

Women and Labor in Brazil: the history of an issue and prospects for the future¹ —

CRISTINA BRUSCHINI

Translation by CHRISTOPHER PETERSON

The issue of women and labor was the point of departure for studies on women in the Brazilian academe. In the late 1960s and early 1970s, studies that became classics in the literature on women, such as those by Saffioti² and Blay³, approached the labor issue and quickly became obligatory references in Brazilian universities. The Brazilian Society for the Advancement of Science (SBPC), which had become a major political forum in the early 1970s for lack of alternative spaces, included women's studies in its program in 1972, with emphasis on the labor issue. At the Carlos Chagas Foundation, whose Research Department began to open up to the issue beginning

with a concern for educational issues, seminars were held on women's conditions. In the first such debate, in 1974, the issue of women and labor was discussed on the basis of an analysis of Saffioti's book, *A Mulher na Sociedade de Classes* (Women in Class Society). The year 1975, International Women's Year, was a milestone in that there was a major boost in production of studies on the issue.

Still, as Costa, Barroso, and Sarti pointed out⁴, it was the appearance of feminism as a social movement that laid the groundwork for the legitimacy of women's conditions as an object of study. According to these authors, the existence of an organized women's movement established a historical turning point, where after scholarly production on women in the Social Sciences became broader and more critical. Although not all researchers involved in the issue declared themselves feminists or adhered to feminism, the latter legitimized the issue as a scientific question. While interest and research flourished, groups were formed to reflect and raise political demands.

Among a number of other topics related to the women's condition, the labor issue was a priority in gender studies, having been the first to receive a stamp of legitimacy, even in Brazilian universities. This probably occurred in the first place because labor has always been a predominant theme in sociological theory. Second, it was an important theme for feminism, which realized its potential for change. In the North American and European schools, which greatly influenced women's movements in

¹ Paper presented at the seminar Challenges to Feminism, organized by the National Historical Museum, Interdisciplinary Center for Contemporary Studies (CIEC/UFRJ), and *Revista Estudos Feministas* in Rio de Janeiro, May 20-21, 1993, and in the seminar Dilemmas and Perspectives for Gender Studies in the 1990s, at the 17th Annual Meeting of ANPOCS, Caxambu, Minas Gerais, Brazil, October 22-25, 1993, with the title *Feminism, Women's Studies, and Female Labor: pathways and prospects for the future*.

² SAFFIOTI, Heleieth. *A Mulher na Sociedade de Classes: mito e realidade*. São Paulo: Livraria Quatro Artes, 1969.

³ BLAY, Eva. *A Mulher e o Trabalho Qualificado na Indústria Brasileira*. São Paulo: USP - Department of Social Sciences, School of Philosophy, Literature, and Human Sciences, 1972 (doctoral thesis, later published by Editora Ática under the title *Trabalho Domestocado: a mulher na indústria paulista*, 1978).

⁴ COSTA, Albertina de O., BARROSO, Carmen, & SARTI, Cynthia. *Pesquisa Sobre Mulher no Brasil - do limbo ao gueto? Cadernos de Pesquisa*, (54), São Paulo: Fundação Carlos Chagas/Cortex, 1985, p. 5-15.

Brazil, paid labor was seen as a possible strategy for the emancipation of housewives from their subordinate role in the family. Sarti⁵ recalls that the idea that the root of women's subordination lies in their exclusion from the world of production was the foundation for feminism, both in its liberal and Marxist versions, thus constituting an importance reference for making female labor a theoretical issue. As a legacy from the Marxist tradition, Sarti goes on, Brazilian feminism considered women workers the main agents for changing women's condition, thus pushing the interest in research on women towards a convergence with the labor issue, which in itself had a guaranteed legitimacy in academe, where analysis of the mode of production in capitalist society held a place of prestige. As Costa, Barroso, and Sarti recall⁶, in a first quality leap, 1978 was a new milestone, with two pioneering and promising initiatives: the seminar Women in the Labor Force in Latin America and the Research Contest on Women's Studies held by the Carlos Chagas Foundation.

