

Everyday Resistance of Domestic Workers in Lima, Peru

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## **ABSTRACT**

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Domestic workers in Peru represent approximately 3,4% (342 192) of the economically active population of the country (Defensoria del Pueblo 2011). These workers are overwhelmingly poor women, un- or under-educated, and from ethnic and linguistic minorities, working in an informal environment (Legua Bordon 2017; Mick 2011; Perez and Llanos 2017, and Rottenbacher de Rojas 2015). Even though in 2003 the Peruvian government introduced Law 27896, which aims to regulate domestic work and protect domestic workers, the field remains a dangerous, precarious environment for the workers employed (ILO 2011). This thesis explores the manifold everyday strategies that domestic workers in Lima, Peru, utilize to resist violence in the workplace. Instances of violence and resistance have been observed to change and evolve throughout the experiences of the participants, from the beginning of their careers, until today. Nonetheless, the presence of violence has remained a reality in the everyday lives of domestic workers interviewed. The strategies of resistance utilized to fight these forms of violence have been placed into three broader categories; flight, survival, and active resistance, all of which are observed to enjoy a different degree of success. The most effective forms of resistance observed included (1) attaining a higher education, (2) survival, in the form of staying close to the family pet or children, and (3) negotiation, in the form of threatening to leave the job.

## Dedication

*Para mi abuelo.  
Para mis padres.*

Thank you Dr. Jean Francois Mayer and Dr. Tina Hilgers, for your guidance, advice, friendship, and the endless opportunities given to me throughout my academic career. This would not have been possible without your constant teachings and support.

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# 1. Introduction

Domestic workers in Latin America generally endure precarious working conditions. Although not every domestic worker suffers from violence in the workplace, it is an area of work in which women are often subject to financial, psychological, and physical violence (Mayer, 2019). This thesis will explore the manifold strategies that domestic workers in Lima, Peru, utilize in the workplace to resist numerous instances of violence that they face. These different forms of violence are a reflection of the discrimination encountered by domestic workers in Lima as a product of “an intersection of at least three conditions: gender, ethnic origin and/or migration status, and class” (Perez and Llanos 2017, 554).

There are approximately half a million domestic workers currently employed in Peru, most of whom work in Lima, the capital (Fajardo, 2014). Two major changes have taken place in the last decade in relation to domestic work and the violence experienced by domestic workers. First, the first law regulating domestic work in Peru was introduced in 2003<sup>1</sup>, and second, there has been a decrease over the last fifteen years in the employment of full-time live-in domestic workers in favour of the employment of full-time commuting domestic workers (Organización Internacional del Trabajo 2013, 17). These two changes can be interpreted positively, as the law is intended to help domestic workers have better working conditions, and the decrease of live-in employment is expected to reduce work-related violence and overall slave-like conditions for domestic workers.

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<sup>1</sup> “Ley Num. 27986, de los Trabajadores del Hogar”. International Labour Organization, accessed on March 18, 2018, [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=&p\\_isn=66103](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=&p_isn=66103)

For this reason, the expectation before heading to the field was that domestic workers who had been employed for longer than a decade would have seen an improvement in their overall working conditions over time, and thus a change in the strategies of resistance employed at the workplace.

The multiple forms of violence present in domestic work in Lima make it a good case study, as it encompasses many of the characteristics present in the broader Latin American context. Domestic workers and their employers come from different social realities. Domestic workers are in their majority women, from disadvantaged backgrounds, belonging to a lower social class, and of Indigenous descent, which greatly differs from the privileged reality in which the employers are typically born into (Perez and Llanos Paredes 2015, 5-6). These differences set the stage for gender-based violence and racism to take place, leaving domestic workers in a disadvantaged position vis-a-vis their employers. As earlier introduced, Perez and Llanos (2017) argue that discrimination based on the intersectionality of these three factors: “gender, ethnic origin and/or migration status, and class”, makes them easily vulnerable and exploitable by others. More precisely, this unbalanced power relationship leaves domestic workers highly prone to multiple kinds of violence (Radcliffe 1990, 384; Mick 2011, 190; Staab and Maher 2006, 93-94; Rottenbacher de Rojas 2015, 244-245), for which a typology has been created to encompass the physical, psychological, and financial violence endured (Mayer, 2019).

This thesis explores how the domestic worker population in Lima resists to violence through the use of ethnographic research and semi-structured interviews, which were conducted during the months of May and June of 2018. In an effort to better understand the world of domestic workers in Lima beyond their work in the household, I submerged myself in the world of the

*Sindicato de Trabajadoras y Trabajadores del Hogar Region Lima* (SINTTRAHOL) and *La Casa de Panchita* (LCP). This experience allowed me to gain an in depth understanding of the relationship between domestic worker organizations, domestic workers, and the Peruvian government, and the struggle that this represents in regard to their fight to foster a better working environment for domestic workers in Lima and in Peru as a whole.

As earlier mentioned, not all domestic workers experience violence in their workplace, however, the paternalistic, colonial environment under which they work, leaves them very prone to experience multiple kinds of violence. In spite of being widely recorded and acknowledged, the violence endured by domestic workers in the workplace remains a severely understudied topic, for which the content of this thesis enhances the literature on domestic workers. Concretely, through the interviews conducted, I have identified three categories of resistance utilized by domestic workers in Lima: flight, survival, and active resistance, which will be expanded later. These forms of resistance observed enjoy different success rates and have had a different impact upon the work of the domestic workers interviewed. From the experiences gathered, we can draw useful lessons to improve existing legislation and further use the testimonies as a tool for domestic workers, unions, and concerned organizations, to better their strategies hereafter.

## 2. Problem Formulation

In this section I will present my research question, followed by two hypotheses, which will frame my research. I will follow this with a presentation of the structure of the remainder of the thesis.

## 2.1 Research Question

The objective of this thesis is to learn how domestic workers resist abuses on an everyday basis, through the use of formal or informal channels. In other words, I will explore the following question:

“What are the manifold strategies that domestic workers in Lima, Peru utilize to resist abuses in their workplace?”

## 2.2 Objective of the thesis

It is hypothesized that as laws have been passed over the last decade to protect domestic workers, strategies will have evolved with them, although violence against domestic workers is not expected to have significantly dropped as a result of these laws introduced. Moreover, based on the literature available, these laws are not anticipated to have served their intended purpose of protecting domestic workers, but rather, to have been used by employers to continue to foster an unequal working environment (Legua Bordon 2017; Mick 2011; Perez and Llanos 2015, Perez and Llanos 2017, Resurreccion, Chanjan Document, Villareal Lopez 2016; and Rottenbacher de Rojas 2015). For this reason, in addition to the existing literature on subordinate resistance (Bayat 1997, Crossa 2009; Katz 2014, Scott 1985, and Steel 2012), it is further hypothesized that domestic workers engage in silent everyday resistance searching for small gains, rather than engaging in more open, radical forms of resistance. The objective of this thesis is to discover these everyday techniques utilized by domestic workers to resist violence present in the workplace.

The scope of this research extends to exploring how female domestic workers in Lima resist physical, psychological, and financial violent acts in the workplace on an everyday basis.

The following sub-questions were considered in order to address the objectives of this thesis:

- Are domestic workers experiencing/identifying instances of violence as such?
- Are there tasks domestic workers are doing differently on an everyday basis to avoid experiencing violence at the workplace?
- Are domestic workers looking for help when violence is experienced?
- Are domestic workers familiar with the law protecting domestic workers in Peru?

### 2.3 Structure

This thesis is structured as follows. First, a literature review will be presented, which will define violence, domestic work, and resistance, as they will be employed for the remainder of the thesis. Then, domestic work will be presented within the context of Latin America, Peru, and Lima specifically. I will also discuss the limitations and applicability of my research, and possible contributions to the existing literature. The methodology will be presented thereafter, with an explanation of the reasons behind using ethnographic research and semi-structured interviews as the method of choice, as well as how the data was gathered. I will then proceed with a detailed presentation of my data and conclude with a discussion of what has been said and future research possibilities.

### 3. Literatur e Review

#### 3.1 Defining Informal Work and Resistance

The literature regarding informal work in Latin America is complex, as there are many dimensions that require clarification in order to comprehend the multiple dynamics at play in this field. In order to proceed with this idea, it is first necessary to explain how the terms informal work and resistance will be used henceforth.

Informal work is widely present in Latin America, and it is not always legally acknowledged in states' regulations, which leads to constant conflict between state officials and informal workers (Steel 2012, 1009). Informal work includes a large variety of occupations, which are not legally established or regulated by governments, and they are commonly related to poverty (Steel 2012, 1009). These activities range from street vending, to garbage collecting, to domestic work, which might be formalized under the country's law but remain informal due to lack of enforcement of the existing legislation, where individuals work under precarious circumstances and unclear terms of employment.

Legislation and city plans tend to neglect the needs and realities of informal workers, who are forced to find alternative tools to fight new laws, prohibiting them from doing their job and continue working. This is observed by Steel (2012, 1015-1016), who highlights the presence of solidarity among informal workers when police raids take place in Cusco, Peru, following an attempt by the municipality to remove all informal workers from the city's tourist-filled streets. Informal workers remain in constant communication in an effort to alert each other whenever a

police raid is happening nearby, highlighting their active sense of solidarity with one another and against the legislation wanting to be enforced by the city (Steel 2012, 1016). In this instance, trying to eradicate informal work, without providing for an alternative and/or an opportunity to formalize their work, is ineffective.

Repressive policies introduced by states, intended to eradicate informal work, are commonly observed to fail to meet their goals. Rather than removing informal workers from the streets or deterring informal work, repression is seen to force informal workers to complete their work quietly and in a hidden manner, in an attempt to avoid repressive consequences for their work (Bayat 1991, 67). The repression and violence that informal workers face lead them to engage in resistance strategies (Crossa 2009, 4). These strategies can take multiple forms, ranging from high-profile actions to ones that may go unnoticed. For the purposes of this research, the emphasis will be placed on the latter: everyday acts of resistance, which do not make headlines, and purposely so.

Resistance, as defined by Scott (2012, 69), is an act which requires two components. First, the act requires intention. The act must not necessarily be a collective action, but it must fulfill the requirement of being intended (Scott 1985, 274). This entails that an act can be considered resistance even if done on an individual level and at a smaller scale, for example, an employee changing or ending a conversation rather than confronting the employer over abusive language. Second, the act must be done by a member of a subordinate group who looks to mitigate or deny claims made on by a member or members of a superordinate class (Scott 2012, 69). In regard to this research, I will be referring to the intended acts of resistance done by domestic workers in

opposition to their employer(s). Resistance is heavily influenced by the dynamics at play in the workplace, which include existing forms of labour control and the magnitude of retaliation, if it were to happen (Scott 1985, 24). I will be exploring resistance by domestic workers in face of physical, psychological, and financial violence that they might suffer at the hands of their employer(s).

### 3.2 Defining Domestic Work

Hiring a domestic worker often entails more than simply paying for the labour of the person, in many instances “what is bought and sold is the personality traits and identity of the individual” (Akalin 2007, 210). Domestic workers are employed in the home of others in exchange for money, they are asked to provide multiple domestic services, from cleaning, to caring for vulnerable family members, to cooking, gardening, and/or driving (Chen 2011, 167).

Through the fulfillment of these tasks, domestic workers play an essential yet undervalued role in improving a country’s economy, for instance by enabling middle and middle-upper class women - formerly in charge of domestic tasks - to leave the home and join the labour market, further contributing to the functioning of the economy (Chen 2011, 168). This instance represents one way in which domestic workers affect a country’s economy, but the overall economic impact is worth much more. In the context of Peru, it is estimated that domestic workers amount to 2.6% of the country’s economically active population although their real indirect impact upon the country’s economy is unknown (Perez & Llanos 2017).

### 3.2.1 Domestic work in Latin America

The literature agrees that domestic work in Latin America is an undervalued and discredited sector where employees face hostile working environments. This is largely associated to the lack of enactment and/or enforcement of laws and regulations that guarantee their rights (Rosas, Jaramillo Fonnegra and Blas Vergara 2015, 254). Overall, domestic work constitutes 12% of Latin American women's urban employment (Tokman 2010, 2). A recent study by the International Labor Organization estimates that there are currently 18 million domestic workers in Latin America, of which 80% work informally (ILO 2016). This sector employs 14.3% of all women in Latin America<sup>2</sup>, most of whom live under difficult socioeconomic circumstances; with migrant women occupying the bottom of the hierarchal pyramid (Rosas et al. 2015, 255). On average, domestic workers' earnings represent only 41% of the average earnings of urban workers, which illustrates the depreciation of their work (Tokman 2010, 2).

As domestic workers are confined to the household, they have been observed to be subject to great social invisibility, prejudice, and racism, and their work can go widely unacknowledged, depending on the society where they work (Borgeaud-Garciandia and Lautier 2014, 94). Given that the vast majority of domestic workers are women, focusing on improving the conditions of domestic work is greatly linked to reducing gender-based inequality in the region<sup>3</sup>.

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<sup>2</sup> "Labour informality affects almost 80 percent of the 18 million domestic workers in Latin America", ILO, July 11 2016, accessed on March 14, 2018, [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_498779/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_498779/lang--en/index.htm)

<sup>3</sup> "Labour informality affects almost 80 percent of the 18 million domestic workers in Latin America", ILO, July 11 2016, accessed on March 14, 2018, [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_498779/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_498779/lang--en/index.htm)

The study of domestic workers in Latin America is often challenging – most domestic workers work informally, the literature is limited, and their working relationships do not usually fall under a legal frame (Lautier 2003, 792; Wade 2013, 190). Historically, studies on domestic work in Latin America have focused on the workers' living spaces, the influence that religion has upon them, and the economic impact of their work during times of crisis (Lautier 2003, 795). The different forms of violence perpetuated against them have remained relatively invisible in the literature. While the dimensions of gender, class, and ethnicity have often been the centre of these studies, scholars have failed to tackle violence against domestic workers, such as sexual abuse, when documented (Wade 2013, 190). Lautier (2003, 798-799) attributes this shortage of information on the fact that possibly, many scholars in Latin America have domestic workers themselves, for which conducting this research can be psychologically difficult.

### 3.2.2 Domestic work in Peru

Domestic work in Peru dates back to the end colonial times in the 1820s. During this transition period, Indigenous men started leaving their homes to work the field and do physical labour, while their wives stayed back to take care of the homes (Perez & Llanos 2017). As a product of this division of labour, Indigenous women saw the opportunity to travel from their smaller communities to larger coastal cities – mainly Lima – and work in Spanish homes, where they saw an opportunity for economic security and greater education, but rather found slave-like working conditions (Perez & Llanos 2017). Since the 1820s, domestic work in Lima has evolved into the current situation, which will be presented shortly after.

