



Texto para Discussão 002 | 2020

Discussion Paper 002 | 2020

The Anatomy of the Social Question and its Links to the Brazilian Social Security System Entangled Dynamics in Shaping Citizenship

Lena Lavinias

Professor of the Institute of Economics at the Federal University of Rio de Janeiro (UFRJ)

This paper can be downloaded without charge from
<http://www.ie.ufrj.br/index.php/index-publicacoes/textos-para-discussao>

The Anatomy of the Social Question and its Links to the Brazilian Social Security System¹

Entangled Dynamics in Shaping Citizenship

April, 2020

Lena Lavinias

Full Professor of the Institute of Economics of the Federal University of Rio de Janeiro (UFRJ)

¹ This paper was developed as part of the Research Group “Understanding Southern Welfare” at the Center for Interdisciplinary Research (ZiF), under the coordination of Prof. Lutz Leisering to whom I am extremely grateful. I have also benefited greatly from the conversations with the other members of the research group during our working meetings in Bielefeld from 2017-2019. To all of them, my gratitude. My thanks to Angela de Castro Gomes, Ana Carolina Cordilha, Andrej Slivnik, and José Maurício Domingues for their valuable contributions to this article. Finally, I would like to thank Flora Thompson-DeVeaux for her great talent in translating the original manuscript into English.

Abstract

This article traces the evolution of the Brazilian social security system since the beginning of the XXe century, by examining to what extent it mirrors the facets taken by the social question throughout this long period of time.

We seek to demonstrate that, in the span of just over a century, the social question took on a variety of forms, but was repeatedly marked by the struggle for recognition and the fight for inclusion – a strong indication that the process of constructing citizenship has been something of a permanent effort to break down boundaries.

Throughout this singular trajectory, comprising a multiplicity of different experiences, the struggle for inclusion has also been carried out in a number of different ways, beyond demands for social protection per se. This is the result of the process by which a peripheral economy was inserted into global capitalism, wherein the advances brought by industrialization never overcame gaps in a way that might have made Brazilian society more homogeneous and egalitarian.

The structure of the article reflects the periodization adopted in attempts to characterize the essence of the social question, which expresses itself in terms of clashes between society and the State. These phases are associated with changes at the level of the political regime, patterns of development, the shape and function of institutions, and the agendas driven by the social conflicts that they spring from. They include struggles for labor rights, access to land, democracy, better living conditions, equality, inclusion, mobilization against racism and sexism, and the fight to preserve rights that, once attained, are immediately threatened and contested.

This is evidently not the only possible periodization; there are other analytic approaches by which to grasp the entangled dynamics of shaping citizenship in Brazil. But it is valid in its own right, as this analysis seeks to demonstrate.

1 The Many Facets of the “Social Question”

Independence did not mark the start of an era of social rights in Brazil. There is no mention of them in the country’s first constitution, even in the wake of the French Revolution and its 1793 constitution, which had established the rights of man and of the citizen, based on equality, liberty, security and property,² demanding education for all and protection for those unable to labor. Not even the example of Haiti, whose hard-fought independence in 1804 came through uprising against slavery and the colonial order, would provoke any meaningful concern for social matters. The constitution of the young, independent nation, promulgated in 1824 under the Empire, not only falls silent as to slave labor – a matter at the root of Brazil’s insertion into the international capitalist order and its historical process – but also completely ignores the existence of the social question (Dos Santos 1979:18). Of course, to act otherwise would have been extremely forward-looking, and thus highly improbable.

Nor did the Empire see fit to regulate professions. The recognition of professional specializations would be a fundamental step toward the rise of trade associations, in the societies where wage labor gained greater centrality over the 19th century. Alongside the advancement of industrial capitalism, they led gradually to the emergence of unions and the construction of protective legislation that responded to the risks of each profession. As Castel (1995) puts it, wage labor³ implies two indissociable aspects – regulations established by labor legislation and social protection – which, based on mechanisms of belonging (“at-risk groups”), ultimately forges a relatively homogenous working class, however troubled by a “varied continuum of positions” within that class (Castel 2005: 259).

In Brazil, the slaveholding system had long repressed the organization of free labor, even as it expanded on the margins of institutionality. We should recall that slavery in Brazil was legal across the entire country, and was characterized by the concentration of

² Article 2, Constitution du 24 juin 1793, Déclaration des Droits de l’Homme et du Citoyen.

³ “Condition salariale,” in the original.

enslaved workers in urban areas⁴ (D’Alencastro 2018). Likewise, we cannot forget that Brazil was the country that forcibly imported the most Africans into the Americas: 46% of all those transported into slavery, or some 4.8 million people (D’Alencastro 2018a) between 1550 and 1850. The gradualist approach⁵ to ending slavery adopted by the reigning elite (the imperial government) and the dominant elite (large landowners, regional oligarchies and merchants), which eliminated the system in 1888, both delayed and papered over ongoing changes in a labor market that slowly became more concentrated in the country’s expanding urban centers.

It would be nearly eight decades, stretching into the new republican order, before we find the first records of a few professional categories attempting to act on behalf of their collective interests.⁶ Fragmented as it was, this movement did its part in helping to pass the 1907 law that authorized the organization and formation of trade unions. With no legal existence⁷ and no connection to the State, these first professional organizations would act as emergency funds, offering a small measure of assistance to members while acting in an enormous vacuum.⁸

As they developed, they found affirmation by aligning themselves with the tradition of Caixas de Socorro (Emergency Funds) and Caixas de Solidariedade (Solidarity Funds)

⁴ According to d’Alencastro (2018), “slavery marked [Brazil’s] cities. In 1849, Rio had 260,000 inhabitants, 110,000 of whom were slaves. They were 42% of the population” (8).

⁵ This gradualism would make it so that the end of the slave trade, forced by pressure from England, only came in 1850 (the end of the external source of reproduction of the slave system); the Free Womb Law, which freed the children of slave mothers, was passed in 1871 (internal demographic source of reproduction). According to D’Alencastro (2018), the Empire’s strategy to keep slave owners from losing money was to extinguish slavery naturally, waiting until the last slave died. This would also keep the State from having to pay restitution.

⁶ For more details on the many fragmented initiatives that popped up here and there over the first years of the 20th century, seeking regulation of work conditions, representation, and accumulation, see Dos Santos (1979), chapters 1 and 4.

⁷ This meant that unions were unable to legally represent their members. They would not have the right to participate in negotiations until the late 1930s.

⁸ Since the colonial period, the poorest – and the vast majority of the population – had relied exclusively on private charity and the mercy of religious entities, almost always through the Santa Casa brotherhoods.

established by the European workers' movement over the 19th century. Similar initiatives, while incipient, would appear in Brazil and give rise to a dynamic form of mutual aid which began to be regulated by the State in 1860 (Teixeira 1990). But its reach and coverage were limited, since the developing working class's ability to put aside savings, paying into the Caixas in exchange for services and protection, was scanty.

As the 20th century loomed, Brazil's first republican constitution (1891) failed to delve into the social question or rescue it from neglect. That which is not named does not exist. The country's new liberal carta magna, sanctioned by an authoritarian military regime, maintained a stranglehold on political citizenship and once again left out any mention of social rights. Ideas of egalitarianism and democracy were left out altogether (Carvalho 1992). Nor did it commit to creating a framework for employment law.

From the start, then, Brazil's slide into modernity has been marked by the brand of exclusion. Ours was a crude modernity, built on negation and the stifling of citizenship, whether in terms of civil, political, or social rights. We might recall that in the 1880s, at the height of the abolitionist movement, reformists were thwarted in their attempt to create a tax on fallow farms and found peasants' cooperatives to take in freed slaves. This project was driven by the desire to bring about a land reform, which would strengthen civil rights hitherto checked by the slaveholding system. To keep rural property concentrated, republican leaders and major landholders arrived at an agreement to open the country up to foreign immigration, bringing in manpower to meet labor demands on farms (D'Alencastro 2018). Access to land and property, a fundamental civil right curtailed by the 1850 Land Law,⁹ was thus once again denied to former captives and to the freedmen flocking to cities as they struggled to survive.

Within the abolitionist movement, some reformist initiatives arose, now led by adepts of Positivism. Concerned with the economic and moral "incorporation" of former slaves into

⁹ Amidst the tensions provoked at each fresh stage of the gradualist approach to abolition, the Land Law was approved in 1850. It regulated agrarian property, introducing a structure for access to and property of land, regulating agrarian property. Territory could only be acquired with an up-front payment and registration at a notary. The practical effect of this was to keep the soon-to-be-free population and poor workers from becoming landowners, and to maintain Brazilian land in a very few hands.

Brazilian society, they made pioneering calls for the creation of labor legislation to restrict women's work and provide education for the "sons of the proletariat" and social protection for "the aged." According to Alonso (2004), "the positivists' reforms emphasized economic development, and was nationalist and centralizing. They proposed a paternal capitalistic system and industrial progress captained by the government, but with the 'incorporation of the proletariat,' meaning the extension of civil and social rights" (30). This platform, however, would fail to take root in the liberal republican system.

Brazil's first republican constitution struck a new pact between elites which is far from resembling a social contract. From its very origins, the Brazilian republic thus denied the existence of the social question. And for over a century, and to this day, the constant struggle for inclusion has shaped the social question in Brazil. In part for that very reason, it may be reductive to speak of "the social question" in a country as unequal as it is heterogeneous, "in which the meaning and importance of a shared, everyday social life underlies the exercise and conception of citizenship rights that are varied, but equivalent" (Paoli 1989:43). While we may refer to Brazil's social question in the singular, then, it may be understood to signify a mass of entangled, interdependent issues.

At each level of development, at each new cycle of economic growth, under authoritarian regimes or living in democracy, in crises or during periods of reconstruction, the anatomy of Brazil's social question reflects tensions over the fight for inclusion and the struggle to carve out a social existence, and the forces resisting that change. The shape of social policies and their progress through time mirror that clash, or the silencing thereof. They are thus the final expression of the struggle for public recognition of the people's demands.

This analysis is based on the notion that in Brazil, the essence of the social question, or the process of the construction of citizenship, developed fairly independently from the construction of the social protection system, although Social Security, instituted by the 1988 Citizen Constitution, is one of the most remarkable conquests on that score. Exactly 97 years were to pass between the proclamation of the Republic and the declaration of the rights of its citizens, rooted in the principles of universal access to protection and coverage, as ensured by the social State.

The aim of this article is twofold. First, it makes use of a periodization of the multiple historical configurations taken on by the social question in Brazil over the past 100 years in order to observe its relationship with the construction of the social protection system, Social Security in particular. As guaranteed in the 1988 Constitution, that system includes social insurance, social assistance, and public healthcare. Secondly, it systematizes how social movements, conflict-led dynamics, social laws and labor rights, and different regimes of accumulation shaped social policies and citizenship, contributing to define patterns of inclusion – which varied over time, lending new form to the social question, the many facets of which seem to form a kaleidoscope of “social questions.”

Our first step must be to define what we mean by the social question.

From the perspective of Robert Castel (1995), the social question revolves around labor, and crystallizes in the first half of the 19th century. It emerges from the recognition of the pauperization of the masses in the surging wake of industrialization. When individuals without property in wage societies acquire rights, by virtue of participating in a collective that gives them an identity and protects them,¹⁰ they gain a social existence that gives them independence. This social existence rests on a variety of State interventions (Donzelot 1996) – labor laws and policies that protect against risk – that initially benefit wage laborers. This is because the wage relationship,¹¹ the social relationship par excellence of industrial capitalism, is the means by which one obtains rights through the foundation of a collective identity.

The more immediate protection that drove social relations under pre-capitalist modes of production is thus substituted, in a wage society, by social protection. This, in turn, gives rise to a new sort of ownership – social ownership, as formulated by Henri Hatzfeld (1971).¹² In place of assets, the dominant classes’ trump card (and thus the ideal and almost the sole way of ensuring security and guaranteeing social mobility) we find security through a set of laws on labor and protection, making it so that protection is no

¹⁰ In French, “collectifs protecteurs.”

¹¹ In French, “la relation salariale.”

¹² Also observed by Castel.

longer contingent on one's being an owner. Social ownership, through a system of legal guarantees, makes it possible to enjoy protection in the private sphere thanks to an inalienable right which is itself not a good (and thus cannot be sold).

Social ownership should be understood “not as a good that is employed in the private realm, but as a prerogative that is the result of belonging to a collective which, in turn, confers advantages guaranteed by a system of legal rules” (Castel 2005:312). This new form of ownership seals the victory of reformists over revolutionaries and comes to frame the social question in terms of the place of labor in a wage society. On the flip side, we find the issues of insecurity, the uncertainty that stems from being a non-owner – and, we might add, from being a non-worker in a wage society, which precludes access to social ownership.

Pierre Rosanvallon (2011) writes that the social fracture brought on by the advance of capitalist relations, provoking inequality, poverty, and the emergence of new social risks, both gives rise to a social question and brings about a radical change in how the problem would be perceived and tackled in the 19th century. A groundbreaking redistributivist reform movement would completely modify the social scenario in countries such as France, Germany, and England. The prevailing motto was reform in order to ward off revolution, the threat made material by the popular uprisings of 1848 that swept across Europe. The old liberal social order was turned on its head with the advent of social security, union representation, and labor regulation. At the heart of the social question in the new era industrial area, however, was the recognition of collective labor and protection on the basis of solidarity. This, in turn, entailed redistribution. The process of the deindividualization of market relations ran in parallel with the construction of the “State that establishes the social” (Ronsavallon 2011:236).

Breman and Van der Linden (2014) underscore the fact that the combination of these two elements at the root of the social question – labor rights and institutional frameworks for the promotion of social security – gives rise to dynamics of social emancipation, an entirely new phenomenon for the working classes.

The work of addressing the social question is not a linear march forward. The social question as formulated by Franz Kaufmann (2013) corresponds to social and national

constructs, meaning that there is no generally accepted definition of “the” social question. It may be taken as a social problem, and therefore understood as a *tension*. High levels of inequality may also fit in this definition, since they have the potential to bring about a social malaise. The social question can also reflect the *consciousness* of a specific social problem, such as racism or sexism, for instance. Or it may be a problem with strong *public resonance*, in which case famine would serve as an example. In all cases, the social question stands as a conflict, a bone of contention, a deadlock.

A logical next step is to understand how the social question is posed in every country. “The original ‘social question’, the problem that has propelled social politics in Germany, was the workers’ question, that is, the social risks and needs of the industrial worker to which Bismarck’s social insurance was a response,” observes Leisering (2013:10). According to Kaufmann, however, in Germany, the meaning of the social question “was initially closely tied to the poverty question and later to the workers question” (2013:31-32), given the profound changes in living conditions for all with the advent of industrial capitalism. This is why, he adds, until 1840 the social question was identified with the problem of pauperism, and only thereafter and up to the First World War did the concept of the social question become intrinsically linked to workers’ demands, leading to the emergence of a social policy for workers soon after the war.

Leisering quotes Hans Zacker, who recalls that, as a consequence, “the social is, in a very special way, part of Germany’s national identity” (2013:4). This seems like sound reasoning, considering that its first republican constitution, the Weimar Constitution, linked democracy to the protection of workers by the State (Kaufmann 2013).

It seems very clear that the same cannot be said of Brazil. The republican winds that swept away the system of slavery and opened the 20th century were unable to uproot authoritarianism. Nor did the new constitution commit to social or political rights. On the contrary: what followed was a mere reconfiguration of content, and a fresh demarcation of the borders of exclusion.

The Many Facets of the Social Question: Periodization

1889-1929

**1889 - 1918**

Social Question as **People's needs**

Main claims: high costs of living in a growing market society (food and housing), lack of political representation

**1919 - 1929**

Social Question as **Labor Regulations and Recognition of Few Professions**

1930-1963

**1930 - 1945**

Social Question framed by the State as the **Worker's Question: regulated citizenship**

**1946 - 1963**

Social Question as the **Agrarian/Regional Question**

Over-supply of labor and land concentration – class struggle on the rise deepening **structural heterogeneity**

**1964 - 1987**

Social Question as the **Question of Democracy - Inequality**

**1988 - 2015**

Social Question as **Social Inclusion** by universalizing rights (to overcome inequality, discriminations/ promote access)

The extreme pauperization of the masses, for example, while pervasive at the turn of the century, was largely ignored and treated for decades as a threat to the prevailing moral and social order (Valladares 2006), with no provision for social policy that might mitigate these people's poverty. The issue would only be treated as a social question in the post-democratization period, when the 1988 Constitution became the first to institute the right to aid for those who have their humanity threatened by destitution. The recognition of poverty as a phenomenon included in the social question came in tandem with the fight against hunger. From 1994 onward, following monetary stabilization and the end of high inflation, it would be included in the push for social inclusion, during a period when identity-related struggles also came to the fore.

Over the course of this article, we seek to demonstrate that, in the span of just over a century, the social question took on a variety of forms, but was repeatedly marked by the struggle for recognition and the fight for inclusion – a strong indication that the process of constructing citizenship has been something of a permanent effort to break down boundaries.

Throughout this singular trajectory, comprising a multiplicity of different experiences, the struggle for inclusion has also been carried out in a number of different ways, beyond demands for social protection per se. This is the result of the process by which a peripheral economy was inserted into global capitalism, wherein the advances brought by industrialization never overcame gaps in a way that might have made Brazilian society more homogeneous and egalitarian.

In addition to the introduction and conclusion, the present article is divided into four sections. This structure reflects the periodization adopted in attempts to characterize the essence of the social question, which expresses itself in terms of clashes between society and the State. These phases are associated with changes at the level of the political regime, patterns of development, the shape and function of institutions, and the agendas driven by the social conflicts that they spring from. They include struggles for labor rights, access to land, democracy, better living conditions, equality, inclusion, mobilization against racism and sexism, and the fight to preserve rights that, once attained, are immediately threatened and contested.

This is evidently not the only possible periodization; there are other analytic approaches by which to grasp the entangled dynamics of shaping citizenship in Brazil. But it is valid in its own right, as this analysis seeks to demonstrate.