Organized by IUPERJ and coordinated by Neuma Aguiar, the seminar Women in the Labor Force in Latin America brought together researchers from all over Latin America in Rio de Janeiro with the purpose of debating the issue of women's labor based on two considerations: the first, of a theoretical order, stated that the economic activities carried out predominantly by women were not adequately perceived within the Marxist theoretical framework, which prevailed in Latin American universities in the 1970s. Based on applied research, some of which adopted qualitative methodologies or case studies and others of which were based on census or macrosocial data of another nature, proposals brought to the seminar aimed to discuss Marxism's inadequacy or

insufficiency for grasping and analyzing female labor and overcomes such deficiencies. A second, methodological consideration called attention to the inadequacy of available data-gathering instruments for grasping information on women's labor. Representatives from official Brazilian and International agencies such as the Brazilian Geographical and Statistical Institute (IBGE), the International Labor Organization (ILO), and the Economic Commission for Latin America and the Caribbean (CEPAL), took part in the debates, which proposed to reformulate concepts and analyze prevailing data-gathering instruments in order to foster the visibility of women's social participation.

The first of a series that has continued to this day, the Research Contest on Women organized by the Carlos Chagas Foundation and sponsored by the Ford Foundation offered an opportunity for doing research on the condition of women. During the 1978 contest, of the 127 research projects submitted, 52 (40.9%) focused on the labor issue. Of the 20 projects approved, nine analyzed the theme of women's labor from various perspectives. Two anthologies containing the results of the winning research projects were published, one of which, *Trabalhadoras do Brasil* (Working Women in Brazil), was devoted entirely to the issue of female labor.

Costa and Bruschini⁷ analyzed scholarly production on gender in the journal *Cadernos de Pesquisa*, published by the Carlos Chagas Foundation. Over the course of 20 years, gender represented some 14% of a total of 550 articles published by 1991. The two authors showed that since 1975, when the women's issue made a place in this publication, beginning with a special commemorative issue for international Women's Year, labor was one of the priority issues, having been the focus of 20 out of 70 articles analyzed. The angles by which

⁵ SARTI, Cynthia. *Trabalho Feminino: de olho na literatura. Literatura Econômica*, 7 (1), INPES, Economic and Social Planning Institute, Rio de Janeiro, 1985, p. 1-196.

⁶ COSTA, Albertina de O., BARROSO, Carmem, & SARTI, Cynthia. Op. cit..

⁷ COSTA, Albertina de O. & BRUSCHINI, Cristina. Uma Contribuição Ímpar: os cadernos de pesquisa e a consolidação dos estudos de gênero. *Cadernos de Pesquisa*, (80), São Paulo, Fundação Carlos Chagas: Cortez, Feb. 1992, p. 91-99.

women's activity was perceived followed trends on the analysis of women's labor as expressed in women's studies in general, concentrating initially on macrosocial analyses of women's participation in the labor market and only later incorporating the necessary articulation between work and family.

The main trends in the theoretical debate on women's labor

A brief analysis of the main trends in the theoretical debate on the issue of women's labor shows that the roadblocks caused by a certain perception of women's participation in Brazilian society (with a bias towards production) did not take long to appear. While the liberating role of paid female labor in underdeveloped countries was challenged⁸, attention was called to the lack of references to women's reproductive role in the majority of these studies.

In the introduction to her analysis of studies on women's labor up until 1976 and summed up in her annotated bibliography on Brazilian women, Maria Moraes pointed out that "...the labor force is not a neuter category defined exclusively in opposition to capital, which commands the productive process. In real life, a worker's gender helps define the very quality of the relationship between Labor and Capital: women constitute a *sui generis* portion of the labor force, experiencing a double subordination to Man and Capital... Those who promise women that discrimination will no longer exist the day they occupy the same positions as men in paid production make the basic mistake of limiting the concept of work to paid work, excluding from this 'noble category' a major portion of the work activities done by women... To speak of women and exclude domestic labor is thus a way of distorting the daily reality of the female sex."⁹

In the introduction written by its organizers, the anthology *Trabalhadoras do Brasil* (Working Women in Brazil) also raised crucial questions which were to be debated in the years to follow. With a text containing considerable information on women's participation in the Brazilian labor market, they state: "...we seek to call the attention of readers to the need to broaden the concept of work, in order for it to more correctly estimate the volume of activities carried out daily by women and that are indispensable for social production. We also call attention to the need to consider the working woman as a person occupying a position within a domestic unit, which in turn is part of a broader social structure. Without taking these questions into consideration, it will be impossible to comprehend the situation of Brazilian working women."¹⁰

