

Articles

Public budgeting and university student assistance in times of austerity: challenges and alternatives

Orçamento público e assistência estudantil universitária em tempos de austeridade: desafios e alternativas

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Abstract

This article aims to contribute to the study of the limitations of university student assistance from the perspective of the Brazilian public budget. To this end, we conducted a bibliographic review of theoretical contributions from the fields of financial law, constitutional law, education, public finance, social work, and history. Methodologically, we adopted an interdisciplinary approach to provide a comprehensive understanding of the roots and implications of the issue. We begin by examining the historical emergence of student assistance in Brazil, the role of the student movement in shaping and advancing such policies, and the broader Brazilian socioeconomic context, particularly following the administration of Fernando Henrique Cardoso. The central problem lies in the insufficient coverage of student assistance for all students targeted by Decree No. 7,234/2010 (Brasil, 2010), which regulates the PNAES. This analysis considers the Brazilian economic context and concludes that participatory budgeting, the transformation of PNAES into federal law encompassing both public and private universities, and the establishment of councils for the collective development of student assistance policies within universities represent viable alternatives to improve student assistance in Brazilian higher education.

Keywords: public budgeting; student assistance; PNAES; neoliberalism; austerity.

Resumo

O objetivo deste artigo é contribuir para o estudo das limitações da assistência estudantil universitária a partir do enfoque no orçamento público brasileiro. Para tanto, se utilizou de pesquisa bibliográfica em contribuições teóricas do direito financeiro, direito constitucional, educação, finanças públicas, serviço social e história. Metodologicamente, aplicou-se uma abordagem interdisciplinar para obter uma visão completa das raízes e sentidos do problema disposto, partiu-se da história das primeiras concepções em assistência estudantil apresentados em solo brasileiro, o papel do movimento estudantil universitário na formulação e conquista de avanços em assistência estudantil, e a realidade socioeconômica brasileira, principalmente após os governos Fernando Henrique Cardoso. O problema se trata da ausência de cobertura suficiente em assistência estudantil a todos os estudantes que seriam público alvo do Decreto n 7.234/2010, que regulamentou o PNAES. Nisso, foi buscada a análise do contexto econômico brasileiro, concluindo-se, então, pelo orçamento participativo, transformação do PNAES em lei federal com abrangência para universidades públicas e privadas, e pela prática dos conselhos para construção coletiva de políticas de assistência estudantil no ambiente universitário como alternativas para o aperfeiçoamento da assistência estudantil universitária brasileira.

Palavras-chave: orçamento público; assistência estudantil; PNAES; neoliberalismo; austeridade.

INTRODUCTION

According to the National Forum of Pro-Rectors of Community and Student Affairs (FONAPRACE), affiliated with the National Association of Directors of Federal Higher Education Institutions (ANDIFES), student assistance in higher education is defined as:

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"[...] a set of principles and guidelines that guide the implementation of actions to guarantee access, retention, and completion of undergraduate programs for students at IFES, from the perspective of social inclusion, expanded education, knowledge production, and improved academic performance and quality of life". (Fórum Nacional de Pró-reitores de Assuntos Comunitários e Estudantis, 2012, p. 63).

Student assistance, therefore, encompasses not only access to but also the retention and completion of higher education. The main national policies aimed at promoting access include the Quota Law (Law No. 12,711 of August 29, 2012) (Brasil, 2012), SISU (Unified Selection System), and REUNI (Program to Support the Restructuring and Expansion Plans of Federal Universities, established by Decree No. 6,096/2007).

REUNI was designed to expand Brazilian higher education. As a result, the federal university system grew in terms of enrollment, academic programs, campuses, and institutions, reaching areas with high population density, low university coverage, remote locations, and even border regions. Additionally, with the implementation of SISU and the Quota Law:

"Access to higher education began to rely on the Unified Selection System (BRAZIL; MINISTRY OF EDUCATION, 2012) – SISU – which facilitated the spatial mobility of demand for higher education, while also implementing the affirmative action policy for admission to federal higher education (BRAZIL, 2012) at the national level with the Quota Law. Under this law, half of the places were reserved for students from public schools, with a sub-reserve for self-identified Black, mixed-race, or Indigenous students, or those with a per capita income of up to one and a half minimum wages. Beginning in 2016, with the revision of the law, reserved places for people with disabilities were included. Thus, the federal higher education system became more accessible to traditionally vulnerable social groups". (Silva; Marques, 2022, p. 6).

With regard to national-level retention policies for federal public education, the current program in place is the National Student Assistance Program (PNAES), which targets federal higher education institutions (IFES), including the Federal Institutes of Education, Science, and Technology. This program was established by Decree No. 7,234 of July 19, 2010, and its objectives, listed in Article 2, are as follows: to democratize the conditions enabling students to remain in federal public higher education; to mitigate the effects of social and regional inequalities on student retention and completion; to reduce retention and dropout rates; and to contribute to social inclusion through education.

In the case of private higher education, the main access and retention policies currently implemented at the national level are Prouni (University for All Program) and the Higher Education Student Financing Fund (Fies).