Following this introduction, Section 2 covers 1899 to 1929 and is divided into two subsections. The first takes in the period from 1899 to 1918 and dissects the context that gave rise to the earliest working-class mobilizations demanding better living conditions, which had barely improved since the days of slavery. The second subsection, which goes from 1919 to 1929, lays out the first measures associated with the creation of social security, which fall outside the bounds of the State. In this phase, the social question is, above all, “the question of the needs of the people” (Castro Gomes 2005:49).

Section 3 focuses on the period that saw the construction of regulated citizenship (dos Santos 1979): 1930-1963, a span that includes a prolonged authoritarian period (1930-1945), but also a democratic respite (1946-1963). Under the former, workers would be recognized as such and labor legislation would be developed and made increasingly sophisticated, while failing to cover the entirety of the working population. The State led

the charge on this front; but while legal norms were instituted, guaranteeing enforcement proved another matter entirely (Cardoso 2010). The phase that followed, a democratic period of vigorous economic expansion, stretched from 1946 to 1963. Just then, with the consolidation of social security for a small portion of the working class, the social question was transformed into a regional question, framed by the struggle for increased access to land and the contestation of an unequal pattern of development that exacerbated the marginalization and poverty of broad swaths of the population.

In Section 4, the article situates the social question within the struggle for democracy and against inequality, mobilizations that would swell and multiply throughout both the “economic miracle” and the severe recession that followed. This phase goes from the civil-military coup of 1964, which entailed a loss of political rights, to the mid-1980s, when the severity of the economic crisis broke the prevailing political pact and led the military to support a “slow, gradual, and secure opening.” During this phase, the social question may be defined as the democratic question, coupled with the fight against inequalities.

Finally, Section 5 analyzes the period after redemocratization (post-1985), which brought a transition to a civil government and the reinstatement of open elections for the presidency. Here, the social question would become the question of full, unrestricted citizenship in the attempt to build a new Brazil (Paoli 1989). The Citizen Constitution, ratified in 1988 after years of intense grassroots mobilization with support from sectors across the social spectrum, finally made citizenship rights law. It also created Social Security, broadening the scope and scale of social protection and introducing universal rights for the first time in Brazil’s history.

2 1889-1929 – The Social Question as the Needs of the People. Under the First Republic: Repression, Concealment, and Reshaping

The historian Angela de Castro Gomes opens the third printing of her book, *A Invenção do Trabalhismo* (2005), with a reflection on how an “ideology of concessions” (Werneck Vianna 1978) “allowed the State to appropriate and thus obscure workers’ speech, constructed at such great cost during the clashes of the First Republic” (10). She refers to the myth upheld throughout the Vargas era (1930-1945), when, under an authoritarian nationalist regime, the developmentalist State sanctioned labor rights for a specific sector of the population positively identified as the working class, consequently curtailing the citizenship of the vast majority. This exclusion was possible because they did not belong to the professional associations previously recognized as such by the State – and the process of recognition would take decades.

The historian refers to the expropriation of the “speech” and demands of those who, after the belated abolition of slavery (1888), in the public square and on the streets, fought to construct a new social and political existence and make the newly proclaimed republic (1889) a space open to effective participation and action on the part of the people, a society in transition to free labor with the advent of a new regime of accumulation.

This was no small task. It involved overcoming a vision of work as a symbol of degradation – thanks to its association with slave labor or the means of survival of destitute Whites – and turning it into a civil right for all free citizens, no matter their origin. The heterogeneous young Republic, so recently unshackled from slavery and the monarchy, was called upon to form a being: the people, “the active cells of national life. This is the crowd that neither adulates nor fears, neither runs nor retreats, does not desert and does not debase itself” (Barbosa 1919).

In Castro Gomes’ words, “we must venture through the decades of the First Republic and ‘hear the workers’ in order to advance into the early 1940s and then hear the State” (2005:28). That is our aim in this section: to reconstruct how social movements, thriving

even prior to the Republic and energized by abolitionist and republican campaigns, would frame the social question at the time, stake out protagonism, and gradually lose it. The social question would be restated, this time on the State's terms, and those of the elites wielding it.

The first three decades of the 20th century would see the construction and first metamorphosis of the social question in Brazil, an ongoing, constantly shifting process that continues well into the 21st century, as we shall see. Traditional interpretations attribute the delay in adopting social policies in Brazil to the influence of the liberals who spearheaded the proclamation of the Republic (Slivnik 2018). This reading has been contested, however; conservatives also intervened in economic policy, especially fiscal policy and other projects, in defense of their interests.

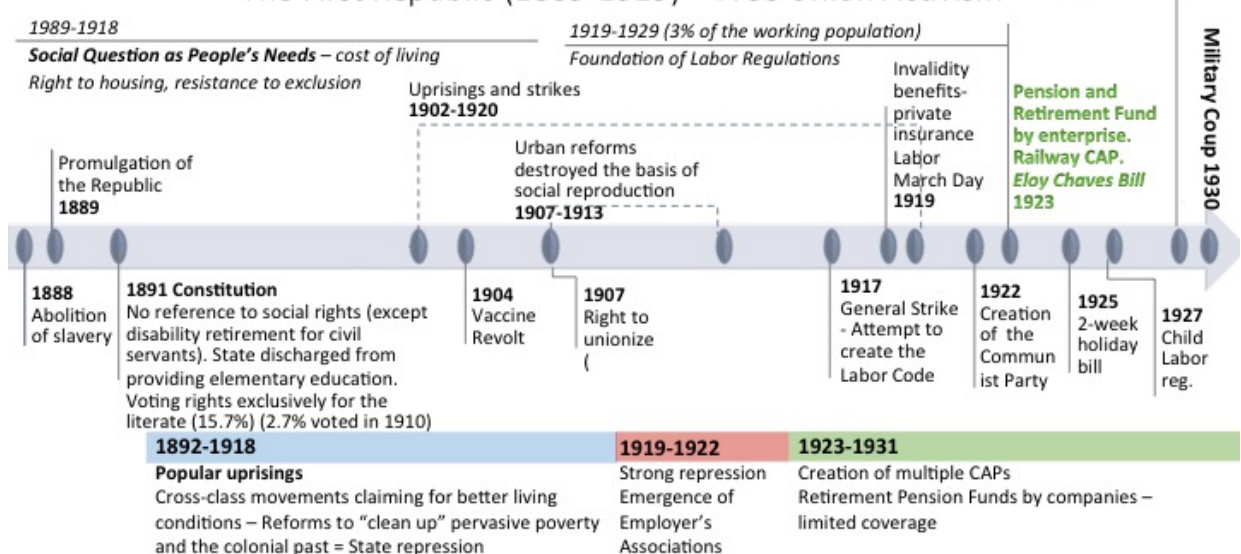
The truth is that, from the start, the Republic deliberately turned its back on the social question, indifferent to the magnitude of the privation and suffering that the end of slavery brought to light. In the words of Cardoso (2010), the liberal constitution of 1891, by treating workers' demands for protection as subversive, make *the social question itself* (italics in the original) unconstitutional.

Drawing on established timelines, this section examines the two phases that precede the classical model of associating the social question to labor and the emergence of the social protection system.

In the first phase, which we place between the proclamation of the Republic in 1889 and the end of the 1910s – which would bring the first private workers' compensation policies – the social question was framed by grassroots movements around the cost of living, the right to housing, and unionization. This timeframe is also justified by the fact that in 1919, Brazil – as a signatory of the Peace Conference and Treaty of Versailles, which led to the creation of the International Labour Organization – formally recognized the power of the international workers' movement, with important consequences for domestic policy. As a founding member of the ILO, Brazil took part in the first International Labour Conference that year and adhered to the tripartite system of representation determined there, bringing together governments, employers and employees.

No Formal Recognition of the Social Question

The First Republic (1889-1929) – Free Union Activism



Brazil's adherence to institutions such as these, which would begin to mold relations within this new community of nations and implement a new international order, would have an important effect on the framing of its first labor laws.

This second phase, between 1919 and 1929, saw the discussion and passage of the country's first social laws to regulate wage labor, and the first initiatives designed to ensure the right to retirement benefits and pensions. This legislation would serve to modernize labor relations in a society in the process of industrialization.

2.1. 1889-1918: A Republic without Rights – Housing and the Cost of Living at the Heart of the Social Question

The First Republic would inaugurate a new era, that of the people taking to the streets. This is how Schwarcz and Sterling define it, seeing the period as one of great political ambiguity and contrasts, in which “exercising rights to citizenship came to the fore” (2018:np) in the thick of a headlong process of social modernization.

It would also inaugurate a new political order. The 1891 Constitution, implementing the republican agenda, separated church from State and guaranteed religious freedom. At the same time, it approved universal suffrage, albeit with the same restrictions as under the

Empire: the voting population consisted of all adult men who were not illiterate,¹³ serving in the armed forces, or members of the priesthood. This evidently made for an extremely reduced voting pool,¹⁴ limited to elite White men – this in spite of the removal of income as a criterion.¹⁵ This negation of political rights would linger for decades, since the Brazilian republic’s founding document explicitly exempted the State from the task of providing primary education to the population.¹⁶ The government only accepted responsibility for building schools in the nation’s capital.¹⁷ The struggle for mandatory public education became one of the major points on the agenda of the anarchist and socialist movement in the early 20th century, and a crucial demand by recently freed enslaved workers, for whom education was seen as a means for the Black population to gain access to citizenship (Wissenbach 2018).

The issue gained momentum as the nation’s population swelled,¹⁸ a consequence of the country’s aggressive policy of incentivizing foreign immigration. While the Brazil of the First Republic remained largely rural and devoted to agriculture (over 85% of the population lived outside cities at the time), urbanization advanced quickly with the arrival of foreign workers and the increasing numbers of Brazilians forced to leave rural regions, given the dismantling of the slave system and the virtual impossibility of obtaining

¹³ According to the 1872 Census, only 15.7% of those residing in Brazil identified as literate, including foreigners (Wissenbach 2018).

¹⁴ In the 1910 presidential elections, for example, only 7.8% of the population was eligible to vote and only 2.7% actually did (Carvalho 2017). Moreover, votes were public. The excluded numbered some 27.4 million people, out of a total of 30.6 million recorded by the Census.

¹⁵ Income and education levels are strongly correlated in Brazil to this day.

¹⁶ The same had been true during the imperial period (Carvalho 1985).

¹⁷ The restriction on voting rights for the illiterate was enacted under the Empire, in 1882 – prior to the abolition of slavery. It may be seen as a mechanism for warding off political participation on the part of the enslaved population, as the abolitionist movement surged over the course of the decade. It would only be in 1985, at the end of the dictatorial regime installed in 1964, that all barriers to universal suffrage would be eliminated, including the provision about illiteracy.

¹⁸ The population of Brazil grew at a rate of 2.91% per year from 1900-1920. From 1884 to 1920, 3 million immigrants entered the country (Carvalho 1992).

farmland. The growing metropolises in a rapidly industrializing region took in those seeking to survive, though they did not offer an adequate social or sanitary infrastructure.

Schwarcz and Starling write that, during this period, the “moveable professions” – “street sellers, small businesses, carpenter, shoemakers and coach drivers” (2018:np). saw the most growth. These masses of “jacks of all trades” bore the DNA of Brazil’s structural heterogeneity, which it has never eradicated. They occupied the center and fringes of the metropolis as best they could, building their own ramshackle dwellings, generally made from mud and in less than hygienic conditions. They had no clean water, no sanitation system. In the rush to modernize the country, amidst a fit of industrial progress and the first cycle of import substitution on the horizon, European-inflected urban reforms would be put into practice, characterized by their drastic interventions and penchant for repressive government action.

Brandishing their allegedly civilizational aims, these reforms would destroy the bases for social reproduction in these new urban struggles. The period was marked by the dictatorship of the *bota-abaixo*, or teardown, in which sanitarians and engineers redrew spaces of inclusion and exclusion in cities, segregating citizens from non-citizens. This was one of the processes of undermining the working classes: pushing them farther and farther from the political centers where commercial and industrial activities are also concentrated.

A new stage in the expropriation of the citizenship-deprived masses would be set in motion, sparking countless uprisings. This was the Revolt of the Vaccine (1904), where heated clashes (over 4,000 people took to the streets) led to the declaration of a state of emergency, leaving fatalities, injuries, arrests and deportations in its wake (Carvalho 2017:85). The population, faced with having their homes invaded for compulsory vaccination against infectious diseases and for health workers to make their living spaces compliant with the mosquito-killing drive, rose up against arbitrary State intervention and produced the first major social mobilization of the 20th century to criticize government action.

This was the State against society. The reforms were not designed to institute social policies to mediate the relationship between State and society; rather, we find the State,

with its monopoly on violence, intervening against its people and against the impoverished. Administrative measures would be taken to hem in the city's poor and restrict the geographical and social spaces they had created for themselves (Valladares 2006). Favelas and slums, here, were cast as loci of disorder and social risk.

More campaigns to heal “the pathologies of Brazil” followed, especially in Rio from 1907 to 1913 – the idea being to eradicate epidemics associated with the wretched living conditions of marginalized groups that included former slaves, the urban poor, slum tenants, peasants, favela residents, and others. Officials invariably turned to science to justify taking action against the degenerate habits of the poor, drawing on popular eugenicist theories to demonstrate that Blacks and mixed-race people “had not evolved” (Schwarcz and Starling 2018:np), thus invalidating the need to work toward or even worry about their social inclusion. They were simply ignored. Racial hierarchy would become a legal norm, called upon to justify and legitimate social asymmetries.

Large-scale urban interventions thoroughly reshaped cities, expelling and repressing “degenerates” – that is, the working classes. In 1901, for the first time, a favela would be removed from the heart of the nation's capital, Rio de Janeiro, in name of the revitalization of public space. The residents fought for two decades and even went to court to maintain their homes, opposing repeated eviction orders and surviving intentionally set fires. The resistance movement, grounded in new forms of collective action¹⁹ developed by the city's poor, was seen as a conspiracy against the federal government. As Costa Mattos puts it, the attempt to remodel the capital “was a scientific-based project that presented solutions to urban problems and set aside political clashes. In other words, the urbanism that Brazil imported from Europe came without its inclusive aspect, while in Europe it arose from concern about the so-called social question” (2013:58).

Housing and transportation costs rose, and access to both withered. Food prices went through the roof as a consequence of soaring inflation and a disproportionate tax burden

¹⁹ On two occasions (1907 and 1925), slum residents took to the streets in Rio de Janeiro to denounce the cruelty of the removal policy; but because these demonstrations alarmed elites, they were violently repressed (Costa Mattos 2013).

on essential goods. Scanty, irregular income would make the cost of living one of the main items on the agenda of the citizenship-deprived. The social question took on shape in their struggles to improve living conditions and ensure their survival, no longer directly related to work conditions. As Castro Gomes puts it, at this point the social question is “understood as the question of the people’s needs” (2005:49).

Resistance to the new republican order, which stifled popular discontentment and managed to worsen, if not eliminate their conditions of social reproduction, was not limited to cities, which contained only a small portion of the population in the 1920s.²⁰ It also spread to the nation’s most remote rural territories, where it would fall to the army to crush thousands of rebels in the Canudos uprising (1896-97 in Bahia) and the Contestado War (1910-1915 in Rio Grande do Sul), as well as other groups who rose up against the oligarchical power preserved by the Republic and a modernity determined to deny them a future. They resisted through “a social and political experiment [...] very different from that of the central republican government” (Schwarcz and Starling 2018:np), which rested on the collective ownership and use of land and the distribution of the means to live and work.

It seems to us that the period immediately following the proclamation of the Republic, when the working class and their representative organs were still at an incipient stage of development, the social question emerged not from the struggle for labor rights, but rather from resistance to the logic of exclusion and the violation of individual rights never enshrined in law. In the words of Carvalho (1992), “growing state interference in people’s lives was one of the most frequent causes of popular revolt, especially because this was happening without allowing an increase in political participation (...). The most traditional cause of revolt was, naturally, the increase of taxes and transport fares” (155).

Popular participation thus grew and intensified on the streets, outside the representative system (Carvalho 2017:24). From the very start of the Republic, it was clear that the system was not designed for all. This is certainly the dichotomy that runs through the

²⁰ As of 1920, cities with over 20,000 inhabitants accounted for just 13% of the Brazilian population (Carvalho 1992).

process of constructing citizenship in Brazil throughout the 20th century: it is marked by repeatedly constructing spaces of belonging and inclusion in contrast to borders meant to fence in those without citizenship.

Those without citizenship were not invited to take part in the transformations of a society in transition, whose elites' greatest desire was to free their nation from its colonial, slaveholding past. Rather, the masses were repressed with authoritarian tactics. To some extent, to the eyes of a regime constituted without their participation and hardly concerned with social change, the working poor were that colonial past, a living symbol of backwardness (Carvalho 2017:142). But these people would struggle to survive in a market economy where all workers were now free, although the vast majority were not engaged in salaried employment, nor ensured the rights that would be incorporated into the international legislation championed by the ILO.

It should be said, however, that the 1891 Constitution does mention the word “retirement” once: benefits are guaranteed to civil servants who are rendered disabled in the performance of their duties (Nassar 2012)²¹ Nothing more is said, not even as to how the benefit will be paid for. The same document falls mute where the 1824 constitution had stipulated that the imperial government was obliged to grant “public aid,”²² or some sort of emergency assistance, to the poorest in society. Under republican rule, that clause disappeared, in an initial step towards hiding the problem and thus clearing the State of any responsibility for it. The founding document of the Republic is fundamentally conservative, and fails to even recognize the State’s responsibility to aid the neediest in society.

²¹ According to Slivnik, “the existence of retirement systems for high-level employees of the justice system and the federal government, long before 1923, may be seen in the legislation around public service, and is recorded in contemporary literary works” (2018:37 – note 65). Likewise, Dos Santos writes that pension funds had been created in 1890 for employees of the Ministry of Finance, a practice soon extended to those in the Navy, the Mint, and the Port Authority.

²² Art. 179, XXXI.

A lone decree warning about regulation and protection of minor workers, which had no major consequences, should also be noted as one of the new measures following the inauguration of the Republic.