Indeed, an analysis of the main trends in the theoretical debate on women's labor in Brazil shows that while the initial concern focused on the incorporation of women into the labor market or their expulsion from it under the effects of Capital, studies gradually displayed greater sensitivity towards cultural and symbolic factors which also help explain women's subordination, in addition to their insertion in the space of family reproduction. In her review of the literature on the topic, Sarti¹¹ shows how the first generation of studies focused exclusively on a production perspective, without taking into account the fact that the place women occupy in society is also determined by their role in the family. Later, an analysis of women's condition based on their role in the reproduction of the work force also had considerable weight in scholarly production on the topic, giving rise to the first discussions on domestic labor. Yet according to the author, research on female labor actually took a new direction when it began to focus on the

⁸ RODRIGUES, Jessita M.. *A Mulher Operária - um estudo sobre as tecelãs*. São Paulo: Hucitec, 1979.

⁹ *Mulher Brasileira - Bibliografia Anotada 2*, São Paulo: Fundação Carlos Chagas, Brasiliense, 1981, p. 34-35.

¹⁰ BRUSCHINI, Cristina & ROSEMBERG, Fúlvica (org.). *Trabalhadoras do Brasil*. São Paulo: Brasiliense, Fundação Carlos Chagas, 1982, p. 21.

¹¹ SARTI, Cynthia. Op. cit..

articulation between production and the family. According to her, the work experience also implies a combination of these two spheres, through either interweaving or juxtaposition.

In later years, the backdrop for studies on women and labor was the noteworthy increase in the female work force observed in data from the 1980 Census, and these studies challenged prior research on the theme, according to which industrial development and economic growth do not necessarily increase women's participation in the labor force.¹² A new quality leap occurred through studies conceiving of female labor based on the notion of the sexual division of labor. According to this line of reasoning, expressed in studies such as those by Hirata and Humphrey¹³, among others, which seek a more general explanation on the functioning of the capitalist market, organization of the production process and labor relies on preexisting social gender relations prevailing in all social spheres, including the factory and the family.

Describing theoretical production on the issue of female labor based on an analysis of papers presented in the Working Group (set up in 1979) on Women in the Labor Force, at ANPOCS (the Brazilian National Association for Post-Graduate Studies in the Social Sciences). Lavinás and Castro¹⁴ also mention that the initial studies sought to break with the invisibility, silence, and underestimation of female labor, concentrating on economic variables and pointing to wage inequality, occupational segregation, and discrimination. In the late

1980s there was a new trend in the articles presented in this Working Group in the sense of reflecting on power relations and male domination. A reading of more than one hundred articles written over the course of ten years indicates that the discussion on women and work in this academic forum tended towards a proposal to analyze social gender relations and undertaking a critique of dichotomous explanations.

It is now possible to state that any analysis of women's labor which seeks to break with old dichotomies must be aware of the articulation between production and reproduction as well as social gender relations. While the field is relatively ripe, studies on women and labor still seek to overcome theoretical impasses emerging with the introduction of the gender concept. According to Castro¹⁵, "...beginning with the focus on gender... the debate was redirected towards the human, diversified, and asymmetrical sphere in terms of relations between the sexes, with due care to ensure recognition of man as being and woman as being. It is thus not an issue of replacing the history of man with a history of woman, nor of tracing two histories in parallel, but of understanding the dynamics of social relations as sexualized." Still, as the same author states further on, if other cleavages such as ethnicity and generation are not considered in addition to gender, one runs the risk of being stuck with conceptual idealizations.

Meanwhile, in other fields of knowledge, only recently have there been repercussions from the more innovative trends in the theoretical debate on female labor. Lobo¹⁶ shows that the discussion on this theme was

¹² SAFFIOTI, Helelieth. Op. cit.; BLAY, Eva. Op. cit.; BRUSCHINI, Cristina. Sexualização das Ocupações: o caso brasileiro. *Cadernos de Pesquisa* (28). São Paulo: Fundação Carlos Chagas, March 1979.

