



## WOMEN'S "MENTAL LOAD": REFLECTIONS ON INEQUALITY AND VIOLENCE IN THE SEXUAL DIVISION OF LABOR TODAY

### "CARGA MENTAL" DA MULHER: REFLEXÕES SOBRE DESIGUALDADE E VIOLÊNCIA NA DIVISÃO SEXUAL DO TRABALHO NOS DIAS ATUAIS.

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#### Abstract

Over time, women's work has received less social significance, while women are given greater cognitive effort and greater responsibilities regarding care and family management, which act daily to favor female discrimination and inequality in the workplace and in society as a whole. This invisible violence, almost never mentioned, continues to oppress and even make many women sick in Brazil and in several other countries. For a more in-depth analysis of the so-called "mental burden" on women and its repercussions, it is necessary to consider, in addition to the current norms, the historical sexual division of labor, especially at home, where an asymmetry in the distribution of domestic services and family chores persists, and to reflect critically on the persistent hierarchies in social

relations, with their physical and mental repercussions. Through a bibliographic and documentary analysis, we seek to demonstrate how the social, cultural and historical construction of the need for women to act in the management of family life, combined with the "innate" attribution to the gender of domestic work and care, is, at the same time, the cause and consequence of inequalities that are still present today, including direct implications for health, productivity and the reduction of the social value of paid female work, all of which consider aspects of race and social condition, from an intersectional perspective.

#### Resumo

Ao longo do tempo, o trabalho feminino tem recebido menor significação social, ao mesmo tempo em que se atribui à mulher maior esforço cognitivo e maiores responsabilidades referentes ao cuidado e à gestão familiar, o que atua cotidianamente de modo a favorecer a discriminação feminina e a desigualdade no ambiente laboral e na sociedade como um todo. Uma violência invisibilizada, quase nunca mencionada, que permanece oprimindo e até adoecendo muitas mulheres no Brasil e em diversos outros países. Para uma análise mais aprofundada da chamada "carga mental" da mulher e dos seus reflexos é necessário considerar, além das normas vigentes, a histórica divisão sexual do trabalho, sobretudo em casa – onde persiste uma assimetria na distribuição dos serviços domésticos e dos afazeres familiares –, e refletir criticamente sobre as hierarquias persistentes nas relações sociais, com suas repercussões físicas e mentais. Por meio de uma análise bibliográfica e documental, busca-se demonstrar como a construção social, cultural e histórica de necessidade de que a mulher atue na gestão da vida familiar, aliada à atribuição "inata" ao gênero do trabalho doméstico e do cuidado é, ao mesmo tempo, causa e consequência de desigualdades ainda tão presentes nos dias de hoje, inclusive com implicações diretas na saúde, na produtividade e na diminuição do valor social do trabalho feminino remunerado, tudo isso se considerando ainda aspectos de raça e condição social, sob uma perspectiva interseccional.

#### Introduction

The United Nations Charter, ratified in Brazil by Decree No. 19,841/45, assumes that "the state must collectively adopt effective measures to prevent threats to peace and to repress acts of

aggression or any other breach of the peace". In the same sense, the Constitution of the Republic of Brazil of 1988, in its art. 3, IV, defines, as one of its fundamental objectives, to promote the good of all,



without prejudice of origin, race, sex, color, age or any other forms of discrimination.

However, we live in a society still marked by its colonial and slave-owning past, in which the female gender is still the target of a structural construction of inferiority, exposed to the most varied forms of violence, which are often minimized and even made invisible by a considerable portion of Brazilians.

Even today, women face several obstacles to the equal exercise of domestic work and professional practice in Brazil and in several countries around the world. Although women have a significant presence in the labor market—often with lower salaries and limited access to leadership positions—women continue to be considered the main ones responsible for the tasks of planning and organizing the home and caring for the family. The need to reconcile domestic tasks and a professional career, in addition to making it difficult for women to enter, remain in and advance in the workplace, ultimately contributes to perpetuating hierarchy and subordination between the genders.