The struggle for rights would only become more visible in the demands of the citizenship-deprived masses. It occupied a prominent place in the agendas of the socialist union movement (1891-1906) and the anarchist groups (1906-1920) that spearheaded a series of strikes, action that became more intense and radical from 1914 onward amidst an intense drive toward industrialization. A chronic lack of inventory made workers' stoppages all the more threatening.

In fact, strikes had begun cropping up at the turn of the century, heavily influenced by the anarchist movement that would be fed by European immigration. The first walkout came in 1902, in Rio de Janeiro. São Paulo saw the country's first mass strike in 1907, in defense of an 8-hour workday. By 1920, when police repression demobilized the workers' movement and criminalized its associations, there had been some 400 strikes for better living and working conditions, and in solidarity with the international struggle of the proletariat (Schwarcz and Starling 2018:np). Some of their most urgent demands included reports of abuse suffered by workers and calls for a shorter workday.

Noteworthy for its undeniable success was the general strike of 1917, begun in São Paulo by 400 women workers after a young anarchist was murdered by the police. Their complaints included routine sexual harassment by the foremen on the factory floor. "This wasn't a strike that began with broad demands," explains Batalha. "It started out with specific issues raised by sectors that began joining the strike movement, some out of solidarity. Only then did they begin calling for everything from labor reforms to demands of a political nature – freedom for those imprisoned for taking part in the movement, for example."²³

²³ <https://www.bbc.com/portuguese/brasil-39740614> (accessed 09/06/2019). Camila Costa, BBC online, April 28, 2017.

The strike took in some 70,000 workers, spread to other cities, where similarly large numbers also adhered, and, for 30 days, it made public the workers' demands for better salaries, an end to violence in the factories and on the streets, and the regulation of women's and children's labor. On the 1st of May, 1919, the anarchist movement once again flexed its political muscle by bringing about an extraordinary workers' mobilization in defense of their collective interests, one that would mark the history of popular struggles.

It was then, at the very peak of the workers' movement, that its dismantling would begin: severe repression was unleashed against anarchist groups between 1919 and 1921.

Through the end of the 1920s, anarchism was the most important force for the political mobilization and organization of Brazil's workers (Castro Gomes 2005). Unlike socialists, anarchists were uninterested in building a workers' party: their focus was on improving living conditions and securing universal education. They claimed economic rights, rejected aid and philanthropy, and supported strikes as a means of increasing workers' bargaining power. They created the country's first open schools and universities, organized reading groups, mobilized against war and in favor of peace, and demanded price control for food, transportation, and housing. Above all, they prioritized the everyday needs of the working classes.

The socialist movement, meanwhile, was concerned with encouraging a new work regime, centered on the development of salaried labor. They believed that social reforms would only be successful if the working classes were ensured political participation in the legislature. With an eye to the trajectory of the German Social Democratic Party (SPD), they tried and failed to found a workers' party. Despite their differences, both they and the anarchists supported the regulation of the workday, the right to strike and to disability retirement and pensions, unemployment insurance, public education, healthcare, electricity, and running water for all.

Improved housing and living conditions would remain key agenda items for the union movement. However, the spontaneous, multiclass, radical social movements that held out through the end of this period (Castro Gomes 2005) would begin to ebb. And as did they, so did their demands.

2.2. 1919-1929: The Dawn of Social Legislation

The turning point, which came in the 1920s, was marked by major tension around the first laws to regulate wage labor in Brazil, workers' compensation and the creation of public entities designed to ensure their application. These measures arose amidst the intense agitation of the labor movement over the previous decade, which was met with violent State repression.

To the eyes of many authors (Castro Gomes 1979 and 2005; Cardoso 2010), the 1920s were the years in which the social question shifted from the struggle over the cost of living and a lack of affordable housing, a broad-ranging movement that had become increasingly radical over the years, to the field of labor rights *strito sensu*. The focus now fell on working conditions, not living conditions as a whole. At stake were the number of work-hours per week, women and minors at work, vacation time, and the lingering, urgent matter of occupational accidents – compensation for which, when it did come, depended on the goodwill of one's employer.

The introduction of the Commission on Social Legislation in the Chamber of Deputies in late 1918, as well as the first vote on the Occupational Accidents Law in 1919, would contribute to redefine the social question and lend it new centrality. Both measures reflected the strengthening of the workers' movement on an international level, and provoked a backlash from national elites.

During this transitional period, the heads of industry and commerce, buoyed by their growing influence, would jostle for space with the oligarchical government and representatives of the labor movement for control over the framing of this new social legislation. In light of the combative environment at the time and the near impossibility of denying the need for social laws to regulate the labor market, employers simply worked to restrict the measures as best they could, looking to avoid excesses that might undermine their process of accumulation. In the words of Castro Gomes (1974), employers put on a united front that was complex and contradictory: on one hand, their stance preserved “the classical principles of liberalism, defending the ‘freedom to work,’ but gradually grafted onto it an acceptance of state intervention, an acceptance that was forced upon them and limited to specific issues” (163).

In 1915, the federal government had put forth a bill proposing mandatory compensation for occupational accidents. While the proposal remained tabled for a number of years, it would be joined by other issues, such as the establishment of a minimum wage for industrial workers. These scattered demands were the reflection of budding pressure, born of the advance of industrialization and urbanization.

The period was thus shaped by the emergence of a regulatory framework focused on wage labor, meeting the needs of a very small subsection of the working population.

The business community lobbied for women to be able to work the same hours as men, instead of daily shifts of up to 6 hours.²⁴ They supported a ban on work for minors under 10 (not 12), spoke in favor of a minimum age of 15 (not 16) for a young person to be considered an adult on the labor market; pressed for a 56-hour work week; and opposed the establishment of schools and childcare facilities within factories, a long-time demand of social movements. In other words, they contested the workers' demands, point by point.

They did, however, accept the establishment of private workers' compensation policies (for minor accidents, death, or disability), taken out with insurance companies. These policies only covered the worker in question, with no provision for dependents, and would not trigger payment of retirement benefits or pensions for those who ceased to work. In other words, they vehemently denied the creation of social security. And it would be on these terms that the occupational accidents bill would finally pass in 1919, the regulatory cornerstone of the nation's social protection system.

An advisory commission was immediately created to establish the ground rules for this sort of insurance and maintained the practice of taking out policies with private insurers, effectively removing the discussion about the degree and breadth of compensation from factories and workplaces. The capital-labor conflict was transformed into an individual,

²⁴ They successfully contested the idea of banning women from working night shifts, as well as eliminating a proposal that would have ensured a period of rest (with 2/3 of pay) before and after childbirth (Castro Gomes 1979: 177).

external issue, regulated by a contract and designed to be dealt with between the worker and the insurer. In the words of Dos Santos (1979), “until 1924, suits over occupational accidents would remain in the realm of private conflicts. Strictly speaking, they were matters for the police, and victims had to request an investigation” in order to determine whether or not compensation was in order.

It is important to note that the event commonly celebrated as the first conquest of the incipient working class – protection against accidents in the workplace – fell completely outside the scope of public social insurance. The Eloy Chaves Act, passed in 1923, which instituted the first Pension and Retirement Fund (Caixa de Aposentadoria e Pensões, or CAP) for railway workers, guaranteeing their right to fully funded retirement benefits provided by the company, likewise failed to include worker’s compensation as a part of the incipient social protection system. It would remain subject to private contracts, outside the realm of rights.

The close of the decade brought a new proposal for social insurance back to the table; this time, it was to be incorporated into the Assistance and Social Security Funds. In order to provide medical and pharmacological assistance for ill workers, employers, workers and the State would pay into the fund, to be administered by representatives of both sides. Once again, employers put the kibosh on the proposal, claiming that they already provided medical assistance to their employees on an informal basis, whenever necessary (Castro Gomes 1979). For the next forty years, employers’ associations staunchly opposed the adoption of collective, contributive, public insurance systems.

In August of 1960, under the democratic, developmentalist administration of Juscelino Kubitschek and amidst a phase of great economic prosperity and social modernization, Congress finally approved the Organic Social Insurance Law (Lei Orgânica de Previdência Social, or LOPS). The law incorporated previously overlooked rights such as sick pay, disability retirement, pensions, and other mechanisms that would guarantee a substitute income source in case of inactivity. In 1967, worker’s compensation was recognized as a social risk, transferred from private insurers, and became a social insurance benefit.

In 1921, the social question remained present, and would make its presence felt in the heated electoral debate. But not even that could guarantee the effective functioning of the National Department of Labor, which had been created in 1917 in response to a wave of strikes that instigated two years of profound social instability. The aim was to monitor compliance with the laws that were beginning to establish a new system of protection for laborers. Due to pressure from business interests invested in delaying and hindering the effective application of these new laws, the department would remain functionally inoperative. In its stead came the National Labor Council (Conselho Nacional do Trabalho, or CNT), instituted in 1923, even as the government aggressively repressed mobilizations by the emergent working class. The council was designed to advise the federal government on labor issues, but had no power to ensure compliance or intervene in existing practices. While they did not exert political control over the oligarchical State, employers were dominant here, and thus defined the social agenda to be discussed.

These obstacles, however, failed to foil some of the most important institutional innovations of the so-called Old Republic. One was the Eloy Chaves Act, which created the nation's first fully funded pension scheme by instituting the Pension and Retirement Fund for the workers on the São Paulo Railway. Others were the Lei de Férias (which regulated vacation time), and the Código de Menores (which stipulated working conditions for minors).

The Pension and Retirement Funds (CAPs) were created in Brazil at the initiative of a group of lawyers, businessmen and public figures (Malloy 1986), strongly influenced by Argentina, where similar funds had been in place since 1904.²⁵ At first, they covered a specific subset of worker: Argentine public servants. Despite the conflict at its origin (Anapios 2013), as it was strongly contested by anarchist workers' cells and by employers, the PRF model advanced across Argentina year after year, taking in more and more categories of workers.²⁶

²⁵ Law 4349, which established social security for the employees of the National Public Administration.

²⁶ In Argentina, Pension and Retirement Funds would expand rapidly (established for the railway workers of the Fraternidad in 1915, for other railway workers in 1918, for bank employees and insurance companies

Not even this would blunt the impact of the Funds on the ascendant Brazilian business class, which believed that it would be essential for the State to act, not as a gendarme, but now as a “machine for progress” (Pio Vieira 1978:119). This was the tone taken by the leader of the movement in Brazil, federal deputy Eloy Chaves, a scion of the colonial oligarchical elite and the Paulista aristocracy, who would later become a judge and a successful businessman in his own right, with a remarkable trajectory in both politics and public administration in what was then the province of São Paulo. He made a name for himself by working to create administrative and bureaucratic structures designed to strengthen the republican State. Perhaps most notably, he headed up the reform of the police in São Paulo amidst the general strike of 1917, closely following the worsening of social tensions and the struggles for the rights of the working masses, which would reach a fever pitch in 1919.

In 1921, in the name of order and against the “savage class struggle” (Pio Vieira 1978:236), Chaves, representing the Partido Republicano Paulista (Paulista Republican Party), submitted a bill in Congress to create the first Pension and Retirement Fund of Brazil, designed to cover railway workers alone. This was not by chance. Workers on the federal and state railways were on the point of outright rebellion, and their walkouts during the general strikes had seriously affected other productive sectors. They were the most organized and mobilized group calling for workers’ rights. On the other hand, shortly after the end of slavery, they had also been granted legal support in the form of a traditional Caixa de Socorros (Emergency Fund), which would provide aid in case of illness and funeral expenses to ensure a Christian burial (Dos Santos 1979: 19).

Eloy Chaves’ proposal revealed a Bismarckian inspiration, relying on contributions from both employees and employers to a private pension fund. The project called for a broad

in 1923, followed by maritime workers) through 1923, when Congress passed the Social Assistance Organic Law or the Retirement Act (Law 11,289). It guarantees regular retirement benefits, disability retirement, and family pensions. In order to qualify, workers must contribute 5% of their monthly salary and employers must contribute an additional 5% of the wage bill, as well as managing the funds alongside employees. But employers and employees alike refused to pay into the system; the former alleged that that responsibility fell to the State, while the latter felt that it should be covered by the capital. This led to the repeal of the law in 1926, after a general strike targeting in 1924. Seen as the responsibility of the State, Argentina’s Social Assistance Law failed in the face of a lockout by employers and strikes by workers (Anapios 2013).

range of coverage: medical care and medication for the policyholder and his family; regular retirement benefits; pensions for employees' heirs; immediate coverage of funeral expenses; and disability retirement. The fund was to be administered by the beneficiaries themselves (Pio Vieira 1978:236), with the participation of the employer.

Going against the grain of the Argentine model, which dedicated a single, public fund to each major professional category, managed by State-appointed employees, Chaves proposed a constellation of decentralized funds outside the umbrella of the State and administered by the private sector. He justified this approach by pointing to the sheer scale of Brazil's territory and the vast variety of situations and levels of economic development that it contained. Above all, he opposed a general rule for pensions and the creation of a public fund. True to his liberal values, he put his foot down at State intervention into the provision of retirement benefits and pensions.

The bill would be debated for nearly two years in the Social Legislation Commission in Congress before it was finally approved and sent along to the floor of the Chamber of Deputies. During debate, senators called for extending social insurance coverage to other professional areas, such as construction companies and the development of ports, tramways, and public lighting.

The act was finally passed in January of 1923. Each railway company would have to create a retirement and pension fund for its employees (whether permanent or temporary). The funds would be fed by monthly contributions from employees (3% of their salary); an annual contribution from the railway companies (1% of gross income²⁷); the State would not contribute funds of its own, but would allocate revenue from an extra tax of 1.5% on railway fares. These resources would be deposited in a special account in a bank

²⁷ Dos Santos (1979) clarifies that, in the absence of oversight, the 1% contribution was effectively made not based on gross revenue but rather the wage bill. This situation persisted through the 1960s, substantially reducing the employer's contribution.

chosen by the administrators of the Fund, with no government participation, and would be put toward purchasing national or state bonds.²⁸

Retirement benefits were calculated based on the worker's average salary over their last 5 years of service, granted after 30 years of service and 50 years of age,²⁹ and were lifelong. Moreover, a worker who suffered "total and permanent disability [would] have the right to retirement, no matter the length of his service" (Pio Vieira 1978:267). Pensions would be equivalent to 50% of the retirement benefit received by workers with over 30 years of service or 25% for workers who had between 10 and 30 years of service. It would not be possible to receive multiple pension or retirement benefits concurrently.

The most important part, which had to do with the model of capitalization, is laid out specifically in Article 39: "Retirement benefits and pensions may be lesser than stipulated in this law if resources in the Fund cannot sustain the respective charges, and this may be the case while resources remain insufficient" (Pio Vieira 1978:271). In other words, the rule established a defined contribution and an undefined benefit, exempting the employer from guaranteeing a true substitute income in the period after one's working life.

Attempts to extend the Eloy Chaves Act to major companies in all sectors soon followed, while resistance to the law spread within the railway sector. Chaves himself came out against proposals that sought to expand the model to other sectors and attempts to involve the State in financing pensions. In his vision, the new Funds ought to live off of their own resources and go without public financing. The classical Bismarckian model was proving incompatible with Brazil, and "State contribution had to be avoided at all costs in the structuring of any other Funds for any other categories of workers" (Pio Vieira 1978: 300).

This look at the origins of social insurance would not seem to confirm the classical reading that the corporative, paternalistic structure of the government under the First

²⁸ Law 4.682 of January 24, 1923. Pio Vieira 1978:266.

²⁹ The initial recommendation was a minimum age of 55, but, under pressure from the railway workers, Eloy Chaves reduced it to 50.

Republic was responsible for developing Brazil's first mechanisms of social protection (Slivnik 2018).

CAPs immediately multiplied across railways companies in Brazil; finally, in 1926, a new social insurance law extended the same system to other companies and industries, starting with maritime workers.

The CAPs would stand as the country's main social insurance model through 1931, when the system underwent its first reform. By then, some 98 company-specific Caixas had been created, covering close to 147,000 members (Slivnik 2018).

According to Slivnik (2018), the CAPs persisted throughout the 20s as "civil societies run by Advisory Boards, composed of representatives for employers and employees, which were to determine [the Fund's] investment policy and deliberate over the concession of retirement benefits and pensions" (45). This was a far cry from the mutual aid societies that had emerged over the previous decade, at the height of labor mobilizations. The Chaves Act rejected the mutualist tradition developed within the workers' movement, which had been able to offer low-cost medical services and medicine, and weakened labor representatives in the process, depriving them of autonomy and hegemony as they attempted to defend workers' welfare.

Bit by bit, however, State intervention would come to prevail, putting an end to the liberal model put in place in 1923. The result would be the emergence of new social insurance institutions, subordinated to centralized government control.

On another legislative front, the country saw increased regulation of wage labor. Employer associations' attempts to quash the approval of vacation rights came to naught. A law guaranteeing 15 days of vacation for employees, laborers, and workers at banks and other institutions was passed in 1925 (Castro Gomes 1979). The legislation would not go into effect for factory workers until 1930, however, thanks to violent resistance on the part of the industrial bourgeoisie and the indifference of the governing authorities.

Child labor would be regulated in 1927; underage workers were a considerable contingent of the agricultural workforce, but also in rapidly expanding urban sectors, especially

industrial production. Employers successfully proposed that youths age 14-18 be treated as adults, while children ages 10-14 would be able to work up to 6 hours per day.

The balance of these first few decades of republican rule is fairly slim. Despite minor advances in terms of labor regulations, the absence of compliance oversight and repeated stonewalling on the part of employers in commerce and industry hamstrung any hopes of real gains for urban workers. As D'Araújo (2013) writes, in the 1930s, only 3% of the working population was affected by these new labor regulations.

We may, however, safely dismiss the idea that before the Vargas era, the social question was treated as “a matter for the police” (D'Araújo 2013; Castro Gomes 1979). At this point in time, it combined both dimensions. On the one hand, the social question, despite its urgency, is silenced. Those without citizenship have their demands ignored, and their place in society is denied. They are not even granted their due protagonism in the social question as a whole.