¹³ HIRATA, Helena & HUMPHREY, John. O Emprego Industrial Feminino e a Crise Econômica Brasileira. *Revista de Economia Política*, (4), Oct.-Dec. 1984.

¹⁴ LAVINAS, Lena & CASTRO, Mary G.. Do Feminino ao Gênero: a construção de um objeto. In: COSTA, Albertina O. & BRUSCHINI, Cristina (org.). *Uma Questão de Gênero*. Rio de Janeiro: Rosa dos Tempos; São Paulo: Fundação Carlos Chagas, 1992.

¹⁵ CASTRO, Mary Garcia. O Conceito de Gênero e as Análises sobre Mulher e Trabalho: notas sobre impasses teóricos. *Cadernos CRH - Centro de Recursos Humanos*, (17), Salvador: Faculdade de Filosofia e Ciências Humanas da Universidade Federal da Bahia, 1992, p. 80-105 (94).

¹⁶ LOBO, Elisabeth Souza. O Trabalho como Linguagem: o gênero do trabalho. In: COSTA, Albertina O. & BRUSCHINI, Cristina (org.). *Uma Questão de Gênero*. Rio de Janeiro: Rosa dos Tempos; São Paulo: Fundação Carlos Chagas, 1992.

not even a concern for the Sociology of Labor, where studies on industrialization and the working class (still the central issues) remained impermeable to the gender make-up of the Brazilian labor force. It was only in the 1980s, when researchers already studying female labor began to analyze the sexual division of labor in the factory, that the use of the category gender began to be examined in this field of Sociology, which began to incorporate issues such as the various dynamics in the make-up of male and female professional positions and their mutual non-permutability.

The impact of the theoretical debate on visibility of female labor

While the first studies on the issue of women and labor were willing to use quantitative data and were sensitive to the gaps in available sources¹⁷, this trend did not persist in the majority of the studies done in subsequent years. While the association with the feminist movement provided the issue with legitimacy, it also led to a certain reluctance towards the use of quantitative methodologies.¹⁸ Since quantitative methods had gained their greatest impulse through opinion polls, surveys, and primary elections in the United States, they were mistakenly identified with the positivist, neutral, and objective sociology prevailing in that country. They were thus viewed with a certain distaste in feminist studies, which proposed a kind of knowledge committed to changing the condition of women, focusing on qualitative studies, life histories, and participatory research.¹⁹

¹⁷ AGUIAR, Neuma (coordinator). *Mulheres na Força de Trabalho na América Latina: análises quantitativas*. Petrópolis: Vozes, 1984; BARROSO, Carmem L.M. & MELLO, Guiomar N.. O Acesso das Mulheres ao Ensino Superior Brasileiro. *Cadernos de Pesquisa*, (15). São Paulo: Fundação Carlos Chagas, Dec. 1975, p. 47-77; MIRANDA, Glaura V.. A Educação da Mulher Brasileira e sua Participação nas Atividades Econômicas em 1970. *Cadernos de Pesquisa*, (15). São Paulo: Fundação Carlos Chagas, Dec. 1975, p. 21-36; BLAY, Eva, Op. cit.; SAFFIOTI, Heleith. Op. cit..

¹⁸ CAPELLER, Wanda M.L. (org.). *A Metodologia de Estudos sobre Mulher*. Rio de Janeiro: Epiduc, 1982.

¹⁹ BRUSCHINI, Cristina. O Uso de Abordagens Quan-

Fortunately, however, even some of the first studies on female labor focused on a critique of existing macro-social indicators, raising a concern over both the paucity of available data and their inadequacy for a precise assessment of women's situation. The IUPERJ seminar in 1978 was a veritable milestone in this sense. In the introduction to the book *Mulheres na Força de Trabalho na América Latina: análises qualitativas* (Women in the Labor Force in Latin America: qualitative analysis), which includes several of the papers presented at the seminar, there is an exploratory guide for understanding female labor. Most of the critique refers to the inadequate measurement of women's labor. According to this criticism, the influence of international agencies in the data-gathering process leads to the use of categories that are more appropriate for developed countries than those of Latin America, where capitalism coexists with other modes of production. Latin American censuses take capitalist industrial production as their reference, thus disguising domestic production, small mercantile production, and non-paid family labor, which are particularly applicable to women. Domestic production of food and clothing is disguised as part of domestic activities and is thus omitted from the official statistics. The ways in which questions on women's activities are formulated cover up data, and women's labor is underrepresented. The period of time used as a reference to determine whether a person is economically active or not affects the volume of activity revealed by a given study. The broader the period used, the greater the rural female component is, since this contingent does a considerable amount of seasonal labor. The number of hours also affects estimation of female labor; it was the participants in the IUPERJ seminar who suggested that part-time work and secondary activities be considered in surveys. Another important

