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# MODERN SLAVERY IN BRAZIL

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## Abstract

*Modern Slavery in Brazil is the subject of this thesis. It is believed by many that slavery practices ended in the past. However, according to the International Labour Organization and Walk Free Foundation, it is estimated that 40.3 million people were victims of modern slavery in 2016. The majority of individuals who are victims of modern slavery are used in simple non-technological, traditional work such as agriculture. Brazil is spotted as the focus country in this thesis, the special context of this country will be analysed, such as regional and racial inequality, corruption and consequent poverty. Most of the individuals who are subjected to modern slavery practices live in a situation of poverty. Poverty makes people vulnerable and drives risky migration and acceptance of potentially dangerous job offers. In order to analyse modern slavery practices and how they affect certain groups of individuals, as well as what are the strategies to fight these exploitative practices, this study contextualizes and focuses on the diversified range of secondary data as well as materials available digitally.*

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## Chapter 1: Introduction

“No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms”

Universal Declaration of Human Rights, (1948), art. 4

It is believed by many that slavery practices ended in the past. However, according to the International Labour Organization and Walk Free Foundation, it is estimated that 40.3 million people were victims of modern slavery in 2016. 24.9 million people were enrolled in forced labour; 15.5 million people were living in a forced marriage situation; the majority of people living under these exploitative conditions were women and children (71 per cent out of total) (ILO, 2017). The most affected countries are India, China, Pakistan, Uzbekistan, Russia, Nigeria, The Democratic Republic of Congo, Indonesia, Bangladesh, and Thailand. However, slavery is not limited to Africa and Asia, there are cases around the world (Gold, Trautrim & Trodd, 2015: 485).

The majority of individuals who are victims of modern slavery are used in simple non-technological, traditional work such as agriculture, brickmaking, mining and quarrying, textile manufacture, leatherworking, gem-working and jewellery-making, cloth and carpet-making, domestic service, forest clearing, and charcoal-making. Therefore, slavery work is involved in providing raw materials, commodities and goods (Gold, Trautrim & Trodd, 2015: 485).

Before proceeding it is important to establish a definition of modern slavery which is more commonly accepted. Written in the 1926 Slavery Convention: “Slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised”. However, for the reason of legal ownership rights no longer being allowed nowadays for slaveholders, the Bellagio-Harvard Guidelines define modern slavery as the exercise of “the powers attaching to the right of ownership” that should be understood as a possession: “control over a person by another such as a person might control a thing.” (Bales & Trodd, 2013: 4). Therefore, modern slavery is “controlling a person in such a way as to significantly deprive that person of individual liberty, with the intent of exploitation through the use, management, purchase, sale, profit, transfer or disposal of that person” (ibid). The provided definition includes the definition

asserted in 1926 and adds the important aspects of more recent circumstances. This fusion provides the type of legal certainty which is vital to any prosecution of cases of modern slavery as well as captures the factual reality of slavery and of an enslaved person.

Modern slavery is most prevalent in the forms of forced labour which can be defined as any work or services that the individuals are forced to do against their will under the threat of some form of punishment; bonded labour is considered as the most common form of slavery, and it is characterized by a person being in a situation of debt and is required to work in order to pay off the debt, however, the length and nature of the services are not defined; human trafficking consists of transporting, recruiting or harbouring people for the purpose of exploitation, by using threats, violence or coercion; Descent-based slavery happens when people are already born into slavery conditions; Child labour occurs when a child is exploited and impedes their education and development; Forced marriage is also a form of modern slavery and consists of a situation when a person is married against their will and does not have the condition to leave the marriage, this includes child marriages (Anti-slavery, 2019).

In Brazil, in 2016 there were 369,000 individuals that were in conditions of modern slavery. It is noteworthy that the majority were situated in areas that have experienced rapid economic growth, especially in the agricultural sector. Forced labour is the most prevalent form of modern slavery in Brazil, individuals are being exploited in rural areas where they work in extractive or labour-intensive industries such as cattle ranching, coffee production, forestry, and charcoal production. Children can be considered as particularly vulnerable to working without payment, as well as child trafficking remains a challenging problem in Brazil (Global Slavery Index, 2019). Therefore, in the analysis part the special emphasis will be given to forced and child labour and how those are manifested in Brazil.

Brazil has particular conditions that make this country vulnerable to modern slavery cases. Brazil has experienced significant economic growth, it is one of the most developed countries in South America, however, wealth and income inequality remain high within the country. Corruption is one of the main reasons that does not allow the eradication of slavery, the richest 10% of the population controls more than half of the wealth and almost all of the land. As well as the not impartial judicial system that favours the landowners and does not protect the impoverished workers (Campbell, 2008: 131). In the chapter of “Context,” societal and economic characteristics will be explored in order to understand the Brazilian situation and roots for causes of modern slavery in this

country. In addition, and the most important factor and the most common feature shared by slaves now a days is poverty. Poverty makes people vulnerable and drives risky migration and acceptance of potentially dangerous job offers (Kara, 2017: 29).

A thoroughly deprived person, who lives in poverty and is subjected to exploitation practices demonstrate how relevant the topic of modern slavery is in regard to well-being and development. A slave represents an individual who is deprived of its' freedom, agency and is not able to fulfil the life that he or she desires to live. And the fact that modern slavery is a global phenomenon, that affects the well-being of millions of people represents the relevance of this topic in the international development arena.

This topic was chosen with the intuit for a better understanding of modern slavery as a worrying global and development problem, which unfortunately is not discussed frequently on the news or social media platforms. Hence, the exploiting practices involved in modern slavery are with no doubt worrying and hazardous. Nevertheless, millions of people suffer from this situation, and my goal is to have a better understanding of why slavery still exists in a modern world, what allows it to thrive and what are the mechanisms to fight this phenomenon. On the other hand, the country of Brazil was chosen because of its' proximity to the Portuguese culture. Myself growing up in Portugal allowed me to learn Portuguese history and its' connectedness with Brazil, thus through the years of my bachelor education, my curiosity about Brazilian social and economic situation increased. Also, my knowledge of the Portuguese language allows me a better comprehension of the phenomenon of modern slavery in Brazil.

## Research objectives

By creating this paper, my goal is to bring more awareness to exploiting practices of modern slavery and how they affect people who encounter themselves in more vulnerable position. As well as to investigate what are the reasons and specific conditions that permit to such phenomena to exist now a days. By looking specifically to the country of Brazil, my focus is to understand how modern slavery practices are manifested in this country and to analyse its' causes. In this study secondary data from prior researchers will be used, as well as recent reports in order to analyse modern slavery in Brazil. Therefore, the main questions addressed in this study are the following:

- How modern slavery is perceived in a contemporary worldwide society?
- How modern slavery is manifested in Brazil? And what are the main social and economic condition that are prone for this phenomenon?

## Outline of the thesis

The first chapter of this thesis is the introduction to the subject and the area of the researched topic. Furthermore, chapter two gives insights about how the term modern slavery evolved through time, followed by context, which is chapter three, where social, political and economic characteristics of Brazilian society are presented with special focus on different types of inequalities. Chapter four is the literature review and will highlight how the term ‘modern slavery’ is perceived academically and culturally. The theoretic framework is portrayed in chapter five. Human Development and Capability approach were chosen as the most suitable for the subject in matter. Moving onwards, the methodology that was employed in this study is revealed in chapter six. Analysis constitutes chapter 7, in this chapter three different reports will be examined through the lenses of previously mentioned theories. Followed by chapter eight, where the effectiveness of actions to fight modern slavery is discussed, as well as the complexity and importance of data related to modern slavery. The thesis will end with a conclusion, which is chapter nine, and present the summarizing of this paper.

## Chapter 2: The evolution of the term

This chapter is included to understand how the definition of slavery evolved into the creation of a new term – ‘modern slavery’ and what instruments were implemented to oppose these exploitation practices. The role of the League of Nations and the Slavery Convention of 1926 will be included, as well as The Supplementary Convention of 1956 and why there was a need for a shift. Concluding with a new context and remodelling of the slavery conception.



Starting with the 1815 Declaration of Universal Abolition of the Slave Trade, this document was signed with the intent of stopping the Atlantic slave trade and to allow slaves to obtain their freedom in the Colonies of the European Countries and the United States. There have been numerous international agreements with the intent of prohibiting such exploitative practices, between 1815 and 1957. Nevertheless, none of them can be classified as totally successful, as will be more explored in the sub-chapter below. After the First World War, the League of Nations had actively engaged in the abolishment of slavery-related practices. The United Nations carried on the progress in this field, after the Second World War. This resulted in the establishment of a principle of international law where slavery and slavery-related practices are prohibited (United Nations, 2002).

### The role of the League of Nations and the Slavery Convention of 1926

The proper definition of slavery was fundamental for the abolishment process as well as its criminalization. Thus, the definition of such a vital term caused a lot of discussion and ambiguity. The main reasons for this response are the difficult characterization of what constitutes slavery, and the inevitable disagreement about strategies to eradicate slavery that states were obligated to pursue. The international consensus around the slavery definition was fundamental.

Towards the end of the nineteenth century, many Western countries pursued the goal of preventing the importation of slaves into their and other countries. Nevertheless, while these countries acknowledged slavery and the slave trade as illegal, there was a lack of law and power implementation over each other and other states. Thus, slavery at that time was not yet considered illegal under the law of nations and the slave trade was not classified as an act of piracy (Redman, 1994: 760). The League of Nations played a crucial role in the eradication of slavery and in ceasing the slave trade. The League established the right to be free from enslavement as fundamental freedom under customary international law. This led to the promulgation of the Slavery Convention of 1926. “The signatories to the Convention agreed to prevent and suppress the slave trade and to work 'progressively' towards the complete abolition of slavery within their jurisdictions.” (ibid: 761).