This study focuses primarily on the analysis of PNAES, without excluding references to Prouni and Fies where relevant. PNAES's main areas of action include: student housing, food, transportation, healthcare, digital inclusion, culture, sports, daycare, pedagogical support, and support for students with disabilities, developmental disorders, or giftedness. Its regulations prioritize services for students from public schools or with a family income of up to one and a half times the minimum wage.

PNAES is rooted in the concept of the right to education as defined by the 1988 Federal Constitution, international agreements (such as the International Covenant on Economic, Social and Cultural Rights), the Law of Guidelines and Bases for National Education (Law No. 9,394 of 1996), and the National Education Plan (PNE) (Law No. 10,172 of 2001).

Article 214 of the 1988 Constitution mandates the establishment of the National Education Plan (PNE), to be developed by the federal government in collaboration with the states, the Federal District, and municipalities. This plan is intended to promote, among other objectives, the improvement of educational quality and the reduction of social inequality in terms of access to and retention in education. The PNE outlines guidelines to coordinate and develop all levels of education and to integrate government actions (Costa, 2019, p. 9). Furthermore, Article 206, Section I, of the Constitution establishes equal conditions for access and retention as one of the guiding principles of Brazilian education.

PNAES's objectives emphasize the democratization of conditions for student retention, aiming to reduce the impact of social inequalities and to promote social inclusion through education. As a response to the structural inequalities that shape Brazilian society, student assistance policies are intended to mitigate the effects of exclusion historically experienced by certain groups along the university path. The target audience of these policies includes low-income students, those from public schools, Black, brown (mixed-race), Indigenous students, and people with disabilities, as defined by Law No. 13,409/2016, and included under the Quota Law. However, as we will see later, the funding allocated to student assistance policies has so far been insufficient to meet even the demands of the population covered by the Quota Law. Moreover, this restricted view of student assistance as being aimed solely at the most vulnerable students is being contested by the social actors involved in shaping these policies. It is essential to begin with the recognition of inequality as a structural factor driving the demand for student assistance. Acknowledging the responsibility of the state in addressing the barriers faced by socially and economically marginalized groups in remaining in higher education is the result of a historical process. This process also reveals the different roles envisioned for Brazilian higher education in the country's development projects over time. Access to and retention in higher education, therefore, are social achievements—outcomes of collective struggles throughout the history of education in Brazil. Likewise, the inclusion of student assistance policies in the federal budget—and the very conditions for their implementation—are products of this same historical construction. Without such budgetary allocation, these policies simply cannot materialize.

HISTORY OF BRAZILIAN UNIVERSITY STUDENT ASSISTANCE

The history of Brazilian universities and the student movement in pursuit of student assistance.

According to Barreto and Filgueiras (2007, p. 1780), the term university in Brazil only began to be used to describe organized groups of higher education institutions in the 20th century, although similar experiences had occurred earlier. It is important to note, however, that access to higher education has historically been limited to the privileged socioeconomic strata since colonial times. Demands for more inclusive higher education—although often fragmented throughout Brazilian history—are closely tied to the emergence of the National Student Union (UNE) in 1937.

A key milestone preceding the creation of UNE, and essential to the demands for a higher education model that would challenge the elite-based pact prevalent in Latin America, was the Córdoba Reform. This movement began in Argentina in 1918 (not 1928), led by university students advocating for greater university autonomy, free and critical education, and increased student participation in academic governance. The students criticized the authoritarianism of professors and the lack of academic freedom (Azevedo; Braggio; Catani, 2018, p. 39).

The central demand of the movement was the establishment of the principle of the “free university,” which emphasized institutional autonomy from both the State and the Church (Azevedo; Braggio; Catani, 2018, p. 42).

As Menon (2021, p. 20) points out, the Córdoba rebellion marked a turning point in the development of the modern Latin American university. In the wake of the Argentine protests, broader calls for autonomy, modernization, and democratization of higher education institutions spread across the continent, aiming to dismantle lingering legacies of colonial structures. Menon summarizes the core proposals of the movement as follows: 1. Student participation in university governance; 2. Free participation in classes, a defined academic schedule, and an independent faculty; 3. Transparency in university meetings and administrative proceedings; 4. Expansion of the university's reach and dissemination of university culture; 5. Social assistance for students; 6. University autonomy; 7. Universities open to the broader public.

Although student welfare was not one of the central demands of the Córdoba movement, its call for social assistance for students and for a university open to the public indirectly contributed to the emergence of discussions on the need for student support and assistance

policies. Over time, the struggle for student welfare became a significant issue across many Latin American universities.

According to Menon (2021, p. 22), the influence of the Córdoba movement in Brazil was clearly reflected in the development of the political platform of the National Student Union (UNE).

Poerner (2004, p. 119) notes that the creation of UNE was driven by an increasing awareness of the need for a permanent, nationwide organization to represent student political engagement. In his view, UNE represents, without a doubt, the most important milestone in the history of student participation in Brazil. Prior to August 1937, student organizations were characterized by their transience, emerging only in response to specific and limited issues and dissolving once those issues had been resolved.

The founding of the National Student Union (UNE) on August 11, 1937, was preceded by the First Congress of Working-Student Youth, organized by the Communist Youth, the youth wing of the Brazilian Communist Party. Throughout the organization's history, progressive socialist, communist, and Catholic groups played a prominent role (Poerner, 2004, p. 121).

