



TOWARDS A REDEFINITION OF THE RIGHT TO WORK FOUNDATIONS: FROM “FREE WORK” TO SOLIDARITY DECOLONIAL WORK

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Abstract

This article aims to criticize the theoretical elements which concerns the right to work, assuring that work has been wrongly misunderstood with salaried work or “free” work, as opposed to servile work which took place in Europe until the emergence of the industrial capitalism. Salaried work is only one of the historical forms of labor control and although it is not subject to extra-economic coercion, such as the servile labor, it daily experiences despotism and alienation in the capitalist labor organization. In face of such situation, this article proposes a resignification of the labor concept in order to incorporate other modalities with solidarity and horizontal features that have emerged in this historical period of expansion of structural unemployment, as well as the hegemony of finance capital.

Key words

Labor law. Free-subordinate work. Solidary work. Coloniality of work. Decoloniality of work.

RUMO A UMA REDEFINIÇÃO DOS FUNDAMENTOS DO DIREITO AO TRABALHO:

do “trabalho livre” à solidariedade do trabalho decolonial.

Resumo

Este artigo tem como objetivo fazer uma crítica dos elementos teóricos que fundamentam o direito ao trabalho, argumentando que o trabalho foi indevidamente identificado com o trabalho assalariado ou trabalho “livre”, em oposição ao trabalho servil que existia na Europa até o surgimento do trabalho. capitalismo manufatureiro-industrial. O trabalho assalariado é apenas uma das formas históricas de controle do trabalho e, embora não esteja sujeito à coerção extra-econômica, como o trabalho servil, ele experimenta diariamente o despotismo e a alienação na organização capitalista do trabalho. Diante dessa situação, o artigo propõe uma resignificação do conceito de trabalho para incorporar outras modalidades solidárias e horizontais que emergiram nesse período histórico de expansão do desemprego estrutural e da hegemonia do capital financeiro.

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Palavras-chave

Direito do trabalho. Trabalho livre/subordinado. Trabalho solidário. Colonialidade do trabalho. Descolonialidade do trabalho.

1 INTRODUCTION

What we have lived so far may be considered as a historical period marked, in general terms by the global crisis of the pattern of capitalist power which emerged in the sixteenth century, by imminent risk, in ecological aspects, of a mass destruction of the basic conditions that allow human life on Earth, and in the labor field due to the structural and irreversible crisis of salaried work; mainly due to the technological transformations of productive processes and the political capacity that capital has had, under the hegemony of the financial branch to impose its terms over the capital-labor relationship, deepening the substitution of live labor for dead labor and jeopardizing the labor rights. This is also a historical period of irreversible crisis of the Nation-State, increasingly losing its sovereignty before supranational powers and large transnational corporations; a Nation-State that is being increasingly privatized by an alliance hegemonized by finance capital, experiencing a gradual destruction of its capacity to generate citizenship and to sustain political and social rights, since, among other aspects, may be somewhat faced as processes of elimination of labor rights around waged work identified from Eurocentric foundations.

In such context, it is essential to consider a critique of the hegemonic conception of the right to work, since it is based on a Eurocentric vision that identifies and legitimizes salaried work as “work”, and makes other forms of collective work practically invisible mediated by salary and profit, while responding to non-instrumental rationalities, such as solid work and work for the reproduction of life in urban and rural sectors.

The article is divided in four sections. The first one views the supporting arguments of the hegemonic vision of the right to work. The second one, the criticism the hegemonic vision from the theory of the colonality of power. The third section raises the need to resignify work as a whole, considering other non-salary or vertical forms of labor, but based on reciprocity, collectivity and horizontality. Finally, some conclusions were taken.