The Slavery Convention of 1926 is considered as the first international legislation to abolish slavery and the slave trade worldwide, its' attempts of including all social injustices and human rights violations would cause a very broad meaning that would

weaken the fight against the slavery abolishment. Therefore, the inclusion of “any or all of the powers of ownership” allowed to establish a definition of slavery in the Convention that included all forms of slavery and was not only limited to domestic slavery (United Nations, 2002); (Redman, 1994). Despite the definition, this convention failed in establishing a mechanism of inspection of incidents in state parties. In addition, there was a failure in creating an international body with the capability to evaluate and track the alleged violations. After the Second World War, the delegation of the Committee of Experts on Slavery by the United Nations Economic and Social Council (ECOSOC) performed a revision of the definition of slavery, which did not cover a full range of all practices that should be prohibited. To fill in the gaps of this Slavery Convention, a new one was created (United Nations, 2002).

### The Supplementary Convention of 1956 and the need for a shift

In order to encompass more recent forms of exploitation in the definition of slavery, United Nations elaborated numerous restatements, which addresses the need for a new definition, thus in the international law, the definition remains mainly intact since 1926. The Supplementary Convention of the Abolition of Slavery included the ‘servile status’, that encompassed debt bondage and the complete abolition of serfdom (which included numerous variants that the previous convention failed to address) (United Nations, 2002).

The Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956 (the “Supplementary Convention”) extended and broadened the definition of slavery that was defined in the 1926 Convention. As stated in Article 1 states are obliged to abolish certain institutions and practices similar to slavery which are referred to collectively as ‘servile status’. (Bales & Robbins, 2001) These include:

“Debt bondage, that is to say, the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined” (Gutteridge, 1957: 452)

”Serfdom, that is to say, the condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some

determinate service to such other person, whether for reward or not, and is not free to change his status” (Gutteridge, 1957: 450).

The Supplementary Convention affirmed that all states should pursue the complete abolition of the various forms of slavery and slavery-like conditions. The sections (c) and (d) of this convention highlight unfree forms of marriage and child labour. By establishing a connection of these phenomena with slavery, allowed the creation of further relationships and situations as forms of slavery (such as prostitution, incest, and the sale of human organs). Also, the broadening of what is defined as slavery and slavery-like conditions, the concept of consent and the location of consent within cultural boundaries were introduced (Bales & Robbins, 2001).

The Supplementary Convention of 1956 complements but does not replace the definition of slavery in the Slavery Convention of 1926. Despite occasional restatements and additions made by the UN, the definition of slavery in the international legal arena remains unaltered since 1926, while later slavery has been continually forbidden in numerous other international conventions (Bales & Robbins, 2001).

All conventions have the common element of ownership however, the analyses of the contemporary forms of slavery-related practices have minimized the relevance of ownership. The increase of the world population caused a growing demand and an oversupply of potential slaves. This oversupply and the resulting decrease in the value of slaves resulted in shifting of the model of how slaves were being operated. These changes included the shifting of a relationship between the slaves and the slaveholders; the amount of profit that can be potentially made from a slave; and the time of enslavement. In new forms of slavery, the use of slaves is common to be for a short period, hence it is considered not profitable to keep slaves for a long time, nevertheless, the length of time of serfdom varies immensely, some are enslaved for years contrary to other that can remain in slavery for months (Bales, 2000: 465). It is highly important to differentiate the variants of “old” and “new” slavery in order to understand and create a fighting mechanism against it.

<b>Old Forms of Slavery</b>	<b>New Forms of Slavery</b>
Legal ownership asserted	Legal ownership avoided
High purchase cost	Very low purchase cost
Low profits	Very high profits
Shortage of potential slaves	Surplus of potential slaves
Long-term relationship	Short-term relationship
Slaves maintained	Slaves disposable
Ethnic differences important	Ethnic differences less important

*Figure 1 - Comparison between old and new forms of slavery by Kevin Bales (2000: 466)*

### New context and remodelling of the slavery conception

Old and contemporary forms of slavery present many differences; however, the core of the concept which is a person being controlled by other remains. In order to understand the new conditions of the “new slavery,” it is important to analyse the context in which it emerged (Bales, 2000: 469).

Firstly, the fact that the worlds’ population has grown immensely since the end of the Second World War, also, it is important to note that the considerable part of this grown occurred where slavery practices were most common. Asian, African and Arab countries are the areas where the populations have tripled, and in some countries, half of the population are children under the age of fifteen. Thus, the developing countries that were already impoverished, “the sheer weight of numbers overwhelm the supply of resources available” (Bales, 2000: 469). “In those areas where slavery was still practiced or had been part of the historical culture, the population growth has radically increased the supply of potential slaves” (ibid).

The wealth distribution disparity between developed and developing states created by globalization, lack of employment opportunities, population growth, greater income disparity, and the decreased quality of life in the poorest countries caused many people to migrate in search of better conditions. This framework led to an increase in migratory flows, which made them less organized and more difficult for states to control and increased the availability of more easily exploited people. Thus, all these conditions created by globalization are favourable to transnational organized crime to develop and exploit weaknesses and vulnerabilities of people who are looking for a better life (Lucifora, 2019: 256- 257).

Another factor is the growth in population which influenced the social and economic change. The post-colonial period made possible the enrichment of the elite and impoverishment of the poor that constitutes the majority of the population in the developing countries. During the last half of the century, Africa and Asia suffered from the civil wars where numerous resources were involved, which caused the growth of the foreign debt in these areas. The process of globalization and modernization and the shift in the world economy forced a change for indigenous people and their subsistence farming; as well as the loss of common land, and government policies are among the reasons why millions of farmers went bankrupt. These caused them to move from their land and drove some of them into slavery (Bales, 2000: 469).

In addition, after the Cold War and with the capitalist system the opportunities for slavery have grown in several countries. In order to survive, individuals remain in the master-slave relationship, thus the slave is considered as a 'consumable item' in the world economy, that can be disposed of when no longer useful. The concern for human rights and freedom of assembly for workers were neglected (Manzo, 2005).

Lastly, government corruption incites new forms of slavery. The use of violence is crucial to turn people that are vulnerable to slaves. "When laws against kidnapping or forced labour are not properly enforced, those with access to the means of violence (often the police itself) can harvest slaves" (Bales, 2000: 469).

### Chapter 3: Context

Since the focus country in this paper is Brazil, it is important to highlight important elements that distinguish this country and specifically what are the distinctive conditions that allow modern slavery to endure in this geographical area. This chapter will begin by giving general information about Brazil and will develop on colour subjectivity, proceeding with regional and racial inequality. Indigenous communities will be mentioned as well and will be described how corruption influence many fields in Brazilian society including its influence on economic inequality. Lastly, the characterization of the Brazilian labour market will be included.

## The subjectivity of colour

Brazil, officially the Federative Republic of Brazil is the largest country in South America and Latin America, also, is the fifth largest country in terms of population and size. The current population estimate for 2019 is 211.05 million. Brazil uses a classifying method, which can be considered controversial, that categorizes people by their skin colour. This classifying method includes a census, in which people need to place themselves into one of the existent categories: white, black, brown or yellow (World Population Review, 2019). It is noteworthy to clarify that the “yellow” category is referring to people who descent of Japanese (Wood & Kantor, 2013: 310). According to statistics “92 million (48%) of Brazilians are white, 83 million (44%) are brown, 13 million (7%) are black, 1.1 million (0.50%) is yellow, and 536,000 (0.25) are indigenous (World Population Review, 2019). The earlier mentioned census is highly relevant to understand the Brazilian economic-social situation as will be explained furtherly.

The African-descent population in Brazil englobes over three million Africans that were brought from Africa in the seventeen and eighteen centuries. Slaves were brought to Brazil with the main intuit of working in the sugar plantations. In addition, they were brought by the landowners with the intuit of replacing Indians “whose numbers were decimated by enslavement, excessive labour demands, and most destructive of all, new European diseases” (Miki, 2018). As stated above the indigenous population represent the smallest group population in Brazil. However, this number is uncertain since most of the population is situated in remote areas, and it is complex to count these types of populations, thus the probability that the number of indigenous populations was underestimated is high. Moreover, the indigenous category can be differentiated from the other categories, since it is not merely related to the skin colour, but a distinct ancestral origin as well (IWGIA, 2019).

In line with the expansion of sugar plantations that caused the number of the African-descent population to grow in colonial times, the expansion of coffee plantations in Brazil originated the growth of Japanese populations in the twentieth century. Thus, the main reason for their arrival was to work in rural areas as contract workers. By the end of 1940, the Japanese immigrant population in Brazil was estimated to be nearly 250.000, putting the Brazilian Japanese population in the list of the largest in the world outside of Japan. Despite being treated with estrangement and discrimination in the initial

phase of their arrival, Japanese immigrants obtained their social and economic mobility (Wood & Kantor, 2013: 311).

A subjectivity of a colour typology can be considered as intrinsic in Brazilian society. It is not only related to physical appearance, but also several other factors such as income, education, and other social aspects. A poor dark-skinned Brazilian is likely to classify himself as black in the census. In contrast, a person with the same skin tone and situated in a higher status will more likely classify himself as brown. The complexity of racial identity in Brazil allows the mobility of the same individual in the colour spectrum that he positions himself according to his socio-economic status (Wood & Kantor, 2013: 312).

### Regional Inequality

Brazil, which is still ranked as a developing country, income inequality is considered to be one of the highest in the world, putting this country in the 11th position in the Gini index (Rasella et al., 2013: 661-664). High level of economic inequality qualifies Brazil as one of the fifteen most unequal countries in the world, with a high percentage of poverty (Pereira, 2019: 58).

Brazil is characterized by strong regional inequalities, the Northeast region holds 28,5% of the Brazilian population, having an income per capita of 1,836 USD (in 1996), in contrast with the Southeast where 42,7% of the population lives with 5,433 USD per capita income. The poorest state is Piauí with 1,063 USD per capita, opposing São Paulo which can be considered as the richest state with 6.2 times more state per capita income comparing to São Paulo. “This situation is the result of a process of economic development that favoured the southern states of the country” (Azzoni, 2000: 134).

### Racial inequality

“Racial groups are groups that are distinguished on the basis of their physical appearance or lineage” (Garmany & Pereira, 2019: 85). Ethnic and racial categories are socially created, they change and are shaped by history (ibid).

