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Review/Reseña

Corrêa, Larissa Rosa. *A tessitura dos direitos: Patrões e empregados na Justiça do Trabalho, 1953-1964*. São Paulo: LTR, 2011.

Workers, Owners, and Lawyers in Brazil's Labor Justice System

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As far as Brazil is concerned, the forward march of labor history shows little sign of halting. Indeed, the state of the field is such that the martial metaphor borrowed from Eric Hobsbawm seems inadequate. Rather than a disciplined formation moving in a single direction, one finds riotous growth reminiscent of the natural world: pullulating subfields, the constant springing forth of new areas of specialization, and abundant cross-pollination with other disciplines. Amid the resulting tangle, it would be easy for a first monograph to go unnoticed. Such will not be the fate of

Larissa Rosa Corrêa's *A tessitura dos direitos: Patrões e empregados na Justiça do Trabalho, 1953-1964*. While Corrêa's new book, presented to the University of Campinas as a master's thesis in 2007, bears comparison to other recent works coming out of UNICAMP's history department and, in particular, that department's Centro de Pesquisa em História Social da Cultura, the author's uncovering of documentary materials that were feared lost or have otherwise been unavailable to historians sets it apart from other first books. Not for this reason alone, *A tessitura dos direitos* will be warmly welcomed by specialists.

Corrêa describes *A tessitura dos direitos* as providing an "analysis of negotiations and conflicts between industrialists and workers in the labor-justice system" in São Paulo (215), which it does, focusing particularly on the state capital while also considering cases originating in certain industrial cities of the state's further interior. This analysis is embedded in a work that may be divided into two parts. The first, consisting of roughly half of the introduction, most of the first chapter, and a few portions of the rest of the book, is a descriptive guide to aspects of Brazil's labor-justice system. The second, found in chapters two through four, is a mostly narrative re-creation of particular legal struggles involving textile operatives and metalworkers. Taken together, the two parts document the intersection of judicial conflicts with extra-judicial struggles and introduce several memorable historical actors who figure in few works of history but who played significant roles in the negotiation of labor law and workers' rights during Brazil's postwar republic (1945-1964). Throughout, Corrêa takes a more positive view of the labor-justice system as an arena for workers' revindications than has been the case until recently among UNICAMP historians, a perspective that in many ways mirrors that of Angela Maria de Castro Gomes of Rio de Janeiro's Centro de Pesquisa e Documentação de História Contemporânea do Brasil (CPDOC), who is given what are very nearly the book's final words (216-217).¹

¹ Angela Maria de Castro Gomes is best known for her *A invenção do trabalhismo* (1988), now in its third edition (Rio de Janeiro: Editora da Fundação Getúlio Vargas, 2005). The pages of *A tessitura dos direitos* cited above quote at length from Gomes' *Cidadania e direitos do trabalho* (Rio de Janeiro: Zahar, 2002).

There is little doubt that the most widely read and cited of *A tessitura dos direitos*'s four chapters will be its second, which offers a new perspective on three of the period's most important industrial actions, the Strike against Dearth (Greve Contra a Carestia) of 1954, the Strike of the 400,000 (Greve dos 400,000) of 1957, and the Strike of the 700,000 (Greve dos 700,000) of 1963. Based on Corrêa's explication of the legal wrangling surrounding these three work stoppages, one might say that workers' remonstrations in judges' chambers and through legal briefs mattered every bit as much as intra- and inter-union organization, public demonstrations of labor power, and contests for the support of public opinion. But to say only so much would be to miss half the point, driven home repeatedly in this chapter and elsewhere in *A tessitura dos direitos*, that judicial and extra-judicial struggles depended upon one another and that each arena of conflict is to some extent incomprehensible without the other.

Corrêa's ability to make this point rests on the kind of documentary unearthing that historians dream about. Eight years ago, she took it upon herself to visit the archival unit of São Paulo's Tribunal Regional do Trabalho (TRT), which had been the labor court of appeal for the entire state between the 1940s and the 1980s. At the time of Corrêa's visit, the received wisdom among historians, including her advisor-to-be, Fernando Teixeira da Silva, the great labor historian of the Santos waterfront, was that the TRT's historical files had been destroyed. What Corrêa found, however, was an uncounted number of "historical proceedings"—[an] assemblage of individual and collective legal disputes adjudged between the 1940s and the 1980s" (20). The discovery of this wealth of documentation was not only the starting point for *A tessitura dos direitos*, it also yielded a preservation program involving UNICAMP, the TRT, and the Fundação de Amparo à Pesquisa do Estado de São Paulo, while the case files themselves are the subject of several ongoing programs of research and will keep historians busy for years to come. For these reasons, Fernando Teixeira da