The growing poverty of the urban masses, which was both visible and careening out of control, would not give rise to an array of policies designed to lessen social antagonisms. Rather, interventions designed to wipe out the problem altogether would galvanize those very tensions. On the other hand, a new social question would come to the fore, the object of public policy and regulations, in reaction to mobilization by and pressure from grassroots movements and the working classes. “The idea propagated under the Estado Novo that labor legislation was handed over by a protective State sets aside a whole tradition of organizing and making demands,” D'Araújo writes, arguing that political motives drove the erasure of that memory (D'Araújo 2013: 7).

We may thus see the 1930s – a decade commonly recognized in Brazil as the period in which social policy took shape and the social question would be explicitly associated with the labor question – as the continuation of a body of norms and objectives framed during the First Republic. While incipient, they provided the foundations of Brazilian labor and social insurance legislation. It should also be said, however, that they left out the majority of those working on the streets or at odd jobs.

As Paoli (1989) puts it, this society in formation “avoided taking on the issue of citizenship and democratization, given the heterogeneity of its modern social institution” (44). Certain aspects of the social question would be set apart, prioritized, or legitimized, to the detriment of others.

The configuration that would take on centrality and legitimacy reflects the growing pace of State influence in the labor market through the National Labor Council, with limits imposed by the lobbying of employers’ associations. However, it is also a reflection of the fact that repression of workers’ demands for better working and living conditions gave rise to social legislation “as an instrument for controlling the labor movement, the effects of which would go far beyond the political aim of ensuring social peace and spill over into the economic realm, as coercion made it possible to secure greater productivity from the workforce” (Castro Gomes 1979:215).

3 1930-1945: The Social Question as a Workers' Question – Regulated Citizenship

Before leading the military coup that put an end to the First Republic and the liberal State, Getúlio Vargas – who was to govern Brazil through an authoritarian regime from 1930 to 1945 – once declared on the campaign trail: “We cannot deny the existence of the Social Question in Brazil as one of the problems that must be addressed seriously by the authorities. What little we have in terms of social legislation is not applied, or only the smallest part of it is, sporadically, despite our commitments in that regard as signatories of the Treaty of Versailles.”³⁰

Here, we should emphasize three important observations. The first is that Brazilian social legislation was moved forward by an unprecedented international scenario in which multilateral accords took on the strength of legislation. At the same time, in the real world, that very legislation was powerless. Finally, as Vargas saw it, there was a social question to be resolved, and it would fall to the State to address it. This would be one of the great legacies of the Vargas Era: the construction of an institutional framework designed to protect labor and laborers, albeit during a period of authoritarianism and the repression of unions and grassroots movements.

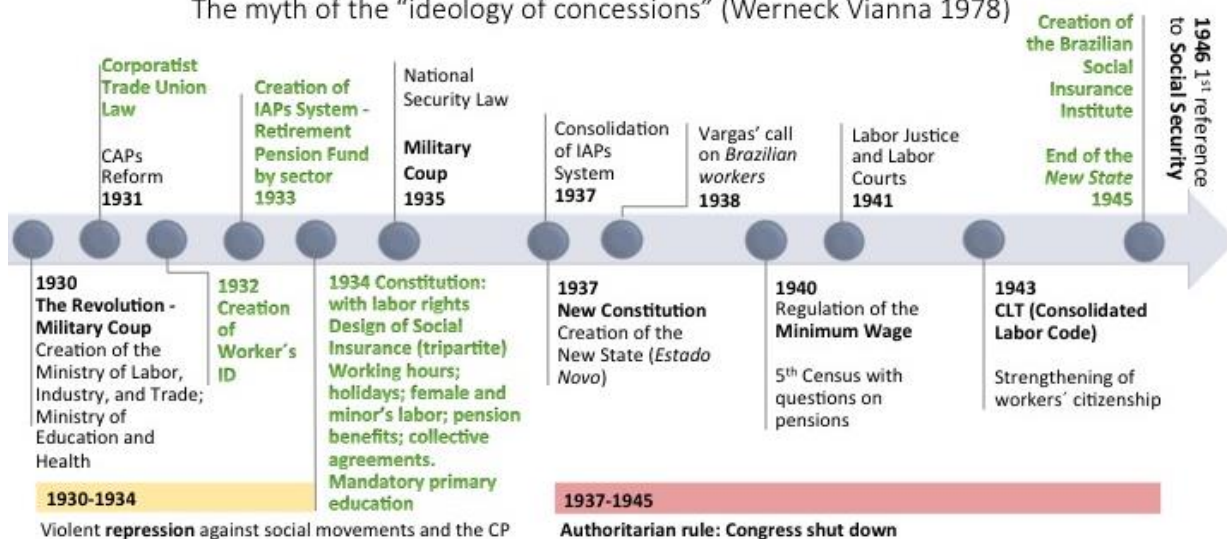
Between 1930 and 1934, the State would take on centralized management of the social question (Paoli 1989), demobilizing the social movements that had cropped up irregularly, spurred by broad and manifold demands.

³⁰ Speech made on January 2nd, 1930, in Rio de Janeiro.

State-led process: The Social Question as “Regulated Citizenship” (1930-1945)

Old voices and struggles replaced by labor legislation under an authoritarian regime

The myth of the “ideology of concessions” (Werneck Vianna 1978)



Social policy post-1930 focused on the matter of labor, a central pillar of the new regime of accumulation. This new social engineering was, in Vargas' words,³¹ designed to overcome “pauperism and all the ills that stem from an excess of activity without fixed occupation.” It began with the creation, following the Revolution of 1930,³² of the Ministry of Labor, Industry, and Commerce, and the foundation of the National Department of Labor in 1931.³³ Finally armed with an institutional structure designed to

³¹ Vargas, 1938, quoted by Cardoso (2010:786).

³² The Revolution of 1930 was a military coup d'état led by Getúlio Vargas, who had run for president in 1930 as the candidate of the Aliança Liberal (Liberal Alliance). The Alliance's motto was “*Let us carry out the revolution serenely, before the people do it violently.*” This newly formed coalition cast itself as an alternative to the political establishment represented by major coffee producers and exporters, who had dominated the system during the First Republic. Getúlio was defeated; the administration's candidate, a representative of the São Paulo oligarchs, won but was kept from taking office by the coup. Getúlio Vargas became the head of the Provisional Government, awarding himself broad powers. The 1891 Constitution was revoked, and Vargas began governing by decree. A new constitution would only be put in place in 1934.

³³ The measure had first been proposed in 1917, but was blocked by uncompromising resistance on the part of employers.

analyze, formulate, and execute social and labor laws, the State would take vigorous, direct action toward regulating capital-labor relations, supported by a new union law approved the same year, which would repress, delegitimize, and demobilize free unionization (which had been legal since 1907). To this end, one of the new government's first measures was a 1931 law governing unions.

In order to exist, any union organization would have to be formally recognized by the Ministry of Labor. Employee and employer unions were instituted, organized by profession. These new unions were denied the right to political or ideological manifestations and ultimately served to stand beside the government in defending the economic, social, and legal interests of their professional categories; drawing up contracts; maintaining cooperatives; and providing social services (D'Araújo 2013). In practice, over the 1930s, Vargas' social legislation led to the destruction of autonomous unions and the independent organization of the working classes.

One point may be of particular interest. The new union law stipulated that, from 1943 onward, it would become compulsory for every worker in a given category to pay a union tax. But only a privileged few would enjoy the benefits offered by the union when it came to accessing a range of social services not provided by the State.

The vast majority of dues-paying workers would not have access to assistance, a state of affairs which threatened the notion of solidarity and equality before the law within these representative institutions. And the privileged members were precisely the ones who elected and re-elected³⁴ the directors of these trade associations, reproducing social inequalities and a social system that gave rise to privileges and exclusions (D'Araujo 2013). This makes it clear that, in the absence of public provision, the State turned to union structures to attract and coopt workers in search of a measure of protection, especially in terms of medical, dental, and hospital care.

³⁴ It should be recalled that election slates, as well as the decision to hold a union election, had to obtain prior approval from the Ministry of Labor.

Similarly, only unionized workers would enjoy the benefits of labor legislation and its associated rights (including vacation), and only they could participate in collective bargaining. Non-union members were also unable to file official complaints (Dos Santos 1979). At its root, then, the legal and institutional framework taking shape thus worked to set peers apart.

Before 1930, the Brazilian government took a liberal approach to the unions, repressing their mobilizations while refraining from regulating them. The period that followed would see the making of State-led, corporate unionism, guided by the principle of the “collaboration between classes.”³⁵ Independent unions were subject to interventions and police invasions, and their members might be jailed (Castro Gomes 2005).

Starting in the early 1930s, despite the grave economic crisis that had overtaken the country in the wake of the 1929 crash, an important set of measures would broaden the scope of the regulation of the labor market in a move to encourage the ongoing accumulation process. They included the official recognition of certain professions; the first rules governing the adoption of collective agreements; wage equality; workday laws in industry and commerce; new rules about the employment of women and minors; and a law that “nationalized” the workforce (requiring that 2/3 of employees be Brazilian citizens).

One of the most meaningful changes introduced during this period, which sets classes of workers against one another to this day, guaranteeing a positive identity for those who obtained it, was the employment record book. Instituted in 1932, it became a watershed, separating out urban workers who were gainfully employed, belonged to recognized, State-regulated professions, and bore the official stamp of the union.

Back then, the path to obtaining an employment record book, and hence recognition of one’s identity as a worker, meant producing a vast array of information: one’s birth certificate, which was hardly universally accessible, marriage certificate, proof of education, occupation, address, the relevant information for one’s parents and all of one’s

³⁵ A turn of phrase coined in 1931 by Senator Lindolfo Collor, then Minister of Labor.

dependents; the activities and location of one's current and former employers; salaries received, and dates of hiring and dismissal, as well as proof of union membership. In the absence of documents, the applicant needed two witnesses (who also had to have employment record books); illiterate applicants needed three.

The sheer volume of these obstacles amounted to a nearly insuperable barrier for many of those seeking to enter the world of regulated labor, especially the very poor, rural laborers, or unskilled workers.

This configuration thus established a durable, stubborn link between one's employment record book, one's status as a unionized worker, and access to social benefits.

In 1934, a new Constitution would introduce the labor court system. At that point, it was overseen by *juízes classistas*, union representatives who stood in as labor judges. This indirectly expanded executive action into the realm of the judiciary, concentrating more power in State hands when it came to adjudicating labor conflicts.

Dos Santos (1979) refers to this complex process of constructing new institutions as *regulated citizenship*: "All members of the community who find themselves in any occupation recognized and defined by law are considered citizens. Citizenship is thus expanded through the regulation of new professions and/or occupations, first of all, and through the broadening of the scope of the rights associated to said professions, rather than the expansion of the values inherent to the concept of belonging to the community. Citizenship is embedded within one's profession, and the rights of the citizen are limited to the rights relevant to his place in the productive process, as enshrined in law. Those whose occupations have yet to be recognized by the law are thus pre-citizens [...] The legal instrument that serves as evidence of the contract between the State and regulated citizenship is the labor booklet: more than evidence of one's labor history, it thus becomes a civic birth certificate" (75-6).

Of course, this regulated citizenship was aimed at industrial workers, who were relatively few in number, and failed to take in the rural population: in 1940, 70% of the population lived in rural areas, and only 3% of that group owned land (Cardoso 2010). Rural poverty would be addressed not through agrarian reform – eternally postponed and sidestepped

– but by expanding the nation’s agricultural frontier and occupying Amazonia and the Center-West, seen as demographic voids. This made it possible to boost the meager productivity of small-scale rural production without touching highly concentrated land holdings – and hence without challenging the bases of reproduction for many of the country’s elites.

The dichotomy between concrete exclusion and the promise of rights dangled before industrial workers certainly drove the great waves of migration that began sweeping people from the countryside to major cities, intensifying and accelerating Brazil’s already-chaotic urbanization process. In Cardoso’s distinctive take (2010), this “utopian promise” of regulated citizenship, never made universal, points toward a new path for social integration, even as it works to reproduce inequalities. The issue is that the acquisition of rights was never permanent. Workers slipped in and out of formal employment, which, in practice, meant constantly losing and regaining their regulated citizenship.

“The regulation of professions, with employment record books and public unions, are the three parameters that come to delimit citizenship. Citizens’ rights are a consequence of professional rights, and professions only exist if they are regulated by the State” (Dos Santos 1979:76). This is the consolidation of corporatism, rooted on an organic, hierarchical vision of society wherein each individual occupies a specific place in the socio-productive structure.

The restrictive normatization of Brazilian workers also rested on the construction of new pillars in the country’s architecture of social protection, designed to address the needs of Vargas’ political base. When it came to rights and benefits, social policy came to reproduce the same stratification instituted in the job market, setting apart those recognized as workers from the masses without citizenship. In other words, social policy coalesces and expands not to promote an egalitarian, homogeneous society, but rather to avoid class conflicts (Alonso 2010; Slivnik 2018). In the process, antagonisms and divisions are fostered amongst working people who are afforded different statuses.

One of the first measures in the realm of social protection would be the reform of the Pension and Retirement Funds (CAPs), in 1931. The Eloy Chaves Act was modified: the

benefits afforded to railway workers were now extended to the employees of other companies that provided public utility services (transportation, electricity, telegraph and telephone service, water and sewage). This expansion did not challenge the company-specific model, nor did it alter the financing rules stipulating that State representatives could not participate in the Advisory Boards.

While the number of CAPs would continue to rise (by 1936 there were 189, as opposed to 98 in 1931) (Slivnik 2018), their institutional status was shaken by the restructuring of the social insurance system, which came under State control. The Ministry of Labor, Industry, and Commerce oversaw the creation of the Institutes of Retirement and Pensions (Institutos de Aposentadoria e Pensões, or IAPs) in 1933.

The first IAP was created for maritime workers, and would set the mold for the rest. From 1934 onward, other professions would create their own Institutes, among them commercial employees (IAPC), bank employees (IAPB), industrial employees (IAPI), and transportation and cargo workers (IAPTEC). This movement would gradually lead to the reorganization of the CAPs (one was created for civil servants in 1939).

Both models would persist through the 1960s, functioning in different ways. Not only did they move away from the company-specific framework and bring together all the workers in a given sector across the nation, but the IAPs also included federal representatives on their Advisory Boards who were tasked with appointing the chair. Slivnik points out another relevant difference: “the funds corresponding to the State’s quota, for IAP contributions, which were obtained through newly created fees and taxes, now went through the National Treasury, unlike the Eloy Chaves Act, wherein the funds were collected by the companies themselves and deposited directly into the Funds” (2018:54-55). This would seem to be the expression of an actuarial concern on the part of the State, which now also began to use the resources saved up in the IAPs.

By separating out the workers recognized as such into sectors controlled by State-authorized unions, the emergent social insurance model maintained the splintering of horizontal solidarity and heightened the struggle for benefits specific to each category.

The problems caused by this fragmented model are well known. They would be listed in an ILO report published in 1935 by the Ministry of Labor, Industry, and Commerce.³⁶ The document summarized the weaknesses of the social insurance system as it stood, and provided recommendations designed to keep social insurance policy from reproducing inequalities in terms of benefits and coverage, given the large number of professions it recognized. Among other measures, the report suggested the creation of the National Institute of Social Insurance (INSS) to unify the social insurance system and provide uniform rights and benefits; the institution of regional Funds with a minimum of 50,000 associates per organization (to ensure financial solvency and resilience³⁷; and that Brazil's social insurance legislation be brought into greater compliance with the international conventions led by the ILO.³⁸

The recommendations fell on deaf ears, and the IAP model was enshrined in 1937, the year that Vargas instituted the Estado Novo,³⁹ quashing individual and political freedoms and tightening control over unions. The State would be remade, deepening the break begun in 1930, which must be understood as a structural transformation of the economic and social physiognomy of the nation (Castro Gomes 2005).

³⁶ In 1934, Adrien Tixier, an ILO employee and specialist in social security, came to Brazil on an independent mission to evaluate the incipient social insurance system. See, on this: Andrej Slivnik, 2018, ch. 2.

³⁷ At that point, 80% of CAPs had fewer than 1,000 covered members.

³⁸ Compensation for work accidents (1925); work-related illnesses (1925); equal treatment for foreign and domestic workers (1925); compulsory health insurance (1927); compulsory disability, old age, and death insurance (1933).

³⁹ On November 10th, 1937, pressured by warnings from the military about the risk of a Communist invasion and fearing a civil war, Getúlio Vargas shut down Congress and adopted the Constitution of 1937, which gave total control to the executive branch and subordinated the judiciary to it. The 1938 elections were canceled, political parties were dissolved, and there would be no more elections until the end of the regime in 1945. Repression and torture – in the name of political and social peace – became the rule. As Vargas put it in 1938, responding to complaints of his curtailing of individual freedoms: “*The Estado Novo does not recognize the rights of individuals over the collective. Individuals do not have rights, they have responsibilities!*” The National Security Law of 1935 had already hammered a nail into the coffin of social movements; as Castro Gomes (2005) sees it, this is the point at which the social question becomes a matter of national security (177), in light of the Communist threat.

Despite the advance of the social insurance system, the severe deficits in the country's social protection network were countless and unquestionable, as conservative ideologues and jurists⁴⁰ associated with the Vargasista push did not deny. In the early 1940s, disability benefits were far below subsistence level; those in search of outpatient services or hospitalization would find few options; and there was no credit available for low-income housing, one of the great demands at the time. In short, the degree and quality of protection offered by the system were insufficient, and fell short of the population's needs.

Moreover, very few enjoyed that insufficient protection to begin with. According to the 1940 Census, out of "26.8 million workers, only 16.6% could be considered potential beneficiaries of social insurance under the legislation governing CAPs and IAPs. Among those 'left out' (those whose professional activities went unrecognized by law), 9.4 million were rural workers, 2.9 million worked in undefined or undeclared professions, and 9.9 million were domestic workers"⁴¹ (Slivnik 2018: 98, 200), generally unremunerated.⁴²

However, even in the professions recognized by law and with a social insurance system organized around IAPs or CAPs, only wage laborers were afforded rights. The legislation, with its Bismarckian bent, was designed around them. They represented modern labor, to be encouraged through the regulation of citizenship. Meanwhile, the structural heterogeneity that remains the hallmark of peripheral Brazilian capitalism kept the formal wage relationships from becoming the chief social relation of production, with disastrous consequences for the working class. For that reason, even in the trades covered by

⁴⁰ On this, see Cardoso (2015) for a deep analysis of the works of Oliveira Viana as a consultant for the Ministry of Labor under Vargas.