One of the key moments in UNE's early advocacy for student welfare policies was the set of theses debated at the Second National Student Congress in 1938—later known as the Second UNE Congress. At a time when the social composition of higher education students was far from proletarian, discussions emerged around the need for the organization to engage with the social issues present within the university setting. This concern is evident in the theses debated at the congress, particularly those that addressed, directly or indirectly, student retention:

1. **Cultural Situation:** a) function of the university; b) university advising; c) professional and technical training and guidance; d) scholarships and university exchange trips; e) intellectual cooperation of students – national and international – and the influence of cultural and artistic exchange on the unity of university thought; f) libraries; g) formation of a student theater; h) diffusion of culture – problem of books and publications; i) rural education; j) problem of free education;
2. **Economic Situation:** a) problem of fees and enrollment; b) state subsidies; c) housing problems – university towns; d) student houses and boarding houses; e) food problems; f) employment bureau; g) paid internships; h) rationalization of intellectual work; i) medical, dental, and legal assistance;
3. **Health:** a) school hygiene; b) physical education; c) summer camps;
4. **Female Student:** a) female student facing the problem of work and professional organizations; b) female student facing the problem of home; c) female associations as members of study and defense of interests peculiar to women;
5. **University Sports:** a) advertising; b) sports as a means of university exchange; c) definition of the university athlete; d) Brazilian university games;
6. **National Union of Students.** (Poerner, 2004, p. 79) (our emphasis).

These historical demands remain highly relevant, as they clearly resonate with contemporary discussions on universal access to higher education.

However, it is also worth noting that the theses fail to address racial issues. When discussing an elitist educational structure—one that reflects the country's broader social inequalities—it is essential to highlight that such inequalities in Brazil are inseparable from the reproduction of racism. As Pessoa (2024, p. 10) points out, Black people have always been part of university life—though far less as students, and far more as the labor force, whether free or enslaved. The functioning of these educational institutions has historically relied on the presence of Black people, despite their systemic exclusion from student and faculty roles.

In 1961, the National Seminar on University Reform, held in Salvador, resulted in the Declaration of Bahia, which advocated for the creation of courses accessible to all within universities. The document expanded understandings of the role of universities in Brazil and underscored the necessity of a broader Brazilian revolution. It included demands such as the "socialization of the fundamental sectors of the economy," the "overcoming of proletarian alienation," the "effective participation of workers in government agencies essential to our

development,” and the “creation of conditions by the government for the full development of proletarian organizations”.¹

That same year, the Law of Guidelines and Bases of National Education (LDB) was enacted, introducing mandatory social, medical, dental, and nursing services for students, as well as the provision of scholarships and financial aid. The LDB established student assistance as an equal right for all and was strongly influenced by the debates and resolutions of the 2nd National Seminar on University Reform (Kowalski, 2012, p. 89).

Held in March 1962 in Curitiba, the 2nd National Seminar on University Reform resulted in the drafting of the Paraná Charter (UNE Notebook No. 2, 1962). The charter envisioned an anti-dogmatic university model that would function both as a revolutionary front and as an expression of the people—immune to economic, ideological, political, and social discrimination. It called for the prohibition of state subsidies for private education and placed particular emphasis on student participation in university governance, proposing a guaranteed one-third representation. This level of student participation in collegiate bodies was considered a fundamental condition for the University Reform to be approved (Poerner, 2004, p. 179).

As Poerner (2004, p. 175) states, the university model challenged by the UNE and other student organizations was considered, at the time, oligarchic and classist. This educational system prioritized market forces above all else, and these forces largely guided the educational reforms implemented by most military governments. As a result, higher education in the 1960s was highly selective and primarily served the interests of the ruling class.

According to Cunha (2014, p. 362), during the military regime, the production system was reorganized within a broader process of capital accumulation, in which education became subordinated to a capitalist developmentalist ideology. While education was presented as a pathway to improved employment opportunities for the poor, in practice, the state managed educational policy to serve the interests of the dominant classes.

Cunha (2014, p. 362) further notes that political alignments and economic interests shared by military governments and private higher education leaders led the Federal Council of Education (CFE) to adopt an increasingly privatizing agenda. Although higher education reform formally favored the university model as the preferred organizational structure, the CFE worked to accelerate the expansion of private institutions—many of which operated in isolation—in contradiction to newly enacted legislation. The National Congress, closed during the most repressive period of the dictatorship, was sidelined during this wave of atomization promoted by privatization groups. Despite lacking the legal status of formal legislation, many of the CFE’s resolutions had a substantial impact on capital accumulation and were implemented in line with the demands of interested sectors.

With the redemocratization of higher education, the right to education was enshrined as a social right in Article 6 of the 1988 Federal Constitution. It is therefore essential to examine to what extent the Constitution incorporated the principles outlined in the UNE’s University Reform proposals—particularly the Declaration of Bahia and the Paraná Charter—with special attention to the issue of student assistance (União Nacional dos Estudantes, 1961, 1962).