From the sixteenth to nineteenth centuries millions of slaves were moved to Brazil, in contrast with a small group of white Portuguese, who were mostly male that emigrated to Brazil. In colonial times, mixed-race settlement and marriage were encouraged to

promote integration. However, it did not lead to more equality between different races, racial categorization persisted. Thus, to comprehend the ongoing inequalities, political corruption, and the misgovernment of law in Brazil, the history of slavery in Brazil needs to be included. Elite privilege and political corruption can be connected to slavery and the Brazilian colonial past, where racial stigma and fear of the poor non-white redirect the attention from political corruption (Garmany & Pereira, 2019: 88).

In the mixed-race Brazil, where a significant number of the population were indigenous and Afro-Brazilians who were defined to be inferior through the colonial period. This idea is defined by 'racial pessimism', which is connected to a phenomenon of 'whitening' of the population that was used by state governments. The government promoted policies that would facilitate and encourage the arrival of emigrants to Brazil, to work in the coffee plantations (Garmany & Pereira, 2019: 88). Most of the immigrants in this period were from Italy, Spain, and Portugal. The idea of 'whitening' in Brazil is related to the social pyramid where dark-skinned Afro-Brazilians were situated at the bottom and white population at the top. Regarding the indigenous people, these were situated in a distinct position in this pyramid, since they "were often used as symbols of national identity and sovereignty" (Garmany & Pereira, 2019: 88).

The idea of whitening caused regional repercussions for Brazil. The regions situated in the south were considered as more white regions in comparison with the northern regions. This caused the north region to be more influenced by Afro-Brazilians and Indigenous populations. This aspect made Brazilian elites to consider the south as civilized and superior. In the twentieth century, the challenge for the notion of 'whiteness' was presented in the form of new emigrants from countries such as Japan, the former Ottoman Empire, and Eastern Europe. This racial and ethnic mixture was articulated in the debate concerning Brazilian nation identity (Mitchell, 2017: 117-122).

Since the 2000s, Brazil started to implement policies related to racial inequality. One of these policies is university quotas for Afro-Brazilians and Indigenous students, however, these policies raised a level of controversy, with some defending that Brazil cannot be compared to the USA, where the state is 'bicolour'. In Brazil, there is a mixture of races, and people identified themselves in a broad spectrum of colours. Therefore, the state should focus on investing in basic educations as a path for racial equality (Pereira, 2019: 94). Although the inclusion of non-white Brazilians is more common nowadays, access to elite professions such as engineering, law, and medicine prevails very limited



and controlled (Garmany & Pereira, 2019: 94). Thus, the topic of racial inequality will continue to be challenging in Brazilian society.

### Indigenous communities

According to the 2010 census of the Brazilian Institute of Geography and Statistics, 896.917 persons are part of the Brazilian indigenous population, these are distributed between 305 ethnic groups, who speak 274 languages. The main indigenous ethnic group is the Tikúna, this group englobes 6.8% of the total indigenous population. More than half lives in rural zones, and currently, there are 713 indigenous areas. Thus, 13,8% of the lands in the country have been reserved for indigenous people and most of them are situated in the Amazon areas (Wood & Kantor, 2013: 315-316).

Indigenous communities are situated in a particularly precarious situation regarding health care, education, and land property. Regarding food insecurity and infant mortality, these are considerably higher among indigenous communities, which causes the life expectancy of indigenous people in Brazil being 45,6 years when compared to the national average of 70,4 in 2000 (Wood & Kantor, 2013: 315-316). The majority of the forest settlements in Brazilian Amazon are subjected to invasion by intruders destroying the environment with mercury from the waste of mines, as well as illegal exploitation of lumber and agriculture (ibid).

Brazilian Amazonia is facing numerous challenges in combining economic development and conservation of nature and its' natural resources (Silva et al, 2017: 140). Deforestation in tropical regions is a consequence of economic growth and the spread of industries such as agriculture and mineral extraction (Stan et al, 2015: 1).

### Corruption in Brazil and Economic Inequality

Corruption is highly present in the Brazilian political system, within federal, state and municipal levels and across all branches of government. In terms of accountability of institutions, these were unable to punish or clear the names of the accused ones. In terms of economics, the consequence of corruption is the worsening of investment and business conditions as well as a decrease in general well-being. Regarding a citizen level, corruption is equally damaging, thus it declines the basic trust in other citizens of the country as well as in the government which is a key-value concept of democracy. The

consequence of deteriorating trust is a retreat of citizens from the public sphere, which reduces the capacity of collective actions and weakens a democracy (Power & Taylor, 2011). In Brazil it is possible to observe two paradoxes concerning corruption: the first one is regarding social and political life, where citizens' actions involve a small- or large-scale level of corruption, despite defending the ethical conduct of private and public life. Bribing a civil worker for the reason of the municipal laws being unfair is an example, as well as not paying taxes because of a lack of trust in the governmental institutions. The second paradox is the existence of several government institutions that are responsible for controlling and monitor corruption, however, it is widespread and uncontrolled which allows corruption to grow. Therefore, the establishment of democracy and the attribution of more power to the Congress and the creation of monitoring institutions did not improve the controlling system, on the contrary, it allowed the existence of ideal conditions for the corruption to grow (Silva, 1999: 27).

In Latin America, several factors assisted in the progress of corruption: “history, culture, economic inequality, the size of government and institutional design” (Power & Taylor, 2011: 8). Also, corruption is considered one of the causes of poverty (Miranda et al., 2015: 150). Accordingly, to the year 2000<sup>1</sup>, 26% of the population was considered as poor <sup>2</sup> in comparison to 1900s where the percentage of the poor population was 37, this decrease was primarily the result of anti-inflationary plans and the modernization of the economy; 72% of the population were part of the middle <sup>3</sup>class in Brazil; and only 2 percent were defined as rich<sup>4</sup> class (Muniz, 2012: 326). Therefore, this tendency of income inequality distribution and high poverty levels are a sign of a very unequal country, where a significant part of the population does not have the access to minimum conditions of dignity and citizenship. Thus, despite the decrease in the percentage of people who live in poverty, that was observed in the 2000s, the number of people who live in poverty continues to grow (Barros et al, 2000: 124).

Comparing Brazil to other countries, poverty in Brazil is significantly higher than in countries with similar per capita income. This situation can be explained by the poor

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<sup>1</sup> Absent the zero-income value, which counted as 6,54% in 2000.

<sup>2</sup> Based on the data from the Northeast and Southeast regions of Brazil, the poor is defined as the one who is living with R\$80,42, which is around \$44,5, per head.

<sup>3</sup> To be part of the Middle Class one must earn between \$44,5 and \$1316 per head.

<sup>4</sup> The rich class is constituted by a very small part of the population that earns more than \$1316 per head.

distribution of resources. Therefore, 1% of the population who are the richest in Brazil, owns a portion of the income higher than half of the entire Brazilian population (Barros et al, 2000: 124-137).

### Labour Market in Brazil

Brazil has been experiencing a range of economic transformations in the last 25 years. In the second half of the eighties and the early nineties, unsuccessful economic plans failed to control and reduce inflation rates, which caused the lowering of Gross Domestic Product (GDP) rates. In 2000s Brazil introduced “an inflation target regime to handle with monetary policy and started to control public budget deficits” (Menezes-Filho & Scorzafave, 2009: 3). Therefore, GDP started to grow after a long period of economic stagnation (ibid).

Relatively to unemployment by gender, it is possible to identify a pattern where women are more affected by the growth in unemployment when compared to men. Even though the unemployment rates were always higher for women, they started to increase after 1999. This setting can be considered as evidence for how the openness of the Brazilian economy affected differently men and women. Thus, despite the decrease in unemployment, the difference between men and women remains significant (Bruschini, 2007: 2).

To understand the labour market in Brazil it is important to understand the factor of labour informality<sup>5</sup> as well since in Brazil approximately 50% of workers belong in this group. The highest percentage of informality (53,4%) was registered in 1999, since then the percentage has been lower, reaching 47,5% of workers in 2007 which quantifies in about 39 million workers. Despite the lowering process of informality, this percentage can be still considered as high and alarming (Menezes-Filho & Scorzafave, 2009: 15).

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<sup>5</sup> OECD (2019) explains Informal Employment: “Employees are considered to have informal jobs if their employment relationship is, in law or practice, not subject to national labour legislation, income taxation, social protection or entitlement to certain employment benefits (advance notice of dismissal, severance pay, paid annual or sick leave, etc.).”

Correlation between education and informality is highly relevant, thus the most educated display the lowest informality rate. On the other hand, people with up to 3 years of schooling exhibit rates above 70% of informality. These alarming statistics can be related to the fact that the Brazilian job market is not prepared to incorporate such a large group of workers. Therefore, there is a need to improve public policies, such as on-the-job training and fiscal incentives to increase formality (Menezes-Filho & Scorzafave, 2009:17-18). The informality rates are also differential between regions in Brazil. The South, which is considered the most developed region face a much lower rate of informality when compared to the North. This implies an inverse connection between socio-economic development and informality. Therefore, governmental institutions such as the police and judiciary are more solid in the South region of the country when compared to the North. Moreover, when comparing white and non-white workers, non-white encompass higher informality rates. Lastly, there are differences in the informality rate concerning the activity sector. Agriculture represents the activity sector with the highest rate of informality (80% in 2007) (ibid: 20).

In Latin America, high levels of informality are connected to rigid labour regulations, where job security legislation can reduce employment and increase inequality. Contractual and heavy payroll taxes can also cause high rates of informality. In addition, the recent financial crises had a significant effect on the labour market in Brazil. By the end of 2008, the unemployment rate started to grow, between December 2008 and February 2009 about 800,000 workers lost their formal job; in many sectors occurred wage reductions; the GDP fell around 3,6%. Since the major percentage of lost jobs were in the formal sector, occurred a transition from formal to informal sector (Menezes-Filho & Scorzafave, 2009: 20-31).

## Chapter 4: Literature Review

Until approximately 15 years ago, the common understanding of slavery was connected to how it was manifested in the past. In this short period, the manifestation of exploitation can be witnessed from all over the world. Recent manifestations of this phenomenon lead many people to believe in the impossibility of such severe forms of exploitation to happen in their country and ‘under their nose’. To analyse how the concept of ‘modern slavery’ is accepted and framed, different approaches to the concept will be on focus in this literature review.