2 THE VISION OF THE CLASSICAL THEORY OF LABOR LAWS: THE PREVALENCE OF FREE/ SUBORDINATED WORK AS THE FUNDAMENTAL ETHOS OF ITS THEORIES

The individual contract of work, the essential legal bond that joins the employer to the employees, constituted special contract for socialization of human life and is also responsible by the very definition of Labor Rights in the words of Maurício Godinho Delgado:

The Labor Rights is the juridical specialized branch of law, which regulates the type of relationship of a contemporary society. This study should begin with the presentation of its essential characteristics, allowing the analyst to immediately visualize his or her own outlines. (DELGADO, 2018, p.47).

Tomás Sala Franco: "The Labor Rights concerns mainly the work which meets the characteristics of being subordinated to another person" (RAMIREZ, ORTEGA E FRANCO, 2008, p.20). Or a theoretical hypothesis strengthened in a hegemonic way that is, at the same time, possible to identify the subordinate work as the essence of the Labor Rights, in spite of the existence, for a long time, of arguments that defend an expansion of the protective field and, consequently, it's the Labor Rights themselves. A dominant predominantly regrettably that follows a diametrically opposed line, as exemplified by Maurício Godinho Delgado:

Which is the central category of the Labor Rights without which this legal branch would not exist? Obviously, it is all about subordinate work that specifically establishes the labor relationship, constituting itself around the specific juridical relation or universe of institutions, principles and characteristic features to this specific juridical conditions.

Nevertheless, this ruling doctrine has failed to overcome its own contradictions. This lies exactly in establishing a counterpoint between labor-slave and labor-servile, and between these and another modality that is called free-subordinate labor, which emerged in modern, industrial, capitalist age. And the discussion continues: Labor (as free, but subordinate) is today the most important and frequent legal relationship between all the labor relations which has been formed by the capitalist society. This socioeconomic generality of work, however, can be considered as a relatively recent phenomenon in the periods prior to the nineteenth century, non-free labor prevailed, in the servile or formerly slave form. In that old and medieval framework of predominance of the slave or servile use of labor, there remained a small socioeconomic space for the hiring of the provision of free work. In such a context, the legal norms and concepts concerning such infrequent modalities for the use of free labor were also comparatively scarce (DELGADO, 2018, p. 290).

Not to overcome such dilemma is to consider this modality of work, at the same time and under the same circumstance, as free and subordinate forms of work, yet these two positions cannot be completed or merged, because they are absolutely exclusive. The classical doctrine has failed in establishing this difference (slave labor/servile labor and free/subordinate labor) - while concealed free labor before it existed. What really happened was that such model of capitalist society also needed to buy freely executed labor and submit it to the rigid dictates of the industries. Therefore, it received the Labor Law as its own private object.

Questions concerning the absence of freedom in such type of work had already been raised since the first half of the nineteenth century, proving to be a more sophisticated form of exploitation. The utopian socialists were the precursors to denounce the barbarities of such form of human exploitation. Followed, then, by the anarchist doctrine and the Marxism itself.

In the words of João Matias and Manuela Alves:

Economic and social processes were accelerated and profoundly affected by rapid technological changes. The development and streamlining of the means of transport and communication intensified the processes of globali-

zation (this one understood in its multifaceted condition). (MATIAS e ALVES, 2016, p. 233) (authors translation)

What, then, would free labor finally be classified, in a critical philosophical conception as opposed to liberal philosophy?

For Marx (Marx and Engels, 1953), for example, the slave could not sell his work to his possessor, just as the ox does not sell the product of his labor to the peasant, since it itself was the commodity that could be passed from one to another. In turn, the servant sells only part of his workforce. He does not receive wages from the owner of the land, but he is the owner of the land that receives the tribute from him. As for the "free work" designation, he claimed: The servant belongs to the earth and gives the owners fruits of the earth. The free laborer, by contrast, sells himself, piece by piece. He sells, as he runs from the hammer, hours of his daily life (8,10,12,15), to those who offered more, to the owners of raw materials, instruments of labor and means of subsistence, that is, to capitalists. The worker does not belong to an owner or to the land, but hours of daily life belonging to whoever buys them (8, 10, 12, 15). The laborer abandons the capitalist to whom he rents, as soon as he wants, and the capitalist dismisses him when he pleases, as long as he does not extract any more profit or obtain the desired results. But the worker, whose only recourse is the sale of his labor power, can not abandon the whole class of buyers, that is, the capitalist class, without renouncing life. What really happens is that the worker, in fact, belongs to the capitalist class, and it is up to him to find whoever he wants, in order to find a buyer in this bourgeois class (MARX and ENGELS, 1953, pp. 63-64).