⁴¹ 99% women, according to the 1940 Census (Slivnik 2018:108)

⁴² The Ministry of Labor, Industry, and Commerce presented technical justifications for excluding this vast contingent of workers from social insurance coverage, such as their dispersion and lack of organization. Another factor was the small number of rural workers' unions: just 14 in 1936, as opposed to 86 employers' associations. In the absence of union mobilization, coverage was not actively sought, which was in turn interpreted as a sign of the backwardness of workers in the countryside (Slivnik 2018).

legislation, coverage ranged between $\frac{1}{4}$ and $\frac{3}{4}$ of workers; by 1940, coverage was far from complete (Slivnik 2018).

Finally, we ought to note the range of benefits offered to members in order to grasp the real scope of the protection ensured by these various institutes and funds. They provided a considerable range of benefits, both for retirement and for medical needs (healthcare, maternity leave, funeral assistance), loans, and housing credit. However, they did not provide unemployment insurance or any sort of aid for workers who left the job involuntarily. Nor were the benefits provided uniformly, except in the case of retirement benefits and pensions, which were the cornerstone of the system. Different sums and rules applied across each sector.⁴³ As Werneck Vianna (1998) explains, medical assistance was actually available to few workers, since it was considered a secondary benefit by the IAPs; it was only offered if resources were available, and conditioned on a supplementary contribution.

According to Slivnik (2018), at the time, the minimum age for requesting retirement ranged between 50 and 60, with a minimum length of service of 30 years. The benefit was calculated in a number of ways, but the author notes that, minimums and maximums aside, the sum was invariably less than the minimum wage, and often came to just 20% of it. While retirement benefits were slim, pensions were even more so, thanks to the application of a 50% reduction.

The minimum wage, another institutional innovation of the Vargas era, born in 1936 and still a linchpin of labor rights, began to be regulated by the federal government in 1940. Its nominal value was set very low; under no circumstance would it suffice to meet a family's needs in terms of food, clothing, hygiene, and transportation, as the law that created it imagined. Moreover, the minimum wage varied across 14 different administrative regions, with the highest being nearly three times the lowest. Readjustments to account for inflation were irregular, and over long periods its purchasing power fell sharply, eating away at the living conditions of the working classes.

⁴³ For more detail, see Slivnik 2018.

The minimum wage would only be established nationwide in 1984, under the military dictatorship that had been in power since 1964.

We agree with Cardoso (2010) that “the minimum wage was, almost invariably, a simple promise of subsistence income. For much of its history it fell below that, and most workers were also paid less than the sum stipulated by the State” (804).

The institutional framework that included and standardized labor laws and welfare rights would take on its definitive form in 1943 with the introduction of the Consolidated Labor Laws (Consolidação das Leis do Trabalho, or CLT); parallels between the CLT and Mussolini’s Carta del Lavoro remain controversial. It included all of the laws that had been created since the Revolution of 1930 to govern individual and collective labor relations (individual contracts and collective agreements; workdays, vacation, and weekly rest; protection for workers, women, and children; occupational medicine, labor courts, and so on).

But the CLT would emerge without any proposal to reform the social insurance system and make it universal, as had been discussed at the start of the decade. The original idea was to draw up a “Code of Labor and Social Insurance Legislation” to join together and standardize the benefits provided by IAPs and CAPs, ensuring access to social insurance without differentiating by class or trade (this push apparently driven by the international impact of the Beveridge report). It was time to incorporate the majority of the Brazilian population, who had hitherto been denied legal protection. The proposal languished for two years. In 1945, shortly before he was forced out of office, Vargas approved a decree creating the Brazilian Institute of Social Security, which was designed to centralize and unify all existing social insurance regimes. The decree would be revoked by his successor that year, however, leaving the fragmentation, selectivity, and minimal efficacy of social security intact.

Nevertheless, the creation of the CLT seems unquestionably tied to a desire to resolve the social question – understood in that moment as a labor question – in that it established the positive value of productive work.

This would be the peak of the “ideology of concessions” (Werneck Vianna 1978). At this moment, the State, as incarnate in the man who represented it before the nation – Vargas – handed the Brazilian working classes the social laws designed to ensure their progress and well-being. In the scenario depicted by the “myth of concessions,” labor laws and social rights emanate directly from State action and are conceded by its representatives in a peaceful process (Castro Gomes 2005), moving past conflicts and struggles and addressing the social question ignored under the First Republic. The Estado Novo is seen to have thrown itself into the task of forging a social democracy, in spite of the ongoing suppression of individual and political freedoms.

This social pact, built on a “utopian promise” (since it was never made universal), failed to disarm the conflicts that began cropping up in factories when, in the name of the “war economy” and under pressure from business leaders (especially in the textile sector), the government ultimately suspended a number of labor rights. The growth of exports during the Second World War and a new era of economic prosperity undermined legal obligations to protect citizen-workers. Vacations and days of rest were cut, work days were lengthened, and worker mobility was curbed. Those who broke the rules would be treated as deserters.

Prevailing dissatisfaction with living and working conditions, even amongst those benefiting from regulated citizenship, may explain the outbreak of strikes and protests after the fall of the Estado Novo (1945) and the return to a democratic regime.

The period did bring significant advances in the field of education. Year One of the Revolution (1930) saw the creation of the Ministry of Education and Public Health. While the provision of healthcare would remain highly deficient, the 1934 Constitution established education as a right for all Brazilians – thus correcting the serious omission inherited from the First Republic. One major innovation of the Vargas era was the institution of technical schools to meet industry and commercial demands for skilled laborers. Secondary schooling was reorganized, and five years of public primary school became mandatory. Just as with other rights, it would take decades for primary schooling to effectively attain universal coverage; this would only come about in the late 1990s.

4 1946-1963: The Social Question as the Agrarian Question

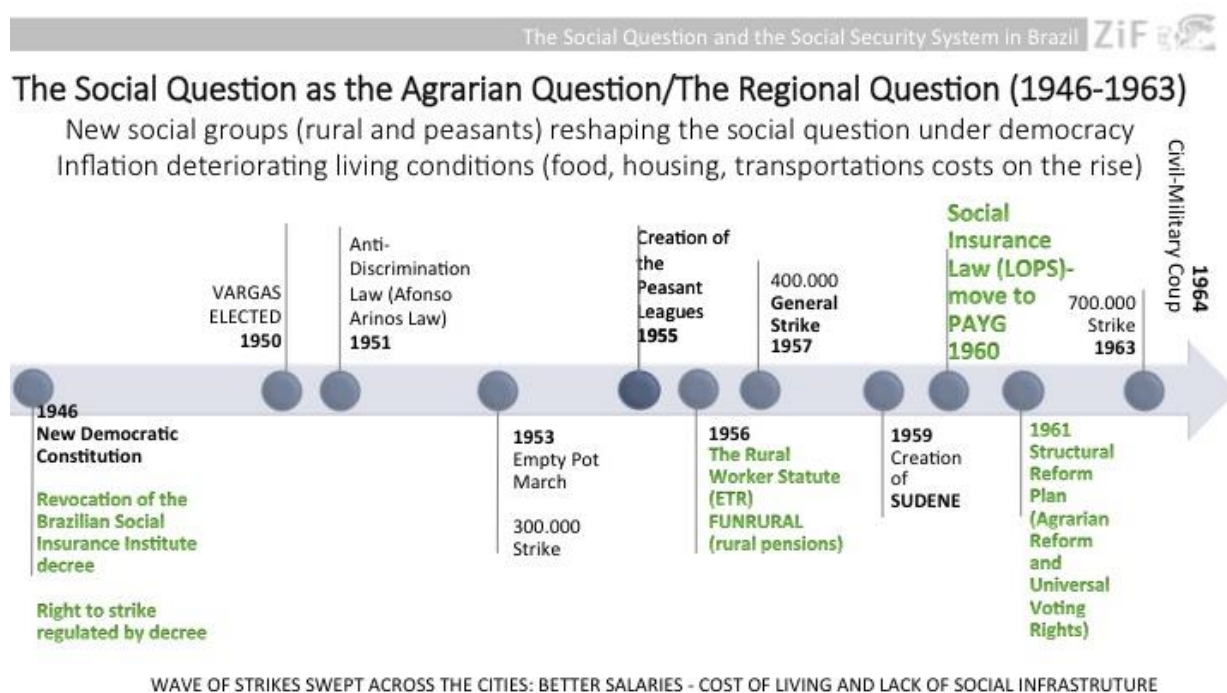
Vargas was deposed by a military junta on the eve of the first democratic elections in 15 years. A new Constitution was ratified in 1946, which preserved the social rights secured over the course of the 1930s, as well as their exclusionary rules. The document represented a new commitment to democratic rule and political freedoms. It broadened political citizenship by extending the vote to all those over age 18, while still excluding the illiterate. The right to strike would be restricted and ultimately regulated by decree, effectively banning stoppages across nearly all professions (Schwarcz and Starling 2018).

Not even this rule would prove effective, however. In 1946 and 1947, bottled-up grievances spilled onto the streets again. A wave of strikes swept across the country, leading tens of thousands of workers to protest against their exploitation, call for better working conditions, and denounce the cost of living and the lack of social infrastructure. The list of demands included a price freeze on essential goods and control of housing prices and rents. Repression would come quickly, and many unions were taken over.

Vargas was democratically elected and returned to power in 1950, having run on a campaign of expanding his nationalist, industrializing agenda – but not even this could placate the workers covered by his social legislation. In addition to factory strikes, mass mobilizations took over the streets again. In 1953, the March of the Empty Pots, against the cost of living and in support of wage increases, rallied 60,000 people in the industrial heart of the nation, São Paulo. The marchers' demands included price freezes, an expansion of the water and sewer networks, and reforms to extend protective legislation to rural workers, among others. The city became the “focal point” (Leal 2011:37) for the worker's movement and grassroots mobilizations, which returned to issues raised back in 1912 and during the general strike of 1917, which had been boosted by the People's Leagues Against the Cost of Living (in which women played a significant role).

Shortly thereafter came the Strike of the Three Hundred Thousand, which took in countless industrial sectors. After a month of action, the government backed down and conceded an average salary increase of 32% (Schwarcz and Starling 2015), which came at a price of some 6,000 firings (Leal 2011). Beyond the salary increases, the general

strike had a major impact in that it put the urban question back on the map of social demands. While it had taken pride of place under the First Republic, this array of issues had been neglected over the years as the edifice of regulated citizenship was assembled. In the words of Leal (2011), spaces of reproduction – housing, transportation, basic sanitation, electricity, healthcare, schooling, postal services, consumption – would reframe the essence of the social question through spontaneous action during this new phase of peripheral capitalist development.



Despite the strength, breadth, and persistence of these grassroots movements,⁴⁴ which brought together workers and the citizenship-deprived masses in everyday struggles, mobilization around spaces of social reproduction did not become a priority for the union movement, which proved unconvinced of its transformative, radical potential (Leal 2011).

⁴⁴ The campaign against the cost of living gathered as many as a million signatures in the early 1950s (Leal 2011: 164).

More strikes would follow, highlights being the general strike of the Four Hundred Thousand in 1957 (also organized against the exorbitant cost of living) and the Strike of the Seven Hundred Thousand in 1963, which arose amidst runaway inflation and an economic crisis compounded by a political crisis. Both would make clear claims for the universalization of social rights.

Against a background of extreme social polarization, the Organic Social Insurance Law (LOPS) was passed in 1960, designed to unify legislation around the Institutes and Funds for retirements and pensions. Fleury (1994) describes LOPS as a second attempt to rationalize the system, the first having been Vargas' abortive Brazilian Institute of Social Security.

LOPS marks a fundamental change: it moves away from the fully-funded model and introduces the public simple distribution model, as well as authorizing the inclusion of self-employed workers in cities as individual contributors (Teixeira 1990). "The focus shifted to standardizing benefits and broadening coverage – preserving the original exclusion of rural workers – and the end result was a demagogical gesture that worsened the system's financial straits even as it failed to expand its narrow financial base" (Fleury 1994:194). Its insolvency became manifest as requests for retirement benefits increased, while a large portion of the population remained outside social insurance coverage altogether, reproducing existing patterns of exclusion.

Instead of ebbing, this tension and social agitation would draw strength from the protagonism of new social actors, who had not yet been incorporated into the realm of regulated citizenship. The independent mobilization of rural workers would redefine the social question, which had hitherto been framed in terms of social legislation and an existing framework that marginalized them.

From 1946 onward, the process of redemocratization would unleash the energy boiling over in rural Brazil. Small farmers and their families rose up across the country, calling for access to and legalization of the occupied land where they were working and resisting attempts to expel them. The struggle against the latifundia system entailed fighting both the concentration of property and the profound poverty to which the citizenship-deprived masses were subjected. These rebellions began in southern Brazil, but the Northeast

would see the emergence of a peasant organization that would expand the social question beyond the urban industrial sphere and the issues relevant to wage laborers in factory settings.

The Peasant Leagues, formally constituted in 1955,⁴⁵ served to put land reform on the nation's political and social agenda. The right to land, here, was equated with the right to decent work, free of oppressive relations. The Leagues formed in the sugarcane fields, a region where the majority of the enslaved population had been taken during the colonial period. There followed four centuries of absolute, quasi-feudal control by *coronéis*, local landowners, whose power was now threatened by the independent organization of largely illiterate and destitute farmworkers, forgotten by the Republic and by its democracy.

Reluctant to collaborate with the State, the Leagues moved to occupy fallow or abandoned plots of land to allow poor, exploited peasants to cultivate them and thus improve their standard of subsistence. They provided legal advice and medical assistance and defended members who were threatened or expelled by major landowners, who subsequently refused to compensate them for their investment in the land. On the whole, the Leagues worked to denounce violence as a way to regulate labor relations.

For the first time, working independently, the citizenship-deprived rural population would act to reframe the social question in Brazil. Peasants and rural workers thus took on the archaic structure of land ownership that was hindering progress in the poorest and most backward region of the country, the Northeast. While Brazil's Center and South enjoyed an unprecedented surge of economic expansion and social modernization, sold as "50 years in 5," the Northeast notched up the nation's worst socioeconomic indicators and saw its people emigrate, fleeing from drought, hunger, and the brutality of the latifundia system. Not even the creation of SUDENE (1959), a government agency designed to

⁴⁵ The Union of Rural Farmworkers and Laborers (ULTAB) had been created in São Paulo the year before, and would become the National Confederation of Workers in Agriculture (CONTAG) in 1963.

tackle underdevelopment in the region, could quell the growing radicalization of the Leagues, since the body failed to effectively broaden access to lands.

Regional disparities only deepened. The excess workforce moving from the Northeast to urban and industrial hubs ultimately depressed salaries and worsened exploitation across the board (Oliveira 1977). The promise of insertion into regulated citizenship remained just that (Cardoso 2010) for the vast majority of the migrants piling up on the peripheries of major cities. Hardships affecting the reproduction of life were exacerbated, to the point that Lucio Kowarick (1983) would propose the notion of “urban plunder” as a form of extortion beyond the factory floor. Workdays were extended by deficient public transit systems, time spent building one’s own shelter, and the obstacles to accessing collective goods (almost always nonexistent), the result being collapsing social reproduction and explicit deprivation, a combination that has been the hallmark of dependent capitalism.

Overlapping rural and agrarian issues, compounding the rural-urban conflict and the new shape of the urban question, would make approaches to the social question as a whole even more fraught. In 1963, practically faced with a looming insurrection, João Goulart’s labor-friendly administration introduced two aggressive measures designed to meet the demands of rural workers.

First, the legislature approved a bill that had been tabled since 1956, creating the Rural Workers’ Statute (EST), which finally extended to rural wage laborers the same labor rights which urban workers had enjoyed for two decades: unionization, a minimum wage, vacation, paid weekends, advance notice, and compensation. The statute also included special measures designed to protect women and children. While undoubtedly innovative, it was also selective, leaving out the vast majority of the diverse workforce in the countryside. Moreover, it had a negative impact on agricultural employment: in the absence of enforcement, mass firings followed as a way to sabotage a law aimed at ensuring the rights of workers with permanent contracts. Even so, its potential to reform and modernize social relations in the countryside posed such a threat that the EST would be revoked in 1973, during the most repressive period of the military dictatorship.

Secondly, the government created the Rural Worker Assistance Fund (FUNRURAL). This pioneering measure stipulated that laborers in the countryside would have the right

to 1.0% of the sale price of their products. The funds would be channeled through the Institute of Retirement and Pension Benefits for Industrial Workers (IAPI). In practice, the program ran consistent deficits, given obstacles to revenue collection. It would be reformulated and made independent, with an administrative structure of its own, in 1971, under the military regime.

In both instances, these attempts to regulate citizenship for rural workers and small farmers proved unsatisfactory, as the concept represented a threat to the power of agrarian oligarchies, which frontally opposed the logic of individual and social rights. In the early 1960s, mobilizations in the countryside in favor of a radical land reform spread across the country. Similarly, in the expanding urban centers, the absence of social policies that might have mitigated cumulative hardships ultimately fed existing turbulence and laid bare the profound inequality surrounding the conditions for social reproduction imposed on those excluded from regulated citizenship. Inclusion in the system, meanwhile, was largely unstable and rarely acquired permanently, given the torrent of excess manpower flooding onto the market.