## Definition

The term ‘modern slavery’ has become the motive of debates across the world, thus the concept represents a range of severe forms of exploitation. However, the number of concerns from activists, historians, and social scientists, about the term has been growing. They “claim that the kinds of exploitations that it covers are neither ‘modern’ nor ‘slavery’ (Craig et al., 2019: 3). Therefore, they defend the idea that the transatlantic slave trade can be considered itself as ‘modern’ form of slavery; “that equating contemporary forms and using imagery from this period appropriates the suffering of black people, obscuring our understanding of ongoing legacies of racial chattel slavery” and it supports the conservative moral agendas which include interests of police and immigration forces (ibid). As noted before, many specialists are against the use of the term ‘modern slavery’, some consider that the adoption of this term, can be dangerous as some states can use this terminology to reduce their effort to only mark the most severe forms of exploitation as ‘modern slavery’ (ibid: 4).

“Slavery has existed for thousands of years and has been present in various forms and in all civilizations” (Crane, 2013: 50). Since all the definitions of slavery are focused on the eighteenth and nineteenth centuries' cultural, socioeconomic and legal framework, it represents a great difficulty to define modern slavery (ibid). Nonetheless, slavery can be characterized by the existence of these three characteristics: severe economic exploitation; absence of human rights; and control through the threat or reality of violence or coercion. The 1926 Convention on Slavery (Article 1) provides a definition on which later, international definitions will be founded: “condition of a person over whom any or all of the powers attaching to the right of ownership are exercised” (Craig et al., 2019: 10).

Although, the term ‘modern slavery’ is not a legal term under international law, despite this fact it is being used by academics, practitioners and institutions (Siller, 2016: 406). Accordingly to Anti-Slavery International, four features need to be present for a person to be considered involved in modern slavery practices: “forced to work through treat; owned or controlled by an ‘employer’, typically through mental physical, or threatened abuse; dehumanized and treated as a commodity; and physically constrained or restricted freedom (Crane, 2013: 51).

Contemporary forms of slavery include a variety of modern exploitative practices. Commonly, a slave is defined as a possession that could be “bought and sold, given away, inherited, paid as tax or tribute, and used for any purpose their owners wish” (Miers, 2000: 714-715). Slaves could not control the profit from their labour; they were not able to choose their spouses and had no authority over their children; slave owners had total control over a slaves’ life. Thus, the bondage between a slave and owner was lifelong and hereditary (ibid).

Practices that can be incorporated under the concept of ‘modern slavery’: slavery, enslavement, and trafficking of persons. With the intuit of analysing these concepts, it is relevant to understand how these practices are covered in international law, thus internationally condemned: “Trafficking criminalizes the process of acquiring a person for their exploitation. Slavery and enslavement, however, are offences evaluating the treatment exacted upon a person and whether the gravity of such subjugation or exploitation rises to the level required by the offence.” (Siller, 2016: 407).

As was mentioned above, with the 1926 Slavery Convention it was possible to legally codify and criminalize slavery. The definition is crucial in assessing slavery and that slavery can be a ‘status’ or ‘condition’, which shows the up-to-date relevance of this definition in an international law landscape, which internationally criminalizes and forbid legal classification of people as property. In 1957 the Supplementary Instrument to the Slavery Convention was created to intensify the efforts towards the abolition of slavery. This convention formally defined several practices similar to slavery: debt bondage, serfdom, servile marriage and child exploitation (ibid: 407-409).

The attachment of ‘possession’ to the condition of slavery is fundamental to classify the ‘power of ownership’. According to the 1935 UN Report, the ‘power of ownership’ includes: “buying, selling or transferring a person, using a person, managing the use of a person, profiting from the use of the person, and transferring a person to an heir or successor as well as the disposal, mistreatment or neglect of a person” (Siller, 2016: 411).

The term ‘enslavement’ is defined in the statutes of the international criminal courts and tribunals, which classify enslavement as a crime against humanity. The International Law Commission (ILC) termed enslavement as “establishing or maintaining over person status of slavery, servitude or forced labour contrary to well- established and widely recognized standards of international law” (Siller, 2016: 412). Therefore, the ILC characterization of enslavement includes the understanding of slavery, servitude and

forced or compulsory labour. Despite the non-existence of definition for servitude “the practices and institutions similar to slavery found in the Supplementary Convention are often identified as conforming to the concept of servitude” (ibid: 413). As well as the universally recognized definition of forced labour or compulsory labour is possible to find in the International Labour Organization’s Forced Labour Convention of 1930: “practice to mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily” (ibid).

Concerning International trafficking laws, these have existed for the last 115 years, however, the legal and internationally recognized definition as we know it now appeared in 2000 with the Palermo Protocol.

“‘Trafficking in persons’ is defined as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the concept of a person having control over another person, for the purpose of exploitation” (Palermo Protocol, art. 3)

### Perpetuity of Slavery

Considering that previously mentioned concepts fall under the umbrella of the concept ‘modern slavery’, it is wrong to perceive modern slavery separately from its previous manifestations. With the emergence of international legislation from the 20th century, the urgency to abolish slavery has grown, however, the existent legal instruments and international political pressure has shown to be insufficient to end it. Slavery has transformed its forms to mirror an industrialized and gradually more and more globalized world where migration of people is susceptible to the new contexts of slavery (Craig et al., 2019: 7). Contemporary forms of slavery reflect a diversity of human experiences: it manifests in bonded labour in Indian brick kilns; Nepalese domestic worker in Lebanon; someone who was already born into chattel slavery in West Africa; child labour in Haiti in form of a domestic servant; forced labourer in American Agriculture. All these are examples of a new manifestation of slavery in the contemporary world (ibid).

Slavery emerges with three factors: individual vulnerability (which can be a consequence of poverty); social exclusion; and when the rule of law fails. The consequences of the demand for the reduced costs of cheap labour and deceitful employers

are the creation of slavery and exploitation (McQuade, 2019: 30). Social exclusion and discrimination are crucial in the subject of slavery. In Latin America, for example, a great number of people in forced labour are indigenous people. In Western Europe and South-east Asia, many of those who are involved in slavery practiced are migrant workers. In South-Asia, most of those who are in slavery are Dalits, which means ‘untouchables’, or from other scheduled castes or others that represent minority groups (ibid: 30-31).

The perpetuity of slavery is a political problem as well. It can be understood as a failure of governments to accomplish its’ fundamental responsibility, which is the establishment of the rule of law. The political economies of slavery can be categorised into four different conducts, with each of them directly correlated with the failure of protection of human rights. The first category is ‘stated-sponsored’ slavery: currently, it can be witnessed in North Korea, where citizens are trafficked across the world to maintain the dictatorship. Other examples of this type of slavery are Uzbekistan and Turkmenistan, where the government uses its citizens, including children, in forced labour for the cotton harvests, which then is exported worldwide (McQuade, 2019: 32).

The second category is labelled as ‘state-tolerated’ slavery. For this type of slavery, the example of the children who enslaved in the garment workshops of Delhi can be employed. Despite the protection, that was promised by Indian Law and the Constitution, when owners of the workshop fail to bribe the police, children are the ones who are arrested and held hostage until the bribe is paid. In other parts of India, Dalits are enslaved in agricultural labour and find it impossible to obtain legal help. South Asia can be used as well as an example for this category for the reason of having the largest number of slaves in the world since persons from ‘lower’ classes are not being protected by the rule of law. Corruption, a reduced number of police officers, and labour inspectors and judges take a part of the blame (McQuade, 2019: 32).

The third category is ‘state-facilitated slavery’, where the rule of the law is much more explicitly weakened. It is established in Qatar, the United Arab Emirates and Saudi Arabia, where exists ‘kafalah’ system. This system is characterised by a so-called sponsorship that binds a worker to such extent to their employer that the result can be forced labour, and the workers are not able to change jobs or even go home. Kafalah, therefore, can be seen as a system that facilitates exploitation up to resulting in slavery (McQuade, 2019: 32-33). And finally, the fourth category, and also the largest is ‘state-muddled slavery’. UK represents an example of this type of slavery political economy



since the UK has criminalized forced labour and endorsed victim protection. However, the problem is being solved as a result of austerity policies (ibid: 33).

### Critiques of the term 'modern slavery'

As stated above, scholars and activists offer a range of definitions for the term 'modern slavery'. Karen Bravo focusses on 'chattel slavery' and defined it as "the ownership, recognized and enforced by the legal system, of one human being by another" (cited in Leary, 2015: 121). On other hand, Kevin Bales a renowned activist against human trafficking refers to slavery as "a social and economic relationship marked by the loss of free will, in which a person is forced through violence or the threat of violence to give up the ability to sell freely his or her own labour power" (cited in Leary, 2015: 121). These definitions allow establishing a connection between human trafficking and chattel ownership, in which the person loses control of self through violence and degradation. Thus, by linking human trafficking to 'modern slavery' an analogy is established with the previous historical experience of slavery (Leary, 2015: 122).

The term 'Modern Slavery' is a target of various critiques that focus on the difference between colonial slavery and human trafficking. One of these critiques outlines that this comparison diminishes the suffering experience of the slave. Another critique focusses on the fact that the causes of these two phenomena are very different, which makes the analogy improper. The third critique of this analogy is the possible overdramatization of the phenomenon of human trafficking (Leary, 2015: 124-125).

When one is using the term 'slavery', the analogy to colonial slavery is inevitable, as stated previously. This analogy can be a powerful tool for the public and policymakers when framed correctly. To understand the influence of the analogy, four significant parts in human trafficking will be analysed: the victims, the traffickers, the owners, and the bystanders. "The victims and survivors of trafficking today parallel with the slaves of earlier generations, the human traffickers are akin to the slave traders, the business owners are parallel to the slave owners, and each system functioned with the complicity of bystanders (ibid: 133). Regarding the victims, although there is a distinction between the concept of property in the antebellum slavery context and today: in the antebellum context slaves were an investment, thus they represented some sort of value for the owner; nowadays since there is a massive supply, many slaves are considered to be 'disposable' and are discarded when are no longer considered profitable. However, this differentiation

does not deny the notion that victims of trafficking can be perceived as chattel or property. Also, the similarities in the methods of control of the victims can be established (ibid: 134-135). Similar characteristics can be recognized in all the other actors mentioned previously, this is accurate when defining human trafficking as ‘modern slavery’ practice to motivate the public for a proper response to this phenomenon. Nevertheless, the use of this term can be dangerous when a loose analogy can misinform the public by suggesting kidnappings and chains where those may not exist (ibid: 143).