A major innovation of the 1988 Constitution was the broadening of the principle of free education. Previously limited to the period of compulsory schooling, Article 206, IV, now establishes that education provided by official institutions funded by public resources must be free at all levels, including higher education. Public institutions may not charge students any fees whatsoever—not even enrollment fees—according to Binding Precedent No. 12 of the Federal Supreme Court (Brasil, 2008).

¹ The theses of the Bahia Declaration can be summarized as follows: 1) the struggle for the democratization of education, ensuring access for all at every level; 2) opening the university to the people through the creation of courses accessible to everyone—for example, literacy courses, training for union leaders (in law schools), and for construction foremen (in engineering schools); and 3) guiding university students toward political activism in defense of workers’ rights. This also involved adopting the institute system and improving teacher training, university administration (through a proportional representation criterion granting students 40% participation and alumni and professionals 20%), and, finally, addressing the socioeconomic problems of students by implementing an assistance policy that offers opportunities for paid work within the university or in each student’s professional field, and facilitates the organization of cooperatives for books and technical materials by the students (Poerner, 2004, p. 85).

Article 207 of the Constitution grants universities autonomy in academic, administrative, financial, and asset management matters. It also establishes the principle of the inseparability of teaching, research, and outreach—demands that had already been voiced by the UNE during the University Reform debates. It is important to stress that this autonomy is immediately applicable and fully effective, requiring no additional regulation by infra-constitutional laws to be enforced (Ferraz, 1998, p. 5).

University autonomy is defined by the institution's ability to self-govern, grounded in higher-level legal norms and exercised through exclusive internal regulations. Initially, this autonomy was regulated by Articles 53 and 54 of the Law of Guidelines and Bases of Education (LDB). However, Decree No. 1,916/1996 currently stands as an obstacle to its full implementation.²

Article 213 of the Federal Constitution determines that public funds must be primarily directed to public education institutions, with exceptions granted only to community, religious, or philanthropic schools that meet specific legal criteria. This provision reflects a key proposal of the UNE's 1962 University Reform Charter, which advocated for a ban on state subsidies to private institutions. However, as will be discussed later, the existence of programs such as FIES and ProUni (Brasil, 2001, 2005) contradicts the constitutional principle that public funding should be primarily allocated to public institutions (Brasil, 2001, 2005).

The organization of education systems is addressed in Article 211 of the 1988 Federal Constitution, while financing is covered under Article 212. Specifically with regard to higher education—particularly within federal public institutions—responsibility for both structuring and financing lies with the Union. The federal government exercises regulatory, redistributive, and supplementary functions in relation to states and municipalities, coordinating national education policy and the allocation of additional resources. These responsibilities are explicitly provided for in Article 9 of the Law of Guidelines and Bases of Education (LDB) (Brasil, 2018, p. 144).

Nevertheless, the anti-dogmatic university model proposed in the UNE's University Reform—conceived as both a revolutionary front and a genuine expression of the people, and therefore immune to economic, ideological, political, and social discrimination—was not fully incorporated into the constitutional text (União Nacional dos Estudantes, 1962).

As Cezne (2006, p. 127) emphasizes, education is an essential public function and cannot be treated merely as a strategic policy of the State. The State holds a central role in both regulating and directly providing educational services. Although education is not an exclusively state-run service, it is a matter of public interest, whose primary aim is to ensure the realization of social rights. The State may not relinquish its responsibilities simply because it is not the sole provider. On the contrary, it must assume full responsibility for regulating these activities, including those it carries out itself, even if it does not exercise exclusive control over them.

In this context, the following chapters will examine the evolution of student assistance policies within Brazil's Federal Higher Education Institutions (IFES) after the enactment of the 1988 Constitution, with a focus on financial law. This includes analysis of the decree regulating the National Student Assistance Program (PNAES) and the economic context in which it was established.

AUSTERITY, FUNDAMENTAL RIGHTS, AND STUDENT ASSISTANCE

The Right to Higher Education and Fundamental Rights in the 1988 Federal Constitution

In Brazil, fundamental rights refer to a set of guarantees and freedoms established by the Federal Constitution, considered essential for the full exercise of citizenship and the preservation of human dignity.

A fundamental right is defined as a right enshrined in the constitutional order and, as such, can be judicially enforced. This definition is grounded in a formal criterion, which is intrinsically linked to material and structural criteria (Alexy, 1997, p. 65).

² Art. 1 The Rector and Vice-Rector of a university maintained by the Union, regardless of its form of organization, shall be appointed by the President of the Republic, chosen from among those nominated in triple lists prepared by the highest collegiate body of the institution, or by another collegiate body that includes it, specifically established for this purpose (Brasil, 1996).

Fundamental social rights are provided for in Articles 6 through 11 of the 1988 Federal Constitution. They represent the State's commitment to promoting public policies and actions aimed at reducing social inequalities, ensuring minimum living conditions for the population, and redressing the historical process of social exclusion that has marked the formation of the Brazilian State (Brasil, 1988).

These rights, however, are not merely formal guarantees—they constitute concrete demands that must be implemented by the State through effective public policies. The struggle to realize fundamental social rights has been a persistent effort led by various social movements and civil society organizations in Brazil (Salvador; Paiva; Neves, 2017, p. 9).