Silva describes his preface to the book as also constituting “um agradecimento,” that is, a grateful acknowledgment.²

Corrêa’s work at the TRT’s archival unit also led to an introduction to Vania Paranhos, a TRT judge and the daughter of Rio Branco Paranhos (1913-1978), a lifelong Communist who became one of postwar Brazil’s most active and influential labor lawyers. Dr. Paranhos not only shared her recollections of her father’s work, she also provided Corrêa with access to his papers. Access to sources of this kind has been a very rare thing in Brazil, and so Corrêa set out to write with not one but two nearly unprecedented documentary finds.³

Oral history interviewing, a practice with many precedents in the field of Brazilian labor history, yielded further information. While Dr. Paranhos was Corrêa’s first informant, she also interviewed the labor leader Luis Tenório de Lima (1923-2010) and three of Rio Branco Paranhos’ fellow labor lawyers (to whom Dr. Paranhos generously provided introductions) and consulted two further interviews from the collection of the Centro de Documentação e Memória da Universidade Estadual de São Paulo.⁴

² Fernando Teixeira da Silva’s preface (in Brazil, it is customary for thesis advisors to contribute prefatory remarks to their students’ monographs) appears on pp. 11-14 of *A tessitura dos direitos* (the quote is on p. 14); his most important works on labor in the port city of Santos are *Operários sem patrões: os trabalhadores da cidade de Santos no entreguerras* (Campinas: Ed. da Universidade Estadual de Campinas, 2003) and *A carga e a culpa: os operários das docas de Santos, 1937-1968* (São Paulo: Hucitec, 1995).

³ The only comparable set of personal papers that I am aware of are those of Ermelindo Maffei (1907-1993), like Rio Branco Paranhos a labor lawyer and Communist militant, which now form part of the holdings of the Museu Republicano (in Maffei’s hometown of Itu, São Paulo). As of my visit to the collection in early 2010, the papers had failed to attract the attention of researchers, which is to be regretted. While Maffei never attained the importance of Rio Branco Paranhos in the field of labor law, his life was longer and—in its social and political particulars—at least as interesting, and the contents of his papers are complemented by the fictional tetralogy authored by his younger brother Eduardo (1912-1990), four novels set in the 1910s, 1920s, and 1930s featuring thinly veiled biographical and autobiographical material: *A greve* (Rio de Janeiro: Paz e Terra, 1978), *Maria da greve* (São Paulo: Brasiliense, 1978), *Vidas sem norte* (São Paulo: Brasiliense, 1980), and *A morte do sapateiro* (São Paulo: Brasiliense, 1982). The Maffei collection awaits the attention of an interested student.

⁴ In recent years, as the postwar republic has attracted greater attention from Brazilian labor historians, oral-history interviews have become increasingly important to work in the field. For an outstanding example of the kind of scholarly work that has resulted, see Paulo Fontes, *Um nordeste em São Paulo*:

More conventional primary sources drawn on by Corrêa include the labor press and the files of São Paulo's political police. While labor and leftist newspapers were the key source for an earlier generation of Brazilian labor historians, who tended to focus on the period up to 1930, political-police files have been a goldmine for students of the labor movement's more recent history.⁵ Corrêa used labor periodicals and political-police materials in approximately equal measure, which was to her great benefit. Despite the richness and variety of the TRT files and the other new evidence that she was able to marshal, the first two chapters of Corrêa's book would be poorer had she not had access to police informants' reports on union meetings, as well as runs of such union publications as *Revista Unitêxtil* and *O Metalúrgico*.

As far as secondary sources are concerned, Corrêa draws selectively from the vast historiography on Brazilian labor. In addition to books and articles by her fellow UNICAMP historians and the above-noted work of CPDOC's Angela Maria de Castro Gomes, two unpublished doctoral dissertations produced at other institutions appear to have been especially important for Corrêa's work; on the basis of *A tessitura dos direitos*, publication of these two works, by Murilo Leal Pereira Neto and José Rinaldo Varussa, would seem to be both welcome and overdue.⁶

An odd source, neither fish nor fowl, but which provides a conceit surfacing throughout the work is *Dissídios trabalhistas e serviço social* (1947), by the businessman's lawyer José Aranha de Assis Pacheco (1909-2003). What most struck Corrêa in Pacheco's book was the author's parable of modern labor relations, in which happy workers ("innocent rabbits") are

Trabalhadores migrantes em São Miguel Paulista, 1945-1966 (Rio de Janeiro: Editora da Fundação Getúlio Vargas, 2008), the published version of a 2002 UNICAMP doctoral thesis and the premier recipient of the Arquivo Nacional's Prêmio Thomas Skidmore, soon to be available in English.