Janie Chuang clarifies from a legal and socio-political point of view that practices that are covered with the umbrella of ‘modern-day slavery’- slavery, trafficking, and forced labour are separately defined under international law. Legal definitions are vital for governments to collect data, punish criminals and allows policy coordination with other governments. Chuang explains that the use of the term ‘modern-day slavery’ can be concerning when it comes to understand and respond to contemporary forms of exploitation for profit (Chuang, 2015: 146-147). Thus, modern slavery rhetoric can be used to simplify a complex phenomenon of trafficking into a “narrative of crime perpetuated by evil individuals and organizations, and suffered by victims who (like 18th-century transatlantic slaves) must have been kidnapped or otherwise brought to the destination countries against their will” (ibid. 147). Therefore, by classifying slavery as an individual act it depoliticises and absolves the role of the state in creating structures that would prevent coercive exploitation of workers, especially migrants (ibid: 147-148).

Fiona David, in contrast, while recognizing that definitions accepted internationally are important for prosecutions, in the media and public these do not have the same effect as the term ‘modern slavery’. Therefore, by using this term media can bring attention to the subject, which allows creating pressure for policy change. Thus, the usage of effective language is vital to avoid inaction (David, 2015: 152).

The already existent definitions of exploitative practices that modern slavery englobes rise a question if the term ‘modern slavery’ is needed in order to condemn practices that it encompasses under its umbrella? Conceptually, international criminal justice is in need to avoid ambiguity in law with such concepts as ‘modern slavery’ and condemn severe exploitation practices separately. Therefore, it is necessary to universally clarify the concepts of ‘slavery’, ‘enslavement’ and ‘human trafficking’ as well as distinguish their material relationship under international criminal law. However, from another point of view, there is no need to condemn the use of the terms ‘modern slavery’

as it “incorporates practices as elusively as international criminal jurisprudence does in a finding of on enslavement as a crime against humanity” (Siller, 2016: 412).

### Case of Modern Slavery or Cultural Traditions

Forced Marriage is considered to be one of the manifestations of modern slavery, however international law does not outlaw forced marriage, the existent regulations are regarding forced weddings. Therefore, the consent of getting married is concerning when it comes to international law (Allain, 2012: 305). Article 16(2) of the 1948 Universal Declaration of Human Rights states: “Marriage shall be entered into only with the free and full consent of the intending spouses” (United Nations, 1948). This issue was also addressed in the 1979 Convention on the Elimination of All Forms of Discrimination against Woman, this convention is centred around equality between men and women, where both have the same right to enter into marriage and both have the same right to freely choose a spouse and to enter into marriage freely and with full consent (Allain, 2012: 306).

The notion of ‘consent’, as mentioned above, can be problematic to establish in all cases of marriage. The subject of the matter is an “autonomous, independent, rational being which elides class, gender, and racialized positionings, thus extracting consent from the contexts in which it takes place” (Gangoli, 2012: 26). The ability of a woman to consent can be related to several factors, such as cultural conduct where for example ‘codes of honour’ are taken into account, or poverty in the context where there is a price for the bride, thus women are considered as conduits for family survival. In many African communities, family survival is dependent on marriage. In many cases, women are also unable to leave such marriages unless they could reimburse the bride price to the groom’s family. Since worldwide men’s economic position is more favourable than women’s, they often are not capable to repay debt and found themselves trapped in the marriage (ibid: 33-34).

The theme of poverty is related to child marriage as well. Where the developmental issue should be conceptualized. To protect children from abuse, the legal minimum age of marriage restrictions is common in many countries, as well as the setting of legal age for sexual consent. Yet, such settings are not relevant to Islamic cultures (Al-Hakami & Mclaughlin, 2016: 655). A clash of different cultures, where a key difference in regard to choosing a marriage partner is that in Western culture woman/girl and

man/boy can meet each other openly, which facilitates the development of the relationship. In contrast, in many Islamic societies, Sharia Law forbids men and women to meet with each other without the presence of a chaperon. As well as sexual relationships are prohibited outside of marriage. Arranged marriages are the most common type of marriage in Saudi Arabia, although many consider this type of marriage as a form of forced marriage. The difference between both types of marriages in the existence or not of consent. In arranged marriages, both parties are free to willingly enter into the marriage. However, as discussed earlier it is hard to differentiate consent with familial and cultural pressure (ibid: 659).

Child marriage is known as ‘zawaj al-gaserat’, which is an adjective that describes a child that did not yet reach puberty. From this perspective, the begging of puberty marks the end of childhood. There are many cases highlighted by the media, for example, the case where a judge refused to divorce an 8-year-old girl from a 55-year-old man. Sharia law specifies reaching of puberty as a measure of maturity enough to get married. Nevertheless, the father has the right to accept a proposal of a man who wants to marry his daughter, even if she did not reach puberty yet. Although the girl can refuse the marriage, this never or very rarely happens (Al-Hakami & Mclaughlin, 2016: 659-662). Regarding the human rights point of view, forced marriage is seen as a pathology of some communities and counterproductive to women’s rights. Within this framing, forced marriage and child marriage are perceived as “harmful cultural practices” (Gangoli, 2012: 230).

## Chapter 5: Theoretic discussion – Capability Approach and Human Development

In this section theories of the Capability Approach and Human Development will be presented, which furthermore will form the basis for the analysis part of this study. These two theories are considered the most pertinent for the analysis of the topic of modern slavery and reveal how damaging exploitative practices are for development.

## Capability Approach

“The capability approach is a broad normative framework for the evaluation and assessment of individual well-being and social arrangement, the design of policies, and proposals about social change in society.” (Robeyns, 2005: 94). It is useful in many fields such as development studies, welfare economics social policy and political philosophy. Also, the capability approach can be used with the purpose to evaluate several aspects of a persons' well-being: inequality, poverty, the general well-being of an individual or the well-being of the members of the group. It can be useful as well in in terms of evaluating social cost-benefit analysis, and as a framework to design and evaluate policies, such as development policies by governments and non-governmental organizations in developing countries (ibid).

In academia, it is being discussed in quite abstract and philosophical terms, nonetheless, it is also useful for applied and empirical studies. The capability approach cannot be seen as a theory that can explain poverty, inequality or well-being, instead, it should be perceived as a tool and a framework that allows us to conceptualize and evaluate these phenomena. Amartya Sen is the pioneer who presented this approach in a form that we know it today. She argues that the policies and evaluations should focus on what people are able to do and be, on the quality of life, as well as on removing obstacles from peoples' lives in order for them to have more freedom to live the kind of life that, upon reflection, they have reason to value (Robeyns, 2005: 94).

A crucial strength of the capability approach is a clear objective. For instance, the objective of justice and poverty reductions should be to expand the freedom that did not allow people to enjoy valuable things and doings. People should be allowed to have access to the necessary positive resources, and they should be able to make choices that matter to them. The singularity of the capability approach is that it goes beyond the ruthless criticism of income to propose an alternative technique that conceptualizes both poverty reduction and justice, where multiple functionings and freedoms are included. Thus, the capability approach rather than focusing on economic growth argues that the objective of development is human beings and their thriving. Meaning that the enduring position should be that welfare economics and development should not differ in terms of their objective. The improvement of living conditions should be the main goal when it comes to economic exercise, as well as being an integral part of the concept of development (Alkire, 2005: 117).

Sen's capability approach includes four essential concepts: functionings, freedom, pluralism, and incompleteness. Functionings are defined as "the various things a person may value doing or being (...) such as being nourished, being confident, or taking part in group decisions" (Alkire, 2002: 5). Also, Sen argues about the importance of freedom when introducing the concept of capability as well as agency freedom. Thus, the capability is related to a person or groups' freedom of choosing and accomplishing valuable functionings, which leads to a persons' freedom of choosing one type of life or another. Therefore, the capability is a set of opportunities that are open before a person to decide on (Alkire, 2005: 121). The next concept of Sen's capability approach is pluralism, he defends the scope of the capability approach and the pluralism of its information base. Capabilities can englobe a wide range of phenomena, for example, basic human needs such as the capability to drink clear water, and other less vital such as the capability to eat rich sweets. Therefore, the definition of capability is not limited to a fixed group of capabilities. Lastly, the capability approach is deliberately incomplete, this allows for the approach to be shared by persons with different philosophical systems. The goal is to facilitate economists and development practitioners to work on issues where the consensus on fundamentals is not necessary (Alkire, 2002: 8-10).

Martha Nussbaum points out that the Capability Approach appeared as a form of dissatisfaction, within development economics, where countries are ranked by Gross Domestic Product (GDP) per capita only. GDP per capita cannot translate the distribution, which can classify with high-mark countries that present great inequalities. Also, GDP mixture together different aspects that vary differently such as human the quality of life of the human being, health, education, and employment opportunities. Therefore, the critique of this ranking is the fact that it does not expose the normative notion of 'development' or 'quality of life' (Nussbaum, 2019: 65-66). Nussbaum identifies three types of capabilities: First, she categorizes 'basic capabilities', these are connected to innate material of persons that allows them to develop higher-level capabilities. Second, she identifies 'internal capabilities', such as the ability to read and write, thus this type of capabilities is related to the developed abilities of a person gained from maturing and social care. The third type of capabilities is 'combined capabilities' which are a combination of internal capabilities and political environment. The author argues that if a country does not provide the conditions for their citizens to accomplish each of these capabilities, it failed in terms of minimal justice. Therefore, the citizens do not have a chance of living lives worthy of their dignity (equal and inalienable) (ibid: 67-68).

## Human Development

Human Development is connected to expanding the fullness of human life, meaning that it is not only focused on the economic part but persons' opportunities and choices. Thus, human development focuses on the expansion of peoples' choices in order to be able to live lives that they value, and improvement of the human condition so people have the chance to live full lives. Human Development defends that a person should be allowed to have a long and healthy life, to be knowledgeable, and to have access to resources necessary for a decent standard of life. Therefore, this approach stands for individuals being able to build a life they have reason to value (UNDP, 2019).