On June 2nd 2003, Law 27896 was enacted to regulate labour relationships in the household, in an effort to protect domestic workers across the country, repealing the existing Supreme Decree 002-TR that only provided breaks for domestic workers<sup>4</sup>. Law 27986 defines domestic work, encourages the establishing of a contract between the concerned parties, and outlines diverse regulations to be followed by the employer – such as the timely payment of salary, compensation for time worked, breaks, holidays, bonuses, and overtime pay<sup>5</sup>. Nonetheless, the existing legislation leaves major gaps up to the discretion of the employer. For instance, although it demands the existence of a contract between the two parties, this contract does not necessarily have to be written, as under the law a verbal contract is also lawful. Moreover, under article 5, which outlines the salary, it is not required for the agreed amount to meet the minimum wage in place, but rather it is left at the discretion of the parties involved. These gaps give leverage to the employer, who is the holder of power in this situation, and leave the domestic worker in an economically vulnerable situation.

Although domestic work in Peru is regulated by the state, most domestic workers continue to be employed informally, and over 30% of them continue to work under slave-like conditions<sup>6</sup>,

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<sup>4</sup> “Ley Núm. 27986, de los Trabajadores del Hogar”, International Labour Organization, accessed on March 18, 2018, [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=&p\\_isn=66103](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=&p_isn=66103)

<sup>5</sup> “Ley De Los Trabajadores Del Hogar”, La Casa de Panchita, accessed on February 8<sup>th</sup>, 2019, <https://lacasadepanchita.com/documentos/LEY-DE-LOS-TRABAJADORES-DEL-HOGAR-Ley-No. 27986 03-06-03.pdf>

<sup>6</sup> “En Lima, más del 30% de trabajadoras del hogar todavía está en una situación de semiesclavitud”, Diario La Republica, December 21, 2016, accessed on February 19, 2018, <http://larepublica.pe/domingo/1003413-en-lima-mas-del-30-de-trabajadoras-del-hogar-todavia-esta-en-una-situacion-de-semiesclavitud>

as the burden to formally register the worker and respect the existing legislation falls on the employer. If registered, a domestic worker earns proper rights and overall better working conditions, which include getting paid for overtime, vacations, health insurance, etc. These benefits greatly elevate the cost of employment. For this reason, the majority of employers continue to hire domestic workers informally. Although legislations exist to protect domestic work, there are no penalties in place for those who do not comply with the law. This allows for the treatment received at the workplace, the benefits or lack thereof, and the discrimination suffered, to continue to be difficult to perceive and/or enforced by the authorities (Perez & Llanos 2017).

In regard to demographics, in the early 1990s, domestic workers represented 5.5% of Peru's female population, and 10.9% of Lima's female population (Radcliffe 1990, 381). More recent studies reveal two changes regarding the demographics of domestic workers: first, from 2004 to 2010, the overall number of women employed as domestic workers decreased from 453 771 in 2010 to 342 192 in 2015 (Defensoria del Pueblo 2016, 10). Second, the number of *cama adentro* (live-in) domestic workers has decreased in favour of *cama afuera* (commuter) workers, although the exact numbers are not known (Organización Internacional del Trabajo 2013, 17). Perez and Llanos (2015) support this claim by stating that from 2000 to 2015, the number of domestic workers living with their employers decreased by 50%, although again, exact numbers are not presented. This reaffirmation of the decrease in *cama adentro* solidifies the presence of this positive shift, as *cama adentro* workers tend to be easier targets of violence, as it is harder to observe their hours of work, they are more likely to suffer from financial violence, and the risk of sexual abuse is higher (OIT 2013, 17). These findings help see the overall trends in domestic work in Lima, however it is hard to interpret them as concrete numbers are not provided in these studies.

Recent estimates regarding the total number of domestic workers currently employed in Peru are contested. Adelina Diaz, general secretary of Peru's Domestic Workers Union, estimates that there are currently half a million domestic workers employed, of which only 3% have been formally registered by their employers<sup>7</sup>. Considering Peru's total female population, half a million domestic workers would be equivalent to 3.1% of the total female population, which would signify a two percent decrease from the 5.5% previously recorded in the 1990s. As previously mentioned, the Peruvian Ombudsman provides a similar number (342 192), estimating that in 2011, 3,4% of the economically active population in the country worked as a domestic worker<sup>8</sup>.

Paid or unpaid, domestic work is seen as a feminine task. Peasant girls from the rural areas of Peru commonly represent the majority of domestic workers. Their lives develop within situations of patriarchal inequality, which continue to define their experiences throughout their employment (Radcliffe 1990, 381). For instance, boys are being taught how to work the land while having their education and training favoured. On the other hand, girls are traditionally taught household tasks, such as caring for their younger siblings, assisting in food preparation, weaving clothes, etc. (Radcliffe 1990, 382). Generally speaking, the tasks that constitute the core of the work that a domestic worker does, are learned by peasant females at their own homes and from an early age. The historical and multilevel discrimination suffered by those who are typically

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<sup>7</sup> “Empleados del hogar: Ocho de cada 10 no tienen acceso a la salud”, Peru21, October 18, 2014, accessed on February 12, 2018, <https://peru21.pe/lima/empleados-hogar-ocho-10-acceso-salud-191209>

<sup>8</sup> “Balance Sobre El Cumplimiento De Las Recomendaciones Defensoriales: Las Trabajadoras del Hogar en el Peru”, Defensoria del Pueblo, accessed on February 7, 2019, [www.defensoria.gob.pe/wp-content/uploads/2018/05/Informe-001-2016-DP-ADM--Las-trabajadoras-del-hogar-en-el-Peru.pdf](http://www.defensoria.gob.pe/wp-content/uploads/2018/05/Informe-001-2016-DP-ADM--Las-trabajadoras-del-hogar-en-el-Peru.pdf)

employed as domestic workers characterize the job as unattractive and at the bottom in terms of social prestige (Perez & Llanos 2017).

### 3.2.3 Contextualizing domestic work in Lima

Lima is the capital of and largest city in Peru, home to an estimated 10 million people – 33% of the Peruvian population, in spite of the fact that it only represents 20% of the total area of the country. As a direct consequence of colonization, Lima was left wealthier than the rest of Peru, for which it continues to be a very attractive destination for internal migrants. The 2017 National Census reports that 20% of Peruvians, have migrated from their department of origin to another department<sup>9</sup>. The number of internal migrants increased by 11.6% in relation to the numbers recorded in 2007. In 2017, 50,1% of internal migrants in Peru reported living in Lima (2.9 million). To contextualize this information, the second province to receive the most internal migrants in 2017 was Arequipa, which welcomed 361 863 migrants (6,1% of all internal migrants)<sup>10</sup>. Unfortunately, the census does not provide with more detailed information, such as how many people already living in Lima are children of internal migrants. As previously introduced, domestic workers are in their majority migrants or children of migrants.

Although detailed reports regarding the demographics of domestic workers are scarce, in the 1950s, as many as 72% of domestic workers reported being internal migrants (Mick 2011,

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<sup>9</sup> “Resultados Definitivos de los Censos Nacionales 2017”, Instituto Nacional de Estadística e Informática, accessed November 18<sup>th</sup>, 2018, [https://www.inei.gob.pe/media/MenuRecursivo/publicaciones\\_digitales/Est/Lib1544/Libro.pdf](https://www.inei.gob.pe/media/MenuRecursivo/publicaciones_digitales/Est/Lib1544/Libro.pdf)

<sup>10</sup> Ibid

189). During the early 1970s, 59% of domestic workers reported arriving in Lima from cities with under 5 000 habitants, making domestic work the most important type of employment for female migrants (Radcliffe 1990, 380). Domestic workers have historically been Quechua-speaking women, from peasant or small communities in the Andes, who migrate to the larger coastal towns such as Lima, Trujillo or Arequipa. They move from a predominantly indigenous environment to one where their employers are generally white-r, middle or upper-class people, who do not identify with the indigenous lifestyle (Radcliffe 1990, 379). Their overarching peasant origins lead to domestic workers being seen as a homogenous, inferior group by their employers (Radcliffe 1990, 384).

This migration dynamic highlights a larger problem existing in the Peruvian society, which was earlier suggested and is most prominently present and exploited in Lima: class division. This class division is reflected in the working conditions that domestic workers encounter in Lima. Cultural, ethnic, and status differences between employer and employee are emphasized in their everyday exchanges, as there is a sense of ‘otherness’ on behalf of the employers, vis-a-vis domestic workers (Radcliffe 1990, 380-381). As earlier cited, Perez and Llanos (2017) refer to this discrimination faced by domestic workers by looking at it through an intersectional lens. This leaves domestic workers relegated to belonging to an “inferior” group, which comes into constant contact with the upper classes that define and maintain the criteria of nationhood in Peru, in spite of representing a minority of the overall population (Radcliffe 1990, 380-381).

In the 2017 national census, Peruvians were asked to self-identify in terms of ethnicity for the first time. A total of 60,2% of the population self-identified as Mestizo (of mixed

Indigenous/European descent), 22,3% self-identified as Quechua, and 5,9% self-identified as White<sup>11</sup>. The rates were very similar for males and females. In the 2015 Latinobarometer survey, the vast majority of Peruvians (70.7%) interviewed self-identified as Mestizo, and a small minority (6.3%) identified as Indigenous<sup>12</sup>. Other recent non-self-reported statistics suggest that as many as 45% of Peruvians are Amerindians, while only 37% fall under the category of Mestizo, 15% are white, and the rest come from Asian, African, or others descents<sup>13</sup>. This disparity highlights the complexity behind defining race and understanding racism in Peru. Hiding behind the label of mestizo furthers the problem for Indigenous people and allows for whiter Peruvians to silence racism, as it minimizes the oppressed population. In the 2015 Latinobarometer poll, indicated a general consensus among the polled population that instances of racism are rare in the country<sup>14</sup>.

The struggle behind defining race in Peru is also present in academia, as conceptually, the struggle entailed a dispute over whether race was defined due to external appearances such as skin colour, or internal ones, such as morality, intelligence, and education (de la Cadena 1998, 143). Limeño (whiter) intellectuals faced highland (brown skinned) intellectuals in this debate, where the discussion was on the definition of the latter, as their intellect “gained” them the label of

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<sup>11</sup> “Resultados Definitivos de los Censos Nacionales 2017”, Instituto Nacional de Estadística e Informática, accessed November 18<sup>th</sup>, 2018, [https://www.inei.gob.pe/media/MenuRecursivo/publicaciones\\_digitales/Est/Lib1544/Libro.pdf](https://www.inei.gob.pe/media/MenuRecursivo/publicaciones_digitales/Est/Lib1544/Libro.pdf)

<sup>12</sup> Latinobarometro 2015, accessed on March 15, 2018, <http://www.latinobarometro.org/latOnline.jsp>

<sup>13</sup> Central Intelligence Agency, “The World Factbook: Peru”, accessed on March 15, 2018, <https://www.cia.gov/library/publications/the-world-factbook/geos/pe.html>

<sup>14</sup> Ibid.

“honorary whites” or “decent people” (de la Cadena 1998, 143). Overall, race has been silenced in Peruvian academia, being rhetorically replaced by ‘culture’ and ‘class’, which have fostered a hegemony of racist practices in Peru that have become normalized (de la Cadena 1998, 143). This is further influenced by the lack of conversation in the political sphere and the media, for which it does not come as a surprise that self-reported statistics regarding demographics in Peru run contradictory to reported statistics (Drzewieniecki 2004, 1). Evidence suggests that elites have traditionally been white or “whiter” than the rest of the population, which has resulted on a “reinforced taboo on discussion of race in the media and elsewhere”, environments which have been traditionally owned by these whiter populations (Drzewieniecki 2004, 1).

Building on this racial dimension, the Peruvian society is greatly spatialized between provincial and capital, which is present in everyday speech. Lima is considered *aquí* (here) – implying superiority rooting from its central location, from its privileged status as the capital, and emphasizing Lima as the ruling centre - and all the other provinces are considered *allá* (there), not belonging to the mainstream and therefore inferior (Mick 2011, 192). Domestic workers are under the impression that their employers want them to aspire to be considered as “de aquí” (Mick 2011, 192). Being from Lima, or “de aquí”, signifies leaving behind their indigenous roots and acting more like their employers themselves. In an interview by Mick (2011, 193), a domestic worker expressed that “people in Lima think that they are of higher value and that they have the right to humiliate [us – domestic workers]”, illustrating the employer’s sense of entitlement as perceived by the employee.

Domestic workers in Lima are organized through unions and organizations. One of the organizations that works with domestic workers and the Government of Peru, is *La Casa de Panchita (LCP)*. LCP will be introduced later in this thesis, as much of the ethnographic done for the purposes of this thesis was done through them. Although not a union, they provide domestic workers with workshops to learn their rights as workers. In terms of unions, as per the International Domestic Worker Federation<sup>15</sup>, there are four in the country. These are: The *Centro de Capacitacion para Trabajadoras del Hogar (CCTH)*, the *Federacion de Trabajadores y Trabajadoras del Hogar Remunerador del Peru (FENTRAHOGARP)*, the *Instituto de Promocion y Formacion de Trabajadoras del Hogar (IPROFOTH)*, and the *Sindicato de Trabajadores y Trabajadoras del Hogar Region Lima (SINTTRAHOL<sup>16</sup>)*.

### 3.3 Violence in the Context of Domestic Workers in Lima

As previously introduced, domestic workers in Lima can be employed as *cama adentro* (live-in) or *cama afuera* (commuter). As the name suggests, when employed *cama adentro*, domestic workers are given a bedroom in the employer's house, where they sleep during the week. Traditionally, *cama adentro* domestic workers are considered full-time employees, whose number of worked hours must not exceed 48<sup>17</sup> in a single week (Monday to Sunday), as per the current law. The *cama afuera* option entails the worker living in her own home and commuting back and

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<sup>15</sup> “Afiliados FITH en America Latina”, Federacion Internacional de Trabajadores del Hogar, accessed on March 1, 2019, <http://idwfed.org/es/afiliaciones/america-latina>

<sup>16</sup> Ibid.

<sup>17</sup> “Peru: Proyecto de Ley 27986, y su Modificacion”, IDWFED, January 19, 2017, accessed on February 9, 2018, <http://www.idwfed.org/es/relatos/peru-proyecto-de-ley-27986-y-su-modificacion>

forth as agreed upon by the parties involved. *Cama afuera* domestic workers can be divided into two different types. Those who work for a single family week after week, and those who work on a daily basis at different households upon request. As briefly introduced, the *cama adentro* mode of employment is decreasing in popularity, which is seen as a positive shift, as *cama adentro* employment keeps the worker “captive” in the workplace and provides an arbitrary environment more likely to foster exploitation of different sorts, mainly financial and physical (OIT, 2013; Mick 2011, 190). On the other hand, *cama afuera* domestic workers are observed to be less prone to suffer this same violence, and their work environment (hours, breaks) is easier to observe and regulate (OIT, 2013).