The right to education is broadly provided for in Article 6 of the 1988 Constitution, which addresses social rights. More specific provisions appear in Chapter III – Education, Culture, and Sports, Section I, beginning with Article 205. As established in Article 6, social rights include education, health, work, housing, leisure, security, social security, the protection of motherhood and childhood, and assistance for the destitute, in accordance with constitutional provisions (Brasil, 1988).

The Constitution establishes that elementary education is compulsory and free in Brazil. As for secondary education, its “progressive universalization” was introduced through Constitutional Amendment No. 14 of 1996, which modified the original text. Higher education, however, is not specifically mentioned in this article, reflecting a different approach compared to elementary and secondary education (Cezne, 2006, p. 119).

The right to elementary education as a duty of the State is expressly recognized as a subjective public right. In contrast, secondary education was not formalized as such, since the goal at the time was to gradually incorporate this level into the scope of compulsory education. Its universalization was established as a goal, not a right. Higher education, moreover, being non-compulsory, is even further removed from the perspective of universalization expressed in Article 208, V, of the Federal Constitution, which establishes “access to the highest levels of education, research, and artistic creation, according to each individual's ability.” This formulation is grounded in a merit-based logic (Cezne, 2006, p. 120).

Fundamental rights, in turn, can be broadly divided into two categories: defense rights and benefit rights. In this regard, Alexy (1997, p. 188) classifies them according to their purpose: defense rights correspond to negative claims (i.e., requiring the State to abstain from interference), while benefit rights require positive actions by a duty bearer (typically the State). Alexy further classifies benefit rights using three analytical criteria: whether the norm objectively grants a subjective right or merely imposes a duty on the State; whether the norm is binding or non-binding; and whether the right or duty is definitive or *prima facie* (thus requiring balancing during interpretation). He highlights the importance of such distinctions for ensuring that fundamental social rights are implemented effectively, in accordance with the concrete conditions at hand.

According to Cezne (2006, p. 129), the right to education qualifies as a right to benefits in the strict sense, whose binding nature varies depending on the level of education—elementary, secondary, or higher. In the case of elementary education, the Constitution includes strong guarantees and enforcement mechanisms, such as its explicit recognition as a subjective public right, which gives it greater normative strength.

In contrast, for secondary and higher education, constitutional protection is more limited, and the normative force must be assessed on a case-by-case basis. For instance, access to higher education is not guaranteed abstractly; the Constitution merely affirms that entry should be based on intellectual merit. Moreover, while free tuition is guaranteed in public institutions, there is no constitutional mandate to expand these institutions or to provide scholarships for low-income students (Cezne, 2006, p. 130).

Therefore, while the right to higher education can be considered a fundamental right under the Federal Constitution, its protection remains fragile. Its actual effectiveness depends on the development of legal instruments and their practical enforcement through judicial interpretation (Cezne, 2006, p. 130). Importantly, the extent of this protection remains open to debate, given that the constitutional framework is designed to be open and flexible, receptive

to new content and developments, integrated with the broader constitutional order, and influenced by evolving societal and global contexts.³

The theory of the financial constitution as the foundation for the study of financial law in the context of neoliberalism

The formula, then, is to transform social rights into profitable commodities. Under the argument that peripheral countries must pursue budgetary balance at the expense of public policies that ensure fundamental rights, the fallacy is reinforced that—even with Brazil's debt being denominated in sovereign currency—we are facing the imminent “bankruptcy” of the State.⁴

This includes, on the part of financial capital, the need to impose deflation on the supply price of goods exported by dependent countries and on the income of their workers. This is achieved through a brutal increase in social inequalities, fiscal austerity packages, the inclusion of small producers in the total value-added calculation during the production process (which generates low bargaining power in relation to monopoly groups), and the continuation of the colonial process of forced displacement of small producers—with peasants and small producers being pushed into the tertiary sector under conditions of underemployment (Furno, 2022, p. 131).

Therefore, insofar as the State ensures the continuity of financial valorization—preserving its ability to discipline labor and boost asset flows in financial markets, for instance, through debt issuance—it also privatizes sectors and services and relinquishes social responsibilities historically secured by the population, such as those established by the constitutional process, which guaranteed a series of fundamental rights that are now being relativized through the expansion of private ownership.

Thus, the imperative of analyzing the public budget in light of the theory of the Financial Constitution becomes clear. According to Heleno Taveira Torres (2014, p. 35), financial law is responsible for ensuring the maintenance and continuity of the State, as well as the fulfillment of all constitutional objectives—for both present and future generations. From the separation of powers to the implementation of social rights—including federalism, inequality reduction programs, infrastructure investments, and environmental protection—all these actions depend on public revenues, policies and programs, budgetary authorizations, expenditures, and rigorous controls. Financial law seeks to expand the jurisdiction of public spending and ensure its proper oversight.