For the purpose of understanding the Human Development approach Amartya Sen discusses the importance of concepts: 'Well-Being', 'Agency' and 'Living Standards'. The well-being achievement of a person can be expressed as an evaluation of the 'wellness' of the person, which stands for achieving personal goals, seen from her/his welfare. However, this does not mean that persons' well-being is not related to others. The agency-achievement is established when to achieve well-being, a person is performing actions to pursue his/her goals. Living standards are related to evaluating a persons' life, which means focusing only on influences on well-being related to his own life (Sen, 1993: 36-37).

Amartya Sen establishes different types of freedom: negative and positive. The negative freedom is defined as being independent of interference from others, which includes governments, institutions and other persons. On the other side, positive freedom is defined as being not related to the interference of others but associated with what a person can do or be. This distinction is vital to understand different approaches to freedom and its repercussions. Therefore, if a person does not have the means to afford food or accommodation or other basic needs, a persons' positive freedom is compromised. Nevertheless, positive freedom can be compromised without interfering with negative freedom. (Sen, 1989: 770).

Another distinction is fundamental in terms of freedom: intrinsic and instrumental. Intrinsic importance of freedom is that freedom is valuable by itself. The instrumental value of freedom is related to means to other ends, rather than being valuable in itself. Thus, "our freedom to choose one bundle of commodities rather than another may have an important effect on the living standards we can have, the happiness we can enjoy, the

well-being we can achieve, and the various objectives of our lives we can fulfil” (Sen, 1989: 770).

## Chapter 6: Methodology

In choosing the theme of Modern slavery in Brazil for my research my goal is to explore the phenomenon of modern slavery and how it is manifested in Brazil. This concept exists for many years; however, my motivation is to investigate how it evolved since colonial times slavery and how it is expressed in modern days, particularly in Brazil. In addition, the relevance of this topic in International Development Studies makes this study significant for further discussion of this global problem.

The collection of data for this study was conducted through the interpretative method complemented with the inductive approach, which resulted in the selection of relevant theories for this study from the collected data. Also, the secondary data analysis was applied since it is the most suitable and feasible approach to answer the research questions.

Firstly, it is important to highlight that the interpretative method “aims to produce an understanding of the social context of the phenomenon and the process whereby the phenomenon influences and is influenced by social context” (Rowlands, 2003: 3). Furthermore, inductive analysis belongs to approaches that mainly use readings of raw data in order to develop concepts, themes, or a model through interpretations created from the raw data by the researcher. On the other hand, deductive analysis is employed when the data is analysed to test whether data is consistent with prior assumptions, theories, or hypotheses identified by the researcher. (Thomas, 2006: 238). The main purposes of the inductive analysis approach are to reduce extensive and varied raw text data into a more succinct format; to establish a clear connection of research goals with the findings derived from the data; to be able to develop a model or a theory from the findings in the data (ibid).

Secondary data analysis “is a form of analysis of an existing dataset collected and analysed for a different purpose than the one that the data were initially collected for.” (Phellas & Constantinou, 2017: 108). Thus, it is considered as reanalysis of the data that was collected by another researcher, also secondary data is originated from:



1. "Official statistics gathered by various agencies and departments for the purpose of understanding trends and forming policy-making decisions
2. Technical reports including research findings that are prepared to inform interested parties, such as departments, governments, institutions and so forth
3. Scholarly journals, which make available research articles
4. Literature review articles, which can also be useful resources because they usually list publications specific to topics
5. Trade journals that have articles relevant to specific fields
6. Reference books such as handbooks, manuals and dictionaries" (Phellas & Constantinou, 2017: 108).

Using secondary data from well-constructed studies of well-known data produced by federal, state, or non-profit organizations is highly valuable since they rely on a large amount of data analysed by experienced researchers that can provide a high degree of consistency and quality (Young & Ryu, 2013: 105). Thus, these data sets are commonly based on large, nationally representative samples, that were collected by professional fieldwork agencies (Hakim, 2013). For these reasons, my choice in analysing two reports from the International Labour Organization (ILO) and one from the General Assembly of United Nations is to be able to investigate the data produced by organizations that have the resources to collect the most reliable and accurate data.

The first report that was analysed was made by the International Labour Organization and focuses on forced labour in Brazil. This study was carried through the bibliographical issue, in specific by analysing documents produced by the International Labour Organization, as well as the consultation of researchers and national stakeholders (Costa, 2009: 2). The second report aims on global estimates of child labour, specifically on results and trends from 2012 to 2016. In order to conduct this study, the database was created which includes children aged 5 to 17 years who are in employment. This was possible by consulting national surveys where detailed data on hazardous work conditions was gathered. In total, national sets from 105 countries were handled from the period of 2012 to 2016. These include 24 national data sets originated from child labour surveys implemented by ILO, in collaboration with national bureaus of statistics and the United States Department of Labor; 17 national data sets from the multiple indicator cluster surveys in collaboration with UNICEF; 17 data sets from demographic and health surveys, 17 data sets from national labour force surveys; 30 data sets limited to children

aged 15-17 years. Therefore, the data sets in sum cover more than 1,100 million children aged 5-17 years old, which consists of approximately 70 per cent of the world population of children in the previously mentioned age group (ILO, 2017: 59-61). The final report selected for the analysis chapter is the Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences in Brazil by the United Nations.

The main goal of this report is to initiate a dialogue with the Government to discuss practices undertaken to combat slavery. For this report, the Special Rapporteur Gulnara Shahinian obtained the views of victims of forced labour from São Paulo, Cuiabá, Imperatriz and Açailândia, through consultations, personal interviews, and open discussions forums. In addition to extensive consultations with senior government representatives, civil society organizations, academic institutions, trade unions, the United Nations country team and the donor community as well as attendance in Forced Labour Conference (UN Human Rights Council, 2010: 3).

## Chapter 7: Analysis

Official reports will be highlighted in this part of the thesis and analysed with the previously presented theories. Firstly, the “Fighting Forced Labour: The example of Brazil” report by the International Labour Office (ILO) will be investigated. Secondly, the Global Estimated of Child Labour by ILO report will be analysed. Lastly, the “Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences” will be presented where the focus would be on causes of modern slavery in Brazil.

### Fighting Forced Labour: The Example of Brazil

In 1989, the case of 17-year old José Pereira Ferreira became recognized as the catalyst for needed new measures to fight forced labour in Brazil. Furthermore, the existence of slave labour in Brazil is officially recognized in 1995. Through José Pereira Ferreira, the awareness about those who are trying to escape from poverty to far lands began to be spread. The workers are recruited and enticed by agents of landowners, known as ‘Gatos’, to move away from their homes. ‘Gatos’ encourage them to move and

work in distant regions, this is possible under the false promise of employment and wages. However, once the workers arrive at the state, they realize that the work is much harder than the expected, now they own money for transportation, goods that were consumed, and the advance payment to support their families during their absence to ‘Gato’. Consequently, workers remain in the situation of continuous debt (Costa, 2009: 5-8).

The case of José Pereira Ferreira exposed severe human rights violations associated with many rural works in Brazil. Also, from a legal point of view, it revealed the need for a problem definition, with consideration of specific Brazilian characteristics in order to tackle the problem more effectively. In Brazil, the term ‘slave labour’ was mostly accepted as the result of intense work and pressure of human rights groups and trade unions such as the national Confederations of Agricultural Workers (CONTAG). Thus, the category of forced labour was established as a crime under Brazilian law and ILO Conventions provide the legal basis necessary to battle slave labour in the country (Costa, 2009: 8-10).

According to statistics, the majority of rural enslaved workers in Brazil are male, non-white and have a low level of schooling or never attended school. Many of these workers come from Northeast regions, such as the State of Maranhão. These are the regions where is observed high levels of rural slave labour, which are affected by various political, historical and economic problems. Contrasting with other Latin American countries, such as Peru and Bolivia, a significant number of victims of modern slavery in Brazil are not indigenous people (Costa, 2009: 34). The main cause of modern slavery is the situation of poverty that affects a significant number of the Brazilian population, particularly in Northeast states. People that are in the situation of poverty are deprived of many basic human needs, particularly the ones that are linked to poverty and lack of access to public services (Costa, 2009: 64). The situation of poverty affects the capabilities of a significant proportion of the Brazilian population, all four concepts of Sen’s capability approach are compromised. Poverty causes the vulnerability. Those who are in the situation of slave labour lack resources to provide for themselves and their families. In addition, lack of access to education causes for them to have less job opportunities, consequently various functionings are being affected, as well as agency freedom.

Limited access to education and poverty deprive a person of basic human needs and job opportunities. Therefore, agency freedom is affected since the persons’ choices are very limited (Alkire, 2002). However, as Martha Nussbaum points out, capabilities

englobe a wide range of phenomenon. ‘Basic capabilities’, ‘internal capabilities’ and ‘combined capabilities’ which consequently are not being developed. Thus, in this case, internal capabilities are not developed because the political environment does not provide the necessary conditions for the citizens to accomplish each of these capabilities. Therefore, the citizens are not receiving a chance of living lives worthy of their dignity (equal and inalienable) (Nussbaum, 2019: 67-68).

Improvements in terms of income would allow peoples' access to consumer goods, yet, it would not affect their access to basic healthcare, education, and sanitation services, thus all these services should be guaranteed by the State (Costa, 2009: 64). Civil and military police take part in the repression of workers, which causes several complaints regarding exploitation. The workers do not feel secure to complain and report, thus in many cases authorities return workers to the ‘Gatos’ who recruited them. The impunity regarding slave labour, deforestation, and other crimes is linked with landowners and the federal state, State and municipal authorities (ibid: 41-42). “Many landowners exercise power and influence within various national bodies, either directly, by holding political office in prefectures, municipal legislative chambers, State governments, and the National Congress, or indirectly, through close links with individuals in public office who represent their interests” (ibid: 42).

