environmental circumstances might not be ideal. For example, one of my interviews with an attorney during the ISP took place at a nail salon while she was getting a “mani-pedi”. I was comfortable, even in that strange interview environment.

The largest problem I had was with the language. Whenever I was trying to understand what my interviewees were talking about, I struggled. Thankfully, I used a recorder. With transcriptions and translations, it was easier to understand what the interviewees were saying. Doing the transcriptions and translations were incredibly time consuming, taking maybe about 80 hours in total. However, this engagement with the language was incredibly educational. I have a better grasp of the language now.

I did not struggle with time constraints. I set my own schedule, sometimes staying up until 4 AM and waking up at noon, because I need quiet time to work. I feel like I was resourceful and made my own schedule, for these reasons I had no time constraints during the ISP field research period. However, I did have to work very hard, many times more than 8 hours per day and during the weekends as well. I could have done less interviews, but I wanted to make the most of my experience, especially because my research period was expensive. The period of time that I have for writing the monograph is a little constrained, but manageable.

As soon as I arrived in São Luís, I realized very quickly that sugar-cane production is not very common in the northeast. I originally based my project on modern-day slavery in the sugarcane ethanol industry. I had to cut out the sugarcane ethanol industry out of my problem statement. This allowed me to focus solely on anti-slavery legislation. It ended up being a blessing after I made some simple changes to the intended structure of my monograph.

Once I reorganized project outline, I quickly started finding plenty of resources. My advisor, Nonnato Masson, is an activist attorney that was the former legal coordinator of the CDVDH in Açailândia. He helped introduce me to plenty of people involved in the labor judiciary and other important people in working towards ending slavery in Maranhão.

Masson was also working on his masters at the UFMA. He owns and has access to a variety of literature ranging from sources I have already come across like to the most specific pieces of organizational literature. After Masson introduced me to these sources, it was easy for me to follow with interviewees or to ask them to point me in the right direction of the next expert.

I focused on interviews with people involved in the judiciary first, then others working on the issue from a non-profit perspective or as a researcher or indirectly, for example an attorney working for a union. Next, observations were crucial especially in making the comparison between struggles in São Luís, the state capital, and Açailândia, an interior city bordering the Amazon. The obstacles are different, and observations were crucial in describing this dynamic. For interviews, I decided to use the snowball approach of being referred from interviewee to another. I selected these approaches because I could capture the value of the auto-ethnography while quickly gathering information that related to my research. I used basic questions that were directly focused on slavery in Maranhão. Forming provocative, clear, and open-ended questions was crucial in keeping my interviews focused and informative.

The coursework with SIT helped me understand the context in which I would be looking at these issues in Brazil. It taught me how to change my perspective from an American one to an American perspective adjusted to Brazil. For example, the question, “Why didn’t he call the police?” in Brazil, is full of a variety of answers that I would not expect to hear from an American. Although I am beginning to understand the perspective of northeastern Brazilians, my perspective will always be in light of my own. For this, I say my perspective changed from an American perspective to an American perspective adjusted to Brazil (really just the northeastern cities of Fortaleza and São Luís). I learned the basic national history, contemporary social justice issues, ethical research methods, and the core statistics regarding education, violence, demographics, etc. Understanding how to even begin thinking about conducting research abroad, was the most fundamental thing that I learned through the coursework here.

My advisor was crucial on setting me in the right direction. His connections were incredibly beneficial. He was most helpful in scheduling meetings, after I got the lead; he would not hesitate to tell me whom he knew that that knew that person. He would send texts, emails, and make phone calls to help me get the date. One cultural difference between us was

the concept of time. Whenever he would help schedule meetings, the dates and times were always flexible. I became comfortable with this difference and took the opportunities that presented themselves, without stressing over time. Masson taught me how to get the leads and score the interviews, be flexible, persistent, and seize every opportunity. There was one moment where we were copying the names off a sign in sheet to make contacts. Although, this practice may be frowned upon, Masson felt comfortable doing it and there were no rules explicitly shunning it. My advisor taught me how to resourceful.

I was aware of the stereotypical Brazilian relaxed sense of time and rules, which I experienced in Fortaleza. Whenever I was in São Luís, I got to see how this mentality interacts with government. I found that the social people of MA and the relaxed sense of time actually made government workers more able to schedule interviews. Compared to other experiences that I have had in the U.S. with a district attorney, state senate, and federal congress, people were more open to meet and talk. Although this is a generalization, I think that the ease of my experience offers it some support.

The ISP process gave me an opportunity to leave my comfort zone within the SIT program. I traveled alone to Maranhão where I lived with a new family and built new relationships. There, I had to integrate quickly in order to be effective in my research. I spoke to strangers daily, did normal activities such as going to the grocery store and learned how to use a new public transit system. I even made a couple of new friends. Whenever I ordered food somewhere, I did not just get my food, eat, and leave. I made small talk and interacted with everyone from the cashier to the person sitting next to me. I felt like part of a community.

The principle lesson that I learned was the value of being social despite my limited language ability. In general, I have found that people respect the facts that I traveled so far to be in their community and that I am struggling to learn, but sticking with it. The Brazilians that I have met have been helpful, kind, and even inspiring. If another student were to pursue the same project, I would want to tell him or her to be as social as possible. I have found that the research opportunities that I had come from being social. I was social with my advisor, befriending him quickly, as well the people that interviewed. For example, if you are in a group meeting, get there early and ask to introduce yourself. I did this, and then had copies of my ISP problem statement in Portuguese (with me and my advisor's contact information on) that I passed out to people who seemed interested. Everyone has to get beyond that initial

social and language fear, and although it never entirely goes away, it becomes tolerable with time.

I would love to continue my research. I am beginning to make plans to continue researching the topic of modern day slavery whenever I leave Fortaleza for Rio de Janeiro. I am interested on learning how the issue is characterized in the south. Now that I have a foundation for the issue of slavery, it would be interesting to investigate modern day slavery in specific industries such as sugarcane ethanol production or in construction in preparation for the 2016 Summer Olympics.

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