The World Health Organization defines violence as “the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in injury, death, psychological harm, maldevelopment or deprivation” (Dahlberg and Krug 2002, 5). Using this source, the three forms of violence that will be explored throughout this proposal: physical, psychological, and financial (Mayer, 2019), are addressed under this umbrella definition of violence. This definition encompasses actions which are public or private, reactive or proactive, and criminal or non-criminal (Dahlberg and Krug 2002, 5-6). The term violence will be used instead of abuse, as the latter has a narrower definition that does not address all the damages that might be encountered by domestic workers in the workplace. It is important to highlight that events which occur away from the workplace but as a result from work-related exchanges are also considered workplace violence<sup>18</sup>.

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<sup>18</sup> “Canadian Centre for Occupational Health and Safety: OSH Answers Fact Sheets”, Government of Canada, July 12, 2017, accessed on March 16, 2018, <https://www.ccohs.ca/oshanswers/>

### 3.3.1 Psychological violence

Psychological violence can take multiple forms, and given its nature, it is the hardest to document. Conducting interviews is a beneficial method that allows the identification of psychological violence when present. For the purposes of domestic work, the forms of psychological violence that will be explored include: verbal denigration in the form of racism, ageism, and sexism; yelling or uttering threats at the domestic worker; the illegal employment of minors; and sexual harassment.

Verbal denigration is the first form of psychological violence to be explored, it is a prominent form of violence in the limited available literature regarding domestic workers in Lima (Radcliffe 1990; Rottenbacher de Rojas 2015; Perez and Llanos 2015). It emerges from the aforementioned culture of ‘superiority’ felt by whiter Peruvians and/or Peruvians with fewer attachments to their indigenous past. Verbal denigration takes place when the employer makes reference to the domestic worker’s ethnic background or gender in a derogatory manner, or when they negate the worker’s age, minimizing their state as an adult.

In regard to making racist remarks against the worker, the words *chola* and *paisana* are commonly used in Peru as derogatory terms to indicate the inferiority of peasant indigenous women (Radcliffe 1990, 384). As earlier mentioned, the elites in Peru are overwhelmingly white, or *mestizo*, and Indigenous people are at the bottom of the pyramid, often referred to as *cholos* in an derogative manner. Similarly, domestic workers are commonly referred to as *muchachas* or daughters (Radcliffe 1990, 384). Using these words to address domestic workers, serves as a

constant reminder that they are working in a milieu in which they are not considered equals. The presence of these conditions make of domestic work, a field where the worker is very prone to being a victim of psychological violence and devalues their work and humiliates them as people.

Because domestic workers often start working at an early age, employers commonly refer to them as ‘daughters’. According to Radcliffe (1990, 389), this can be understood as a two-dimensional term. The first dimension entails belonging to the family, which places the emphasis on developing a relationship based on love and care. The second dimension involves claiming that the worker is young and inexperienced, which allows the employer to exercise control over their personal relationship (Radcliffe 1990, 385). When domestic workers are referred to as ‘daughters’, it is intended in this second dimension (Radcliffe 1990, 389). This status of ‘daughter’ denies their age, ethnic distinctiveness, and labour contribution, which is furthered through the loss of their right to act for themselves as control over their own decisions are overtaken by their employer (Radcliffe 1990, 389).

Upon being hired, domestic workers report that their employers want them to leave their culture behind and start learning “how to live properly”, as instructed by them (Radcliffe 1990, 389). This entails accepting the employers’ customs and practices, and leaving behind the ones they grew up with. This behaviour can be understood as an assimilation technique, in which the “superior” mestizo culture of Lima is imposed upon migrants (Radcliffe 1990, 389). This form of discriminatory violence is common and normalized by the mainstream culture that reigns in Lima. The disregard towards domestic work and domestic workers is affiliated with the existing cultural

patterns, and it persists as employers of domestic workers accept segregation, machismo, and racism inside of their homes (OIT, 2013).

This is best illustrated in Rottenbacher de Rojas' (2015) study about the attitudes of university students in Lima towards discrimination against domestic workers. Rottenbacher de Rojas conducted interviews regarding the acceptance of domestic workers in spaces traditionally occupied by higher class Peruvians. As stated by the Law 26856<sup>19</sup>, all beaches in Peru are “public property, inalienable, and imprescriptible”. Nonetheless, this study found strong support towards segregation in these spaces most commonly by university students with conservative tendencies (Rottenbacher de Rojas 2015, 245). *Balnearios* (beach resorts) south of Lima, have become segregated spaces over recent decades. Namely, the *Balneario de Asia* located in Asia, Cañete, has been privatized by higher classes blatantly going against what the law dictates, without repercussion. This has resulted in the segregation of this space, which is now predominantly occupied by upper class *Limeños* who tend to have a beach home in this general area. As they occupy these homes in the summer, they bring with them domestic workers, who are shamed from using the beach during this popular period of the year. In 2007, the discrimination reached its highest point as three rules were implemented in this balneario by property owners: no littering, no dogs, and no domestic workers from 6am until 5pm<sup>20</sup>. In spite of this terrible episode, a decade

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<sup>19</sup> “Ley N 26856: Declaran que las playas del litoral son bienes de uso público, inalienables e imprescriptibles y establecen zona de dominio restringido”, Ministerio de Transportes, Comunicaciones, Vivienda y Construcción, accessed on February 9, 2018, [https://www.sbn.gob.pe/documentos\\_web/normas\\_playas/ley\\_26856.pdf](https://www.sbn.gob.pe/documentos_web/normas_playas/ley_26856.pdf)

<sup>20</sup> “Guerra de clases en las playas de Peru”, El Pais, January 29, 2007, accessed February 9, 2018, [https://elpais.com/internacional/2007/01/29/actualidad/1170025202\\_850215.html](https://elpais.com/internacional/2007/01/29/actualidad/1170025202_850215.html)

later, socio spatial segregation continues to be a highly accepted practice by individuals who present discriminatory attitudes toward domestic workers (Rottenbacher de Rojas 2015, 245). This specific case illustrates well the embedded discrimination previously described in *Limeño* society, which has several major repercussions upon domestic workers, mainly in the shape of psychological violence through verbal denigration.

Stemming from the same socioeconomic problems present in this first form of psychological violence, are the second form of psychological violence to be explored, yelling and uttering threats. Domestic workers are prone to being yelled at or threatened by their employer(s) and/or members of the family, as they are often talked down to when mistakes take place, when something is not done to the taste of the members of the household, or when they are looking for a scapegoat following a difficult day (Gamlin et al. 2015, Lautier 2003, Legua Bordon 2017).

The third form of psychological violence to be discussed, as pertaining to the above presented framework, is the exploitation of minors. The minimum age recorded in studies for a domestic worker in Peru is 12 years old (Gamlin, Camacho, Ong, and Hesketh 2015, 214), although, during my time in Peru, I interviewed domestic workers who started their work as young as 7 years old. In Gamlin et al.'s (2015, 214) study of six countries where child domestic work is common, it was recorded that 97% of the minors interviewed in Peru were first generation internal migrants. In comparison to the other countries studied, the rate of internal migration is much higher in Peru, highlighting the uniqueness of the case in question. Perhaps the most surprising finding collected during these interviews is that 91% of the child domestic workers reported being proud of their work, and 89% reported being proud of themselves (Gamlin et al. 2015, 215-216).

Although the interviewees in this study report positive emotions, the employment of minors is illegal, and the time spent in the household can lead to deprivation and maldevelopment, for which the employment of minors has been considered a form of psychological violence.

Mick (2011, 190) and Rottenbacher de Rojas (2015, 244) also report interviewing minors for their respective studies, which sheds light on the prominent presence of minors in this field. Baek (2008, 27) claims that one third of all domestic workers in Lima are children, although this number is often contested as domestic workers often work informally (Baek 2008, 27). It is estimated that 68% of all domestic workers in Peru are between the ages of 14 and 29, while only 10% are 46 years old or older (Rottenbacher de Rojas 2015, 244). Domestic workers in Peru are thus commonly young, indigenous women. Regardless of age, most domestic workers in Peru start their “careers” while being under aged, and these early experiences in the workforce influence their experiences and attitudes later on.

The final form of psychological violence to be introduced is sexual harassment. Sexual harassment entails the employer, members of the household, or people visiting the workplace, making or threatening to make unwanted or unwelcomed sexual advances or requests for sexual favours to the domestic worker.

### 3.3.2 Physical violence

Placed in a weaker position, domestic workers are also prime targets for physical violence, most prominently, sexual assault. Recorded physical violence has historically included sexual violence, beatings, removal of food, and/or being locked up in a small room (Radcliffe 1990, 387).

In the early 1980s, it was reported that 25% of domestic workers suffered physical violence, of which 25% further suffered from sexual violence (Radcliffe 1990, 387). Obdulia Guevara Neyra, Secretary General of the *Sindicato de Trabajadores y Trabajadoras del Hogar Region Lima* (SINTTRAHOL), admits that although the official number of victims is not available, she estimates that 60% of all domestic workers have at least once been victims of sexual violence<sup>21</sup>.

In spite of the unavailability of official statistics, I hypothesize that this type of violence will be less likely to have occurred over the last decade, as *cama adentro* domestic workers have been decreasing in favour of *cama afuera* domestic workers, who –as earlier explored- are overall less likely to experience these types of violence. Moreover, Radcliffe claims that sexual violence has been slowly decreasing over the past decades because middle-class young men are no longer expected to become initiated sexually with their domestic worker, practice which was previously normalized by novels and TV shows in the country (Radcliffe 1990, 387). Finally, in Gamlin et al.'s (2015, 215) study on child domestic work across six different countries, Peruvian child domestic workers were the only ones who did not report punishments nor beatings, leading me to an increased confidence of the decrease of overall physical violence against domestic workers.

### 3.3.3 Financial violence

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<sup>21</sup> “En Lima, más del 30% de trabajadoras del hogar todavía está en una situación de samiesclavitud”, La Republica, December 21, 2016, accessed on February 19, 2018, <http://larepublica.pe/domingo/1003413-en-lima-mas-del-30-de-trabajadoras-del-hogar-todavia-esta-en-una-situacion-de-semiesclavitud>

One final type of violence, which has been most recently the focus of studies, is financial violence. As of 2016, 20.7% of Peruvians were living in poverty, a remarkable 21.7% decrease in relation to the 2007 estimate<sup>22</sup>. Poverty is defined by the Peruvian government as “people who have a level of expenditure lower than the cost of the basic basket of consumption composed by foods and not food”, this basket was estimated to cost 213 soles (CAD\$84) per month in 2016<sup>23</sup>. As earlier introduced, in 2003, the *Ley de los Trabajadores del Hogar*<sup>24</sup> (Law of Domestic Workers) was enacted seeking to protect and regulate domestic work in Peru, but it has yet to be proven effective for this matter, as it is not actively enforced. The law has been modified twice since its inception, first in 2015, and then in 2017<sup>25</sup>. It will be modified once again before the end of November 2019, due to the recent ratification of the International Labour Organization’s C-189 Convention on November 2018<sup>26</sup>. The ratification of ILO’s C-189 convention forces the Peruvian government to make changes to the existing law within the time frame of twelve months, which will expire on November 2019.

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<sup>22</sup> “Evolucion de la Pobreza Monetaria 2007-2016”, Instituto Nacional de Estadística e Informática, May 2017, accessed on March 15, 2018, [https://www.inei.gob.pe/media/cifras\\_de\\_pobreza/pobreza2016.pdf](https://www.inei.gob.pe/media/cifras_de_pobreza/pobreza2016.pdf)

<sup>23</sup> Ibid.

<sup>24</sup> “Ley de los Trabajadores del Hogar”, Ministerio del Trabajo del Peru, June 3, 2003, accessed on March 15, 2018, <http://www.mintra.gob.pe/contenidos/archivos/prodlab/LEY%20DE%20LOS%20TRABAJADORES%20DEL%20HOGAR%20Ley%20No.%2027986%2003-06-03.pdf>

<sup>25</sup> “Peru: Proyecto de Ley 27986, y su Modificación”, IDWFED, January 19, 2017, accessed on February 9, 2018, <http://www.idwfed.org/es/relatos/peru-proyecto-de-ley-27986-y-su-modificacion>

<sup>26</sup> “Peru ratifies Domestic Workers Convention, 2011”, International Labour Organization, November 26, 2018, accessed on February 22, 2019, [https://www.ilo.org/global/standards/WCMS\\_663773/lang--en/index.htm](https://www.ilo.org/global/standards/WCMS_663773/lang--en/index.htm)

As per 2011, only 7.9% of domestic workers were being paid a monthly wage equal to or higher than the mandatory minimum wage at the time, which was 675 soles (CAD\$259) (Rottenbacher de Rojas 2015, 244). An alarming 51.7% of domestic workers were recorded to receive less than 400 nuevos soles per month (CAD\$154), and the remaining 40.4% receive between 400 and 675 soles<sup>27</sup> (CAD\$154 - CAD\$259) per month (Rottenbacher de Rojas 2015, 244). These numbers highlight the devalued status of domestic labour and more importantly, the presence of financial violence on behalf of the vast majority of employers. Although Law 27986<sup>28</sup> guarantees access of social benefits to domestic workers, only 5.9% are covered by social insurance by their employers (Rottenbacher de Rojas 2015, 245).

Financial violence can thus take the form of low pay, slave labour (abusive working schedules), and lack of benefits. Financial violence is a problem widely present among domestic workers, and it represents an accurate illustration of the aforementioned disregard towards the work done by the women employed in this sector. Moreover, it is allowed to happen by the lack of clarity and the lack of enforcement of the law present, which is meant to be protecting domestic workers.

Overall, the literature on domestic worker violence in Lima highlights the prominent role that gender, ethnicity, and class division continue to play in the capital. This has serious

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<sup>27</sup> 675 soles was the Peruvian minimum wage as of November, 2011

<sup>28</sup> “Peru: Proyecto de Ley 27986, y su Modificacion”, Federacion Internacional de Trabajadores del Hogar, January 19, 2017, accessed on February 9, 2018, <http://www.idwfed.org/es/relatos/peru-proyecto-de-ley-27986-y-su-modificacion>

implications in regard to the forms of violence which have been explored here, more importantly the part this plays in the devaluation of domestic work as job worthy of financial security and social benefits. This is exacerbated by the fact that the occupation almost exclusively employs women, whose work is devalued from an early age, in spite of the importance it carries. The literature explored sets up the stage for an exploratory analysis of the manifold everyday strategies that domestic workers in Lima utilize to resist violence in the workplace.