Still in the mentioned work - Wage Work and Capital - in order to deglorify the ideology of free work, it established a comparison between wage labor and the silkworm. Under this point of view, behind the apparent neutrality, the traditional laborists deliberately assume one of the currents: the liberal thought of yesterday and today. Necessary, so to emphasize the obsolescence of subordinate work as object of Labor Rights. Such deconstruction privileges an ontological conception of human labor dissociated from labor suffering and also proposes to disqualify the pseudo-discourse centered on the idea of a free, and at the same time, subordinate work, as well as to bring a true look at the apparent balance between the contractors parties.

Without this hermeneutic agenda it would not be possible to present an alternative labor and income dissociated from the labor tradition received by the classic Labor Rights. Once it is clear that subordinate labor is no longer hegemonic in the world of capitalism, and there are infinite modalities or alternatives of labor and incomes that coexist with subproletarianization, and structural unemployment, it is necessary to deconstruct the ideology that glorified it and that gave it a characteristic that it could never have - that of free labor. Thus it will be possible to construct its ontological aspect and reject its merely mercantilist aspect.

3 CRITICISM OF THE HEGEMONIC WORK CONCEPTION

In this section, we present, on the one hand, a critique concerning the dominant sense of work from a democratic perspective and, for another, a decolonial critique of such concept.

3.1 WORK RELATIONS UNDER A DEMOCRATIC VIEW

In the previous title we tried to demonstrate, from a new hermeneutic agenda and other theoretical foundations, the obsolescence of hegemonic labor doctrines, for the fact that they still have the subordinate work as an object of this legal field. The refutation of this object is sustained by two basic principles: a) its current loss of reference, in terms of sociability and legal protection, while in the era of Full Employment and Industrial Society an important proportion of the economically active population was subject to this model of work.

Empirical and analytical evidence shows that, in the era of Structural Unemployment and capitalist society dominated by financial capital, the majority of the economically active population finds themselves: a) in marginality (called by others informality, performing degrading, precarious or clandestine work; or is unemployed b) the confluence of social and political thoughts as disparate as those elaborated by classical sociology - Marx, Weber, and Durkheim - in order to demonstrate that all of them have a critical view.

According to the researcher Charlise Gimenez:

In societies where the reactions of people and their actions are characterized, by his superficiality and by the constant change of acting, feeling, living and understanding in a social context, one can perceive, in the same proportion and in the same people the production of fears and uncertainties. (CHALISE ET ALI, 2017, p. 261) (authors translation)

From that time on, it was possible to refute the dilemma and the contradiction that forged the legal-labor theory, in the sense of trying to put the writing/servile work before the free /subordinate work, to make its apology and justify the very essence of the Labor Rights. The confrontation between slavish/servile and free/subordinate labor brought about by classical scholarly doctrine aimed at putting all forms of labor at the service of capitalist production.

At that moment, properly free labor became synonymous with vagrancy and provided for in criminal law as a crime. The concepts of organizational theory, no matter how elaborate they may be in their solutions to the excluded millions-parasubordination, employability, entrepreneurship, and flexicurity-are no less veiled ways of validating the barbarities that result from this exclusionary economic model (DANGELO, 2014).

This study goes far beyond criticizing the existing regime and begins to observe the Social Economy or Solidarity, as an adequate proposal adequate to redesign citizenship, through work, to extend the Protective Principles and the perfect framework of Labor Rights in the category of Fundamental Human Rights.