⁵ For a concise English-language case for the utility of these records to labor historians, see Antonio Luigi Negro and Paulo Fontes, "Using Police Records in Labor History: A Case Study of the Brazilian DOPS," *Labor: Studies in Working-Class History of the Americas* 5/1 (2008): 15-22.

⁶ The two doctoral dissertations, which I have not seen, are Murilo Leal Pereira Neto, "A reinvenção do trabalho no 'vulcão do inferno': um estudo sobre os metalúrgicos e têxteis de São Paulo. A fábrica, o bairro, o sindicato e a política (1950-1964)" (tese de doutorado, Universidade de São Paulo, 2006), and José Rinaldo Varussa, "Trabalho e legislação: experiências de trabalhadores na Justiça do Trabalho" (Jundiaí, SP, décadas de 40 a 60) (tese de doutorado, Pontifícia Universidade Católica de São Paulo, 2002).

led astray by troublemaking outsiders (“dissension-digging armadillos”). The parable is taken to be representative of the worldview of labor’s presumed foes and especially of self-consciously modern, “harmonizing” elements of postwar São Paulo’s “industrial milieu” (*meio industrial*).⁷

The importance of such figures as Pacheco and Rio Branco Paranhos to *A tessitura dos direitos* and the conflicts that are the book’s principal subject suggests that there is one key group missing from the book’s subtitle, which would read more fittingly if it included the word *advogados* (lawyers). As Corrêa shows again and again, the specific lawyers serving labor and capital mattered quite a bit in the day-to-day making and remaking of the labor-justice system.⁸ Strategy, style, and jurisprudence each affected the outcome of particular decisions, which in turn set further precedents for judicial and extra-judicial struggle. And while Corrêa’s oral history interviewees, together with the periodization of *A tessitura dos direitos*, may have led her to overstate the degree to which Rio Branco Paranhos and his associates were courtroom “pioneers” in their use of “a type of language more accessible to the public” (precedents existed going back at least as far as the 1910s), she is to be commended for drawing attention to the importance of language and declamatory style in the context of legal struggle and clientele-building, to which might be added political struggle and clientele building.⁹

⁷ See especially 83-89; also, 17, 38-39, 58-67, 73, 79-82, 92, 217; as well as 12 of Fernando Teixeira da Silva’s preface.

⁸ Corrêa also takes note of the importance of judges (including *vogais*, the “lay judges [who were to act as] representatives of the employers and employees” [quote on p. 41]), but devotes far more attention to the roles played by lawyers.

⁹ The quotes are on p. 160, but see also pp. 48-49. The defense attorney José Adriano Marrey Júnior (1885-1965), who represented the famed anarchist leader Edgard Leuenroth in the wake of the general strike of 1917, developed a courtroom manner that in his day was as striking as Rio Branco Paranhos’ was recalled as having been by Corrêa’s informants; no less an authority than Caio Prado Júnior remembered Marrey as having been surrounded by “radical elements” and his political group as having been the “precursor of populism.” James P. Woodard, *A Place in Politics: São Paulo, Brazil, from Seigneurial Republicanism to Regionalist Revolt* (Durham, N.C.: Duke University Press, 2009), 81, 145-146, 176; Antônio Cândido cites Caio Prado Júnior’s characterization of “a ala de Marrey Júnior” in his untitled preface to *Mário de Andrade por ele mesmo*, 2nd ed., ed. Paulo Duarte (São Paulo: Hucitec, 1977 [1971]), xvi. The Communist labor lawyer Lázaro Maria da Silva (1896-?), who had been one of many political understudies of Marrey Júnior in the mid-to-late 1920s, might be seen as a link between the latter’s tradition and Rio Branco Paranhos’ militancy; he is mentioned in passing in *A tessitura dos direitos* (46).

At those points where *A tessitura dos direitos* is less than a complete success, the book's failings may in some measure be attributed to Corrêa's success as a researcher. The richness and variety of documentation that she uncovered could easily have overwhelmed a historian of many years' more experience. That they did not overwhelm Corrêa is to her great credit. *A tessitura dos direitos* is an admirable first effort that should leave readers looking forward to future contributions.