In this sense, this work proposes reflecting on the mental load—the implicit delegation of cognitive and organizational tasks within homes—as a social, cultural and historical significance directed at the female gender that frequently results in mental exhaustion and even psychological violence, favoring the naturalization of discriminatory practices against women and gender oppression.

In a critical and intersectional manner, a bibliographic review was carried out on theories of the division of labor and gender inequalities, seeking the reasons why responsibility for care and domestic activities, even today, remains unequally distributed between the genders, generating greater physical and cognitive effort for women in managing tasks in the domestic and professional spheres, all in a socially legitimized manner. In addition to theories that reveal historical and sociocultural causes of gender inequality, it is also necessary to identify everyday practices that still strengthen this structure, which privileges men and weakens women as a social group.

## **BRIEF HISTORICAL PERSPECTIVE OF GENDER INEQUALITY**

Meinerz (2012) stated that relationships between men and women are a primary form of expression of power relations, the result of an imposition inherent to life in society. Biological differences or even “God plans” justify male privileges in access to power in various spheres of life, naturalizing, over the centuries, discrepant social behaviors between genders and, even, the attribution of different social values to the work of men and women.

Male’s domination is a structural component of society (Bordieir, 2012). Both men and women are products of social expectations, to which both are subject. In this sense, Grossi (1994) warns that both violence and gender are constructed categories; that is, the meanings of “being a man” and “being a woman” vary historically and culturally, as does the social perception of violence, which is neither unique nor universal.

Pavan and Martins (2020) also argue that social behaviors based on biological differences, or even on “divine planning,” justify the assignment of different tasks and social values between men and women and often naturalize domestic violence. Thus, it is important to note that men are also subjected to a series of gender-based social behaviors, such as the use of force, the role of home providers, the imposition of constant sexual activity and disposition, and the recrimination of any display of emotion or affection (Meinerz, 2012).

In this sense, Silva (2014) states that patriarchy is a system of oppression and domination not only of women, since there is also a specific type of “being a man”, whose formation is permeated by violence, making him endowed with the ability to convert aggression into aggression, not to mention the belief that carrying out certain tasks can interfere with his virility.

Power relations therefore systematically challenge men as a social group and, at the same time, exclude and weaken women (Lazar, 2007), demonstrating that men's violent and/or negligent behavior in relation to domestic responsibilities and the exclusive assignment of specific tasks to



women are reflections of socially constructed values (Bourdieu, 2002).

### **WOMEN IN THE FAMILY AND IN THE LABOR MARKET: A HISTORY OF LEGAL PROVISIONS ON THE TOPIC**

In the 1950s, the United Nations (UN) created the Commission on the Status of Women, which, between 1949 and 1962, formulated a series of treaties on the basis of provisions of the United Nations Charter. These documents indicate that all human rights and freedoms must be applied equally to men and women, without distinction of any kind. In the same vein, there are regulations that address the issue in Brazil, such as Article 5, item I, of the 1988 Brazilian Federal Constitution and infraconstitutional regulations.

Owing not only to fertility and motherhood but also to the imposition of a “feminine role”—which includes fragility, submission, and taking care of the home and children (Yannoulas, 2012)—the sphere of care has historically been assigned to women. On the basis of the idea that only physical strength and the provision of food could be considered productive activities, women were primarily assigned a private, localist existence, a construction lacking recognition and with a status of inferiority of themselves and their tasks, whereas men were assigned supremacy in the survival of humanity, with greater prestige and more social value, providing their preponderance in the home and in society (Hirata; Kergoat, 2007).

After the First and Second World Wars (1914–1918 and 1939–1945), when men went off to battle, women began to take over the family business and occupy larger positions in so-called “productive” jobs. It was only at the end of the 21st century, however, that States began to intervene in discussions about gender discrepancies and to issue protective instruments (Ost, 2009).

According to Teixeira (2013), it was only in the last century, however, that there was significant attention from the Public Authorities and Society, in general, to equality between men and women, including in the area related to paid work.