In the opinion of the sociologist Ricardo Antunes: "It seems to me, however, a great misconception to conceive of it as a real alternative to undermine the mechanisms of the productive unit of market logic, as capable of undermining the mechanisms of capitalist productive unity. As if, through the expansion of the solidarity economy, initially by the fringe of the system, the essence of the logic of the commodity production system and the valorization of capital could be substantially reversed or altered (ANTUNES, 2006, p.113).

Professor Eneida Melo Correia de Araújo (2003) in her book intitled "The Work Relations": "A democratic perspective, articulated the idea of a democratic management, based on the rights to education, art and culture. In her work, she sought to extend the canon of protection of labor right, referring specifically to art. 6th of the Federal Constitution which treats as the fundamental constitutional principle, the right to work, education and culture".

Thus, she launched her ideas on labor relations from a democratic perspective and pointed out variables perfectly framed in the context of the Social Economy or Solidarity. She also tried to demonstrate the oppressive nature of subordinate labor relations, as she pointed to "the possibility of a democratic transformation of business activity within that framework of the globalization of production relations" (ARAÚJO, 2003).

Concerning the participation of workers in the company's decisions, she referred to Carole Pateman's arguments, in order to highlight the need for their transformation, "regarding the traditional structure. Such a change must be directed precisely to the power of decision, which is concentrated in the person of the employer and his agents" (ARAÚJO, 2003, p.292). All this, in order to make possible, "in a more vigorous and gradual manner, a new company profile: democratic, participatory, capable of integrating workers into their economic, social and moral ends" (ARAÚJO, 2003, p.293).

Preventing the individual from using the products of his work, prohibiting access to the fundamental rights guaranteed by the Constitution, prevents the growth of the economy "and generates a legal order devoid of an ethical burden" (ARAÚJO, 2003, p.295).

Finally, another aspect that draws attention to the present study is Professor Eneida Melo's warning regarding the strengthening of trade unions and their enlargement. What Professor Everaldo Gaspar Lopes de Andrade and Professor Fernanda Lira call the horizontalization of the organized collective movement, to cover all work and income alternatives, as well as clandestine, marginalized and non-employable. Also include necessarily the workers belonging to the third sector - those of the solidarity economy. This is the only alternative for the restoration of the trade union movement and for it to retake the counter-hegemonic collective struggles of a universalist character.

The study deals specifically with this theme, since, until recently, the proposal of solidarity economy was seen with some prejudice and resistance on the part of traditional trade unionists, who only saw a union and unionism aimed at subordinate workers.

Gonçalo Guimarães (1999, p.11) - National Coordinator of the University Network of Technological Incubators of Popular Cooperatives - prefigures the work *Sindicalismo & Cooperativismo* - that one of the initial objectives of incubators is to organize, train and requalify workers to enable entry into the formal labor market - whether through self-managed or cooperative enterprises - in the face of the process of productive restructuring and privatization of public enterprises. In the same work, Luís Antônio Souza e Silva admits that it has always been a taboo in the trade union

movement to discuss cooperative and solidarity economy, because the unions have historically always been tailored in a certain line of action, that is, the employment of a signed contract. "But today this is not the reality and if the trade union movement is not attentive, it will continue working for a minority of people who, somehow, may be working with a formal contract - direct employees of a certain company" (1999, p. 128-129). These arguments penetrate and disarticulate the structures, the bases of the old labor doctrine, as it seeks to expand the field of incidence and protection of human labor, while claiming the new model of unionism.