titativas em Pesquisas sobre Relações de Gênero. In: COSTA, Albertina O. & BRUSCHINI, Cristina (org.). *Uma Questão de Gênero*. Rio de Janeiro: Rosa dos Tempos; São Paulo: Fundação Carlos Chagas, 1992..

suggestion referred to the concept of *life cycle*, including the total time that the individual had been married or cohabiting, spouse's average age, and number and age of sons and daughters, in order to better understand female activity. Identification of activities done in the home, through budget-time analyses, was also proposed for detecting the volume of family labor, particularly for women. For the first time, criticism was aimed at the household model of family and the concept of Head of Household, and there was an intense debate over the fact that the latter disguises both women's authority in the home and the activities they carry out with a market orientation.

While not all of these suggestions were incorporated into the field of study, the IUPERJ seminar was to have a visible impact on data-gathering by official agencies in subsequent years, as the following will show. A good example of this multiplying effect was the 1982 report *Perfil Estatístico de Crianças e Mães no Brasil* (Statistical Profile of Children and Mothers in Brazil), the result of an agreement between the Brazilian Geographical and Statistical Institute (IBGE) and UNICEF which is still in force today.

Thanks to efforts by researchers with positions as experts at IBGE and who participated in the IUPERJ seminar, a meeting was held in the town of Friburgo, Rio de Janeiro, in June 1981, where experts and researchers proposed a tabular plan that was sensitive to the condition of women, children, and families. While the tables in the Statistical Profile were limited to the years 1970 and 1977, since results of the 1980 census were still not available, they had the innovative impact of allowing for an analysis of women's economic activity according to vital indicators such as marriage status and number of children. In the 1980 Brazilian census, there were at least two major contributions from theoretical and methodological reflections on female labor. The first relates to the concept of economic activity versus inactivity. In the census data, the economically inactive category includes individuals who do not work,

whether because they have independent incomes or because they are considered incapable, as retired, pension-earning, sick, or disabled, or as students or housewives. Despite the enormous volume of activity disguised under the label of Housework and which keeps women from all different social strata occupied, domestic labor is not tallied as economic activity under this kind of survey. In addition, since women's reproductive role is highly publicized and socially accepted, the category of housewife is generally declared as the woman's main occupation, unless she exercises activities which are clearly identified as professional because they are either paid or take up the greater share of her time. This bias can also be aggravated by the way questions are worded and the interviewer's own stance as a person imbued with prejudices concerning woman's role in society, thus tending to classify her primarily in the housewife category. In the 1970 Brazilian census, poor wording in the question on work added further to the underestimation of women's economic activity. Beginning with a double negative, Question 22²⁰ presents Housework as the first alternative, which may have led many women to declare themselves economically inactive, since for women (particularly if they are married and have children), the reproductive role is considered the top priority. In the 1980 census, the question was reformulated by broadening the reference period and changing the order of the alternative answers²¹, and there was a significant increase in the number of women who declared themselves workers. Another important contribution to the 1980

²⁰ If you do not work and are not looking for work, what do you consider your main occupation?