The Goulart administration, given its connections to labor and peasants' organizations, was soon pressed by unions and the masses in need of aid. On the one hand, Goulart committed to carrying out land reform,⁴⁶ pushed Congress to pass legislation along those lines, and began expropriating lands. To continue along those lines, however, he would need to amend the Constitution. On the other, the president gave in to workers' demands and significantly increased the minimum wage in a move designed to restore its real value, which had been eroded by accelerating inflation. Goulart indicated his willingness to institute universal suffrage, which would finally extend the right to vote to the illiterate population and low-ranking military officers. All of these elements, against a backdrop

⁴⁶ Goulart created the Department for Agrarian Policy (SUPRA), which could expropriate lands and was tasked with planning how to redistribute them (Schwarcz and Starling 2018).

of scant economic growth and high inflation, with strikes upon strikes and popular support for structural reforms,⁴⁷ were crucial in determining the civil-military coup of 1964.

During this long period of construction and consolidation of regulated citizenship (1960-1963), it also became clear that the social question could not be contained within restrictive labor legislation (since it was designed to regulate a wage relationship that had never been definitively established) or by policies designed to protect against risks that proved ineffective in terms of both coverage and scope. The “utopian promise” of social ownership tipped the scales, making the social question overflow the bounds with which the State and elites attempt to confine and delimit citizenship.

This first phase of the modernization of the social protection system is indissociable from the reinforcement of social inequalities, since the stratification of the social insurance system by occupational category implies inherently unequal levels of protective coverage and benefits. This was compounded by a lack of mechanisms to fight poverty: the exclusion of pre-citizens (Dos Santos 1979), or those not recognized as workers, would remain the rule.

⁴⁷ Upon his inauguration in 1961, Goulart introduced a series of so-called Basic Reforms (educational, urban, fiscal, banking, administrative, and agrarian).

5 1964-1985: Dictatorship, Repression, and the Authoritarian Modernization of Social Insurance. Democracy and Inequality at the Heart of the Social Question

The authoritarian context that followed the civil-military coup of 1964, was marked by the suppression of political freedoms and the furious repression of all opposition. It gained decisive support from the urban middle classes, fueled by their dread of Communism (which, to their eyes, incited the radicalism of urban and rural workers' movements) and the consequences of prolonged economic stagnation. Buoyed by these fears, a military dictatorship would govern the country for the next 21 years, through a combination of the suspension of the rule of law, the closure of Congress, a ban on political activity by unions, political persecution, the widespread use of censorship, and the implementation of a technocratic model of development that attained eye-popping growth rates (11% per year from 1968 to 1973).

The constitution for this authoritarian regime was implemented in 1967. Strikes and protests were banned and suffered harsh repression. Arbitrary arrests, state-sponsored murders, and rampant torture broke down the resistance.

The “economic miracle,” founded on national development plans, led to the diversification and modernization of the country's basic industries, with the expansion of intermediate goods and capital goods. This growth lent some “legitimacy” to the military government. Per capita GDP increased 81% over the 1970s, as opposed to a 36% increase the previous decade; at the same time, inequality also deepened.

Surprisingly, amidst a severe policy of wage reduction, which would diminish the purchasing power of the minimum wage and the working classes, the military regime completely reorganized the social insurance system, in an overhaul focused on efficiency. The system would undergo not one, but two profound administrative reforms, establishing a new regulatory framework for social security.

The first reform came in 1966: the unification of all IAPs, with the exception of the institute for civil servants (IPASE), led to the creation of the National Institute of Social

Insurance (INPS). The authoritarian regime was able to overcome resistance from unions,⁴⁸ aided by their lack of funding. The union base was stifled, and control of the system was shifted to a public structure, centralized at the federal level.

Those covered by the INPS were entitled to retirement, pensions, and other social insurance benefits, as well as medical treatment at partnering public or private hospitals. These beneficiaries were formally employed workers (and their dependents), those with their employment record books up to date. Left out were the informally employed, domestic workers, the clergy, and rural workers. The reform established a compulsory contribution rate for employers and employees, and the benefit calculation rules were applied uniformly, regardless of each sector's organizational strength.

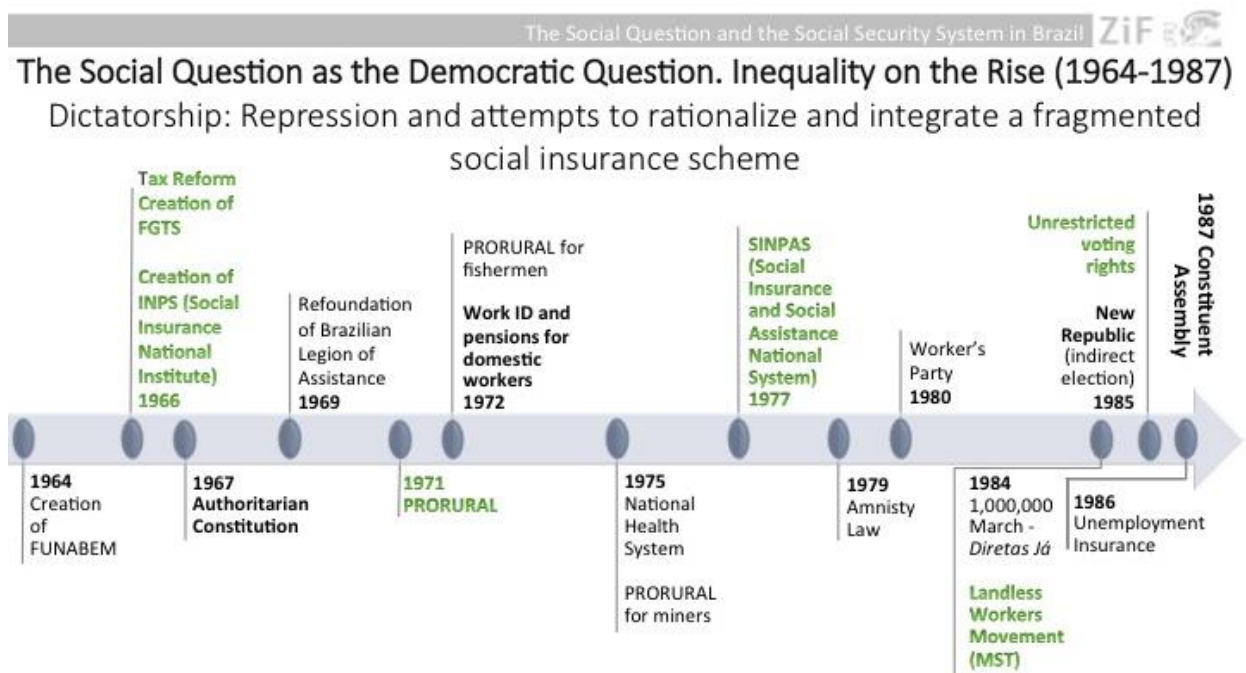
This was yet another step toward the universalization of the system. However, this unification was motivated less by universality than by efficiency, as it preserved occupational distinctions at its foundation. Civil servants, for example, were maintained in a parallel system along the lines of the old IAPs. In 1968, however, the regime began allowing those not formally employed – employers, as well as the self-employed – to contribute to the system independently. This expanded the system's financial base, and the improvement in coverage was taken by some as compensation for the repression of social demands (Teixeira 1990).

Another creation from this period was the Severance Indemnity Fund (Fundo de Garantia por Tempo de Serviço, or FGTS), a sort of unemployment insurance instituted after lobbying from the business sector. Formally employed workers were entitled to a savings account in their name, linked to their work contract, into which a sum corresponding to 8% of their salary would be deposited on a monthly basis. Those dismissed without cause would be able to access the funds in the account. In fact, the FGTS was introduced to make it legal to fire workers who'd been continually employed for over 10 years, since

⁴⁸ Vianna (1998) recalls that previous attempts to unify the IAPs under democratic regimes failed because union and social insurance activists mobilized workers in protected occupations in defense of their rights, thus preserving their political privileges

under the terms of the CLT they had achieved *estabilidade* (tenure) and could not be dismissed.

Another important institutional innovation that arose from this restructuring, led by the now-unified Ministry of Labor and Social Insurance, was the framing of a national healthcare system that privileged an assistance-based approach funneled through private networks. It was at this point that, as part of its economic development project, the military government supported the growth of a powerful medical-industrial complex, driving the privatization of medical assistance, whether through purchases in the private sector funded by social security or public subsidies for the construction of private hospitals. This would kick-start the process of the internationalization of the healthcare system, as multinational companies arrived in Brazil to meet the healthcare consumption demands of the rising middle classes.



In the field of healthcare, a new pattern of stratification manifested itself. Low-income workers who were currently formally employed were treated at public hospitals, institutions plagued by deficient financing and with dismal records in terms of patient outcomes. As increased demand led to bottlenecks, new routes of access to private

medical services emerged, company health plans chief among them. The result was that State increasingly purchased third-party services on the market to meet the needs of social insurance beneficiaries (Vianna 1998). Meanwhile, the middle classes and those with significant purchasing power were drawn in by the promise of better care through private medical institutions, driven by fiscal incentives (individual tax deductions⁴⁹) and rising incomes. The logic of privatization kicked into high gear. All the while, the poor, those deprived of citizenship, remained at the mercy of a meager network of philanthropic institutions.

With record economic growth positively affecting the expansion of formal wage employment, the clientele of the social insurance system increased apace. By 1972, according to Vianna (1998), some four million people were covered by INPS healthcare plans.

At the same time, “exclusionary expansion” continued to hold sway, with the gradual, almost always incomplete incorporation of new categories. PRORURAL, or the Program of Assistance for Rural Workers, was instituted in 1971; despite the new name, this was merely a revamped version of the 1963 FUNRURAL. In the wake of violent repression of landless workers’ movements, the military government established a new social insurance framework for those living and working in rural areas. The regime’s goal was twofold: to address and deflate protests, and to stem the flow of rural-urban migration, which remained a stress on the resources of major cities and continued to provoke social instability. Men would now be able to retire on the basis of age (at 65), on disability, have a pension for their wives, funeral aid, and, in theory, healthcare and social services. Employees were not required to contribute; they simply had to prove that they had worked in agriculture. Farmers, meanwhile, were to contribute 2% of the sale of their products.

The same was then extended to fishermen (1972) and subsistence miners (1975). These were meager benefits, limited to husband and wife, providing half the minimum monthly wage. Despite challenges to implementation and its negligible functional efficacy,

⁴⁹ The 1966 tax reform and the 1967 Constitution inaugurated a new array of tax deductions.

PRORURAL did provide textual reinforcement of social rights for groups that had previously gone wholly unprotected, or had only patchy coverage.

Another relevant extension of coverage came with the 1972 regulation of the profession of domestic worker and its subsequent incorporation into the social insurance system. To give some sense of the transformative potential of this law for millions of working women, one need only say that as recently as 2013, the majority of working women in Brazil were domestic workers. Social insurance legislation for domestic workers ensured that they would have the right to an employment record book, paid vacation time, and retirement, conditioned on a monthly contribution of 8% of their salary, with the same paid by their employer. Needless to say, the law remained a dead letter. Remunerated domestic work remained informal for 70% of women in the profession in 2019, who do not even have regulated hours of work.

In the case of the categories listed above, inclusion in the social insurance system facilitated access to public health services, increasingly strained by swelling demand without a corresponding increase in public provision. In 1975, the National Health System (SNS) would be established in an attempt to enable greater coordination across healthcare initiatives; but it would likewise fall short of its aims of systemic rationality.

When analyzing the direction taken by the expansion of healthcare at this point, Favaret and Oliveira (1990) detect “a process of ‘exclusionary universalization’ in which each move towards the universalizing expansion of the [social protection] system is accompanied by *rationing* mechanisms (decreasing quality of services, long lines, etc.), which ultimately drive away multiple social groups”(italics theirs, p. 155). In practice, the poorest remain in the public system, which becomes increasingly inadequate, while those with fewer budget restrictions migrate to private networks.

The second and most significant reform of the social insurance system under the authoritarian regime would come in 1977, in a fresh attempt to perfect a system whose expansion provoked structural problems in terms of its functioning, provision, and financing, leading to perennial imbalances.

The military government completely overhauled the National System of Social Insurance and Assistance (SINPAS). For the first time, social assistance was included in the system's organizational structure. In an attempt to ensure better management, different services were addressed by a variety of bodies. Social security remained with INPS; medical care was taken over by the National Social Insurance Medical Assistance Institute (INAMPS)⁵⁰; and the Brazilian Assistance League Foundation (FLBA)⁵¹ and National Foundation for the Welfare of Minors (FUNABEM)⁵² would be brought in to address the indigent population, albeit employing a repressive approach. In practice, the system continued to segregate services by clientele. More troublingly, as this assistance was institutionalized, it developed a clear punitive bent; the groups it attended almost exclusively were single mothers (LBA) and juvenile delinquents (FUNABEM), both targeted by public policy by virtue of their deviant behaviors.

The government implemented no poverty-fighting programs supported by cash transfers to mitigate the hardships suffered by those unable to meet their most basic needs. Nor did it introduce measures to help ward off situations of social and personal risk for vulnerable groups and those excluded from regulated citizenship, which were still the vast majority of the population. Assistance, meanwhile, remained largely charitable and provided by private institutions.

As the decade drew to a close, the economic miracle began to melt away and the social question was channeled into the struggle for democratic freedoms, amnesty (1979), and political opening. With the support of the Catholic Church, society organized and mobilized in working-class neighborhoods. Associations of all stripes were formed,

⁵⁰ Other creations of the period included the Institute for the Financial Administration of Social Insurance and Assistance (IAPAS), tasked with collecting contributions, overseeing resources, and managing the system's funds, and DATAPREV, which worked to systematize and manage the network's data.

⁵¹ Originally the Brazilian Assistance League, the organization was founded in 1942 to provide aid to the families of soldiers serving in WWII. It was reorganized as a Foundation in 1969 by the dictatorship.

⁵² Created in 1964. Under the military dictatorship, juvenile delinquents came to be seen as a "national security issue," and there emerged a consensus that poor children belonged in boarding schools. The repressive policy of sending delinquents to reform school lasted through the start of the redemocratization process in the mid-1980s.

rooted in a shared logic of resistance to the dictatorship. One item on the agenda, just as at the turn of the century, was the cost of living: the working population bore the brunt of skyrocketing inflation (211% in 1983) and considerable wage cuts, which reduced the real value of the minimum wage by over 50% (Lavinás 2017). Though GDP per capita rose 6.1% p.a. from 1970-1980, the Gini index, as measured by household income, went from 0.504 in 1960 to 0.592 in 1980. For a clearer sense of the crumbling social scenario, one has only to say that while the share of income of the wealthiest 10% rose from 40.5% to 49.6% over the same period, the 50% poorest saw their part shrink from 18% to 13.8% (Roffman 1995).

The strike movement resurfaced with a vengeance on factory floors. In addition to the prevailing economic motivation, this new cycle of stoppages fueled the reconstruction of the union movement itself. This was the rise of the “new trade unionism” (Schwarcz and Starling 2018), which broke away from the state-controlled model of the Vargas era and opened up a phase in which leaders would seek to forge a unified representation for the working classes, moving beyond socio-occupational categories.

The urban question continued on an explosive trajectory, as cities’ peripheries swelled with ramshackle housing, despite a lack of basic infrastructure. The military regime introduced a new array of social policies related to health and sanitation, covering more remote regions as well, and introduced a national anti-hunger program. None of this was able to overcome prevailing social divisions, much less silence calls for democratic freedoms.

Pressure to put an end to the dictatorship grew across the country. So, too, did reactions from within the armed forces from those opposed to a return to democratic order; repressive mechanisms which had never been dismantled were set to work again.

Diretas Já (Direct Elections Now), a nonpartisan movement calling for direct presidential elections, brought Brazil to its feet and saw millions of people take to the streets, starting in 1983. But the transition to democracy, led as it was by the military and negotiated and conditioned from the top down, eventually came through indirect elections in Congress.

On January 15th, 1985, a new civil government inaugurated the New Republic, and a Constituent Assembly would be called in 1987 to draw up the nation's new carta magna. Rarely had Brazil seen such widespread mobilization and engagement with the constitutional debate. Through associations, committees promoting grassroots participation, activist gatherings, and unions, petitions would be drawn up and hundreds of proposed amendments were submitted from all sectors of society. This may serve to show how it is nearly impossible to speak of "*the*" social question in Brazil, given the enmeshed tangle of issues that would come to shape the Citizen Constitution of 1988. That Constitution would become the repository of collective hopes of addressing a whole variety of social issues.

Among the groups most active in drawing up the section on social rights, scholars, politicians, and activists from the field of Social Security took pride of place.

6 1988-2015: A New Wave of Democracy – Social Inclusion as the Social Question – Social Security for All

The 1988 Constitution establishes citizenship as one of its fundamental pillars. Among its explicit objectives are the construction of a free, just society rooted in solidarity, the eradication of poverty and the reduction of social and regional inequalities, as well as the welfare of all, without prejudice or any form of discrimination. The document guarantees the participation of civil society across a variety of forums (health care; education; social assistance) to democratize the decisionmaking process.

The process of re-founding the nation (Paoli 1989) and the return of democratic rule, would, however, unearth issues that had to be addressed urgently. The time for reform was long overdue. With the eradication of poverty as a constitutional principle, it was no longer possible to tolerate the persistence of hunger and extreme deprivation. Extreme poverty, that long-stifled element of the social question, finally came to the fore. It had worsened belatedly, not as a consequence of the waves of industrialization and the impoverishment of the working classes – which predated workers’ mobilizations – but as a manifestation of inertial inflation, which had been forcing up the prices of basic necessities since the 1970s. In 1993, hyperinflation hit 2,477% (IPCA - IBGE, Contas Nacionais 2018), threatening the very survival of multiple sectors of the population.

The fight against hunger would become a central element of the social agenda. As in the past, it would focus on the struggle against the cost of living. The first major social mobilization along these lines was the campaign for Citizen Action Against Hunger, Extreme Poverty, and For Life, led by the well-known sociologist and human rights activist Betinho. The initiative would set off an extraordinary process of consciousness-raising as Brazilian society transitioned into economic stability, and led the federal government to create the National Food Security Council (CONSEA) and begin distributing food baskets, among other programs.

Poverty as a social question would become a central part of the landscape of social struggles as the social protection system enshrined in the 1988 Constitution, with the creation of Social Security, was regulated and implemented. For the first time, Brazil’s poor would be entitled to rights and become beneficiaries of social policy.