When Professor Eneida Melo reports to a legal order that privileges public policies to rescue citizenship and is centered on an ethical load, it is in full agreement with the sociologist Alain Touraine:

[...] There is an undeniable weakening of democratic institutions. And the conclusion from this retreat is not negative: democracy can not be defined in purely institutional terms. The only force that the technical economic world of instrumental rationality and the world of meaning, culture and subjectivity can bring together is the will of each individual, each group, to build a project of life, to build their personal sovereignty. No longer, then, is an individual as an abstract universal: each individual, each group seeks to create their own personal life project. It is necessary to demand social policies that are positive aid policies for freedom and responsibility, not political ones. (TOURAINÉ, 2000, p. 39)

3.2 A DECOLONIAL CRITICISM TO WORK: A VISION RESTRICTED TO EMPLOYED WORK AND THAT HIDES OTHER HISTORICAL EXISTENT WAYS

In this section we present a synthesis of the geneology of how the dominant, colonial-modern, work concept was constituted, as salaried, homogenous, abstract and "free" work, a vision that has served as a reference to theoretically elaborate the dominant vision of labor law, based on wage labor. The analysis is based on the theory of the coloniality of power, elaborated by the Peruvian sociologist Aníbal Quijano, which proposes a rereading of Latin American history from the category "race" as a world criterion of hierarchical social classification from the beginning of the century. XVI, when modernity, coloniality and capitalism arise.

From the theory of the Coloniality of power, it is possible to affirm that the imposition by the dominant thought of labor as a social category had as its objective to legitimize a specific way, required by capitalist, modern and colonial power, to produce wealth: "abstract" work "And" homogeneous ", based on salaried work that produces use value and exchange value, at the same time. It is a very specific type of work, salaried, of the "productive" work that has as an exclusive characteristic the production of surplus value for the accumulation of capital. This social category refers to "manual" work with the support of machines that multiply their productivity, that is, to typical industrial work. The work was given "manual", a relevance and a social recognition that had not had in the previous world to the one of the coloniality-modernity (before the XVI century), since from the appearance of the relations of being able, that is to say, of domination, exploitation and conflict, at the dawn of human history, the manual activity aimed at agricultural production, that is, the production

of basic satisfiers, was stigmatized from an aristocratic vision that qualified it as despicable and unworthy.

It was Aristotle who first in Western thought defined manual labor as an unworthy activity because it prevented man from living autonomously, without worries about satisfying his basic needs. Aristotle was also the first thinker to attribute to the “manual” labor force a subordinate place in social classification from his belief in “natural inequality” among men, by claiming that manual labor corresponded to inferior human beings, lack of reasoning and argumentative capacity, bodily strong and destined, therefore, to obedience and physical labor. “Natural inequality” was the central argument that justified slavery in ancient Greece, a type of work control that allowed a small sector of the Polis to devote themselves to philosophy and politics, as citizens, a situation that was denied to the slaves.

With Christianity and from the “fall” of Adam and Eve, manual activities oriented to the satisfaction of needs were attributed a heavy burden, a divine condemnation: “you will eat with the sweat of your brow”, which remained throughout the so-called “Middle Ages”, until the fifteenth century. Both St. Augustine and, above all, St. Thomas Aquinas, legitimized this classification by decisively supporting it in the Aristotelian ideas of natural inequality among men. It was the Protestant Christians who gave a dramatic turn to the vision of “manual” work establishing their social dignity from the notion of vocation, so that the “manual” work was constituted, from their industriousness and an austere life of the worker, on the way for the salvation of souls.

Between the sixteenth and eighteenth centuries, from the constitution of capitalism on a world scale and the emergence of the modernity project, passing through Locke, who establishes the articulation between work and private property and Genovesi (1786), contributing the idea of productive-non-productive work, the concept of “manual” work would be elaborated in association with instrumental reason, as a means to accumulate wealth and power, so that it was stripped of all spirituality and ended up being considered only as a mechanical act, stripped of all religious and ethical content by Adam Smith. Thus, the concept of work was dislodged from its historical and cultural context, thought from an inexorable movement of historical evolution in evolutionary and civilizing terms, “from Europe”, for the whole world and according to the needs of the colonial, modern power patron, capitalist and eurocentric. It was a type of work that Smith (2014), according to a criterion of Eurocentric scientism, defined as productive, creator of use values and exchange values at the same time; an abstract work that defined wealth as a result of asymmetric social relations, erased from the “economic” other forms of non-salaried work because they were considered “archaic”, “pre-capitalist” and belonging to “people without history”. A concept of work that concealed Coloniality, since it presented the hierarchical social classification, the place of work, the type of work performed, as well as the payment (or non-payment) and the amount paid to the worker, as something that was “natural” way, for purely economic reasons.