²¹ Have you worked in the last 12 months, from September 1, 1979, to August 31, 1980? Question 28: If you answered Yes, check the square (that you have worked) and go on to question 30 (what occupation you exercised habitually during this period). If you answered No, indicate your situation or occupation, according to the following order (the alternative domestic chores appears as the eighth alternative).

census from the first studies on female labor has to do with the concept of Head of Family. Up to and including the 1970 census, the head of the household was always considered to be the man, even if he was not the provider. Census-takers received instructions to classify women as heads of families only if they were widows, legally separated, or living some other kind of situation where the male provider was absent. During the 1970s, criticism by gender studies led to a significant change in the way these data were gathered. Beginning with the 1980 census, interviewers received instructions to let the interviewee designate the person who she/he believed to head the family.²²

Far from having reached an ideal situation – suffice it to recall that the 1990 census was only carried out in 1991 and that the results have still not been published – the way information on the presence of women in economic activities is gathered appears to have benefited from the impact of a critical assessment of the conceptual framework and methodologies adopted. More fluid and difficult-to-measure effects must also be occurring as a consequence of the effects of feminism on the mass media and social representation: more women are becoming aware of their productive role and are declaring themselves workers, more census-takers are sensitive enough to perceive whether an interviewee is more than a housewife to be classified in the Inactive/Housework category.

In addition, although existing data are insufficient, they have allowed for useful information on female labor to be obtained. Based on overall, official data, it has been possible to recognize some characteristics of working women and their participation in the labor market and to challenge certain hypotheses concerning female labor which have no backing in Brazilian socio-economic dynamics. For example, data from the 1980 census showing a major expansion in the entry of women into the labor market in the 1970s – a decade

marked by industrialization and economic growth – helped challenge the thesis that women would be excluded from the labor market with the expansion of capitalism, a notion that prevailed in the first generation of studies on female labor in Brazil. Later data pertaining to the 1980s – which, contrary to the 1970s, was marked by crises, unemployment, and high inflation – showed that the intense exodus of women towards the labor market did not retreat, thus contradicting the prevailing affirmation that women would be the first to be thrown out of the market during times of crisis.²³

In short, as we stated in a previous study, feminist critique of data and sources can and should be done in various stages, beginning with the search for information, as long as this search is based on a theoretical reference incorporating gender issues. As an example, recall that labor statistics stratified by Sex have always been present in the Brazilian censuses, National Sample Household Surveys (PNADs), and other sources, but that only after gender studies showed the importance of working women's position in the family in determining the ways in which they participate in the labor market did these data come to cross-analyzed in relation to others, concerning age, marriage status, and position in the family.²⁴

The impact of the theoretical debate and visibility of female labor on social and political demands

Reflection on women's work led to some gains in the production of sources of information, with a greater visibility for female labor. Yet it was in the field of public policies that the most considerable gains were achieved in terms of new rights written into the 1988 Constitution, as analyzed below.

Legislation on female labor prior to the new Constitution was based on premises such

²³ BRUSCHINI, Cristina. Crescimento e Crise: trabalho das brasileiras, paulistas e nordestinas, de 1970 a 1985. *Ciência e Cultura*, Volume 42, Issues 3/4, March-April 1990.

²⁴ BRUSCHINI, Cristina. Op. cit., 1992.

²² BRUSCHINI, Cristina. Op. cit.,

as women's frailty, defense of morality, protection of offspring, women's *natural* domestic calling, and the complementary nature of women's wages, all based on the ideal of the patriarchal family headed by the man, with the objective of protecting working women in their role as mothers. The legislation thus imposed a number of constraints on female labor. Over time, and dictated by technological changes, expansion of the labor market, and pressure from women workers, numerous changes were introduced, indicating that the law is always subject to critique and reformulation. At the same time, however, the law is not always enforced, besides not being applicable to a major portion of working women. A critical review of this labor legislation (which dates back to the 1930s and 1940s) began to be undertaken in the 1970s and culminated in the 1980s when various women's groups drafted proposals to be submitted to the National Constituent Assembly, through channels such as Women's Councils. In the São Paulo State Council on the Condition of Women, during 1987 and 1988 there was a weekly forum known as the Constitutional Space which debated existing legislation and - on the basis of more recent data on women's conditions - drafted State proposals that would later be taken to the Federal sphere. Incorporating various demands, the *Letter to Members of the Constituent Assembly* stated that legislation should be enforced and inspected and that any noncompliance should be strictly punished; furthermore, that benefits should be broadened to include occupational categories still not covered. Whatever benefits that in the name of protection for women ended up giving them privileges vis-à-vis workmates of the opposite sex should be reviewed in light of technological changes in work processes and occupational health. Discussions with women workers and other groups of women during the drafting process showed that there were two positions. One position favored equality of the sexes among workers, except in relation to maternity, thus defending elimination of

the protectionism contained in the law and keeping only the norms for protecting pregnant workers. The other position was in favor of maintaining differentiated criteria for the sexes, such as earlier retirement for women, based on the argument that since society is unequal and unfavorable in relation to women, they should receive some form of compensation. Equality and protection were thus the two opposing rallying cries during this major debate.²⁵