### 3.4 The Unobstructive Lower Class Resistance: Theoretical Underpinnings

Resistance of subordinate classes has been examined from several different perspectives. The work of James C. Scott on peasant resistance will serve as the groundwork to understand this matter, and will be complemented with the works of Bayat (1997), Steel (2012) and Crossa (2009, 2013). Throughout Scott's work, there are recurring themes that allow for a better understanding of what is meant by everyday subordinate resistance. These overarching themes include: the avoidance of confrontation, its purposely hidden nature, the relation to social movements, and the subordinates' goals. Scott builds on these themes in his different publications throughout the years, which has resulted in a theory as it pertains to resistance of the subordinate classes.

Subordinates evade appearing in official records in an effort to avoid bringing attention to themselves, guard their anonymity, and be absent from public documentation. As it is not in the best interest of officials who document historic events to publicize rebellious acts, the noticeability of subordinate resistance has been traditionally reliant on historians' efforts (Scott 1989, 49). To illustrate, Scott attributes the collapse of the Confederacy during the US Civil War to the desertion that took place by as many as 250 000 people, who refused to be enlisted to fight "a rich man's

war” (Scott 1989, 49). The demographic shifts that resulted as a direct consequence from this desertion indicates the presence of flight, a form of resistance by subordinates. This resistance played a crucial role in the collapse of the Confederacy, even though it is not widely acknowledged to be so (Scott 1989, 50). This example demonstrates the necessity to look beyond official records of events as told by states. The interpretation of other statistics, such as censuses, allows for the observation of the great impact that individual actions by subordinates can have.

In the case of domestic workers, hidden actions of resistance can best be extracted through the conducting of interviews. These interviews allow for the creation of a verbal, and then written record, where everyday actions that evade formal records can be analyzed. Although subordinates engaging in everyday forms of resistance are not looking for a revolution (Scott 1989, 51), their actions cannot be ignored, as they constitute a collective way in which these lower classes manifest their political interest and hardships (Scott 1989, 33). A sole focus on formal, organized collective action and recourse overlooks the important everyday actions that take place in which subordinate classes resist hardship (Scott 2012, 68).

Not engaging in larger, more aggressive resistance is a calculated move on the part of subordinate classes who aim to avoid notice and detection, as their safety lies in the protection of their anonymity (Scott 1989, 34; Scott 2012, 71). Subordinate classes commonly engage in the hidden transcript in order to mitigate their reaction to violence. For instance, in relation to domestic workers, this would take place when two or more domestic workers would gather and engage in character assassination of their superordinate. It is used as a substitute for direct assertion and when shared with an audience that relates to the same sufferings, it creates a “joint discourse of dignity,

negation, and justice” (Scott 1990, 114). Although in public subordinate classes might seem to accept domination, in private, this off-stage critique of power is taking place simultaneously (Scott 1990, 116). Without a clear leader or membership to investigate, these actions leave little documented evidence behind and are what Scott refers to as *infrapolitics*, the “unobstructive realm of political struggle” (Scott 1990, 183; Scott 1990, 200).

Through engagement in a hidden transcript, a subordinate can find solidarity with other subordinates and express his/her discontent with the current state of order, which serves as a channel to minimize appropriation, which may include poaching, arson, or squatting (Scott 1990, 194). In regard to domestic workers, these acts of appropriation may include theft, the damaging of the employers’ belongings, gossiping with other domestic workers, etc. According to Scott, the presence of weak surveillance and enforcement of rules is likely to be exploited quickly in situations where subordinates are being oppressed, and any small success is likely to encourage future ventures (Scott 1990, 115). This seems unlikely in relation to domestic workers, as constant theft and/or damaging of property risks getting noticed by the employer and result in severe consequences.

Scott makes a strong point in differentiating peasant resistance from social movements, which has been a main focus of criticism found in the literature. He argues that the absence of formal social movements by peasants is a calculated technique, which is prudent and has been historically tested (Scott 2012, 71). Not acting with or as a social movement is preferred by peasants, who see everyday forms of resistance as a proven and effective channel through which they can achieve the intended results while protecting their anonymity; this allows them to avoid

a backlash to their actions (Scott 2012, 71). This is illustrated by Scott through the work of Bloch, an English scholar who examined medieval poaching. Poaching peasants were able to defeat their superordinate on peasant property and income through everyday actions, achieving a greater impact than large scale protests (Scott 2012, 71). The duration of poaching and everyday resistance to the tithe (an enforced tax) is comparable to a social movement, however, it is not considered a social movement on its own (Scott 2012, 71). Using examples like the one above, Scott argues that the greatest part of peasant resistance happens outside the standard definition of social movements (Scott 2012, 69), which emphasizes the importance of paying attention to everyday actions. In relation to domestic workers, avoiding engagement with established social movements can be argued to also be a calculated technique, as their work scheduled leave them with limited time to engage in larger movements and represents a risk to their current employment.

Bayat analyzes these aforementioned actions from a different perspective, which leads him to be critical of Scott. When their gains are being threatened, Bayat (1997, 56) argues that peasants work to protect them through an open and highly audible campaign that has goals beyond resistance and are comparable to those of a social movement. That being said, open resistance is not the norm.

In regards to goals, Scott does not see revolutionary aims in the actions of peasants nor does he believe they aim to overthrow or transform the system (Scott 1989, 51; Scott 2012, 73). Rather, he believes peasants aim for survival, claiming vital material gains and minimize appropriation (Scott 1989,35; Scott 1990, 194). Although unusual, Scott does not dismiss the buildup to a social protest if the scope of targeted goals is large enough, and the size and durability

of the activity fosters such a scenario (Scott 2012, 70). As previously emphasized however, this is rarely the goal, but rather just a possibility with rare chances of being concrete.

Contrary to what Scott presents, Bayat believes that highly audible campaigns can be the intended scenario and that ‘quiet encroachment’ (his correspondent to infrapolitics) occurs because of the lack of institutional mechanisms through which peasants can collectively express their grievances and find solutions to their problems (Bayat 1997, 58). Bayat sees the silent repertoire by peasants as a product of the lack of institutional capabilities and not as an intended path to cope with violence, which overlaps with Scott’s claims (Bayat 1997, 58). Bayat’s work is reflected more in the reality of workers such as street vendors or farmers, who are not necessarily working for an employer or superordinate, but under the overall jurisdiction of a state. As it relates to domestic workers, they generally work under the rules of a single superordinate, with whom they are either in constant contact or under constant scrutiny. Moreover, their contact with other domestic workers might be very limited as a product of this supervision. Supervision of this type is not explored in the literature of resistance for which it will be interesting to see how it develops.

While Scott examines everyday resistance by peasants, Bayat’s work places a greater emphasis on the free-form activism in which “disenfranchised” or “informal” people resist and the significant social changes that these actions produce (Bayat 1997, 55-56). Bayat attributes Scott’s work with the change in perception of Third World peasants, from passive to one seeking a degree of improvement (Bayat 1997, 56). He sees the actions of these disfranchised groups as driven by survival and the desire for a dignified life (Bayat 1997, 58). Although this is expressed differently from Scott, the authors’ main ideas tend to overlap. While Bayat expresses that disenfranchised

people seek to survive and advance their lives through gains, Scott claims subordinates seek survival and persistence, neither claiming a revolution nor advancement (Bayat 1997, 58; Scott 2012, 95).

The way in which Bayat politicizes the activities of the subordinates differs from Scott. While Scott points at everyday silent actions as infrapolitics (the ways in which peasants become political), Bayat argues that these everyday acts shift into politics when individual gains are threatened, for which subordinates engage in audible, collective action (Bayat 1997, 57). Furthermore, rather than purposely being unorganized as a way to achieve their goals as presented by Scott, Bayat argues that disenfranchised people lack the institutional capacities to collectively organize and better fulfill their objectives (Bayat 1997, 59).

Crossa (2013, 828) considers that Scott and Bayat enrich the literature of resistance through their theorization of survival. Moving beyond the “classic opposition to constraints”, the two authors focus on how subordinate actors move past constraints and reorganize their social networks (Crossa 2013, 828). Katz (2004) wraps up the aforementioned works by stating that resistance responds to injustices produced by global economic restructuring (Crossa 2013, 828). As it relates to domestic workers, this contribution by Crossa and Katz is important, as it shifts away the focus from just power structures and adds a degree of capitalism. Katz argues that subordinates fight for “liberating” or “emancipatory” change through these survival strategies, which moves beyond the altering of power relations (Crossa 2013, 828). Katz (2004, 247) presents three categories of resistance: resilience, reworking, and resistance. Resilience entails the quiet and hidden strategies used for daily survival, reworking refers to quiet strategies to gain resources, and resistance is

reserved for overt strategies which aim to achieve a significant transformation of the existing distribution of resources and socioeconomic structures (Katz 2004, 247-251).

Steel makes an important contribution to the field of domestic work. Being a critic of classic definitions of resistances, he claims that these overemphasize the collaboration by the working poor, who are often considered as a homogenous or undifferentiated group (Steel 2012, 1008). The attention given to a common singular identity prevents scholars from considering more individualized forms of understanding agency, which can be crucial to gaining understanding of informal workers' struggles in the face of repressive policies (Steel 2012, 1008-1009). This is particularly important for the purposes of this thesis because it sheds light on two matters; first, the limited applicability of the available literature on social movements regarding domestic workers and second, the potential of this research to contribute to the existing literature of subordinates' resistance.

### 3.5 Limitations and Applicability

The literature on informal work is highly focused on professions such as street vending, manufacturing, and agriculture, which present different working realities than those faced by domestic workers, who interact with their superiors on a much more regular and personalized basis (Chen 2011, 167; Steel 2012, 1009). Moreover, domestic workers' interactions with their colleagues might not be as common, as they traditionally work individually in a home. Nonetheless, all of these populations share the commonality of being exposed to an elevated degree of vulnerability in the face of violence and precarious working conditions, for which the literature of informal work has been core to the theoretical framework presented.

Domestic workers are mostly women who work formally or informally, full-time *cama adentro*, full-time *cama afuera*, or part-time, come from rural or urban areas, and vary in age (Lindell 2010b as cited in Steel 2012, 1010), which are important considerations to remain aware of for the remainder of this thesis. Resistance of domestic workers to acts of violence has yet to be addressed by scholars, even though the literature in this sector largely acknowledges its presence. As earlier mentioned, this might be the case because Latin American scholars might have domestic workers themselves, making the study psychologically difficult (Lautier 2003, 799).

Given the uniqueness of the study in question, the above presented framework will have limitations in its applicability. As I will be looking at the single case study of Lima to understand everyday resistance techniques by domestic workers, the generalizability of the study can be target of criticism. However, the literature of domestic workers in Latin America recognizes major characteristics that the city of Lima is identified with, such as migration, class, and gender relations (Legua Bordon 2017; Mick 2011; Perez and Llanos 2017, and Rottenbacher de Rojas 2015). For this reason, I strongly believe that the choice of Lima as the case study will address some of these concerns and mitigate the question of generalizability.

Domestic workers have a subordinate status vis-à-vis their employer. The impact that this status of subordination imposes upon them varies depending on different factors, including but not limited to: existing legislation, working conditions, and/or remuneration. Domestic workers have historically been part of the informal sector exclusively, and although this has changed and they can now work formally, employers continue to hire them informally as it is to their financial

advantage<sup>29</sup>. Given these dynamics, domestic workers interviewed will have experienced different forms and degrees of violence, which will enrich the variety of findings.

Ethnographic research on domestic workers is necessary to enhance the scholarship of violence in domestic work, as it allows to gain access to important individual level information not yet available. The lack of literature available on the topic, in spite of the acknowledgement that it is an issue, has been the center of criticism in studies, which highlights the resistance by scholars to enhance the literature in spite of the number of people who are employed in the domestic work sector (Lautier 2003, 789). Current estimates regarding violence against domestic workers greatly vary depending on the source and do not examine the different kinds of violence experienced. The data collected from this thesis will help fighting invisibility of domestic workers, and further contribute to the fight for equal rights, gender equality, and women empowerment.

### 3.6 Possible Contributions to Existing Research

Domestic work is a very precarious form of labour, as terms of employment are often not outlined and existing legislation is commonly disregarded. It is estimated that over 30% of domestic workers in Lima are currently forced to work under slave-like conditions in which the minimum wage is not respected, the employee is forced to work up to 18 hours per day, sexual

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<sup>29</sup> “En Lima, más del 30% de trabajadoras del hogar todavía está en una situación de samiesclavitud”, Diario La Republica., December 21, 2016, accessed on February 19, 2018, <https://larepublica.pe/domingo/1003413-en-lima-mas-del-30-de-trabajadoras-del-hogar-todavia-esta-en-una-situacion-de-semiesclavitud>

abuse is common, and food is insufficient<sup>30</sup>. In spite of the common knowledge that violence against domestic workers in Peru is actively present, the topic of how domestic workers resist to abuses remains severely understudied.

This research seeks to shed light on the “invisibility” of domestic workers, who are often left to their own devices to fight against the multiple forms of violence they experience at the hand of their employers. As most domestic workers are poor women, un- or under-educated, and from ethnic and linguistic minorities, there are important social class, gendered and racial dimensions to domestic work that makes this research relevant to the fight for equal rights and empowerment.

Although there are works available that examine resistance of informal workers in Latin America (Rojas Garcia and Contreras Lopez 2018; Borgeaud-Garciandia and Lautier 2014), the literature examining resistance of domestic workers in Lima or Peru is nonexistent. Due to the unique characteristics at play in the field of domestic work, it is necessary for it to be investigated on its own. The limited research available on this topic makes this thesis of great potential to serve as a tool for the empowerment of this historically oppressed population in Peru and Latin America. Moreover, the gap in the literature allows for this thesis to provide an important contribution to academia.

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<sup>30</sup> “En Lima, más del 30% de trabajadoras del hogar todavía está en una situación de samiesclavitud”, Diario La Republica, December 21, 2016, accessed on February 19, 2018, <http://larepublica.pe/domingo/1003413-en-lima-mas-del-30-de-trabajadoras-del-hogar-todavia-esta-en-una-situacion-de-semiesclavitud>

## 4. Methodology

The aim of this thesis is to investigate how domestic workers resist violence in the workplace on an everyday basis. This section will explain how the data was obtained for the purposes of this study. First, I will discuss the reasoning behind using semi-structured interviews. I will follow this explanation with a presentation of how the interviews were conducted and finalize this section describing how the data gathered was analyzed.

### 4.1 Choosing a research method

The information necessary to answer the question at hand has been obtained by conducting ethnographic research and semi-structured interviews in Lima with sixteen domestic workers. For the purposes of this thesis, qualitative research is more appropriate than quantitative research. As I seek to explore ways in which domestic workers resist violence, numerical statistics regarding what kind of methods they use to resist violence or what kind of violence they face is not sufficient to answer the research question. Rather, through the use of semi-structured interviews, qualitative research allows me – as the researcher – to understand their experiences and strategies in place, as further questioning can be done and clarifications can be obtained. This will enable me to produce richer data required to answer the question at hand. The data obtained from this inductive method allows me to guide my research, as framed by the theoretical framework presented.