In this Eurocentric and colonial approach, the hierarchical social classification based on the idea of race (that is, Coloniality), had no impact on perceiving non-Europeans as non-human and wild and assigning them to non-human works. Sala-

ried, that is to say, work without any cost as slavery and servitude were. Although, over time, non-Europeans (non-whites) were accessing salaried jobs, they always did so in unfavorable conditions, doing the worst jobs and receiving the lowest wages, in relation to Europeans.

Marx argued that capitalist society was a historical, modifiable social order and that domination and exploitation were not eternal. Marx (1982a and 1982b), stripped the mechanisms of capitalist exploitation, that is, the production and appropriation of surplus value by capitalists, a process that occurred in the sphere of production and that was unintelligible from an analysis of exchange of equivalents (labor force by salary) in the field of circulation. At the same time, Marx formulated a profound questioning of the “industrial pathology”, that is, the wide process of alignment that recorded the work in capitalism that resulted in a conversion of the worker into an appendage of the machine and in the loss of his ability to control their own work and the meaning of their life in a system that tends toward the total commodification of social existence (LANDER, 2008 and MARAÑÓN, 2017). In this sense, although wage labor was “free” in relation to servitude in Europe, because there was no extra-economic coercion, it was characterized by being vertical, instrumental, producing values of change and abstract labor. In no way that type of work was free because the worker is subject to the decisions of the buyer on the use of labor power; it is subject to domination and exploitation (conditions that are aggravated by racism); it is subject to the alienation of its being, of its work and of the products of its work, and to be an appendix of a machine that imposes the rhythm of the productive process, which leads to the dehumanization of the worker (MANDEL, 1989).

However, the thought of Marx himself presented serious Eurocentric tensions associated with evolutionism, his firm belief in progress; and its strong intellectual and epistemological debts with Hegel (regarding the belief in Western civilization, people with history and people without history) and with Smith, with respect to progress (FONTANA, 1982) and the fundamental categories of classical political economy (the dichotomies value of use-value of change, productive work and unproductive work, process of work-process of valorization, development of the productive forces-alienation) (LANDER, 2008). Marx’s reductionist vision of productive work, assimilating it only to value-based salaried work, led to the consolidation of a Eurocentric vision of the historical course of humanity, elaborated from Europe, in which the civilized was associated with a type of wage labor, highly productive and linked to trade and industry. This view reinforced the Eurocentric delegitimization of the other types of existing work, of a non-capitalist type, signified by collective work and symmetrical reciprocity, which also had an overwhelming quantitative importance in relation to wage-labor in the whole nineteenth century world (MARAÑÓN, 2017).

At the same time, Marx did not consider the idea of race to be decisive as a category used in social classification not only for capitalism but for the capitalist, colonial-modern and Eurocentric pattern of power (QUIJANO, 2007a). As Bagú (1972) maintains, neither Marx nor Engels problematized the fact that, starting with the conquest of the New World, the white Europeans occupied command positions while non-Europeans-non-whites played obedience functions.

That is, according to Quijano (2007a, 1998b), Marx could not glimpse that the capitalist power since the sixteenth century had as its distinguishing feature the coloniality of power based on the hierarchical social classification based on race, to which we should add those of class and sex. The coloniality of work implied, in addition to placing salaried work in a privileged place, the invisibilization of all other historical forms of labor control (slavery, servitude, reciprocity and simple commodity production), which played (and plays) a fundamental role in the constitution and reproduction of world capitalism, showing that capital articulates them in a hierarchical manner to extract the surplus produced. That is, capital coexists with these other productive forms (MARAÑÓN, 2017).