An analysis of Article 7, Chapter II, of the 1988 Constitution (*On social rights*) shows that several women's demands had been met. First, a certain protectionism was eliminated which had imposed constraints on women's labor, such as prohibition of nighttime, dangerous, or unhealthy labor, which ended up being forbidden for individuals under 18 years of age (section XXXIII). Second, by assuming the biological differences between the sexes and viewing maternity as a social role, the new Charter kept the right to maternity leave without loss of job or paying, extending the length to 120 days (section XVIII), established paternity leave (section XIX), and proposed free daycare centers and pre-schools for children and dependents of workers of both sexes, from birth to the age of six years (section XXV). The Constitution prohibits differences in wages, roles, and hiring criteria on the basis of sex, age, color, or marriage status (section XXX); proposes protection of women's labor market through specific incentives (section XX); and guaranteed that domestic workers (a category made up of a most exclusively of women and which in 1980 include 20% of all working women) were to receive all the same rights as other workers, in addition to be integrated into the Social Security system (specific clause).

Thus, a number of demands were met that had been formulated by women themselves on the basis of new knowledge about women's social situation. Despite reactions

²⁵ BRUSCHINI, Cristina. Trabalho da Mulher: igualdade ou proteção? *Cadernos de Pesquisa*, (61), São Paulo, Fundação Carlos Chagas, May 1987.

by various sectors of society and fears by women themselves that the new rights might lead to unemployment for women, their productive activity did not decline in the years to follow, even for those who had children. From 1988 to 1989, rates of participation by mothers in the labor market remained unchanged: 41.4% of them participated in the São Paulo labor market in 1988, while 41.9% did so the year after.²⁶ For those who challenged the relevance of such measures or pointed to their defects, there was ample evidence of concrete conditions for their success. Amongst other reasons, since the 1970s there had been a sharp drop in the birth rate all over the country, both in urban and rural areas; the low percentage of working women with signed working papers (only 54% in urban areas and 14% in rural areas) meant that few had access to labor rights; the low additional cost of new measures (0.09% for the extended maternity leave and 0.13% for paternity leave) according to a survey of 150 medium and large businesses by the National Confederation of Industries; and the lower wages paid to working women in comparison to colleagues of the opposite sex. Still, one of the strongest arguments in favor of the inevitability of the new measures and that was published by newspapers soon after the Constitution was passed was the sexual division of labor and the concentration of women workers in female occupational ghettos. The press coverage in São Paulo that we analyzed²⁷ included a curious story where the woman head of a major garment industry stated that it was impossible to change the labor profile, as divided up between males and females.

²⁶ Survey on Employment and Unemployment in Greater São Paulo. *Maternidade e Trabalho da Mulher na Grande São Paulo Depois da Nova Constituição*. São Paulo: Fundação Seade, n.º. 63, Dec.-Feb. 1990.

²⁷ BRUSCHINI, Cristina. Trabalho Feminino: conquistas e propostas (mimeo). Paper presented during the seminar Society, Policy, and Gender Relations, at the Symposium on Public Policies and Women's Condition in Contemporary Brazil. Universidade de São Paulo/Center for Studies on Social Gender Relations/Department of Sociology, June 1989.

illustrating that which gender studies had already been stating, particularly those dealing with the sexual division of labor, this woman stated that even if business people (under pressure from new social fringe benefits) wanted to fire women, they could hardly be expected to replace them with men, who would never adapt to sectors identified with the world of women, such as seamstry and garment-making.

Gains, impasses, and prospects for the future

Currently, in light of recent data on female labor, the major challenge for feminism and gender studies appears to be a resumption of the struggle on two fronts: that of equality between genders in the labor market and that of reproductive protection for women workers.