From the perspective of the Universal Declaration of Human Rights of 1948, the Convention on the

Elimination of All Forms of Discrimination against Women was approved in 1979 and was also ratified by Brazil, guaranteeing that women have equal conditions in the workplace, both in terms of admission, function and remuneration, as well as in relation to health and safety protection. In this sense, the United Nations Commission on Human Rights determined that states should adopt measures to modify sociocultural standards of conduct for men and women, eliminating prejudices and customary practices on the basis of the idea of inferiority or superiority or a stereotypical role for men and women (Revista do Observatório Brasil da Igualdade de Gênero, 2015).

Lugo (2014, p. 148) warns, however, that “the universal human rights system has been insufficient to provide an adequate response to the specific problems and needs of a vulnerable group such as women”. In regard to the equality of opportunities and working conditions for both genders, “concepts, values and principles are often defined from the perspective of those who hold power and, because they are alien to the context in which subordinate people live, end up excluding them from their protection or perpetuating subordination” (Protocol for judgement with a gender perspective, p. 51).

In this sense, the ILO Convention No. 190, adopted in June 2019 by the International Labor Conference (ILC) and in the process of ratification by the Brazilian government, recognized the right of all people to work free from violence and harassment, including pointing out the role of employers in preventing and eliminating gender interference in the workplace and establishing practical measures to address cases of violation.

In Brazil, paternal power was exclusively held by the husband from the Philippine Ordinances, which were in force for more than three hundred years, until the Civil Code of 1916, which maintained the man as the “head of the conjugal society” and the woman in a secondary position. It was only with the Electoral Code in 1932 that women over 21 years of age were allowed to vote, an age reduced to 18 years with the Constitution of 1934. The Statute of Married Women, enacted in 1962, amended the Civil Code of 1916, granting



civil capacity to the wife. Thus, married women gain the right to work without their husband's authorization and to manage their own private assets, although the headship of the household still remains under male authority (Dias, 2016).

The 1988 Constitution consolidated equal rights between men and women in marriage and family relations. Article 226, §5, established that "the rights and duties relating to conjugal society are exercised equally by men and women", eliminating, from a normative point of view, the subordination of the wife to the husband (BRASIL, 1988). These legal changes demonstrate the progressive evolution of the legal position of women in Brazilian family law, moving from a condition of subordination to a level of formal equality.

In the labor field, Law No. 14,457, of September 21, 2022, instituted the *Emprega + Mulheres* Program, which provides for initiatives that strengthen the entry and permanence of women in the labor market, including making it mandatory for companies to have a reporting channel for situations of female harassment. The aforementioned law also provides flexibility in the work regime, with the options of remote work, part-time work, compensation through time banks, flexible start and end times, early vacations, and flexible maternity leave, with the possibility of extending the date to facilitate the return of mothers. Similarly, Law No. 14,611/2023, of July 3, 2023, expressly ensures equal pay and remuneration criteria for male and female workers. Regarding jurisdictional activity, RRAg-597-15.2020.5.06.0021 was recently judged by the Third Panel of the Superior Labor Court (TST), on the basis of the guidelines of the Protocol for Judgment with a Gender, Race and Class Perspective, of the National Council of Justice (CNJ), applicable to cases that discuss structural inequalities and their effects on society. The panel judged the case, confirming the conviction of the former mayor of Tamandaré (PE), Sérgio Hacker, and his wife, Sari Corte Real, to pay compensation for collective moral damage due to the death of the boy Miguel Otávio, 5 years old, who fell from the 9th floor of a building in Recife after being left alone in the elevator by the owner of the apartment (employer of the boy's mother and grandmother).

The rapporteur of the employers' appeal, Minister Alberto Bastos Balazeiro, concluded that the couple reproduced the patrimonialist, discriminatory and racist social pattern, excluding and precuring the work carried out by two women and warning that the dynamics of work (and social relations, as a whole) in Brazil are still permeated by structurally discriminatory acts due to gender, skin color and the socioeconomic situation of the workers.