The theory of the Financial Constitution is based on the principle that financial power must be subject to the Constitution and its limits. According to this conception, the financial activity of the Public Treasury is grounded in and controlled by the principles of the Financial Constitution. The Constitution includes the State's financial activity among its objectives, emphasizing the creation of national wealth, asset management, and the control of public accounts. These

³ Confirming this idea, Sarlet states: Having raised these preliminary questions, it is possible to conclude from the outset that, if the existence of a system of fundamental rights is recognized, it will necessarily be—not strictly speaking—a logical-deductive system (autonomous and self-sufficient), but rather an open and flexible system, receptive to new content and developments, integrated with the rest of the constitutional order, and subject to influences from the external environment. This understanding is consistent, on the other hand, with the conception—now dominant in doctrine—that the Constitution itself constitutes, as the fundamental legal statute (in both material and formal senses) of the community, and insofar as the liberal-bourgeois doctrine of rigid separation between State and society is overcome, an open system of rules and principles. This is a matter we will not explore in depth here and is therefore presented as a theoretical assumption for the purposes of our study (Sarlet, 2018, p. 73).

⁴ On this topic, Furno argues that imperialism deepens the dependence of the periphery through a specific arrangement of neoliberal macroeconomic policy, fundamentally linked to the use of fiscal policy as a tool to drive growth and income distribution, under the pretext of reducing the size and role of the State in its business functions. Economic terrorism—often mobilized in situations of high public debt, as in Brazil in 2022—is accompanied by prescriptions for austerity measures aimed at restoring budgetary balance and cutting expenditures. This, without a doubt, is entirely fallacious. The most recent market threats regarding public debt solvency and the risk of state bankruptcy do not withstand serious analysis, given that, unlike in the 1980s, Brazilian debt is denominated in sovereign currency. Since there is no risk of state “collapse” and external crises—considering that Brazil is a net creditor in foreign currency—we can understand that fiscal discipline functions as a blackmail mechanism disguised as the need for budgetary balance. In reality, it is based on the premise that the more the state underinvests in universal services such as health, education, and social welfare, the more opportunities arise, both materially and subjectively, for private capital—especially imperialist capital—to appropriate spaces that were previously monopolized by the state (Furno, 2022, p. 134).

objectives are pursued independently, with a focus on efficiency, ensuring the fulfillment of the various constitutional powers and values (Torres, 2014, p. 61).

The Financial Constitution is the material part of the Constitution that governs the financial activity of the Social and Democratic State of Law. It goes beyond the typical rules of budget, expenditures, or public revenues and encompasses its entirety, including powers, public services, public policies, and guarantees of social rights. Its first premise is the prevalence of the principle of the Democratic State of Law, which seeks greater participation, formal and material guarantees, and the effectiveness of rights.

The second premise is the constitutional purposes, which define the objectives of the Financial Constitution. The Democratic State of Law, therefore, must promote the security of rights and seek to eliminate social inequalities through public policies and effective measures. The Financial Constitution must ensure and implement social rights, economic intervention, and welfare protection, in accordance with the organization of the State defined in the Constitution (Torres, 2014, p. 72).

In times of crisis, State action becomes essential to restore balance and stability in the most affected sectors. This tests the adaptive capacity of the economy and the State, refuting the theories of a minimal state and mandatory balanced finances.⁵

The liberal myth of a balanced budget is an economic criterion frequently cited as a means of controlling the public budget, reducing the amount allocated to the implementation of social rights based on a logic of austerity. According to the author, this principle should no longer be applicable to contemporary budgetary law. This is because the choice made by the constituent to exclude a balanced budget and establish a democratic state governed by the rule of law, with guarantees of intervention to achieve the State's constitutional objectives, demonstrates a preference for substance over form in the control of public accounts.

The material scope of control was expanded, including "economy," to achieve these State goals with the quality of control (Torres, 2014, p. 383).

The State is seen as an organization dedicated to meeting collective needs and achieving the "common good" or "common interest," following the values and principles established in the Economic, Political-Federative, Social, and Financial Constitutions. The State is responsible for achieving the ends defined by the Constitution, promoting collective well-being. The State's financial activity, therefore, is essential to achieving this objective and cannot be considered merely instrumental, but rather as a means of enforcing fundamental rights and duties, distributing burdens and benefits in accordance with constitutional principles and continually seeking economic balance (Torres, 2014, p. 61).

Financial activity is a social, political, economic, and technical-legal fact. There is a mistaken notion of "instrumentality" in the State's financial activity, which suggests a necessary order between obtaining revenue and incurring public expenditures. However, this is a fallacy, considering that public spending is not an antecedent that determines the amount of resources to be obtained, nor is it necessary for spending to keep pace with revenue growth. This dependence between revenue and expenditure is not confirmed in the reality of contemporary public finances, according to Torres (2014, p. 51).

The classical, liberal notion of budgeting seeks a balance between public revenues and expenditures, avoiding deficits or surpluses in public accounts. Although there is no explicit principle of "budgetary balance" in the Brazilian Constitution, this does not mean that the Constitution permits irresponsible administrative policies that harm public finances. The Constitution establishes several mechanisms for controlling and holding public officials accountable to prevent deficit-causing practices. While not a typical constitutional principle,

⁵ According to Torres: The financial activity of the State has never been neutral, neither here nor elsewhere. Any significant public expenditure, as well as the creation or increase of taxes, constitutes a direct or indirect intervention in a nation's macro- and microeconomy, altering the volume of total income or its distribution. Tax neutrality is a chimera. The mere institution or collection of any tax inherently produces effects within the economic order. The phenomena of percussion, economic repercussion, economic incidence, and diffusion—thoroughly analyzed by Paul Hugon in his work *The Tax*—demonstrate these impacts. Consequently, liberal theories advocating for the elimination (neutrality) or minimization of State involvement in the economy, including the doctrine extolling the much-vaunted "budgetary balance," have gradually faded, as if the Welfare State were determined by economic forces rather than by the Constitution (Torres, 2014, p. 197).

budgetary balance is a desired goal in several rules of the Fiscal Responsibility Law (Torres, 2014, p. 385).