### 4.2 Gathering the data

In the following section, it will be explained why ethnographic research and semi-structured qualitative interviews were the chosen methods to gathering data and how these took place.

#### 4.2.1 Choosing a method

Using semi-structured interviews was chosen as a method because it enables the researcher to obtain similar information from all participants, while having the freedom to guide the interview as it was seen fit. Moreover, semi-structured interviews allowed me to have questions prepared ahead of time, which ensured all questions were covered, in case the subject was unreachable or unavailable for subsequent interviews, if required. Ethnography, research that “fuses close-up observation, rigorous theory and social critique”<sup>31</sup> was also used. The inclusion of ethnography is justified as the world of domestic workers in Lima is complex. Observing and interacting with domestic workers in a setting where they felt comfortable gave me an advantage when conducting interviews, as the initial contact had already been made. This allowed me to gain a deeper understanding of their backgrounds and experiences in the workplace. Moreover, working with the Union and LCP, allowed me to better understand their struggle when it comes to reaching non-unionized domestic workers, helping domestic workers who suffer from violence, and dealing with official governmental institutions.

#### 4.2.2 The interview guide

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<sup>31</sup> SAGE Publishing. “Ethnography”, 2017, accessed on February 20<sup>th</sup>, 2019, <https://us.sagepub.com/en-us/nam/journal/ethnography>

This thesis is part of a larger project lead by Dr. Mayer at Concordia University, where domestic worker resistance to violence is currently being examined in Brazil and Peru, and will be examined in a third country in the future. The project is part of the work done at the Centre for Research on Resistance, Informality and Violence (CERIV). Given that the interviews in Brazil took place before I went on the field in Peru, the questionnaire was already in place. The questions were translated into Spanish and adapted to accommodate the Peruvian reality. The interview guide can be found in appendix A. These questions were formulated from the literature explored, which looked at everyday informal worker resistance in Latin America.

This questionnaire was used in the Brazilian cities of Sao Paulo, Ileus and Joinville, prior to being used in Lima, which allowed for the questions to be modified and improved to better accommodate the realities encountered. The questionnaire used in Lima was the most optimal version the CERIV team produced. Following the first three interviews in Lima, I decided to continue carrying these interviews with the questionnaire unmodified, as the information gathered was adequate. The only change made was replacing the words “*empleada domestica*”, meaning domestic worker, in favour of “*trabajadora del hogar*”, meaning house worker. Domestic workers in Lima consider the first term offensive and outdated, while they believe the latter dignifies the job and gives workers a more gracious title.

#### 4.2.3 Conducting the interviews

The interviewees are domestic workers employed in Lima, Peru. Access to domestic workers was obtained through two organizations grounded in Lima: *La Casa de Panchita* (LCP), and the *Sindicato de Trabajadoras y Trabajadores del Hogar Region Lima* (SINTTRAHOL). La

Casa de Panchita is both, a non-profit organization established in 2007 and an employment agency. First, the non-profit provides domestic workers with informative workshops where they learn about their rights and responsibilities at the workplace, and they are provided with support of different kinds, such as financial advice and counselling. As a separate institution, LCP acts as an employment agency for domestic workers, which ensures that they are treated fairly, as mandated by Law 27986<sup>32</sup>. Initial contact was established with workers at La Casa de Panchita prior to arriving in Lima. The other organization is a union located in the Lima city centre and has a membership of roughly 6% of the whole population of domestic workers in Lima, which is equivalent to roughly 500 000 members according to their own estimates (Legua Bordon 2017, 30).

Data collection resulted from conversations and interviews of domestic workers in the abovementioned organizations. The language of these exchanges was Spanish, as it is the language primarily spoken by the domestic workers interviewed. I completed 16 interviews during my two months in Lima, with interviewees selected at random within these organizations. By visiting La Casa de Panchita on repeated occasions, I was allowed to establish a comfortable relationship in which the domestic workers interviewed felt comfortable sharing information regarding their experience with violence at the workplace. Establishing a comfortable relationship with my interviewees allowed me to create connections beyond the interviews, which will enable me to follow-up in the future if required.

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<sup>32</sup> “Bienvenidos a la Casa de Panchita S.A.C.”, La Casa de Panchita, accessed on March 15, 2018, <https://lacadepanchita.com/nosotros/>

The data obtained was recorded using my iPhone, and it was later sent onto Concordia's Centre for Research on Resistance, Informality, and Violence's Google Drive and an external hard drive of mine, ensuring that the data is secured in a safe place. I assigned a pseudonym to each participant, to guarantee their anonymity. The data has been transcribed for analysis.

#### 4.3 Interviewee characteristics

For the purposes of this thesis, sixteen female domestic workers were interviewed in Lima. All of them were of Indigenous descent, 13 internal migrants, 2 daughters of migrants, and 1 born in Lima. Out of the 13 migrants, most of them were brought to Lima against their will to work as domestic workers, while the rest chose<sup>33</sup> to do so due to the lack of opportunities available in their hometowns. In regard to the two daughters of migrants, both of their mothers were brought to Lima as "Goddaughters" to work in homes.

As per the interviews conducted, this modality of being brought as a Goddaughter entails going to Lima to live with a family, who will provide you with the basic necessities: clothing, food, and schooling, in exchange of domestic work. Goddaughters reported not always receiving schooling and their working environment being often very precarious, with limited breaks or time to rest. Being a Goddaughter might happen by choice<sup>34</sup>, the daughter might be sent or sold by her family, or stolen from them. From a testimony gathered, being stolen entails being kidnapped,

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<sup>33</sup> In this sentence, choice is used to refer to the fact that an individual did not push these workers to move to Lima, acknowledging that the lack of opportunities outside of Lima makes this decision more of a "Hobson's choice" rather than one based on free will.

<sup>34</sup> Ibid

often while playing unsupervised in a rural area of Peru, and then being sent to Lima, where the person who kidnaps the girl gets paid monthly for the work she does.

In terms of the age in which the interviewees started working, 9 of the interviewees started working between the age of 6 years old and 14 years old, 4 between the ages of 14 and 18, and 3 after they turned 18. The three in this sample who started working as domestic workers after the age of 18 are the only ones to have obtained an education beyond secondary school. Out of the three, two of them were forced into domestic work because their husbands' working situation changed, and the last one because she lost her job as a consequence of the years of terror of the Shining Path. This worker was previously employed as a secretary in the business area of Miraflores, and during the events of the *Tarata* bombing terrorist attack that took place in Lima in the early 1990s, her office was destroyed and she consequently lost her job. In regard to the education attained by the other workers, 6 reported having done some elementary education, 3 did some secondary school, and only 4 graduated from secondary school - three of which did so in their 20s. According to the latest national numbers recorded in the 2017 National Census, 72,3% of Peruvians have at least finished secondary school<sup>35</sup>. This shows the discrepancy between the average Peruvian and the domestic workers interviewed.

Five of the 16 interviewees were unionized, while the other 11 were accessed through *La Casa de Panchita* network. That being said, only 4 of them had completed the law workshop upon being interviewed, and the remaining 7 had not yet received the training by LCP. LCP offers

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<sup>35</sup> “Resultados Definitivos de los Censos Nacionales 2017”, Instituto Nacional de Estadística e Informática, accessed on January 15, 2019, <https://www.inei.gob.pe/estadisticas/censos/>

workers a three-day training before placing domestic workers at a home and their involvement in LCP thereafter is limited. Unlike at a Union, domestic workers who undergo LCP training do not get further involved with the organization, for instance, by attending roundtables with Government officials to discuss the situation of domestic workers in the country. In terms of working modality, one of the interviewees is no longer a domestic worker, 4 were currently looking for a job, 3 were working part-time, 2 were employed full-time *cama adentro*, and the remaining 6 were employed full-time *cama afuera*.

#### 4.4 Analysis

As mentioned above, following my return from the field, the interviews recorded were transcribed in order to allow for the analysis to be done. The transcriptions were colour coded by themes.

##### 4.4.1 Coding and content analysis

Once the interviews were transcribed, I read the interviews at least twice, and identified the sections in each interview in which domestic workers narrated instances that could be considered resistance to violence. I isolated these sections for each interviewee and proceeded to colour code the new whole new set of data available. This allowed me to identify patterns and formulate and define terms that encompass ways in which domestic workers resist.

## 5. Data Analysis

## 5.1 The types of violence encountered

As discussed in the theoretical framework, three specific forms of violence are being explored in this thesis: psychological, physical, and financial. Below, an explanation of what these entail within the context of domestic work in Lima, as stated by the interviewees.

### 5.1.1 Psychological Violence

Psychological violence in domestic work can take many forms. In the sixteen interviews conducted, I identified four different forms of psychological violence. These are: verbal denigration, yelling or uttering threats, the exploitation of minors, and sexual harassment.

In regard to verbal denigration, this action can be split into three different forms that target separate personal aspects of the worker. First, older domestic workers reported suffering from ageist remarks in the workplace. Marta (45) claims, “look, at first they would refer to me as ‘*señora*’, but after she [the employer] started referring to me as ‘*vieja*’ [old woman].” Marta was the only domestic worker interviewed who suffered from ageist remarks, although it is worth noting that most interviewees were under the age of 35 years old.

The other forms of verbal denigration encountered involve highlighting the difference in education or ethnicity between the employer and the employee, or denying the domestic worker’s age, to minimize the employee’s worthiness. For instance, Alexandra told me that she was overall content with her performance at one of the houses she had worked at, which gave her the confidence to ask for a raise. This was not well received by the employer, who used her lack of

formal education to justify saying no, without considering Alexandra's performance at the workplace. "I asked my employer for a raise, but she told me that since I did not have any education I did not have the right to ask for more. I was so happy before, she completely killed my morale. I felt as if I were good for nothing", explained Alexandra. As previously introduced, domestic workers are also commonly referred to as *muchachas* – which denies their age, or *cholas* –in a derogatory manner to highlight the difference in ethnicity between the employer and the employee. One of the interviewees told me an anecdote of an event that took place between her co-worker and the daughter of her employer, who constantly verbally abused them. "One time, my colleague got yelled at badly, she [the employer's daughter] told her a bit of everything – that she was a *serrana*, a *chola*, an *Indian*". These forms of verbal denigration reinforce the belief that domestic workers are not perceived as equal to employers when it comes to their stand within society.

Being yelled at or threatened were also common experiences for the domestic workers interviewed. Claudia claims that she was "threatened that if [she] left, they [the employer] would sue [her]". This mistreatment can have more severe repercussions upon a worker. Following a misunderstanding where the employer thought Alexandra was giving out personal family information, the employer yelled at her excessively, which had extreme repercussions on her. "She yelled at me, horrible, horrible, so that night I went for a walk after everyone went to sleep, and it [the idea of committing suicide] came to my mind. I cried the whole day and I tried to end my life by throwing myself in the ocean because it was not fair that she blamed me like that, you know?". I have chosen this example to show the degree of the repercussions that being yelled at can have, acknowledging that it was the only case where a domestic worker had suicidal thoughts following a verbal altercation. Other interviewees who reported being yelled at, tended to react by walking

away or talking back. Nonetheless, I choose to share this story to highlight the impact that psychological violence can have upon a person, more so one in a vulnerable position.

The fourth form of psychological violence is the employment of minors, which can be argued leads to maldevelopment and deprivation. 9 of the 16 interviewees for the purposes of this research started working before the age of 14, required minimum age of employment in Peru. Their experiences as child workers were not ideal and often filled with violent memories. Because of their duties in the household, seven of these 9 interviewees reported not being able to finish their schooling before the appropriate school leaving age (17). Other forms of maldevelopment that may arise as a consequence of the employment of minors are difficult to correlate to the study at hand, for which further examples will not be pursued.

“I left multiple jobs when I was about 12-13 years old, about to finish primary school, because I wasn’t allowed to study” – Milagros

Finally, the last form of psychological violence encountered is sexual harassment. Monica claims to have endured sexual harassment at the hands of her employers and sons of employers, who she claims “parents want them to become sexually initiated with the domestic worker”. A total of five interviewees also encountered sexual harassment on multiple occasions during their experience as domestic workers and it is a reality that not every interviewee felt comfortable discussing, but they all acknowledged the high presence of harassment domestic workers constantly endure in the workplace.

### 5.1.2 Physical Violence

Physical violence is the most extreme and less common form of violence experienced by the domestic workers interviewed. Out of the 16 domestic workers interviewed, 6 of them reported having suffered from physical violence, most of them exclusively during the earlier years of their careers.

“At that time I was a kid, about 17 years old [now 50]. I thought everything came as part of the package [being forced to having intercourse]. At night, when I thought about my day, I thought everything was part of the working package. That it was something I had to do. I used to think that. I did not react.”

– Mayté

Mayté was sexually assaulted by the son of her employer and in another instance by her employer, who impregnated her. In an effort to keep her quiet and to prevent his wife from finding out, her employer took her to a hospital to get an abortion, which is illegal in Peru and punishable with time in prison. Nonetheless, he managed to arrange one. At the hospital, prior to getting the abortion, Mayté was sexually assaulted by the doctor who was going to perform the abortion.

“My life has been terrible. Even when the mister, oh God, when he took me to the doctor, that doctor also raped me. I suffered from another sexual assault there. When I looked at the man he had his pants down, I could not do anything, I had to endure it. Imagine everything I keep quiet. It’s awful...”

While conducting the interviews, I only encountered such an event twice, although –as earlier mentioned- I recorded a total of five testimonies regarding sexual harassment that fortunately did not escalate into sexual assault. Nonetheless, the risk of experiencing sexual assault is very present in the minds of the domestic workers interviewed, even in those who have never experienced physical violence themselves, as they might have heard stories from third parties, the media, or fellow domestic workers.

Sexual assault was the most extreme form of physical violence recorded. Nonetheless, other forms of physical violence are experienced by domestic workers in Lima. During my interviews I found these to include: beatings, and sicknesses or injuries as a consequence of the work being done. In terms of beatings, these came at the hands of the employers directly, their children, or other family members that frequently visited the home. “When I opened the door for her, she pushed me, I fell against the wall, she walked past me angrily” claims Claudia, who was endured violence, both physically and verbally, by her employer’s aunt following her attempt to get clarification on her contract, which evolved into a discussion between her and her employer that took place the day prior.

More common forms of physical aggressions take place at the hands of the children of the house, who are commonly allowed to do as they please with the domestic worker, being justified by their parents due to their age or by minimizing the status of a domestic worker as a person. “I would get home so tired [after work], the three kids were terrible, I lost my smile”, tells Lidia, who considered the three children she had to deal with as the most difficult part of her employment.