### **WOMEN IN THE SOCIAL, FAMILY AND WORK CONTEXT: DIFFERENTIATIONS AND PSYCHOLOGICAL VIOLENCE**

Work is considered an expression of human dignity and contributes to the affirmation of the individual identity of citizens, their collective emancipation and social justice (Delgado; Ribeiro, 2013). However, it is constituted and, at the same time, is constituted by the system of domination in which we are inserted. It is a field in which patriarchal, racist and classist aspects are articulated, leading to the daily violation of rights, sometimes in an almost imperceptible way (Adichie, 2017).

Despite the provisions of the 1988 Constitution (articles 1, III and IV; article 7, XX) and the successive enactment of rules on nondiscrimination, equality between men and women still seems far from being achieved in many contexts. The imbalance of power between the genders and the structural construction of women's inferiority have long been identified in Brazilian society (Gonzalez, 1984; Bertulio, 1989). Women are still conditioned to assume roles and social positions that are often disadvantageous. From childhood, women are encouraged to serve, whether through playing with dolls, cleaning and cooking items, or through early introduction to household chores. The responsibility for caring for and organizing the family environment is often attributed to women as a "vocation", performed freely and "out of love" (Adichie, 2017).

In this sense, it is important to highlight that psychological violence, according to Silva (2005), is any action or omission that causes or aims to cause harm to a person's self-esteem, identity or development; it includes demands for behavior, discrimination, exploitation and criticism. Among





the types of violence, it is the most difficult to identify; it is not subject to legal proceedings or even typified, as it is socially naturalized in our society.

In addition to legal provisions, however, violence, as a breach of the victim's physical, psychological, sexual, patrimonial or moral integrity (Saffioti, 2004), especially in the domestic context—in which the aggressor continues to maintain emotional and/or financial relevance to the victim—needs to be analyzed comprehensively, including its causes and responsibilities (individual and collective), problematizing the production and reproduction of sexism and hierarchical and oppressive social interactions.

While men find their main activity in so-called “productive” work, women need to make an effort to balance their family and professional lives (Bruschini; Lombardi, 2000). This violation of rights even affects women in privileged positions because, in addition to the need to ensure survival, the idea of being a “multitasker” or “being able to do everything” is socially praised as a merit.

In this context, in addition to the asymmetries in the precontractual phase (such as, for example, lack of access to certain positions and sectors of activity) and during the course of the employment contract (such as, for example, lower pay for the same work performed by men, less possibility of career advancement, among other things), women often also manage family commitments, manage household supplies, clean, care for, accompany elderly family members and people with disabilities, help children with school activities, among countless other activities that require, in addition to physical effort, much intellectual dedication—which is currently popularly called the “mental load”.

The mental workload is the invisible, constant and inevitable brain work that a person does to manage, organize and plan various areas of life, which can often lead to violent processes of exhaustion, guilt, fear and insecurity that limit the ability to react and cope. The expression was first used in 1996 by sociologist Susan Walzer in her study entitled *Thinking About the Baby* (Borim, 2024). In her research, Walzer analyzed how 23 women felt, physically and emotionally, after

having their children and being overwhelmed with maternal, domestic and professional tasks at the same time. The sociologist concluded that women spend more time and are more organized than their partners are and, even when the tasks are divided equally, they still need to worry about assigning what each person will do and checking whether it was actually done correctly (Borim, 2024).

This ideal, however, perpetuates a logic of exploitation that overburdens women and reinforces gender inequality. The naturalization of these demands calls into question the full scope of rights and prevents true equality in labor relations and in the division of family responsibilities. Although there is currently greater visibility of the issue and legal and political recognition of the importance of equality—through the historic publication of international treaties, legal norms by States and the development of public policies in favor of women—in a social context in which male domination is a structural component, discrimination and the difficulty in realizing rights and opportunities remain realities.

According to Pavan and Martins (2020), citing Abramo and Valenzuela (2016), even with the significant presence of women in the labor market, in most families, childcare and household chores continue to be predominantly attributed to women. Although men perform some household chores, the time they spend on them is not the same, and in general, they do so as a form of help without feeling that it is their main responsibility. The social appeal for women to reproduce the social role of woman—wife—mother—professional imposes a disproportionate burden on women, moving away from the scenario of equality with men and translating into an instrument of psychological violence, since it often results from excessive demands, a lack of social recognition and subtle strategies of disqualification in relation to those who do not fulfill their “roles”.