The ideal objective, then, would be to seek budgetary stability along with the quality and efficiency of public spending. However, when a conflict arises between achieving the constitutional purposes of the State, the Financial Constitution of the Democratic State of Law must prevail. Its principles and values are to be implemented over time—not confined to a single annual fiscal year—but aligned with long-term strategic macro-planning. The goal is to implement continuous, structural programs that help better align public spending priorities with economic development, while ensuring concrete and inclusive social development (Torres, 2014, p. 385).

Although the Brazilian Constitution does not contain an explicit “principle” of budgetary balance, this does not permit practices that lead to inefficient management, excessive debt, or other harmful outcomes. The formation of public debt is allowed, but within strict limits. Fiscal incentives may also be granted, but must be based on well-defined criteria and sources of revenue to support them. According to the author, the Fiscal Responsibility Law fulfills a constitutional role by promoting budgetary stability—not through a rigid obligation of balance, but by ensuring the fulfillment of the State’s constitutional objectives (Torres, 2014, p. 385).

This view is also supported by Ricardo Lobo Torres (2018, p. 124), who argues that the principle of budgetary balance, even when inscribed in the constitutional text, is merely formal, open-ended, and non-binding. It will be respected by the legislature if and when the economic situation allows, but it is not subject to judicial enforcement. The Constitution cannot impose mandatory budgetary balance, as it depends on unpredictable economic circumstances influenced by numerous variables.⁶

Torres further contends that the fundamental principle of budgeting is income redistribution—an aspect of distributive justice that influences both revenue and expenditure. Distributive justice operates through taxation, based on individuals’ ability to pay, and through the allocation of public goods and services to those in need. In the context of the budget, this justice is achieved via the principle of income redistribution. This principle seeks, in a general and impersonal manner, to reallocate resources from those who have more to those who have less. In a Democratic and Social State, the public budget is the primary mechanism for income redistribution, even before other instruments like wages and prices (Torres, 2018, p. 99).

Imperialism thus acts to deepen the dependence of the periphery on capitalism through a specific arrangement of neoliberal macroeconomic policy, essentially tied to the operation of fiscal policy as an element that drives growth and income distribution. This occurs under the argument that reducing the size and role of the State in its business functions would lead to budgetary balance. Within this arrangement, the constitutional guarantees of fundamental and social rights are the first to suffer budget cuts, and public policies are gradually undermined (Furno, 2022, p. 130).

In this regard, the theory of the Financial Constitution seeks to establish the constitutional unity of the State’s financial activity. This means ensuring the provision of resources for public policies, the acquisition of those resources in accordance with constitutional principles, and the legitimate and permanent control of public assets. Such unity is only possible when there is political will to enforce these constitutional mandates (Torres, 2018, p. 100).

We will now examine how this debate takes shape by analyzing the implementation trajectory of the PNAES, in light of its objectives, goals, and the broader Brazilian budgetary structure.

⁶ Nevertheless, the Federal Constitution opted for the principle of economic equilibrium, subject to feasibility. This principle is a classic one in public finance. Keynesian economic theory began recommending deficit budgets during recessions to enable full employment and achieve overall economic balance. However, with the recent financial crises and excessive national indebtedness, jurists and economists have returned to advocating economic equilibrium, public deficit control, spending restraint, and limited borrowing. The Federal Constitution undoubtedly embraced the need for economic equilibrium to be pursued through ordinary legislation; however, it did not intend to grant it binding force, as it allowed indebtedness, albeit within limits (Torres, 2018, p. 124).

PNAES AND PUBLIC BUDGET: OPERATION AND PATHWAYS

The PNAES situated within the public education budget

Starting in the 1990s, higher education in Brazil underwent a process of expansion. Access to higher education is constitutionally defined as merit-based and not universal. This, combined with the disparity in investment between private and public primary and secondary education, as well as multiple inequalities tied to forms of oppression affecting parts of the population, makes higher education elitist (Vieira; Carvalho, 2019, p. 3). The need to expand federal public higher education and student assistance was included in the 2001–2010 National Education Plan. However, since then, student assistance has been regulated in a legally fragile manner, through decrees and ordinances (Palavezzini; Alves, 2019, p. 7).