### Global Estimates of Child Labour – ILO Report

Child labour can be considered as one of the most hazardous forms of exploitation. Before proceeding to analyse how child labour is being manifested in Brazil, is important to define a ‘child’. In western countries ‘child’ is often defined in correlation with chronological age, nevertheless, in many societies cultural and social factors are essential for the definition of this concept. The progression from childhood to adulthood is marked by several biological and social phases, through these phases the degree of dependence and the need for protection of the child gradually decreases (Grootaert & Kanbur, 1995: 188).

Considering the age profile of a child from five to fourteen years old. A child is defined as economically active if he or she works for wages; if he or she works is in the family farm in the production or processing of primary products; if he or she works in family enterprises that are making products for the market, barter or own consumption;

or he or she is unemployed and is searching for these types of work (Edmonds & Pavcnik, 2005: 201). However, in many societies, one being, for example, eight or nine years old is not classified as a child. Thus, in these cases, the categorisation of a child is not based on age but rather a social status. In societies with this perspective, mainly in the poor rural ones, child labour is not seen as ‘wrong’ or ‘unethical’ but as “part of the socialization process which gradually introduces a child to work activities and teaches survival skills” (Grootaert & Kanbur, 1995: 188).

The nature of work must be contemplated and the relationship between the child and the employer. Therefore, it is vital to understand whether the arrangement has an exploitative nature (Grootaert & Kanbur, 1995: 188). Most working children are working at home, helping their families by assisting family business or farm and help with domestic work. The causes of the prevalence of child labour worldwide are low income and poor institutions (Edmonds & Pavcnik, 2005: 199-200). “Fundamentally, child labour is a symptom of poverty” (ibid: 200).

“The eradication of child labour is a matter of human rights” and fundamental for international development (ILO, 2017: 19). Conventions such as ILO Conventions on Minimum Age of 1973 and 1999 Convention on the Worst Forms of Child Labour in addition to the UN Convention on the Rights of the Child highlight that freedom from child labour is a human right and that the eradication of child labour has to be considered as a universal and fundamental goal (ibid).

ILO estimates that 152 million children are in child labour globally. Seventy-one per cent of children in child labour work in the agricultural sector and sixty-nine per cent work within their family unit. In addition, approximately 73 million children are considered to be involved in hazardous work that can potentially put in danger their health, safety and moral development (ILO, 2017: 11). As mentioned earlier child labour is more prevalent in low-income countries, nevertheless, it cannot be validated as the only reason for child labour. Nine per cent of all children in lower-middle-income countries and seven per cent of all children in upper-middle-income countries are involved in child labour. Therefore, while the main focus is to fight child labour in a low-income country, those are not the exclusive focus in this fight. Family and community poverty, as well as social exclusion, are defined as the cause of child labour (ibid: 33).

The agricultural sector is responsible for the largest share of child labour, accounting for seventy-one per cent of all those in child labour. Child labour in agriculture is associated with subsistence and commercial farming and livestock herding as well as

fishing. This type of child labour is unpaid and occurs within a family (ILO, 2017: 34). In fact, more than two-thirds of all children involved in child labour work as contributing family labourers, which establish that child labour is not exacted only by employers, since children do not have to be in an employment relationship with a third party employer to be considered as involved in child labour practices. Agriculture represents the field for the youngest group of child labour (5-11 years old). Thus, child labour in agriculture involves mainly younger children, on the other hand, child labour in industry encompasses older children and child labour in services affects children from all age ranges proportionately (ibid: 36-40). In concern of child labour and school attendance, sixty-eight per cent of children involved in child labour practices attend school. Yet, this high percentage cannot be considered as evidence of compatibility between child labour and education. Thus, those involved in child labour generally perform poorly in terms of learning achievements, struggle with school attendance and tend to stay behind their non-worker peers in terms of grade progression (ibid: 48).

Child labour is a hazardous practice that if seen through the capability approach lenses where this theory is focused not on explaining poverty, inequality or well-being but as a form of evaluation and conceptualization of these phenomena. The policies and evaluations should focus on what people are able to do and be, on the quality of life, as well as on removing obstacles from peoples' lives in order for them to have more freedom to live the kind of life that, upon reflection, they have reason to value (Robeyns, 2005: 94). This ILO report offers several policy responses in order to achieve the results mentioned earlier. Mainly it promotes the idea of a dialogue between governments and workers and employers' organizations as a necessary response in order to develop appropriate and responsive national and sectorial public policies. It highlights the need for efficient policies that will affect people in their communities, in particular policies concerning labour markets, enterprise development, social protection, public services which includes education and the protection of all fundamental rights at work which stands for making decent work conditions for adults and young people (ILO, 2017: 56).

Child labour as a form of modern slavery constitutes a violation of human rights and denies multiple functionings and freedoms. A persons' capability of freely choosing and accomplishing valuable functionings, which leads to a person's freedom of choosing one type of life or another can be considered as in this case impaired. In addition, the three types of capabilities as presented by Martha Nussbaum, are compromised as well. Basic and internal capabilities are not being developed in an educational environment

where a child can explore their talents and further chose a professional path that he or she desires. When put in a work environment, a child has no agency freedom as in the majority of times he or she was put in the labour situation forcibly. Thus, combined capabilities are not acquired since predominantly child labour occurs in low-income countries, the political environment does not reinforce the development of these capabilities. Additionally, the negative freedom as defined by Amartya Sen is being compromised in the case of child labour. Hence, as established earlier poverty is the main cause of modern slavery which causes the families to have trouble in affording food or accommodation.

#### [Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences](#)

This report is included in the part of the analysis for the reason for a better understanding of how modern slavery is being accepted in Brazil as a social, political, economic and development problem. Alongside with the goal to investigate if the policies for slavery eradication are effective and if they tackle the issues connected with well-being and human development.

Brazil is part of several international conventions that expressly prohibit contemporary forms of slavery, including the Slavery Convention and Protocol amending the Slavery Convention and many others, as well as being part of relevant international human rights conventions. In 2003 Brazil institutionalized the definition of forced labour that goes beyond the international definition, therefore internal trafficking, degrading conditions of work and debt bondage are included. In the 149 article of the Penal Code of Brazil slave labour is classified as forbidden (Shahinian, 2010: 4-6).

The causes of modern slavery in the rural sector in Brazil are intrinsically associated with poverty. Landless, jobless individuals are not able to support themselves and their families which causes some of them to give into exploitation and taking the risk of submitting themselves into situations of inhuman living and degrading human conditions. Mostly the workers are recruited from the states that are characterized by extreme poverty, high levels of illiteracy and rural unemployment. In fact, some workers experience physical, sexual and verbal abuse in addition to inadequate, unhygienic and unsafe working conditions (Shahinian, 2010: 6-8).

In a large number of cases, workers who already experienced violence and exploitation in a working place, they are aware of the high probability of being exploited.

However, because of their economic situation and desperation for work they have to accept the situation. By looking at this condition through the concept of ‘well-being’ the idea of ‘adaptation’ defined by Amartya Sen, is extremely relevant in this context. A very deprived person, that is living a very reduced life, is accepting and moderates the personal desires and expectations to a “modest – ‘realistic’ - proportions” (Sen, 1990: 45). Another type of adaptation that is considered by Sen and other authors including Martha Nussbaum, “involves various kinds of social conditioning, most notably religious and cultural forms of indoctrination” (Clark, 2009: 24). Therefore, these authors share the concern that cultural and religious ideas may affect how the poor and deprived justify their suffering and degrading working conditions.

It is noteworthy that the Catholic Church has a very strong influence in Brazilian society and represents the dominant religious faith. For the majority of Brazilians (Ogland & Hinojosa, 2012). Religion is a very important aspect in Brazilian society, thus in 2000, Catholics represented 73.89% of the population (Esperandio & Marques, 2015: 256). Although religion is an important component of Brazilian society, it will not be furtherly explored since that is not the goal of this paper. Nonetheless, it is important to highlight for a better understanding of the Sen’s idea of ‘adaptation’. Sen argues about the concerning notion that cultural and religious ideas can influence the poor and deprived individuals to accept and even find justification for their way in life (Clark, 2009: 24).

Sen’s Capability Approach main idea of a person having the freedom of choosing the life he or she has the reason to value, relies on the possibility of a persons’ capabilities being developed. Therefore, “is the people directly involved who must have the opportunity to participate in deciding what should be chosen” (Sen 1999: 31-32). However, the ability to choose and to decide can be conditioned by the lack of education, knowledge, in the ability to experience different possibilities and in making rational choices for ones’ life. As was stated before a large number of workers who end up in exploitative work conditions are the ones who are lacking education and economic stability, thus they see no other choice than accepting risky job opportunities.

## Chapter 8: Discussion

In this chapter two main themes will be discussed. Firstly, international conventions and policies will be highlighted as fighting mechanisms against modern



slavery, followed by two more local examples of the United Kingdom and Brazil. In addition, will be suggested a different type of fighting strategies to eradicate modern slavery practices. Followed by considerations of why it is important to choose the right methods to study this subject, the importance to have accurate data and how it can be considered as a gap in this field of social studies.

### What is being done and what needs to be done

In order to eradicate modern slavery and exploitation situations where the individuals are oppressed, dishonoured and degraded for profit, measures are being taken worldwide.

Numerous international treaties were created to safeguard human rights. In specific to the issue, since 1945 many matters associated with trafficking have been included in many international instruments. The codification of the definition of trafficking in persons took place in the 2000 United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children. Another crucial convention was created to fight child labour: 1989 Convention on the Rights of the Child, followed by the 1999 Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. Amongst others, the Convention of the Elimination of all Forms of Discrimination against Women was created in 1967, which is a human rights treaty that deals specifically with women's rights and how to protect them (Heuman & Burnard, 2010: 333). Due to the existence of numerous treaties, only a small number of these I decided to include in this part, however, it is important to highlight that United Nations created many resolutions in order to condemn the exploitation of a human being at an international level.