At present, there is a crisis not of “work” but of wage labor as a result of the changes registered by capitalism: structural unemployment associated with the increasing substitution of live labor for accumulated labor, the political defeat of workers and the predominance of financial capital in the world of capital. There is a crisis of wage labor and a resurgence of other forms of work, including slavery and servitude, as well as reciprocity and simple small commodity production. It is important to deepen the criticism of the Eurocentric idea of work assimilated to salaried work, which delegitimizes other forms of work and has been internalized in the social imaginary, setting action guidelines that are no longer having a real historical basis, to pay attention to other forms of work, not vertical or based on exploitation but on reciprocity, which emerge as part of the new horizon of emerging historical meaning: the defense of the Common House, Mother Earth, called the Good Living and the de-commodification, from the struggles of the “indigenous” movements. Their practices already in deployment, can contribute to define other forms of work, where this is part of life and not the reason to live (MARAÑÓN, 2017).

4 THE NEW HERMENEUTICAL AND DECOLONIAL GUIDE: FOR BEYOND THE SUBORDINATE WORK - TOWARDS THE SOLIDARY WORK

In this section, arguments are presented aimed at resignifying the concept of work, proposing the incorporation of non-capitalist forms of work associated with economic Solidarity.

The ways trailed tried to exactly problematize and refute a theoretical model which prevailed almost absolute during all the last century, and assumed a new point of view, less academic and speeded to practically all labor attorneys. (DANGELO, 2014)

Curious and weird is the fact that even existing a vast literature produced by other fields of the social field, the Brazilian juridical labor laws did not even try to comment such facts. Even more curious is the fact that as a legal entity, there are fields of social knowledge that are dealing specifically with the same subject - or human work - but by giving it a different hermeneutical feature. In the majority of times, even in the same universities, research lines unleashed in different centers - to sociology, economy, political science and economy, among others—point towards a completely different interpretation of human work, giving it legal centers. The effort developed here, from a multidisciplinary and integrative version of such knowledge, tries conjugate the juridical knowledge and the other social thoughts that occupied

human work into matching ways. For the case of appraisals of the Social Economy or the Solidarity - Boaventura de Souza Santos and César Rodríguez (2005, pp. 23-74) specifically stated that they were critical thinkers who adhered to “hermeneutics of emergencies”, inasmuch as they intended to interpret, in an abbreviated manner, the way that certain organizations do, movements and communities resist to the hegemonic forge of capitalism and reception of economic alternatives based on non-capitalist principles.

These alternative hermeneutics also seek to expand the spheres that intercede the point of views, concentrating on reciprocity in our monotheistic interests; causing a decrease of the dependency of people in relation to salaried work, making it possible the equal remuneration of works who are also workers of cooperative companies, while also creates forms of sociability also solidary and based on collaborative work and a democratic participation in the decision-making of the companies.

Finally, it tries to reorder or redefine the growing exploration into two natural resources, at a global level, competitively defined, with a production model and two consumption parameters instituted in the same dimension, which is to be exhausted by these natural resources that are the most disastrous type of production and consumption.

The options and proposals registered by the aforementioned sociologists imply acknowledging the effective possibilities of new alternative development models, ideas that have already been launched in the agendas of international institutes and cooperations and occupy a relevant space in the academic production of recent years. In another work coordinated by Boaventura de Souza Santos, he and Hermes Augusto Costa (2005, p.23) point out the main impacts triggered by the transformations of world capitalism over labor and the difficulties that unions face in articulating organized collective movements. Among these impacts, it is possible to enumerate the following aspects: increase of the structural unemployment, generator of the process of social marginality; dislocation of productive processes and the predominance of financial markets on productive markets; increasing segmentation of labor markets that retains degraded segments of the labor force below the poverty level; development of a mass culture called consumerist ideology and consumer credit; risks against which the appropriate insurance is inaccessible to the vast majority of workers. These justifications are joined to many others, in the sense of moving the object of labor law, that is, to break the paradigm of the subordination of labor over capital.