They were constantly taunting her as she completed her tasks around the house and the parents did little to nothing to control them, which made her become increasingly motivated to leave the job.

The final form of physical violence I gathered from the interviews were the injuries and illnesses developed as a consequence of the work being done or the working conditions under which domestic workers are employed. There were two specific injuries commonly identified during the interviews: first, the deterioration or damaging of the worker's skin as a result of using cleaning products without proper gear, and second, various illnesses as a product of lack of proper nourishment, meaning not being given sufficient food and/or not being allowed to eat on time.

The lack of proper food was an issue that was constantly present for Lidia. "Since I arrived in Lima [to work as a domestic worker], I have never eaten on time. In my first job, the food was old. Everything has piled up. In none of my jobs I have ever eaten on time, and now that I found myself with the best employer I have ever had, it hits me. I got very sick, I was hospitalized one month, they [the employer] paid for all my expenses. They even gave me two months to recover, but they could no longer wait for me, they needed someone to work at their home. So I lost my job then and since I have worked *cama afuera*, every other day". Due to the lack of adequate food since starting her work as a domestic worker, Lidia developed a gastritis, which led her to losing her "ideal job".

Anemia and diabetes are very common among domestic workers. During my work at La Casa de Panchita, the Ministry of Health came by to do a free diabetes check and an awareness presentation for the workers present. Every single one of the roughly 25 domestic worker present

had a blood sugar level score higher than 90 mg/dL <sup>36</sup>, with most scoring between 105-115 mg/dL. Lack of proper nutrition leads to illnesses in domestic workers, who are most often not well-fed even though over 50% of domestic workers currently work on their feet 6 days a week for longer than 8 hours a day (ILO 2013, 122). These excess in working hours also prevents them from taking care of themselves at home, as they have a reduced time to go grocery shopping and cook nutritious meals for themselves and their families, reinforcing the pattern of not receiving adequate food. The Peruvian law dictates that domestic workers must receive food “adequate to the economic level of the employer”<sup>37</sup>, which was overwhelmingly not the case among the domestic workers interviewed. Nonetheless, due to their struggler economic condition, and in some cases, low level of nutrition-related education, it is not possible with the information at hand, to establish a direct causation between the food received at the workplace and the high levels of diabetes present among domestic workers.

### 5.1.3 Financial Violence

Financial violence is the most common and frequent form of violence experienced by domestic workers. It is justified to talk about financial violence, as employers who fail to pay their employees a fair wage, in its totality, and in a timely fashion, are using their power against their employee, possibly causing maldevelopment or deprivation. In regard to the cohort interviewed,

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<sup>36</sup> 100 to 126 mg/dL or higher is considered prediabetes and/or diabetes. “Diagnosing Diabetes and Learning About Prediabetes”. American Diabetes Association, accessed on February 15, 2019, <http://www.diabetes.org/diabetes-basics/diagnosis/>

<sup>37</sup> “Ley De Los Trabajadores Del Hogar”, La Casa de Panchita, accessed on February 8<sup>th</sup>, 2019, <https://lacasadepanchita.com/documentos/LEY-DE-LOS-TRABAJADORES-DEL-HOGAR-Ley-No. 27986 03-06-03.pdf>

15 out of the 16 workers identified themselves as being, or having been, victims of financial violence. As child workers, six of the domestic workers interviewed started their careers working for free – either someone else would pick up the money for their work, their parents would receive the money, or they would simply not receive any money but be remunerated in food, clothing, and/or shelter <sup>38</sup>, which is illegal– and in most cases these conditions were not fulfilled by the employer. This often represents instances of slave labour.

Nowadays, a more relevant problem is not being paid at least minimum wage, or working overtime without compensation. Camila claims that working *cama adentro* made her more vulnerable to working longer hours, even though it is against the law, which was enacted back in 2003. “With the excuse that you are living in their home, you cannot limit yourself to working just 8 hours a day, you know? So that’s the problem, that’s always been the problem. I would have Sundays off, yet, before leaving the house I would have to, before, clean the house and walk the dog, but I shouldn’t have been doing that because Sundays were my days off”. This experience is common among live-in domestic workers who were interviewed, they do not leave their employer’s household on Saturday night but rather on Sunday morning, as they are commonly asked to complete basic morning tasks prior to leaving, disregarding their day off.

It was a common finding among the domestic workers interviewed to not be granted vacations, with an exception being when the employer leaves the country, in which case they would have the time off, paid or unpaid, depending on the employer. Moreover, they are often not

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<sup>38</sup> Food and shelter cannot be considered part of the remuneration as per article 5 of law 27896, which protects domestic workers.

insured, they do not receive over-time pay during holidays, an extra half a salary in the months of July and December<sup>39</sup>, and/or receive *Compensación por Tiempo de Servicio*<sup>40</sup> (CTS) as the law dictates for all full-time employees. Given how rare getting these benefits remains, domestic workers are very appreciative of their employers when they do give them any such benefit. Monica claims that her employer was aware that under the law she was entitled to vacations, yet she did not give her any nor did she ask for them.

“She would pay me extra whenever she would host a party, or if I worked two or three hours of overtime, I would help her and she would pay me. That’s why I said to myself, what a nice lady! That’s why I didn’t even ask her for vacations. She knew I was entitled to them, of course! But she really needed my help with her daughter so she never gave me holidays.” - Monica

Although awareness is increasing regarding these benefits, most domestic workers and their employers are still not aware of what their responsibilities are, and having a relationship where the employer claims that the domestic worker is “part of the family” negates that they are workers with rights<sup>41</sup>.

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<sup>39</sup> In Peru, employers must by law give all full-time employees an extra half a monthly salary during the months of July (Peru’s Independence Day) and December (Christmas).

<sup>40</sup> Compensation for Length of Service, legal benefit given to workers for the time spend working for an employer

<sup>41</sup> “Las Trabajadoras y Trabajadores del Hogar y el C189: Nuestro Equipo Legal Analiza los Progresos y los Desafíos Pendientes”, Women in Informal Employment: Globalizing and Organizing, June 12, 2018, accessed on January 12, 2019, <http://www.wiego.org/blog/las-trabajadoras-y-trabajadores-del-hogar-y-el-c189-nuestro-equipo-legal-analiza-los-progresos/>

## 5.2 The term resistance

### 5.2.1. What is considered resistance?

Resistance was earlier defined as an act requiring two components: intention and being an act done by a member of a subordinate group looking to mitigate or deny claims made by a member or members of the superordinate class. As it pertains to domestic work, domestic workers would be members of a subordinate group while the employer would fall under the category of member of the superordinate class.

Acts of resistance by domestic workers have been identified in the interviews and divided into three different categories: flight, survival, and active resistance. These acts, as earlier introduced, seek to guarantee the worker's survival and when possible provide advancements in their working lives, to different degrees, through concrete changes. Under the category of flight are acts of resistance that involve domestic workers leaving their job without forewarning. The second category, survival, refers to deliberate actions that aim at enduring the working environment while not putting the domestic worker at risk, which might even go unnoticed by the employer. Finally, active resistance refers to actions taken by domestic workers in which they might act directly and blatantly against their employers, for instance, threatening to leave their job to escape, to make a statement about their current unhappiness at the workplace, or to try and negotiate terms of employment.

### 5.3 Everyday resistance of domestic workers

#### 5.3.1 Flight

As briefly introduced, flight refers to domestic workers escaping their workplace for good. My research indicates that flight tends to occur the most when there is inadequate payment, verbal abuse, and/or lack of proper food present. This last reason is the most prominent I encountered for which domestic workers had quit their most recent jobs. In contrast, during their earlier experiences as domestic workers, the interviewees tended to exit a job as a direct consequence of physical abuse and/or encountering slave-like conditions. This shift shows that the domestic workers interviewed are now less likely to allow for violent treatment to escalate into physical abuse, and they are leaving the homes when they perceive early unfair treatment that impacts their lives, which could be a positive reflection on the improvement of the legislation in place. During my interviews, I found that domestic workers who left without notice were more often not interested in renegotiating their terms of employment, but rather, they had had enough with the precarious conditions encountered or aimed for survival.

Lidia started working when she was 13 years old, she wanted to leave her home in Pucallpa, Ucayali, to go to Lima, as her relationship with her mother was deteriorating, and opportunities in her hometown were scarce. She accepted an offer from a lady who was looking to bring young girls from Pucallpa to Lima to work at homes in exchange for food and education. Once in Lima, she was enrolled in school but she was only allowed to attend classes sometimes – at the discretion of her employer, who would drop her off at and pick her up at the door in an attempt to prevent her from having contact with anyone outside of work or her classroom. She grew up with a set of

skills that she considers make her “only qualified to be a domestic worker”. She left this job three years later because she became aware that she was being exploited.

“I worked there for six years, I left because I realized that I was not allowed to leave, take breaks, or rest during holidays... I worked from Monday to Sunday, from 6 am to 8-9pm, every day, I did not know I was entitled to breaks, I didn’t know what vacations meant and I wasn’t allowed to talk to anyone so that I wouldn’t find out either.”

“Once, a friend invited me to her birthday party, and I told her that I couldn’t come because I wasn’t allowed out. She said that the party was on a Saturday night, day in which we [domestic workers] are allowed to leave. That’s when it hit me, “what?”, so I went home and I asked the employer why I wasn’t allowed out, she responded that I was being lied to, that I was only allowed out once a month. Regardless, I wasn’t even allowed out once a month. I started to rebel and left the house to go to the party, that exit opened my eyes. One day I gained courage and left. I told them that their treatment wasn’t fair and that I was leaving. They changed their attitude, but I told them that it was too late and I went to Santa Anita [where her family lived]. That’s where I live even today”. – Lidia

To further explain this later extract of the interview, Lidia started off her job not being allowed to have contact with the outside world, and a salary of roughly 30 soles a month

(CAD\$11.89). As she grew increasingly aware of her rights thanks to a family member's intervention, her employer started to improve their treatment towards her, increasing her salary first to 40 soles per month, and then to 100 soles per month, although with this higher salary they stopped buying her the basic personal necessities – shampoo, soap, etc.—and expected her to assume these costs. Once she found out that she was entitled to leave the house following the conversation with her classmate, they started letting her leave once a month, a few hours at a time. Allowing her to have contact with the outside world enabled her to continue gaining knowledge regarding her working conditions, which led to Lidia having enough and leaving the house for good, in spite of her employer begging her to stay. The case of Lidia shows the path of a young girl brought to the capital to work, without much knowledge of what the work entails, what rights she has, and with little to no contacts in the city, which left her very vulnerable to her employer's wishes.

In situations like Lidia's, the employer loses grounds with every instance in which the worker becomes aware of her rights, given how unbalanced the power dynamics in the current working relationship are. The domestic worker learning about her rights represents a threat to the employer, who all of the sudden sees their dominant influence become threatened. This led Lydia's employer to progressively make small concessions in order to soothe the damage, such as through granting (some) benefits or increasing her salary, which prevents the domestic worker from immediately leaving. Ultimately, walking away, takes away some of the previously held monopoly of power by the employer, for which s/he now sees herself forced to offer a better treatment to the domestic worker if s/he wishes the worker to come back. Replacing a domestic worker is a long, time-consuming process for an employer, as they need to find a new person, with whom they want

to share their home and intimacy. Domestic work entails a growing relationship between the worker and the family, where they share space, objects and long hours throughout the week (Toledo 2014 qtd. in Rojas Garcia and Contreras Lopez 2018, 8). For this reason, it is not unusual for employers to concede certain minor improvements if they believe that the worker is thinking of leaving. Nonetheless, after learning about new opportunities and becoming aware of the oppression experienced, the domestic workers interviewed became less likely to stay. Those who stayed, did so for a time frame in which they were looking for a new job. The case of Lidia is particular in that it represents someone who started with no knowledge about her rights and progressively learned them, this was the case for all of the participants of this study, as none of them had any knowledge of the law during their first work experiences. Upon realizing that even with some improvements – such as a salary increase – she continued to be exploited, she left and refused to go back in spite of her employer calling her on multiple occasions begging her to return.

During my interviews, other instances of fleeing were recorded to happen following traumatic physical violence experiences. Fiorella was “stolen” from her house when she was 6-7 years old to work in a home. She does not know her age, as she has never seen her birth certificate, and she is not even sure what her real name is. She remembers that in her first job, a woman – who pretended to be her mother – would stop by every month and receive her pay. Prior to sending her to work, this woman showed Fiorella a ditch and threatened to throw her in it if she ever told anyone that she was not her real mother or if she told anyone that she had been stolen from her family. Fiorella has been physically, financially, and psychologically abused in every single job she has had as a domestic worker. Following her first experience, where she endured violence for

about 5 years, she learned to leave the homes where she worked after the first instance of violence would take place.

“I also escaped that home [referring to her second job], again. I did not have anywhere to sleep, I would sleep on the streets, I did not have a family, so... then... I had to go back to the woman [who pretended to be her mother] and she placed me in another home. I escaped my job in Callao because the woman’s nephew wanted to hurt me. Even the woman who took me from my mother, her husband, he also raped me, that’s why I escaped”. – Fiorella

Running away as a minor was not easy for Fiorella, as she did not have the backing of a family and when she sought help at the police station they did not believe that she did not have parents nor family members in the city. As a consequence of her rough childhood, Fiorella spent some time at a psychiatric hospital due to the psychological trauma she underwent. The repercussions of her kidnapping are still felt today, as she is currently being processed by the Court, accused of having a double identity – a product of the struggles of her childhood and the disappearance of her birth certificate. Feeling powerless by her situation and the lack of help from the authorities, Fiorella’s method of resistance was running away without notice, which saw her sleeping on the streets many nights, where luckily nothing ever happened to her as she believed “God always protected [her]”. Fiorella experienced patterns of physical violence in every home where she worked, which led her to become traumatized by this working environment and retire from domestic work early. Fiorella now works part-time at a dry cleaner, where she gets a fair wage and vacations. She no longer wishes to work in homes.

### 5.3.2 Survival

The acts of resistance I label “survival” go largely unnoticed by the employers and they are a way by which domestic workers cope with violence in the workplace due to the lack of resources available to them, to more directly target the violence endured. These actions of resistance allow them to survive the everyday violence they face and in some rare instances advance their lives to some degree, although this is not the primary goal of survival strategies. In my interviews, I found this form of resistance expressed in five different techniques: walking away from confrontation, keeping quiet, staying close to pets/children, praying, and improving their performance.