The Portrait of Gender and Race Inequalities study, published in 2017, indicates that women work 7.5 hours more than men do per week. At home, they also do not rest. More than 90% reported doing domestic work, as opposed to 50% of men (Borim, 2019). Furthermore, according to data from the global organization against



inequalities Oxfam, published by Forbes online, 75% of all care work (whose tasks, according to a study by FGV IBRE, cited by the same magazine, are equivalent to 13% of Brazilian GDP) is performed by women, almost always in an unpaid and invisible manner (Epker; Almeida, 2023).

### METHODOLOGY

The research is part of the broad area of human sciences, from an interdisciplinary perspective, developed from a qualitative approach, since, as stated by Minayo (2001, p. 21), “qualitative research works with the universe of meanings, motives, aspirations, beliefs, values and attitudes, which corresponds to a deeper space of relationships, processes and phenomena that cannot be reduced to the operationalization of variables”. The work reality of women requires critical investigation, which enables a broad and contextual understanding to address the problem and produce knowledge with the objective of social transformation.

The study was developed in two stages: the first, of a bibliographical and documentary nature, consists of the survey and selection of works relevant to the topic and the study of the scope of the standards on the subject; the second, consists of the analysis and interpretation of the data collected, with the aim of contributing to the achievement of nondiscrimination in the work environment and the effective promotion of social justice.

### FINAL CONSIDERATIONS

Structural discrimination—resulting from a colonial and slave-owning past—and the social construction of gender roles still impede equal labor participation and make the unlimited expropriation of women's labor invisible—since women, despite being very active in the formal labor market today, are still primarily responsible for reproduction, care services and domestic work, whether paid or not (Pavan; Martins, 2020).

The management of household tasks (planning, delegation and execution) creates a disproportionate burden for women, often invisible in traditional analyses of paid work, which can generate problems in women's productivity and often lead to processes of emotional

exhaustion, mental fatigue and even so-called burnout, directly and indirectly impacting women's autonomy and well-being.

Excessive mental workload, especially in domestic and work environments, can therefore even be considered a form of psychological violence against women: a subtle mechanism of control and oppression, becoming a factor of vulnerability and even of physical and mental illness. It is therefore necessary to critically reflect on the social expectations imposed on women, deconstructing stereotypes and promoting a fairer redistribution of tasks and opportunities.

In this invisibly violent context, in addition to the formal recognition of equality in the family sphere and women's labor rights—such as early retirement, job security for pregnant women, maternity leave, and the ability to breastfeed during working hours—it is imperative that the asymmetries that still exist in the distribution of tasks in the domestic sphere be observed more closely, since the articulation between paid work and family life, in many cases, translates into an overload of responsibilities, in a way that affects women's physical and mental health.

In addition to the existence of international instruments and the enactment of standards, it is necessary to act at the source of the problem. It is necessary to confront the challenges of sexism and misogyny, especially because male domination is an eminently symbolic form of domination (Bourdieu, 1999), and as such, it can be exercised only with the collaboration of the subjects. For society to benefit, in practice, from the protection of gender-based human rights, it is necessary to pay attention to the various ways in which gender is performed in everyday life (Nascimento Gomes, 2016), questioning behaviors that are expressed and reproduced historically and socially and, above all, the way in which intersections contribute to the particular vulnerability of different groups (Crenshaw, 2002).

The relevance of the scientific study of social representations of gender and the sexual division of labor thus emerges, with the aim of problematizing the privileges in dominant structures, to the detriment of guaranteeing the human rights of nondiscrimination, gender (racial



and class) equality, human dignity, protection, respect and, equally, the promotion of the human right to decent work. When the origin and interests surrounding the differences between genders are discussed, it is possible to problematize naturalized sexism in everyday life and, thus, face violence more closely, especially psychological violence, in the form of a “mental burden”.

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