5 CONCLUSION - THE ECONOMIC/SOCIAL SOLIDARITY TO EXTEND THE OBJECT OF LABOR RIGHTS

Since the 1980s in Latin America, a number of social practices have emerged aimed at satisfying basic needs based on non-instrumental rationalities, emphasizing solidarity, reciprocity and horizontal decision-making. These practices often question, in many cases, the injustices and destruction of life and “nature” by capitalism, posing other ways of doing economy and society. These practices have been termed social economy, solidarity economy, social and solidarity economy, and encompass various organizational forms, including cooperatives, communal enterprises, mutual societies, barter clubs, alternative currencies, urban and rural collectives. However, given the economism and lack of consideration of the existence of power relations, the

concept of economic solidarity, a set of social relations that tend to reciprocity, de-commodification, relationality and self-government, is proposed. satisfaction of the basic necessities and the integral reproduction of the life, from an emancipating action and solidarity, between the humans with the Mother Earth.

From the standpoint of Economic Solidarity, it is a question of recognizing the legitimacy of other forms of work that do not fit the dominant image of work equivalent to employment that has been imposed for at least a century and a half ago: “work manual-wage “industrial, with legal rights codified within the framework of the Nation-State. These other forms refer to different ways of working to obtain an income in a dependent manner, through the sale of the labor force in the intangible production and in the activity of services, where the employer, the worker and the user- client, or independently where the self-employed worker and the client are (DE LA GARZA, 2010). That is to say, there is the acceptance that not only “industrial wage-labor” is productive labor, a situation that was refused when the social category of productive labor was created, as the only creator of wealth, for the Economy “classical” politics, thus being identified as “classical work”. This clearly demonstrates how the production of knowledge in Modernity was both Coloniality, since the idea of work was constructed by denying the ontological and epistemological existence of other histories and cultures, and other forms of non-mercantile work, which belonged to the “people without history”.

A decolonial re-signification of the concept of labor must be taken from various contributions (from Marx himself when he speaks of human self-realization, of anarchism, of the “indigenous” vision, of feminist criticism, of cooperative thinking, among others) produced from the margins of this vertical, racist, instrumental, destructive world of Mother Earth and life, of the world of Modernity-Coloniality in an open crisis. But above all, the inspiration to resignify and, in this case, to advance in the decoloniality of the concept of work, is to open our senses towards the new, although uncertain and not definitive that is emerging, that is, a new historical system, the Buenos Vivires, characterized by combining liberating and solidarity rationalities, by a relational intersubjectivity, in which the difference is recognized without it being a source of inequalities and hierarchies, and associating scientific knowledge with non-scientific knowledge in the production of knowledge (GERMANÁ, 2011).

This emerging proposal of another historical system tends to be associated with certain images that delineate (but do not fix) their contours with reference to social equality and to the relationality between diverse relations between reciprocity, complementarity and democracy.

Work as an activity for life, done considering cyclical time and measured time, work not despised but appreciated. In this sense, Van Kessel and Condori (1992) and Medina (2001) contribute to formulate some ideas regarding the work in its indigenous version.

In this sense, a proposal to define decolonial work would be an activity that combines work and life, reinstall the joy of work based on reciprocity between human beings and Mother Earth, link all living beings without hierarchies of sex-gender, race and economic conditions, and without relations of domination and exploitation, in a historical horizon of sense oriented to Good Living. Work cannot be

understood only as an action aimed at satisfying basic needs but at reproducing life as a whole, which is why it must recognize the contribution of women to the production and reproduction of life. Therefore, if it is recognized that work encompasses different activities and not just salaried work, then both the concept of work and the conception of labor right have to be reformulated.

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