The role of the International Labour Organization (ILO) cannot be underestimated since this organization has adopted some conventions that deal specifically with issues of forced labour, child labour and the employment of migrant workers. Such as the Abolition of Forced Labour, adopted in 1957 which stipulates that forced labour cannot be "used for economic development, or as means of political education, discrimination, labour discipline or punishment for having participated in strikes." (Scarpa, 2008: 129). In addition, the European Union (UE) since the European Conference on Preventing and Combating Trafficking in Human Beings, which was in 2002, was fundamental in initiating a radical change of the EU policy concerning trafficking in persons, this was

demonstrated by setting up of the European Commission Experts Group in Persons in 2003 (ibid: 171).

On a governmental level, some countries such as the UK with a Modern Slavery Act 2015 which stresses the importance of victim identification and protection with the purpose of being able to increase the effectiveness of investigations and prosecutions. With the announcement of this Act, United Kingdom took a leading step in fighting modern slavery with the “aim to strengthen the legislative, policy and operational response to combating modern slavery and as such set an important legal and policy precedent.” (Weatherburn, 2016).

In recent years, the concern about the issue of modern slavery has grown among legislators. In 2005 Brazilian government introduced a voluntary multi-stakeholder initiative (MSI) labelled as National Pact for the Eradication of Slave Labour in collaboration with ILO. The goal is to engage signatory companies in an effort to eradicate slave labour from their supply chains, thus these companies should commit to cutting ties with businesses that use slavery. It is noteworthy that more than 400 companies are bound with this initiative. In addition, the Brazilian Ministry of Labour has joined the initiative of eradicating slave labour with the creation of a ‘dirty list’ (Lista Suja de Trabalho Escravo), which is updated every six months. “Dirty list” presents a list of names of individuals and corporations considered as responsible for situations of slavery, the ones who are pondered as guilty are subjected to sanctions, such as preventing them from getting access to public funds (Gold, Trautrim & Trodd, 2015: 486).

In order to try to tackle the problem of poverty, the Brazilian government created many initiatives to help those who suffered from exploitation practices. Victims of modern slavery have benefitted from the promotion of literary and training initiatives as well as access to cash-transfer programs such as Bolsa Familia, which aims to reduce economic inequality through the provision of cash transfers. In those cases, the Ministry of Labour supports workers through money transfers in the form of unemployment insurance. Workers that were rescued from activities related to modern slavery such as forced labour are entitled to this benefit (Global Slavery Index, 2019).

However, the conventions and policies appear to be insufficient in eradicating modern slavery. The numbers continue to grow, and there is a very small number of convicted cases involving modern slavery. What is lacking are concrete measures that tackle the roots of the problem: poverty. “The poor must be integrated more directly and equitably into the global economy” (Kara, 2017: 258). Thus, there have to be reasonable

alternatives to servitude, as well as the endorsement of the income reliability and human development of impoverished people everywhere. Imbalanced global economic forces and trade barriers marginalise the poor in developing countries and keep them from participating fully and equitably in the global economy. Governments should create and expand initiatives designed to integrate the poor into markets, without exploitative intermediaries (ibid: 258-259). In addition, the absence of reliable and sufficient credit sources pushes many poor people to take loans from dishonest lenders and traffickers, which can result in debt bondage. Therefore, microcredit is considered a powerful tool for poverty alleviation as well as for the prevention of debt bondage. This type of initiative includes programs of savings and self-help groups, business training, and low cost of borrowing that have already helped lift millions of people out of poverty (ibid: 257-258).

The control over migration must be applied since the current process and governance of labour migration feeds directly into labour trafficking and debt bondage. There are multiple factors to consider when current migration is being debated: migration flows are structurally embedded in the economies and societies of most countries, making them almost impossible to stop; in an era of globalization that we live in, states are confronted with a dilemma because borders must remain open to international trade or tourism for example (Nieuwenhuys & Pécoud, 2007: 1676). Therefore, actions such as the elimination of fees for foreign worker placement and improvement in coordination between countries that send workers and countries who receive these workers in order to protect them. Strict laws must be enforced globally to assure basic workers' training, medical checks, travel documents, etc. In addition, fully transparent and regulated agreements between sending and receiving countries must be established with the intent of enforcing all labour laws as well as the development of protective mechanisms to ensure migrants are not exploited and they have full access to rights, protections, recompense, and justice (Kara, 2017: 263).

Education plays a crucial role in preventing slavery, in concrete girls should be educated through the age of eighteen. It is noteworthy that the attendance rates for children in school must be improved, however, the discrepancy in numbers between boys and girls remains especially concerning, which increases girls' vulnerability to various forms of exploitation. Especially in rural poor family child labour is the only solution for a family's survival (Da Silva Junior & Sampaio, 2010). Therefore, it is important to establish special educational programs for groups of children who are at risk of being exploited, where it is provided help to lift out of poverty the families of these children

and to assure that children are being educated. “This type of program should be scaled globally because there is no greater preventative tool to slavery than education.” (Kara, 2017: 260).

In order to fulfil the goals mentioned above the access to current information and numbers is crucial. Therefore, this issue will be discussed in the next sub-theme.

### Why numbers matter

Quantification offers concrete numerical information that compares the ranking of countries, cities, job applications, etc. Thus, it allows to organize and simplify knowledge, which enables decision making in the absence of more detailed, contextual information. In addition, by categorizing numbers and creating correlations it is possible to produce complex representations of social phenomena, such as good governance or the rule of law. Therefore, with the rising interest in global indicators, the local knowledge in deciding what to count and measure is often disregarded (Merry, 2016: 1-3). The existence of the “disparity between qualitative and locally informed systems of knowledge production and more quantified systems with global reach” can result in producing knowledge that is partial, distorted and misleading (ibid: 3).

Quantitative measures are a very useful tool in regard to provide precise data such as in the form of statistics, which allows policymakers, government officials and the general public to make informed decisions. These indicators offer rational, technological knowledge that is impartial and the product of expertise (Merry, 2016: 3-4). Thus, in this thesis, official reports based on quantified knowledge were analysed in order to provide the material that is unbiased or influenced by third parties. Since modern slavery covers a large number of variables the choice of this type of material can be considered as pertinent. However, the production of quantified measurements is not always as open and transparent as it should be. Especially if considering that quantification can be political or ideological (Cingranelli, 2017). In addition, various flaws are present in every method, therefore in this discussion part, I decided that it would be pertinent to include the critique of how the topic of modern slavery is being studied and presented worldwide including in Brazil, and to analyse why some numbers of modern slavery can be considered as exaggerated.

Modern slavery encompasses illicit activities thus, it is difficult to obtain accurate data. For instance, in the case of the organization End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes claimed there were 800,000 child prostitutes in Thailand in 1997. On the other hand, other NGOs and journalists were claiming that there were 4 million sex workers in Thailand. Yet, if these numbers were accurate, it would mean that 24% of the female population of Thailand (considering the group of the ages between 10 and 39) were involved in commercial sex work. Which makes this proposition very problematic. The reason for this exaggeration of numbers could be for the international organizations, NGO's and governments to take the issue as seriously as possible and adopt concrete measures, especially in matters as sensitive as child work and child trafficking (Feingold, 2011: 51).

Estimations by organizations such as the UN, where it is presented that approximately 1 million girls are forced into the sex industry each year, and according to UNICEF statistics of \$10 billion a year is the profit of sex trafficking children. The numbers that are revealed are colossal, nevertheless, the questions of "Where did these figures come from? How were they derived? If 1 million girls are forced into the sex industry each year, how many leave? For how long 1 million girls have each year been forced into the sex industry?" arise (Feingold, 2011: 51). The estimates of the International Labour Organization for the profits of trafficked forced labourers are around \$32 billion for one year, however, it is not clear from where these figures derived. This type of questions is not to suggest that illicit activities such as human trafficking are not a serious problem and should not be treated as a major public concern, but to stress that the numbers presented can be considered as suspicious, nevertheless, these numbers are popularized and rarely critically scrutinized, and it is possible to observe a strong push in accepting these numbers instead of challenge and critique them (Andreas, 2011: 33).

The previously mention condition demonstrates the challenge of studying and quantifying illicit phenomena, where numbers and statistics presented to the public raise many doubts. Therefore, the major gap in modern slavery studies is the lack of the possibility to calculate accurate numbers of those who are involved in activities associated with modern slavery. More commonly the statistics from quantitative measures are accepted and used by scholars. However, with the facts presented earlier, statistics cannot be assumed as a hundred percent accurate, therefore, possibly the usage of local knowledge in addition to statistical data can be a useful tool for more consistent

information. The correct numbers are vital for the purpose of coherent responses for the phenomenon of modern slavery, and elaboration of effective policies to fight it.

## Chapter 9: Conclusion

Modern slavery constitutes a major global problem. This practice did not cease to exist after its' abolition. However, slavery from colonial times and modern-day slavery present numerous nuances that differentiate them. In contemporary practices of slavery, the concept of 'ownership' is no longer as relevant as in colonial times slavery. The increase of the world population caused a growing demand and an oversupply of potential slaves. This oversupply and the resulting decrease in the value of slaves resulted in shifting of the model of how slaves were being operated. In new forms of slavery, the use of slaves is common to be for a short period, legal ownership is no longer possible, modern-day slaves are a source of very high profits and ethnic differences have no longer major importance.

In terms of modern slavery in Brazil, it is possible to conclude that this country possesses several features that allow modern slavery practices to thrive. A high level of economic inequality qualifies Brazil as one of the fifteen most unequal countries in the world, with a high percentage of poverty. In addition, the existence of high regional and racial inequality. Concerning indigenous communities, these are situated in a particularly precarious situation regarding health care, education, land property. One of the main obstacles for Brazilian development is the existence of high levels of corruption. Corruption is highly present in the Brazilian political system, within federal, state and municipal levels and across all branches of government. Corruption can be considered as one of the main causes of income inequality distribution and high levels of poverty. Thus, Brazil is considered to be a very unequal country, where a significant part of the population does not have access to minimum conditions of dignity and citizenship. Therefore, high levels of forced labour and child labour can be observed in Brazil. In order to stop and fight these exploitative practices, policies and joint actions are being taken by the Brazilian government along with the International Labour Organization and the United Nations.

However, since the number of modern-day slaves continues to grow, and the percentage of convicted cases is very low, a more effective response is needed. It is

important to educate, inform, and motivate the public into an appropriate response concerning the issue of modern slavery.

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