Available information as of 1990²⁸ show that women continue to enter the labor market and remain there, in addition to diversifying the positions they occupy. In 1990, 39.2% of Brazilian women were working and the number of working women had reached 23 million, 18 million of whom were concentrated in cities. From 1981 to 1990, eight million women entered the labor market, a constantly growing figure. Data also point to changes in the make-up of the female labor force and which may have significant consequences for policies to meet the needs of working women and their families: in the 1980s it was older, married women with family responsibilities that most increased their share of participation in the labor market. From 1981 to 1990, women of all ages worked more, yet this increase was greatest in the 30-39-year age bracket, where 55% of the women were economically active. Amongst married women, while 20% worked in 1980, nearly 38% did so in 1990.

Although more finely stratified data are still not available on the occupations with greatest participation by women, a study of the work sectors in which they participate

²⁸ BRUSCHINI, Cristina. O Trabalho da Mulher no Brasil: tendências recentes (mimeo). Paper prepared for UNICEF, May 1993.

the most show a marked presence in commerce, administrative activities, and public administration, urban activities with a greater possibility of being formalized. The percentage of women workers with signed working papers reached 57% in urban areas and increased in rural areas from less than 10% in 1981 to a reported 18% in 1990.

Despite such new gains, women still suffer discrimination in the labor market. They face a narrower range of opportunities than men, greater obstacles to occupying managerial positions, and lower wages than their male colleagues. While, based on available data, one can state that there was a certain wage gain for working women in the 1980s, the presence of women in the lower wage brackets is still higher than that of men, and the percentage of women earning higher salaries is still lower than that of men. In 1990, according to data we analyzed from the National Household Sample Survey (PNAD), while 4.5% of Brazilian working men earned an average of less than one-half the minimum wage, nearly 12% of working women found themselves in the same situation. During that same year, 6.4% of male workers and 3.9% of female workers earned more than ten times the minimum wage.²⁹

This all leads one to believe that although society is capable of and interested in absorbing women into the labor market, it appears unwilling to make major changes in the current form of discrimination, with heavy social costs for working women, unless women themselves resume previous levels of mobilization to make social and political demands.

Since the presence of working women is more marked in urban areas, in the more developed regions of the country, and in more formalized sectors of the economy, particularly older, married women with family responsibilities face more acute and obvious difficulties in reconciling domestic and professional activities. In addition, in rural or more informal economic activities,

where reconciling tasks is more feasible, income is lower and less stable and women workers do not have their rights respected. Therefore, it is essential not to give up the struggle for social policies establishing concrete conditions to broaden the possibilities for choice by women – with or without family responsibilities – as to having a more regular paid economic activity, in order for them to have access to labor benefits provided for under the Constitution. Yet it is necessary to invest in two fronts. First, special protection must be provided for women, including benefits to facilitate women workers' reconciling their multiple activities. Some of these benefits, however, such as daycare centers and longer school semesters, should be extended to all children. Others, such as partial work days or flexibilization of hours, should be planned for workers of both sexes, so that both men and women have the concrete conditions to reconcile their domestic and professional activities.

Another front for struggle should be the demand for equal job opportunities for men and women with similar credentials. In this case, mechanisms should be proposed to allow for the implementation of *labor market protection for women, through specific incentives, under the terms of the law*, a measure that is written into the new Constitution (section XX, Article 7), as a first step. Some bills submitted to the House of Representatives by the National Council for the Rights of Women in 1989 suggested this. One of these bills proposed fiscal incentives for employers who presented an increase in the percentage of women amongst their personnel and balanced salaries for women and men. Another proposed that job advertisements should be prohibited which specified the candidates' gender, color, age, or family situation.³⁰

Many other demands may come to be raised. However, none of them will be effective without a profound transformation of family organization. A more egalitarian family, with a division of labor where men

²⁹ Ibidem.

³⁰ BRUSCHINI, Cristina. Op. cit., 1989.

share both professional and family and domestic responsibilities with women, is a prerequisite for women to conquer their citizenship.

Studies on women's labor have contributed to both a theoretical debate and gathering of reliable, updated data. Together with

1990s feminism, through its current channels of expression, they have played a decisive role in this context. The resumption and deepening of the debate on equality and protection appears to be an encouraging prospect for the coming years of the 1990s.