The Constitution of 1988 was a watershed moment in Brazil in terms of social rights. With it, the country would be transformed. Articles 194 and 195 of the Constitution implemented Social Security, comprised of healthcare, pensions, welfare schemes, and unemployment insurance (Article 201). Under the Citizen Constitution, healthcare is defined as universal and free of charge. Nonetheless, private institutions may work to complement the Unified Health System (Sistema Único de Saúde, or SUS), in keeping with directives established by the public system. Social insurance, including unemployment insurance, is contributory and guarantees a relatively broad array of types of coverage in cases of forced or definitive inactivity. Social insurance also guarantees pensions and other benefits to small family farmers irrespective of prior contribution records. Welfare schemes, meanwhile, introduce the right to a safety net for the demonstrably poor, subject to means test.

The incorporation of social assistance under the umbrella of Social Security comes as an extremely relevant institutional innovation. Until this point, care for the poorest and destitute had been mostly limited to charity and philanthropic organizations, acting independently and with no clear and well-defined public guidelines. Henceforth, social welfare has become the State's legal obligation (Lavinás, Gentil and Cobo 2016).

Other equally important rights were written into the letter of the law: the right to housing and the social function of the city and urban property; the social function of agricultural property, and the promotion of agrarian reform; food security; the right to free and secular education at all levels (daycare and preschool, primary, middle, and high school, college, and youth and adult education), and the right to security, to say nothing of the Constitution's considerable expansion of labor and union rights. Eduardo Fagnani and Flavio Tonelli Vaz write that the Constitution of 1988 inaugurated "a social protection system inspired by the values of the social welfare state" (2013: 98-9) as seen in Europe. It is widely known that the design of the Brazilian Unified Health System was influenced by the British NHS.

Finally, in keeping with international standards, the Constitution reaffirmed the classical model of tripartite financing for social security. Should the National Treasury need to transfer fiscal resources to the General Social Insurance Regime (RPPS - which is

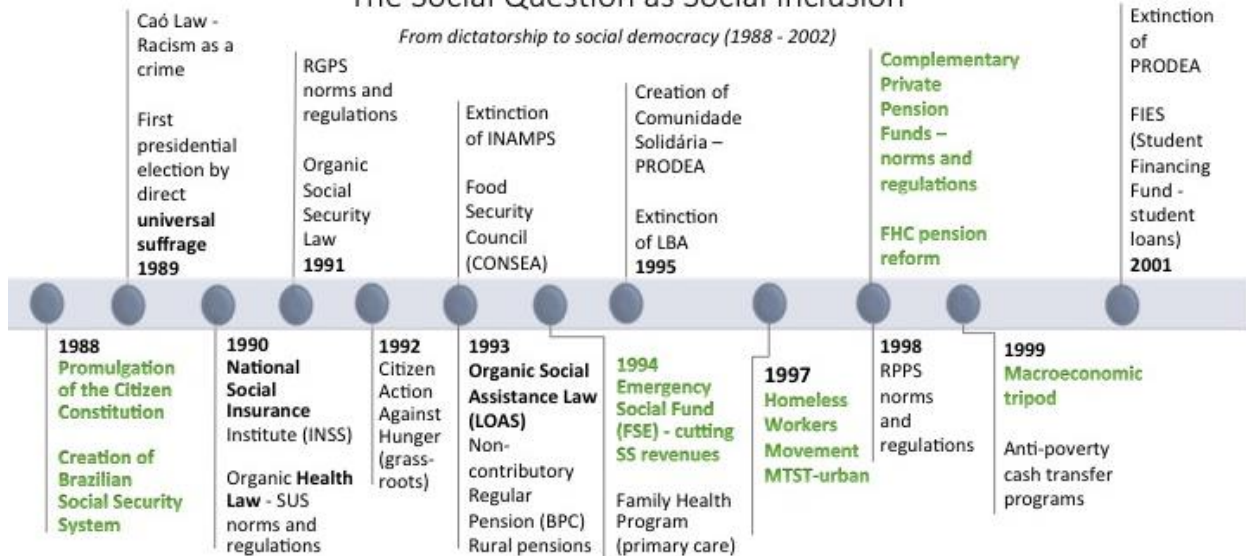
contributory), one might argue that the situation would not constitute a “deficit,” but rather a follow-through of a constitutional responsibility (Fagnani 2005).

To shore up the social order outlined in the Constitution, the members of the Constituent Assembly established a specific budget for Social Security, set apart from the fiscal budget (revenues from which would go towards financing other social rights, such as education, sanitation, housing, etc.). The idea was to ensure a measure of fiscal autonomy for Social Security by feeding it with certain exclusive revenue streams drawing on a variety of sources; under the military regime, the meager resources available for social policy had often been looted in order to feed economic initiatives.

With this in mind, the Social Security budget draws off of contributions from employees and employers and from voluntary contributors (self-employed workers, idle working-age adults, etc.), in keeping with the logic of contributory social security. It is also fed by so-called social contributions, which include taxes on consumption, reflecting a society-wide contributive effort, or on company earnings. Finally, there are also contributions from lotteries and revenue from the ministries that make up the various sectors of Social Security, although these are modest sums. In theory, all of these revenue sources are tied to Social Security and supply it exclusively. However, since 1994, the federal government started slashing the Social Security budget in order to shift funds over to the fiscal budget, applying a 20 per cent cutback (dubbed as the Unbinding of Federal Revenue or DRU).

A Social Security System - Universalizing and democratizing access (1988 - 2015)

The Social Question as Social Inclusion



a) Social Insurance National Scheme

Brazil has now two public social insurance regimes in addition to the complementary fully-funded regime, which is voluntary.

The General Social Insurance Regime (Regime Geral da Previdência Social, or RGPS) provides pensions and other contributory benefits for workers in the private sector, and is operated by the National Social Security Institute (Instituto Nacional da Seguridade Social, or INSS). The Special Social Insurance Regime (Regime Próprio da Previdência Social, or RPPS), meanwhile, covers civil servants at all levels of government and the military, and is included in the fiscal budget (not in the Social Security budget). Finally, the 1988 Constitution created the Complementary Social Insurance Regime, served by open and closed private pension funds, a system designed to complement workers' incomes after their definitive retirement.

The RGPS is contributory and compulsory for workers in the private sector covered by the Consolidated Labor Laws, but also takes in a broad range of voluntary policyholders (idle working-age adults, the self-employed, individual micro-entrepreneurs, and rural producers). It is pay-as-you-go, with rules that cover both rural and urban dwellers.

The contribution rate is 20 percent of received remuneration or any contribution between the social insurance floor (the current minimum wage) and the contribution cap, set at R\$5,840.00 (USD 1,500) per month in 2019. This 20 percent is split between workers and employers; the workers' part is graduated, varying from 8 to 11 percent, while the rest is the employer's responsibility. Non-salaried contributors pay the full 20 percent, with the exception of Individual Micro-Entrepreneurs (Microempreendedores Individuais, or MEIs),⁵³ for whom the rate was lessened (invariably 5 percent of a minimum wage), and small family farmers, who are taxed 2.1 percent of the value of the gross revenue from the sale of their production. In addition to this category of contributor, classed as "specially insured," rural social insurance includes two other forms of membership which fall under the general contribution rules for the RGPS.⁵⁴

The array of benefits provided by social insurance is a varied one, ranging from retirement plans and pensions to paid maternity leave, unemployment insurance, family allowance, sick pay, accident benefits, and reclusion aid, among others. Not all working categories are eligible to all benefits. The regulations vary according to the benefit and the beneficiary, but over recent years they have trended towards greater uniformity, even

⁵³ Created in 2008, the category of the Individual Micro-Entrepreneur (Microempreendedor Individual, or MEI) includes around 250 occupations generally held by the self-employed. As an incentive for these informal workers to contribute to social insurance, a reduced rate was fixed of a monthly contribution of 5 percent on the minimum wage (as opposed to 20 percent), which is valid for salaried employees in general and for other categories of voluntary contributors. All small individual entrepreneurs working without partners and hiring no more than one employee, and whose gross revenue in the previous year did not exceed R\$ 81,000 (or USD 21,000) are considered MEIs. Though classified as individual contributors, MEIs benefit from special treatment. Though their contribution rates are made more flexible, when they reach the age of compulsory retirement (an obligatory condition), they will receive the constitutionally stipulated social insurance floor of a single minimum wage. This explains why adhesion to the program has been so popular, going from 44,000 people in 2008 to 8.1 million in 2019, a relatively short period.

⁵⁴ In addition to the "specially insured worker" (a category exclusive to small rural producers working on family farms), rural social insurance also includes the categories "individual contributor" (rural producer and self-employed worker) and "rural employee" (worker who provides services of a rural nature to an employer on a non-sporadic, remunerated basis). For individual contributors, a 20 percent rate is levied on the base salary, while rural employers have 8, 9, or 11 percent of the base salary withheld and levied by their employer.

between the RGPS and the RPPS (for instance, the floor and the cap are the same across both regimes).

As of 2019, approximately 30.3 million retirees and pensioners are covered by the RGPS. Around 2/3 of all RGPS monthly retirement benefits and pensions amount to the social insurance floor, which stands at the minimum wage. Of all benefits, 80% fall below the level of two minimum wages.

A broad pension reform is currently underway, with the purpose of unifying both regimes (private sector and civil servants) and trying to impose a short-term transition towards a fully-funded compulsory system. This reform may in fact have further impacts on the social security system as a whole, negatively affecting the healthcare system and welfare schemes. The reform is still under debate in Congress. Therefore, it is unknown to what extent all previous norms and regulations will be altered.

Regarding private pension funds, their net assets have increased substantially, attracting those with earnings and salaries above the contribution cap. In addition, they benefit from tax breaks. Open private pension funds register net inflows on a regular basis, irrespective of the economic cycle. From 2002 to 2018, their net assets increased from R\$ 23 billion (US\$ 5.9 billion) to more than R\$ 800 billion (US\$ 207 billion), a trend that will persist if the contribution cap is not elevated in order to reinforce the PAYG system.

Around 85 percent of the elderly population (60+) is covered by social insurance or assistance benefits in Brazil.

The reform of unemployment insurance in 1988 is a response to a long-standing demand by trade unions. It was incorporated into the public employment system, as laid out in the Constitution. Unemployment insurance is paid solely to regular salaried workers (including domestic workers who contribute to social insurance), in case of involuntary unemployment, as well as to fishermen during the off season and workers who can prove that they were rescued from a forced labor regime, or conditions analogous to slavery. Brazil's Constitution sets a floor for this temporary financial assistance equivalent to the national minimum wage.

b) Social Assistance

The right to a minimum level of protection by the State has completely reconfigured the social pact in effect. Now, the Organic Social Assistance Law (LOAS) guarantees a minimum wage to poor senior citizens (age 65 or older) and the handicapped living in families with per capita household income below one-fourth of the current minimum wage. The number of recipients of the BPC (Non-Contributory Regular Pension) amounts to 4.9 million.

In parallel, since 2003, those who are not eligible for a BPC – that is, millions of children, young adults and able-bodied adults – can now qualify for a Bolsa Familia stipend. This anti-poverty program is less costly than BPC, given the difference in the average benefit – which in the case of Bolsa Familia is R\$ 185 (US\$ 48) per month. Targeting mechanisms also differ; unlike the BPC, Bolsa Familia recipients are subject to controls and conditionalities. In 2019, 14 million families are Bolsa Familia beneficiaries, a headcount that certainly falls short of the total target population. As a result, inequities among poor are commonplace (Lavinás 2017), yet more evidence that the right to assistance is not effective as established by the Constitution.

The guarantee of a broader-scope safety net would facilitate an unprecedented process of incorporation of the most vulnerable into the market and transform the citizenship-deprived masses into a population of citizens.

c) The Unified Healthcare System: SUS

If the right to a safety net when tackling poverty constitutes an unprecedented extension of citizenship rights in Brazil – no matter the clearly identified limitations of their programs – then what to say of the recognition of healthcare as a universal, unconditional right? The utopia of healthcare for all is undeniably the hallmark of not just the 1988 Constitution, but also the entire societal ideal in play at the time.

The 1988 Constitution created the Unified Health System (Sistema Único de Saúde, or SUS) specifically as a counterpoint to the trend towards the privatization of Brazilian

healthcare, inherited from the years of the dictatorship. The principle behind the public healthcare system, inspired on universal European models, is “health and democracy.” The slogan speaks to the basic idea behind the public health movement, which led the healthcare reform, as well as to its mobilizing power. The aim is to break away from the legacy of liberal, profit-oriented medicine and cut down on the use of the designation “philanthropic” for healthcare institutions, which, though benefiting from countless fiscal advantages, were invariably less-than-philanthropic in nature. In their place would come a public system committed to full service, universal coverage, and equal access.

One of the goals of the movement was to get universal primary care to achieve an 80 percent resolution rate, a target which is far from being reached even today. Another, one of the most crucial, sought to guarantee resources for the public healthcare system that would be sufficient to ensure stable financing for SUS, such that it would be able to provide decent care to the Brazilian population and meet its healthcare needs.

Unfortunately, while it has developed program after program to reach the vast majority of the population who had remained beyond the reach of medical assistance for decades, the Unified Health System has yet to deliver on its promises.

It is a universal system, and as such ought to ensure comprehensive care. But it does not guarantee public provision, since most services are contracted out to the private sector via concessions. Despite the tremendous expansion of the public health network in the 1990s and its open-door treatment policy, private providers grew quickly, gained momentum, and ultimately drained SUS funding through tax waivers and credits. To give some sense for the contradictions and ambiguities that plague healthcare policy, total public spending at all levels of government on healthcare stands at 4% of GDP (multilateral agencies recommend 6%). Private spending, meanwhile, which is largely out of pocket, has come to 5.5% of GDP. The public network treats 70% of the population, while the other 30% patronize the private network; this is an eloquent testament to the twinned health system in Brazil, which is heavily stratified by income.

Ever since its creation, the Unified Health System has suffered from chronic underfinancing as a result of the government’s decision to support the expansion of the private sector – which is now increasingly international and financialized. To this day,

the healthcare plan market, created in 1968 by the military regime, is being underwritten by hefty tax incentives. Ocké-Reis and Gama (2016) estimate that, between 2000 and 2013, tax credits on healthcare (through waivers) in relation to total expenditures by the Ministry of Health remained practically stable, around 30% per year.

In survey after survey, quality healthcare remains Brazilians' most urgent demand across income brackets. This may be explained by the fact that the cost of private medicine is far outpacing inflation, posing a widespread threat to the nation's health. From 2000 to 2018, the cumulative inflation for private healthcare plans was 382%, while the general inflation rate was 208% (Ocké-Reis, Fiuza and Coimbra 2019). Just 20% of healthcare plans (individual contracts) are regulated by the National Health Agency. The other 80% (collective contracts) have no oversight when it comes to price or the services they offer. Close to 60% of private plans are relatively accessibly priced, but offer extremely limited coverage (Lavinás 2017), which winds up pushing prospective clients with low purchasing power back to the public network.

As of 2019, close to 40 million people (plus their dependents) had private medical assistance plans, while another 20 million had dental plans.

Such is the status quo: the poor population turns to the Unified Health System and is met with long lines and untenable waiting periods, while the middle class and the wealthiest patronize the private network – albeit not without difficulty, since medical costs have taken an increasingly large share of household income, threatening the viability of the model and exacerbating household debt.

Programs such as Farmácia Popular, which allows for the free distribution of medication and has extremely high approval ratings, meet just 1/3 of prevailing demand. The result is that medications are the fifth quintile's number one healthcare expense (Lavinás and Gentil 2018).

In short, we might say that the dream of a universal, comprehensive unified health system has yet to pass. The Brazilian health system remains deeply stratified by income, segregating those with purchasing power from those with none, thus reproducing the long-standing asymmetries that were exacerbated under the military regime.

At its birth, then, Social Security was marked by a mixture of improvements and ambiguities that reflect historic problems and the challenges posed by multiple social questions. This is due in part to prevailing macroeconomic policy, which has given no quarter to a more effective universalization of social rights.⁵⁵ Social spending has risen significantly, but remains predominantly concentrated in cash transfers⁵⁶ as opposed to in kind provision (Lavinás 2017), which has been seen to have much broader redistributive effects (Silveira and Passos 2017) and to homogenize the patterns of social reproduction across social classes.



The importance and scale that the social protection system acquired through the consolidation of Social Security broadened the process of social inclusion, which was also driven by a new cycle of economic growth that incorporated tens of millions into the mass consumer market who had previously been excluded or only marginally included. This would become clear at the peak of the social-developmental model (2003-2014), which combined three drivers of growth: a renewed focus on natural resources, the

⁵⁵ For a detailed analysis, see Lavinás 2017.

⁵⁶ 68.8% of social spending across all levels of government.

expansion of the domestic consumer market, and investments (Bielschowsky 2012). The novelty of this strategy lay in a hitherto-spurned move to coordinate macroeconomics and social policy.

But over the course of this cycle of growth, which we might refer to as a “covenant for growth with mass consumption” (Lavinás, Gentil, and Cobo 2017), in which macroeconomic and social policy complemented one another, unmet grassroots demands related to the conditions of social reproduction came to demonstrate that the “solution” to the social question was far from certain.

The demonstrations of June 2013,⁵⁷ for example, reignited the debate over the scope and nature of social rights, highlighting elements that had been neglected in the process of constructing regulated citizenship. Amidst a period of wage recovery, with broadened poverty-fighting programs, access to credit, and incorporation into the mass consumer market, the people – now armed with citizenship – took to the streets en masse to denounce the rise in transportation costs and call for free passes for all. The perennial struggle to maintain the conditions for social reproduction reveals that the struggle against the cost of living – understood as the fight for emancipation from the logic of the market – is a barrier to citizenship. In other words, the decommodification that social policy ought to promote remains little more than a promise. The working and middle classes who joined the Free Pass movement wanted more than free public transportation: they also called out for quality public healthcare and education and affordable housing.