Walking away from confrontation serves as a way for domestic workers to avoid escalating the problem and most importantly, to keep the discussion as short as possible. “I have almost never reacted, I would go to my room and cry... I don’t know, I never reacted, I thought about leaving, but I couldn’t because I needed the money, I don’t know”, tells Monica, who highlights how walking away when she faced psychological violence helped her endure the tough working conditions she needed to face in order to make a living. Lorena gave me a similar testimony. She needs a job to pay for her son’s school fees and to help her husband pay the bills at home. Fearing that she will not find work if she quits, she has chosen to stay where she is currently employed, even though her employer verbally abuses her by minimizing her capabilities and making racist remarks.

“I now just endure the violence, I have almost been there for three months. I try not to ask questions [to avoid triggering conflict]”. – Lorena

These two scenarios are common, and walking away allows the worker to gain some peace at the workplace. They opt to remain quiet in an effort to limit the interactions between them and the employer. Choosing to walk away or remaining silent goes unnoticed by the employer, and the lack of response can be further interpreted as compliance or a form of subordination, which can have positive repercussions for the domestic worker as she is considered “easier to work with”. When describing these scenarios, domestic workers often speak of “resilience”. Remaining quiet or walking away helps them endure these harsh treatments at the hands of the employers and continue making a living.

A number of the domestic workers interviewed reported staying close to the family pet or smaller children in the house to avoid confrontation. This technique of survival resistance is the method chosen by Lidia to avoid sexual harassment. Lidia found that walking the dog or staying close to the family’s youngest daughter was an effective way to avoid experiencing violence at the workplace. Given how treasured children are to families, parents (employers) avoid showing violent behaviour in front of them, making it an effective way for a domestic worker to remain safe. Lidia’s employer tried sexually abusing her. He would try to do so every time his wife was out of the house, so she started walking the dog in the mornings after she left, and in the afternoons until she would see that the wife was back from work.

“Before I would bring her breakfast first (and then his), now I bring them both at the same time. When she leaves the house, I do so also, with the dog. I would walk her for up to 2 hours at a time, as long as it took for him to leave the house. Sometimes he comes home from work earlier, so I take their daughter to the park and come back at 7pm, when I know that the wife is already there. When he is at the home and his daughter is too, I try not to detach myself from their daughter. I am staying in this job for a bit longer because I needed to accumulate time to earn my severance pay, then I can leave”. – Lidia

This technique was very effective for Lidia, as it allowed her to survive a very delicate situation. The employer’s father constantly visited the home, and Lidia described him as a kind man, with whom she had a good relationship. Eventually, Lidia told him about his son’s behaviour. This led her employer to stop harassing her at the workplace, in part because he saw his marriage at risk by the voicing of her concerns. She quit the job as soon as she accumulated the required time to earn her severance pay, which was fulfilled by the employer. Although walking the dog and staying close to the child allowed her to survive on an everyday basis, it was denouncing the employer’s behaviour to his father that allowed her to improve the situation in her favor. The employer’s father had a discussion with him, which ultimately stopped the harassment from happening again.

Survival techniques focus on allowing the worker to reach tomorrow. Being an overwhelmingly religious country, it is not surprising to find domestic workers resort to spirituality

as a way of coping with the violence encountered. In some instances, these private interactions are shown to give them inner peace, a sense of safety, and/or enhanced strength.

“I have always prayed to the Virgin and to God so that nothing bad would happen to me, if I have gotten out of it, it is because of that... because God rescued me, because I could no longer stand my life. To feel a rape... to feel so many things, I did not know what to do. I prayed too much, I thought a lot, cried, I was very depressed, I didn't know what to do. I hid... no, it has been an awful life.” (Monica, on the aftermath of her traumatic sexual assault, which led to her having a clandestine abortion, where she was also abused by the doctor in place.)

“All I say is ‘Lord, give me the strength’. I have to stand it, I have a son to take care of, it is too hard to find another job with the hours and pay that I want, it's too hard” (Teresa, on not being happy with her current job, but having to cope with the poor working environment, as she is given a good working schedule and paid what she considers to be a fair wage.)

“It was because of God that nothing happened to me, God protected me.” (Fiorella, on her experience sleeping on the streets being safer than working as a live-in domestic worker, where she was abused in every household where she worked.)

Two of these testimonies highlight the role that spirituality has had upon these women in very impactful moments of their lives, when they felt the most vulnerable. Again, this technique is not effective in earning the domestic worker extra benefits at the workplace, however, it is observed to be a positive action of last resort when the worker feels powerless and at her lowest point in her personal life. Praying is used in moments where the worker feels essentially abandoned by everyone else. They claim it helps them in that it provides them with internal strength and helps them handle their emotions, in a moment of reflection.

The last form of survival resistance utilized by some domestic workers is improving their performance to please their employers. When asked what she did on an everyday basis to avoid being yelled at or insulted, Renata responded, “well, improve the work, no? Every day you should improve, have the house clean, keeping it organized, so that the employer is not telling you things”. Similarly, Beatriz, who was earlier introduced for considering suicide due to her employer’s abusive language, used the same technique of working harder to calm down the employer after this incident took place. “Even more... how can I tell you, I like for things to turn out better, food for instance, I add something extra for it to be tastier, no? I try to do it well so that the food tastes good, you know?”. Beatriz pays extra attention to her cooking because it is an everyday task, to be tested by everyone in the household and that is easier to critique. If what she prepares is particularly good, her employer is less likely to negatively react towards her on that day, which leads her to be extra cautious when cooking.

Overall, these survival techniques were the most commonly found measurements throughout the sixteen interviews done. They often go unnoticed by the employer and they are the

most accessible to the worker, without risking repercussion. Although these actions might be observed to be low risk and to hold low or no reward in regard to concrete gains when compared to the flight technique, the psychological reward obtained through these actions has a big impact in the lives of these domestic workers, who are not necessarily interested in getting more benefits but concerned about the immediate tomorrow.

### 5.3.3 Active resistance

These actions represent a higher risk strategy, which is expected to have a higher reward. However, in my research, these strategies were found to have a greater negative repercussion against the worker. In a sense, these techniques constitute domestic workers standing their ground and trying to actively fight their employers due to the bad working conditions and treatments they have to endure. The range of repercussions depends on how the action affects the employer, this will be expanded on shortly. Active resistance is observed in the following forms: talking back while being yelled at, negotiating or enforcing a contract or pay, accepting or looking for help (joining a union, finding work through an agency), and learning the law.

The first three strategies of active resistance to be explored involve a behaviour in which the employer is directly involved. “I talked back to her [the employer]: ‘I am a *serrana*<sup>42</sup> as you

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<sup>42</sup> The word *serrana* is used in a derogatory manner to refer to people who come from the Andes/highlands (sierra) region of Peru. It is used in a similar context as *chola* was explained earlier in this thesis.

claim, but I feel proud of that because us *serranas* we serve you<sup>43</sup>”, said Teresa to her employer, explaining that one day she talked back to her employer after feeling tired of her racist remarks and being called “*serrana*” rather than by her first name. Teresa arrived at this house through a job agency. Following this conversation, her employer went to the agency where she hired Teresa and told them that Teresa was acting spoiled. Teresa considered this complaint unfair, as she often had to endure psychological abuse and racism at the hands of her employer, which justified her actions. In spite of talking back to her employer, Teresa highlights that she never disrespected her, rather she simply stood up for herself, to deny the employer’s claims. Teresa stopped working for this woman shortly after as a direct consequence of this altercation, which led her to take precautions in future jobs.

“Now, before starting a new job I tell the employer, “madam, respect earns respect, I work at your home, I know that I am a *provinciana*<sup>44</sup>, I work in homes and sometimes we are not all as lucky, but if you will insult me I will just leave the house, but if you treat me well, with respect, if some time I make a mistake I am willing to be reprimanded because I am not perfect, sometimes I don’t see it, or I forget to do things”.

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<sup>43</sup> Teresa claiming that she feels proud to serve her employer, as an Indigenous woman, shows the internalization of the dynamics present in Lima between whiter Peruvians and Indigenous Peruvians.

<sup>44</sup> *Provinciana* refers to someone who comes from a province other than Lima, which is considered the capital and not a province.

Teresa constantly makes reference to her status as an Indigenous woman, which has an impact on the treatment she expects to receive. Starting a new job by acknowledging that she might make mistakes has helped Teresa have a better working environment, as she believes that her employer realizes that she will stand up if physically or psychologically abused.

Monica had a similar experience. She was suffering from a high fever and a cold when her employer demanded that she stayed and worked, disregarding her condition. Monica, feeling fed up, talked back to her employer. “No madam, I am leaving, even if you fire me, can you not see how sick I am?”. After a few back and forth interactions, the employer simply told her, “cook and then you can leave”. The following days Monica did not show up for work as she needed to rest, which was not well received by the employer. When she went back to work, the employer was very angry and proceeded to yell at Monica, who did not hold back and answered. The employer took 180 soles (~CAD\$70) off of her pay to compensate for the days Monica took to recover from her illness, which Monica found unacceptable. She classified her employer as someone lacking compassion and who did not value her work, for which she quit. The employer begged her to come back after she quit, which she accepted with the condition that she would leave as soon as she found a new job.

Following her attempt to resign, Monica claims that the employer has somewhat improved her treatment towards her, as she now says “thank you”, but their relationship is visibly tense and fragile, and she is actively looking for a new job. In both of these cases where Monica has tried to talk back, the outcome has been her leaving the workplace. She managed to gain some ground as

a consequence of her attempt to flight, not due to her talking back, which proved to be ineffective when it came to negotiating a fair treatment during her illness.

Another form of active resistance encountered is negotiation. Claudia has pursued this technique twice so far, both times being unsuccessful. She was rescued by La Casa de Panchita when she was an underage worker in Lima. She was only ten years old when her grandma sent her to Lima from Huanuco with a “Godmother” who placed her in a house. Huanuco is located in Central Peru, roughly 400 km away from Lima. In this house she worked under slave-like conditions, meaning that she was physically abused, she was not paid or under-paid, and she was not allowed outside of the house except to run errands. It was while she ran errands that she met a neighbour who noticed that she was constantly a victim of beatings at the hands of her employer. This woman gave Claudia a flyer for La Casa de Panchita, which she called for help and someone in LCP took custody of her thereafter. As a consequence of this interaction, she was introduced to domestic work legislation by LCP at the age of 14 – four years after she started working in homes, for which she is used to working for employers who provide written working contracts.

In one of her latest jobs, Claudia was hired by a woman who she was referred to by word of mouth, and she negotiated a written contract with her before starting the job. In the contract, they agreed on the salary and working hours. Moreover, the employer outlined specific tasks she wanted completed. For instance, Claudia was to only cook for their four-month old son as he needed different food from the rest of adults in the house. They agreed that the employer would cook for her family with the exception of the baby and she started working on those terms. Sometime after, the employer started asking Claudia to cook for the whole family and it became

an everyday task. Realizing that it had become a habit, Claudia told the employer, “madam, just a question. Until when will I cook for everyone or will I always have to do it? Because it is not written in my contract”. All the employer replied was, “I will think about it”. The day after when Claudia went to work the employer told her that it was her last day of work. When she asked why, the employer told Claudia that it was better to end on good terms now as she did not want someone working in her house who was not willing to do as she was told. Claudia’s intention was to negotiate her contract but it ended up getting her fired, as her employer claimed that “one cannot always abide to the contract”. The employer paid her everything according to the law – salary, vacation time, CTS, etc. – and proceeded to let her go.

On a different occasion, Claudia was placed at another house thanks to a job agency. Similarly, she had a contract where both parties outlined her working hours and among others, that she would be cooking for the three people living in the house. Again, she encountered a problem as extended family would go to the house every day and ask her to cook for everyone, which led her to always leave the house one to two hours later than the expected time as a direct consequence of this extra work imposed. Seeing the pattern continue, Claudia asked her employer whether she would always have to cook for the extended family, which resulted in a fight between the employer and her husband. The day after, when the employer’s aunt arrived at the home, she verbally and physically attacked Claudia, who consequently walked out of the job in spite of her employer asking her to forgive her aunt’s behaviour. When she arrived at the agency, the agency sided with the employer and blamed her for losing the job as they considered that she “did not handle the situation well”. They further denied her a new placement and told her that she was at fault for wanting to negotiate such a technicality. Both situations in which Claudia tried to make her

contract respected ended with her losing her job due to the way the employers reacted to the situation. These two instances of active resistance proved ineffective in gaining the domestic worker grounds for a better working environment. No other domestic worker interviewed attempted to directly make their contract (if available) be respected the way Claudia did. After unsuccessfully trying to see her contract respected, Claudia became discouraged and started looking for work through friends and family members who would give her good reviews on employers, rather than going through agencies.

Helena started working as a domestic worker three years ago and she is currently in her 40s. Her prior experience involves working in warehouses, hotels, and being a stay-at-home parent. She has some post-secondary training and started working as a domestic worker because she likes looking after children and because she is no longer hired at warehouses because of her age<sup>45</sup>. She has worked in two homes. In the first home she left as she had a previous hand injury that prevented her from continuing on working, and in the second home the family moved away from Lima and she decided not to follow them. She is currently unemployed and looking for a job. The two employers she has had respected the law, and she claims to have never been a victim of financial, psychological, and/or physical abuse. Whenever she has had doubts about her benefits she has used the Internet to solve her doubts.

She was skeptical about one of her two employers possibly trying to financially abuse her. For that reason, Helena discreetly threatened her employer by telling her that she had family

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<sup>45</sup> Helena claims that warehouses only employ people until the age of 30, as older people are costlier to the employers in terms of health insurance and benefits.

members working for *Caretas*, a famous weekly Peruvian magazine. This magazine is read by middle and middle-upper class *Limeños*, for which having a negative publicity on here can affect one's reputation within these social classes. She does not know if this information affected the way in which her employer treated her, but the employer always told her she did not want trouble and gave her all of Helena's legally-mandated benefits when she resigned due to her hand problems. It is difficult to confirm whether this indirect threat was effective or not, but it is worth mentioning as Helena is the only domestic worker I interviewed who does not believe she has ever been a victim of violence at the workplace, although her experience is limited to two households.

Another form of negotiation that proved effective was threatening to exit. Those who announced that they were leaving – whether decided or just as a threat – often used this to gain leverage on their employers. They see this as an effective technique, which leads their employers to positively change their attitude towards them and/or promising or offering better working conditions thereafter, proving to be the most successful act of resistance recorded during the interviews.

Two final forms of active resistance that were found through the interviews are accepting or looking for help (i.e.: joining a union), and learning the law. Earlier I introduced Claudia, who accepted help from a neighbour who witnessed how she was constantly physically abused. This interaction allowed her to break free from a house that had enslaved her from the age of 10 years old. Accepting this help was life changing for Claudia, who was consequently released from that house and put under the care of a foster home. She was allowed to continue working under the

supervision of an NGO that trained her and found her homes who would employ her under a contract that respected the law.

In terms of participation in unions, the majority of domestic workers interviewed were not aware of the work done by unions, and some were not aware of their existence or the work done by them. Nonetheless, I interviewed four domestic workers who were union members, two of which were active and two were inactive members. Camila and Beatriz arrived at the union for the same reason; their employer refused to give them their last (severance) pay. In their search for help, they found SINTTRAHOL, which assisted them in their legal process. After solving her situation, Camila remained in the union and is now one of its most active members. Alexandra joined the union because she wanted to be better informed, “the labourers, those who work in offices, them, they receive compensation for length of service (CTS) and I didn’t, so I wanted to be better informed about what benefits I deserved”. The fourth worker who belongs to the union is Maria, who found out about the union through her partner. She joined the union and quickly became a very active member, as she had survived very extreme instances of violence and was passionate about helping others who had undergone similar situations. These four workers found that joining the union, to whatever degree, helped them protect themselves at the workplace as they become aware of their rights and the law that oversees domestic work in Peru.

Knowing the law is key to resisting violence. Camila, before joining the union, learned about the law protecting domestic workers by reading the newspapers in secret, to avoid any possibility of a repercussion at the hands of her employer. This gave her somewhat of an edge to negotiate with him.

“I started working in 1994 if I’m not mistaken, I was 30 years old, 1994. And what I would do is the ambassador [her employer] would read four daily newspapers, and every time he was done there was a table full of newspapers, he would read them and put them there, and my table was close to that table, so at night I would bring in every single newspaper and I would read them. When I started working I already had a career as a secretary, and a profession, but I left it because I couldn’t find the conditions, so I wasn’t just any domestic worker, sort of speak. I liked reading and informing myself so when they started to discuss the law and they approved it back in 2003, I started claiming my grounds. I would never get holidays. The law said that I was entitled to them so I started asking him, but what he would do is, he would cut the articles that talked about domestic work, hoping I wouldn’t notice”.

As she mentions, her previous work experience and studies allowed her to be more comfortable claiming in claiming rights once she became aware that the law had passed. Nonetheless, she required learning about the law, which is what ultimately empowered her to face her employer and momentarily gain some grounds, until the employer would find a way to reclaim these grounds. Similarly, Lidia claims that learning the law at LCP has been beneficial for her. She claims that “knowing the law helps her defend herself, know her rights, and reach agreements with her employers”. Although she has not negotiated with an employer yet, knowing the law makes her feel more comfortable if the day came where she needed to defend herself, as knowing the law

allows her to look for legal recourse if necessary. Overall, the domestic worker interviewed who were aware that there was a legal side to a problem, felt more comfortable making a claim.

#### 5.3.4 Discussion

The findings above outline a range of strategies that enjoy different levels of success. The different forms of resistance by domestic workers, as they have been presented, echo the literature developed by Scott, Bayat, and Katz, whose works were fundamental for the building of the theoretical framework previously introduced. The techniques described do not seek a revolution, nor do they seek to overthrow or transform the system. Rather, they aim at survival or the claim of vital material gains and the minimization of appropriation (Scott 1989, 35). This is mainly observed in the actions that were grouped as methods of survival, which were recorded thanks to the utilization of interviews, as domestic workers who utilized these techniques refrained from having their actions recorded.

For instance, staying close to the family dog or the children in the household proved to be an effective method of survival by the domestic workers interviewed who tried this technique. This low-risk technique goes unnoticed by employers and it does not have negative repercussions for the worker in the situation. Rather, she avoids facing violence in a peaceful, natural manner, while gaining vital material gains. This technique falls under the categorization of resilience, as put forth by Katz (2004), in her categorizations of resistance.

Other forms of resistance such as talking back or asking for the contract to be respected, which were classified under active resistance, did not prove to be effective for the domestic

workers in question. These resulted in the loss of jobs and altercations, rather than the intended respect for the law in place regulating domestic work. If successful, these actions would have demanded larger gains for domestic workers, with the indirect goal of possibly achieving the beginning of a transformation of the existing norms and socioeconomic structures. The lack of success obtained by the domestic workers trying these techniques is not surprising, as they are more often disfranchised, and requiring institutional capacities to better organize and achieve these objectives (Bayat 1997, 59), which are out of their reach.

Although unions exist in Lima and they have a self-reported membership of roughly 6% of all domestic workers in the region, they can be better perceived as institutions where members go to claim legal rights, rather than an active place for gathering and fighting back the established order (Lautier 2003). Although mobilization occurs, it is limited and members are not always present. This lack of participation can be explained as a result of the exploitative working schedules that many workers have to endure, having only one day to rest – as mandated by the current law – where they might prefer to rest, spend time with their family, or run errands for the well-functioning of their households and the well-being of their children, when present. These injustices are brought about by the current global economic restructuring, namely capitalism, that prevent subordinates like domestic workers from better organizing and resisting in a more active manner to obtain larger gains.

Threatening to leave the job proved to be one of the most successful forms of resistance for the domestic workers interviewed when it came to negotiating and gaining grounds. Whenever they showed a behaviour hinting at the fact that they wanted to leave, or explicitly informed the

employer that they were leaving, the employer always changed their behaviour, even if only momentarily. The gains obtained depended on the situation at hand. For instance, when it came to Lidia, who was not given days off and received a remuneration of 1 sol (CAD\$ 0.40) per day, the gains were greater, as her working conditions of semi-slavery were easy for the employer to improve without making large concessions. She started being allowed to leave once a month and saw her salary triple in very little time. Nonetheless, even with these new circumstances in place, Lidia continued working in a violent environment characterized by the presence of financial violence.

Undoubtedly, the most effective forms of resistance were education, whether it means obtaining post-secondary education or learning about the law. Domestic workers with higher levels of education attained were less likely to encounter the degree of violence than those who started work as children faced. In fact, the only domestic worker interviewed who claimed to have never been a victim of violence, started working at a later age, and had completed some post-secondary education. Similarly, domestic workers who learn the law, start claiming more grounds as they become more aware of the benefits they are entitled to, or set rules prior to starting their employment with a person. Nonetheless, due to the intersectional discrimination they face and the large gaps present in the legislation regulating domestic work, domestic workers often find themselves at the losing end of negotiations, which turns into a discouraging experience for many.

## 6. Conclusion

The everyday strategies by domestic workers encountered for the purposes of this thesis have been divided into three categories: flight, survival, and active resistance. Although the

development of new laws protecting domestic work in Peru has brought about some changes and a degree of improvement, violence continues to be present, especially in the shape of financial violence. This has shown a change in the modes of resistance recorded throughout the experiences of domestic workers. During their earlier experiences, domestic workers were more prone to physical violence, sexual harassment and slave-like conditions in the household, which often led them to exit their workplace without notice. When talking about later instances of resistance, the interviewees were more likely to mention negotiation, which could reflect a positive change brought about by the law, or it could reflect that they have gained knowledge from their years of experience as domestic workers. This change responds to the first hypothesis presented for this research.

In regard to the second hypothesis, domestic workers engage in silent everyday resistance searching for small gains, rather than aiming for more radical ways of resisting. These actions were captured by the survival technique, in which domestic workers showed patterns of resilience, attempting to avoid unpleasant situations that arise in the workplace, such as sexual harassment or a reprimand at the hands of their employer or household members. The conducting of interviews has been key to capture these forms of resistance, which represent effective methods by which domestic workers defend themselves.

There are two overarching problems that domestic workers face in Peru, as identified by the data collected through the interviews. First, is the early employment of girls in the sector, and second, the lack of enforcement and vagueness of the legislation in place. In regard to the first point, future research would benefit from seeing this area studied. What is the impact that early

domestic work employment has upon the worker? More specifically, are domestic workers who start their careers at a younger, school-age, less likely to react to abuses in the future? If so, is it the case because they assume a secondary role in society as a consequence of the intersectional discrimination they face, or is it rather a lack of education and awareness of the law?

Domestic work initiated in Peru, as it did in most of Latin America, as a consequence of the Spanish colonization. Indigenous women in rural areas were left alone in the household and saw an opportunity to travel from their rural communities into larger, urban cities, such as Lima, where they looked for economic security and a better future, although they rather found slave-working conditions (Perez & Llanos 2017). We continue to see this pattern today, as it has been reflected in the interviews and through the data collected in the latest Peruvian census. Domestic workers continue to work in a paternalistic environment where they suffer from the impacts of colonization, and their work thus remains undervalued. Through the fulfillment of domestic services such as cleaning, caring for vulnerable family members, cooking, gardening, etc., domestic workers allow for middle and upper class women to leave their domestic tasks behind and join the labour market, contributing to the functioning of the country's economy (Chen 2011, 168). Nearly half a million women in Peru work as domestic workers (Fajardo 2014), and most are subject to different kinds of violence while doing so.

Although not every domestic worker suffers from violence in the workplace, it is an area of work in which women often face financial, psychological, and physical violence (Mayer, 2019). In regard to the findings of this thesis, it has been found that domestic workers obtain a higher access to small gains when threatening to flight, and manage to avoid physical abuse or verbal

altercations by standing near a child or the family pet. Moreover, it has been found that education and knowledge of the law play a key role in preventing violence to a degree, as the discrimination they face and the gaps in the law in place continue to leave them vulnerable to their employer's behaviours.

Out of the 16 domestic workers interviewed, 11 claimed they knew nothing or very little about Law 27896, while the other 5 reported knowing at least vaguely, three aspects covered in it. Out of these 5 women, 4 learned the law and/or joined a union after having a particularly poignant working experience, which included slave-like working conditions, or sexual violence. Out of all the interviewees, 15 reported having suffered from both financial and psychological violence, 6 reported having also suffered from physical violence, while only 1 reported not having suffered from any form of violence. This worker started her career as a domestic worker at a later age, only had three years of work experience on the field, and had completed some post-secondary education.

In terms of the second problem identified, the current Law 27896 is not enforced in Lima or the rest of Peru. It currently serves the purpose of a guideline, as there are no repercussions for those who do not follow the law. Moreover, there are major gaps in this law that leave domestic workers defenseless and at the losing end of a possible negotiation. Contracts need to be made explicit and in writing, a minimum wage needs to be established, and the working hours need to be better restricted. The law currently applies to Peru as a whole, which neglects the different socioeconomic realities that each department of the country has. Overall, Law 27896 does not

serve its intended purpose to protect domestic workers and it is widely disregarded by employers, who do not suffer from repercussions for their actions.

To conclude, although domestic workers in Lima appear to presently suffer from less psychological and physical violence than in the past decades, their working environment continues to be characterized by a high presence of violence, mainly financial. Their resistance techniques serve survival purposes, but they are not very effective in enhancing their rights or granting them larger gains. This is a reflection of the disenfranchised reality of domestic workers in Lima, whose abusive working schedules – as allowed by the current law – disallow them from improving their working conditions.

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## **Appendix A**

### **Cuestionario**

Este estudio está basado en el método etnográfico, donde los participantes están incentivados a compartir experiencias de vida con la investigadora. Esto permite a la investigadora obtener acceso privilegiado a las perspectivas, actitudes y creencias de las participantes. Estas experiencias serán la fundación de la investigación y esencial para el proceso analítico de la investigadora.

Las preguntas hechas serán abiertas por lo que las participantes tendrán la oportunidad de expandir y desarrollar sus respuestas en la dirección que ellos elijan. El proceso que resulte se asemejará mucho más a una discusión fluida que a una entrevista formal y estructurada. Mi objetivo es recopilar historias de las experiencias vividas por las trabajadoras domésticas que han encontrado violencia en el lugar de trabajo, centrándome especialmente en las estrategias de resistencia de estas trabajadoras. Lo que sigue es una serie de preguntas generales, que serán más refinadas.

Preguntas para las trabajadoras del hogar:

1. ¿Cuánto tiempo lleva trabajando como trabajadora del hogar?
2. ¿De dónde es originalmente?
  - a. (Si corresponde) ¿Cuándo llegó a Lima y por qué decidió venir a vivir aquí?
3. ¿Tuvo la oportunidad de ir a la escuela, cuando era un niña?

- a. ¿Por qué o por qué no?
4. ¿Por qué decidió trabajar como trabajadora del hogar?
5. ¿Ha trabajado en varios hogares, o solo uno / pocos?
  - a. (Si es relevante) ¿Por qué ha cambiado de empleador?
6. ¿Vive en la casa de su empleador?
  - a. (Si es así) ¿por qué decidió vivir allí?
  - b. (Si no) ¿por qué ha decidido no vivir allí?
7. ¿Es un problema para usted vivir / no vivir en la casa de su empleador? ¿Por qué?
8. En general, ¿está satisfecha con su trabajo como trabajadora del hogar? ¿Por qué?
9. ¿Cómo la trata su empleador, en general?
10. ¿Cómo se dirige su empleador (y otros miembros de su familia) hacia usted?
11. ¿Su salario siempre se paga a tiempo y en su totalidad?
  - a. ¿Su empleador contribuye a EsSalud en su nombre?
  - b. ¿Su empleador considera otras cosas como parte de su salario (comida, ropa, comida)?
12. ¿Tiene tiempo libre? ¿Otros beneficios?
13. ¿Alguna vez su empleador u otros miembros de la familia le han gritado, insultado o le han hecho comentarios críticos?
  - a. ¿Por qué?
  - b. ¿Cómo le hizo sentir?
  - c. ¿Qué hiciste entonces / cómo reaccionaste?
14. ¿Alguna vez ha sido abusado físicamente en su lugar de trabajo?
  - a. ¿Que pasó? ¿Quién perpetró el abuso?

- b. ¿Cómo le hizo sentir eso?
  - c. ¿Cómo reaccionó? ¿Qué hizo para protegerse?
15. En el día a día, ¿hay cosas que haga para evitar abusos verbales o físicos por parte de sus empleadores?
- a. (Si es relevante) ¿Qué es lo que hace?
16. ¿Alguna vez ha buscado información sobre cómo protegerse de los abusos?
- a. ¿Con quien?
  - b. ¿Fue útil esta información?
17. ¿Pertenece a una unión?
- a. ¿Por qué eligió convertirse (o no) en miembro?
  - b. (Si corresponde) ¿Alguna vez su sindicato le ha dado información sobre cómo defenderse de los abusos verbales o físicos?
  - c. ¿Han demostrado que estas estrategias son útiles?  
¿Cómo por qué?
18. ¿Sabe usted que el trabajo doméstico está completamente protegido y regulado por la legislación laboral del país?
19. ¿Has visto algún cambio en tu situación laboral desde que se enmendó la Ley N° 27986 en el 2003 para reconocer los derechos laborales de las empleadas domesticas?
- a. (Si es relevante) ¿Cómo cambiaron las cosas desde entonces?
20. En general, ¿ha mejorado su contexto laboral, se ha mantenido igual o ha empeorado en los últimos años?
- a. ¿Como y por qué?