The protests of June would ultimately attract anti-Workers’ Party right-wing groups and serve as a magnet for the frustrations and aspirations of multiple political positions, deepening political divergences. At their origin, however, what they shared with one another and with the social movements of the early First Republic was an emphasis on the key elements to meet the population’s needs and transform the conditions that

⁵⁷ Also known as the June Journeys or the June Days, these protests were a reaction to ballooning expenses related to the burden of hosting the 2014 World Cup and then the 2016 Olympics in Rio de Janeiro. Residents were also forcibly removed from certain regions, which were then overhauled, in a practice carried over from the early 20th century.

perpetuate reproduce inequality, segregation, and suffering. Their shared dissatisfaction is a symptom that the rights enshrined in the Citizen Constitution have yet to be put into practice.

The move toward social inclusion via the broadening of social rights seems to run into decades-old barriers, the same ones denounced by the citizenship-deprived masses at the turn of the 20th century. The Landless Workers' Movement (MST), created in 1984, and the Homeless Workers' Movement (MTST), from 1997, are evidence that forms of exclusion persist in both rural and urban environments. Democracy, and the consolidation of a social protection system – understood as access to social ownership – have not alleviated the hardships faced by those seeking to live off the land they work or those who hope to find a decent roof under which to live. Property as an asset and a source of survival has been denied, and excluded from the scope of social policy.

The MST and the MTST are both radical expressions of the failures of citizenship in this, the 21st century. In response to pressure from social movements, the Citizen Constitution introduces a more flexible concept of property and stipulates that land, be it rural or urban, must fulfill a social function or be appropriated as part of a land reform or to build affordable housing. Even so, the housing shortage in Brazil is over 7.7 million units (IBGE, PNAD C 2018), a figure which fails to account for the 72 million people without access to sewage systems and the 20 million without trash collection (IBGE, PNAD C 2018). A lack of basic sanitation has been a hallmark of the vast peripheries of Brazil's metropolitan areas. The Gini index for rural Brazil, meanwhile, has been parked at 0.850 for decades.

The MST and MTST are two of the best-organized, most active social movements defending the interests of urban and rural workers left out of regulated citizenship as it stands. They are not, however, the only ones.

The Black movement, and its struggle for racial equality, is another social force that has redefined the terms of the social question in Brazil. While the 1989 Caó Act made racism a non-bailable crime with no statute of limitations, it proved necessary to create a Statute of Racial Equality in 2010 to ensure the practical application of equality of opportunity, the defense of individual, collective, and diffuse ethnic rights, and the fight against

discrimination. Black and Brown people represent 52% of the Brazilian population, but they are disproportionately poor, undereducated, and most vulnerable to violence, especially when wielded by the State. Being black, in Brazil, is still “a matter for the police.” The homicide statistics speak for themselves. The 2019 Atlas da Violência showed that, in 2017, 65,602 people fell victim to lethal intentional violence in Brazil: 75.5% of them were Black. The murder rate for Black Brazilians is 43.1 per 100,000 inhabitants; for Whites, it is just 16 per 100,000 inhabitants.

A hundred years after the abolition of slavery, the recognition that racism is an essential aspect of the social question in Brazil made it possible to take steps away from colorism and a long past of exclusion. Legally mandated diversity has advanced, moving toward the universalization of access. The 2012 Law of Social Quotas, for example, set aside 50% of admission spots at federal public universities for young people from low-income families (per capita household income of up to 1.5 minimum wages) who attended public high school, a measure which significantly boosted Black enrollment. The law also states that ethnic and racial minorities (including Indigenous peoples) should be represented in direct proportion to the makeup of each state.

Finally, the 2014 Law of Racial Quotas set aside 20% of federal jobs for Black, Brown, and Indigenous candidates.

Identity-driven movements, which have lent greater complexity to the social question and challenged social markers, are clearly indispensable to the framing of policies for the promotion and consolidation of social inclusion and the universalization of rights.

The social question in 21st-century Brazil remains defined by the ongoing struggle for the recognition of social cleavages that have become naturalized and masked, and by the implosion of certain barriers that reinforced selectivity, stratification, and discrimination. It is no coincidence that multiple programs from the era of inclusion were baptized with the phrase *para todos*, meaning “for all” (such as Luz para Todos and Universidade para Todos), yet another promise of equality. The social question as framed by the needs of the people (Castro Gomes 2005) is updated and takes on new forms with each new social scenario.

Universalizing rights and democratizing access while preserving diversity: these are the challenges facing social policy in a country that leads the world in inequality.

7 Final Comments

This article has sought to systematize multiple facets of the social question in Brazil, covering a period that opens with the incipient debate about social protection begun in the late 1910s. Looking back on the century-long process of the construction of a system of social security in a peripheral economy marked by deep structural heterogeneity, we may see that the layers of recognition (Leisering 2018) of the social question have continued to multiply, and remain intertwined and indivisible.

This reveals the various historical moments at which the protagonists of social struggles, given their place in the productive structure of dependent capitalism, were able to make their voices heard, have their needs tended to and acquire a social existence. Interests, ideas, and institutions (Gough 2008) acted together to shape the social question in a country which industrialized belatedly, incompletely, and is now backsliding.

The redemocratization of Brazilian society allowed for the creation of a relatively solid, broad system of social protection bolstered by exclusive funding, which included both labor rights and the struggle against poverty. It provides a virtual guarantee of an income for all Brazilians outside of the labor market, although that income may not always ensure a level of subsistence that is both decent and compatible with their needs. The social question as it relates to the needs of the people has not gone away, and calls for urgent intervention; the persistence of unmet essential demands has perpetuated stratifications within Brazilian society.

We have seen the continual, growing advance of coverage against risks, which moved from the regulated citizenship of the first phases of state-led industrialization to the universalization of rights enshrined in the Citizen Constitution of 1988. The social question, newly framed in terms of social inclusion, redefined the scope of social policies and reaffirmed universalistic value orientations.

This progress was made relatively independently of the accumulation regime; Brazil's Social Security system was implemented just as the nation, responding to changes in global capitalism, began to deindustrialize. Social Security is, above all, an affirmation of the fight against exclusion and a victory over dictatorial rule and authoritarianism; and

it came in the wake of attempts to “solve” agrarian and regional issues through repression, following the civil-military coup.

While social security and labor legislation would initially organize the labor market to ballast the process of industrialization and the conservative modernization of Brazilian society, the consolidation of citizenship belatedly introduce an entirely new dynamic. This phase would be marked by the affirmation of the principles behind new generation of social policies and programs, as well as the structures that would lend them material reality and oversee their implementation.

In this process, ideas – many of them borrowed from the ideal welfare state (Esping-Andersen 1990) – served to frame the institutions tasked with carrying out the new social contract. The SUS is certainly the most ambitious illustration of what Brazil’s progressive intelligentsia was able to learn from an exemplary international experience.

This being said, the realm of the public provision of goods and decommodified services is also a stronghold for resistance to the equalization of opportunities. We have not yet been able to bypass income and status as forms of access to quality education, healthcare, or even public safety, although identity-driven movements are currently leading the charge in denouncing how this exclusionary universalization acts in a discriminatory fashion and undermines citizenship. They have drawn inspiration from the renewed struggle of the Black community in the United States and the legacy of contemporary thought on intersectionality.

With a hundred years of struggle behind us and many more to come, it is all too clear that the social question in Brazil – of which so many aspects remain unsatisfactorily addressed – bears at its core the constant challenge of granting all Brazilians equal citizenship.

What appeared to be a positive and promising outlook is nevertheless at stake and has been under attack since the impeachment of democratically elected President Dilma, in 2016, and the following election of far-right President Jair Bolsonaro, who took office in January 2019 and is openly committed to the dismantling of the public sphere in Brazil. He will certainly implement a pension reform aiming at drastically reducing the public dimension of the PAYG system.

Two labour reforms, adopted in 2018, have already reinforced informality and work precariousness, representing a blow to social rights. With declining contributions from employees and payroll exemptions for employers, the social security budget will soon be stifled and unable to fund pensions and other labour benefits. As a consequence, the structural heterogeneity that decades of industrial policymaking and various developmentalist models failed to overcome will amplify again, magnifying inequalities, as is already the case. Sick-pay, occupational accident insurance and maternity leave are benefits in peril. They risk being moved from the scope of the social security system to the financial sector, through contracts with private insurers. New waves of pension reform will probably undermine further the public pay as you go system.

Even the Bolsa Familia program, relying on targeting mechanisms is now contested, collapsing the most innovative dimension of the 1988 social compact: the right to minimal protection from the State, through a subsistence income. A sign that compensatory anti-poverty schemes, albeit cheap and central to the logic of residual welfare policies, do not escape the grip of the neoliberal mindset that governs today's Brazil.

The assault on the social through disenfranchisement, if unstopped, will interrupt and prevent social citizenship from fully consolidating in Brazil.

Rio de Janeiro, November 2018.

Bibliography

Alonso A. 2004. Raízes positivistas do reformismo dos anos 1930: o caso Paulo Carneiro. In: MAIO, M. C. org. *Ciência, Política e Relações Internacionais: ensaios sobre Paulo Carneiro*. Rio de Janeiro: Editora FIOCRUZ; Unesco, p. 22-42.

Anapios L. 2013. La Ley de Jubilaciones de 1924 y el Anarquismos en Argentina. *Revista de História del Derecho* n. 46, INHIDE, Buenos Aires, julio-diciembre, p. 27-43.

Barbosa R. 1919. A Questão Social e Política no Brasil. *Ci & Trop.* 9 (2), jul. dez 1981, p. 171-175.

Batalha C. 2017. <https://www.bbc.com/portuguese/brasil-39740614> (acesso em 09/06/2019). Camila Costa, BBC online, 28 de abril de 2017.

Bielschowsky R. 2012. Estratégia de Desenvolvimento e as Três Frentes de Expansão no Brasil: um desenho conceitual. *Economia e Sociedade* 21 (especial): 729-747.

Breman J. & Van der Linden M. 2014. Informalizing the Economy: the return of the social question at a global level. *Development & Change* 45 (5): 920-940.

Cardoso A. 2010. Uma Utopia Brasileira: Vargas e a Construção do Estado de Bem-Estar numa Sociedade Estruturalmente Desigual. *DADOS – Revista de Ciências Sociais*, Rio de Janeiro, vol. 53, no 4, 2010, p. 775 a 819.

Carvalho J. M. 1992. Brazil 1870-1914. The Force of Tradition. *Journal of Latin American Studies*, Vol. 24, Quincentenary Supplement: The Colonial and Post Colonial Experience. *Five Centuries of Spanish and Portuguese America* (1992), p. 145-162.

Carvalho J. M. 2017. *O Pecado Original da República*. Rio de Janeiro: Bazar do Tempo.

Castel R. 1995. *Les Métamorphoses de la Question Sociale. Une chronique du salariat*. Paris: Fayard.

Castel R. 2001. Effritement, effondrement ou recomposition du salariat? Symposium sur les métamorphoses de la question sociale. Une chronique du salariat. Didry, Friot & Castel ed. *Sociologie du Travail* 43 (2001) 253–263.

Castro Gomes A. M. 1979. *Burguesia e Trabalho. Política e Legislação Social no Brasil 1917-1937*. Rio de Janeiro: Editora Campus Ltda.

Castro Gomes A. M. 2005. *A Invenção do Trabalhismo*. Rio de Janeiro: FGV Editora, 3ª. Edição.

D´Alencastro L. F. 2018. África, Números do Tráfico Atlântico. *Dicionário da Escravidão e Liberdade*. Schwarcz L. M. & Gomes F ed. São Paulo: Companhia das Letras, p. 57-63.

D´Alencastro L. F. 2018a. Interview to BBC-Brazil, May 13 2018. “Abolição da escravidão em 1888 foi votada pela elite evitando a reforma agrária, diz historiador”.

D´Araújo M. C. 2019. Estado, classe operária e políticas sociais. *O Brasil Republicano*. Ferreira Jorge & Delgado Lucília de A. Neves ed. Vol.2. 2ed. Rio de Janeiro: Civilização Brasileira, p. 203-228.

Donzelot J. 1996. *L’Avenir du Social*. Paris: Esprit.

Dos Santos W. G. 1979. *Cidadania e Justiça*. Rio de Janeiro, Ed. Campus.

Esping-Andersen G. 1990. *The Three Worlds of Welfare Capitalism*. New Jersey: Princeton University Press.

Fagnani, Eduardo & Vaz F.T. 2013. Seguridade Social, Direitos Constitucionais e Desenvolvimento. *Políticas Sociais, Desenvolvimento e Cidadania*, Ana Fonseca & Eduardo Fagnani ed. 2: 93–113. São Paulo: Fundação Perseu Abramo.

Fagnani, Eduardo. 2005. *Política Social no Brasil (1964-2002): Entre a Cidadania e a Caridade*. PhD Thesis, Campinas: Instituto de Economia da UNICAMP.

Faveret P. & Oliveira P.J. 1977. A Universalização Excludente: Reflexões sobre as tendências do sistema de saúde. *Planejamento e Políticas Públicas*, n. 3, June 1990, p. 139-162.

Fleury, Sonia. 1994. “A Montagem do Padrão de Seguridade Social na América Latina.” In *Estado sem Cidadãos: Seguridade Social na América Latina [Online]*, Sonia Fleury ed. Rio de Janeiro: Editora Fiocruz.

Gough I. 2008. European Welfare States: Explanations and Lessons for Developing Countries. *Inclusive States: social policy and structural inequalities*. Anis A. Dani & Arjan de Haan ed. Washington D.C.: World Bank, p. 39-72.

Hatzfeld H. 1971. *Du Paupérisme à la Sécurité Sociale*. Paris: Armand Colin.

Kaufman F-X. 2013. Thinking About Social Policy: the German Tradition. *German Social Policy I*. London: Springer, p. 23-153.

Kowarick L. F. F. 1983. *A Espoliação Urbana*. Rio de Janeiro: Paz e Terra.

Lavinas, Lena & Gentil D. 2018. Brasil Anos 2000: a política social sob regência da financeirização. *Novos Estudos*, vol. 37 -2, 191-211, Mai-Ago. 2018. São Paulo: CEBRAP.

Lavinas, Lena. 2017. *The Takeover of Social Policy by Financialization. The Brazilian paradox*. New York: Palgrave Macmillan.

Lavinas, Lena; Gentil Denise L., & Cobo, Barbara. 2017. The Controversial Brazilian Welfare Regime. UNRISD, Working Paper 2017-10. UNRISD project New Directions in Social Policy: Alternatives from and for the Global South. Geneva, November 2017.

Leal M. 2011. *A Invenção da Classe Trabalhadora (1953-1964)*. Campinas: Editora Unicamp.

Leisering L. 2018. Theorizing the Historical Rise of Southern Social Policy – a framework for research. Bielefeld University – ZIF Research Group “Understanding Southern Welfare.

Leisering L. 2013. Nation State and Social Policy: An Ideational and Political History. Introduction to the Book Series. *German Social Policy 1*. London: Springer, p. 1-22.

Malloy J. 1986. *Política de Previdência Social no Brasil*. Rio de Janeiro: Edições Graal

Mattos R. C. 2013. Shantytown Dwellers' Resistance in Brazil's First Republic (1890-1930): Fighting for the Right of the Poor to Reside in the City of Rio de Janeiro. *International Labor and Working-Class History*, No. 83, Special Issue: Strikes and Social Conflicts (Spring 2013), pp. 54-69.

Nassar E. B. 2012. *Previdência Social na Era do Envelhecimento*. Rio de Janeiro: Saraiva.

Ocké-Reis C. O., Fiuza E.P.S. & Coimbra P.H. 2019. Inflação dos Planos de Saúde. Nota Técnica no. 54. Brasília: IPEA.

Ocké-Reis, Carlos O.& Gama F.N. 2016. Radiografia do Gasto Tributário em Saúde 2003-2013. Nota Técnica no. 19. Brasília: IPEA.

Oliveira F. 1977. *Elegia para uma Re(li)gião*. São Paulo: Paz e Terra.

Paoli M. C. 1989. Trabalhadores e cidadania. Experiência do mundo público na história do Brasil moderno. *Estudos Avançados* vol.3 no.7 São Paulo Sept/Dec 1989 p. 40-66.

Pio Vieira H. 1978. *Eloy Chaves, Precursor da Previdência Social no Brasil*. Rio de Janeiro: Ed. Civilização Brasileira.

Roffman R. 1995. Desigualdade e pobreza no Brasil no período 1979-90. *Revista Brasileira de Estatística*, 49(2): 277-94. Abri/Jun 1995.

Rosanvallon P. 2011. *La Société des Égaux (1924-2010)*. Paris: Seuil.

Schwarcz L. M. & Starling H.M. 2015. *Brasil: uma biografia*. São Paulo: Companhia das Letras.

Silveira F. G. & Passos L. 2017. Impactos Distributivos da Tributação e do Gasto Social – 2003 e 2008. *Tributação e Desigualdade*. Afonso J. R. et al. ed. Belo Horizonte: Letramento, Casa do Direito, IPEA, FGV Editora, p. 451-449.

Slivnik A. 2018, Previdência Social no Brasil. Uma Abordagem histórica (1923-1945). Master Dissertation. University of Campinas.

Teixeira A. 1990. Do Seguro à Seguridade: a metamorfose inconclusa do sistema previdenciário brasileiro, Instituto de Economia da UFRJ, Textos para Discussão n. 249, dez. 1990.

Valladares L. P. 2006. *La Favela d'un siècle à l'autre. Mythe d'origine, discours scientifique et représentations virtuelles*. Paris: Editions de la Maison des Sciences de l'Homme.

Vianna M. L. T. W. 1998. *A Americanização (perversa) da Seguridade Social no Brasil*. Rio de Janeiro: Editora Renan.

Werneck Vianna L. 1978. *Liberalismo e Sindicato no Brasil*. 2a. edição. Belo Horizonte: Editora UFMG.

Wissenbach M. C. C. 2018. Letramento e Escolas. *Dicionário da Escravidão e Liberdade*. Schwarcz L. M. & Gomes F ed. São Paulo: Companhia das Letras, p. 292-306.