The National Student Assistance Program (PNAES) is a regulatory framework that allocates resources to public universities that implement actions aligned with its guidelines. Furthermore, it places on Federal Higher Education Institutions (IFES) the obligation to develop initiatives within the scope of student assistance, as evidenced by the following:

PNAES is the provisional culmination of a long process of institutionalizing student assistance in Brazil (Silva et al., 2020, *apud* Silva; Marques, 2023, p. 7). This legal framework, designed to promote student assistance, recognizes social inequality as a fundamental issue, explicitly naming it in its objectives. It aims to “democratize the conditions for student retention, highlighting social and regional inequalities as the culprits of impediments,” functioning as a “counter-trend action, correcting the unequal distribution of opportunities” (Silva, 2019, *apud* Silva; Marques, 2023, p. 7). For this reason, the program is considered a manifestation of what is commonly referred to as a social protection policy—that is, a social policy that guarantees rights to all, mitigating or preventing the emergence of social inequalities. (Fagnani, 2005; Lavinias, 2006; Sposati, 2009; Pereira, 2016; Sojo, 2017, p. 18, *apud* Silva; Marques, 2022, p. 7).

The Program, in accordance with Article 4 (sole paragraph) and Article 5 of Decree No. 7,234 of July 19, 2010, which regulates it, adopts two simultaneous approaches: universal and targeted. The universal approach seeks to assist all students affected by unequal opportunities or low academic performance, while the targeted approach is directed at students at risk of dropping out or being retained due to financial hardship or due to specific characteristics related to their school background or family income (Silva, 2021, p. 17).

However, Article 8 imposes a duty on institutions to balance the number of students served with the available budget. This measure is considered fiscally responsible in a context of limited resources. However, from the perspective of the right to education and the objectives of the National Student Assistance Program (PNAES), this requirement places university administrations in the position of having to select only those students from the target audience—those who are socially and regionally excluded, have insufficient academic performance, or are at risk of dropping out or being retained—that the budget can accommodate (Silva, 2021, p. 18).

The expansion of the federal higher education network began in 2003 with the creation of new federal university campuses in Brazil's interior. By 2014, the number of federal universities had grown from 45 to 63, with 321 campuses—a significant increase compared to 2003. The number of in-person undergraduate programs also rose substantially, from 2,047 in 2002 to 4,867 in 2014. Enrollment in in-person undergraduate programs more than doubled over the same period. However, to ensure both the expansion and democratization of higher education, it was essential to secure adequate funding and budgetary support. Until 2007, student assistance initiatives were carried out independently by each university, without specific national regulations or dedicated funding—administrators had to use each institution's general budget to implement these initiatives (Palavezzini; Alves, 2019, p. 5).

Beginning in 2004, the federal government started allocating specific resources for student assistance, representing a significant shift, as such funding had previously been generated primarily by the institutions themselves and was typically lower than the amounts provided later by the federal government. The first formal regulation of student assistance came with Normative Ordinance No. 39 of December 12, 2007, with financial implementation beginning

in 2008 under the Brazil University Program, through the “Assistance to Undergraduate Students” initiative.

In addition to PNAES, resources from this budget line also fund other programs, such as Promisaes (Milton Santos Higher Education Access Program) and the Incluir Program (Accessibility Policy in Federal Higher Education Institutions), created in 2005. The distribution of resources among the three programs is determined by each institution (Palavezzini; Alves, 2019, p. 6).

Only in 2010 was the PNAES regulated by Decree No. 7,234 of July 19, 2010, with an emphasis on student retention and improving the academic performance of beneficiaries by addressing socioeconomic challenges. The expansion of the federal network and of student assistance also introduced new admission mechanisms, thereby changing the student profile within federal public higher education in Brazil (Palavezzini; Alves, 2019, p. 6).

The National Student Assistance Program (PNAES) does not have an effective budget guarantee for its actions, as its normative acts do not establish specific budgetary allocations. There is no fixed portion of the public budget reserved for the program, which limits its implementation and its purpose of supporting student retention (Palavezzini; Alves, 2019, p. 7). For this reason, one of the demands of the education movement is for PNAES to be regulated by law and formally established as state policy (Associação Nacional dos Dirigentes das Instituições Federais de Ensino Superior, 2018).

The program offers a relative funding guarantee through direct financial transfers to Federal Higher Education Institutions (IFES), under a specific heading that restricts the use of funds to pre-established actions, preventing their reallocation to other areas. However, the absence of regulation by federal law and the lack of a defined funding framework create uncertainty and hinder the planning and execution of medium- and long-term initiatives (Palavezzini; Alves, 2019, p. 7).

According to Decree No. 7,234 of July 19, 2010, program expenditures are covered by annual budget allocations provided to the Ministry of Education (MEC) or directly to the IFES. The Executive Branch is responsible for aligning the number of beneficiaries with available budgetary resources, within the limits established by current legislation. This means that students are assisted according to available resources, giving the program a selective and targeted nature. It is up to program administrators to select, based on certain parameters, those students most in need within the low-income population (Palavezzini; Alves, 2019, p. 7).

The allocation of budgetary resources to federal universities is based on a calculation that takes into account several criteria. Decree No. 7,233 of July 19, 2010, regulates the budgetary and financial procedures for this distribution. The criteria include enrollment numbers (undergraduate and graduate), number of graduating students, course offerings across various fields, institutional knowledge production, patent registrations and sales, student-faculty ratios, and assessment outcomes, among others (Palavezzini; Alves, 2019, p. 8).

These same criteria are used to distribute student assistance resources, following each university's internal distribution parameters. The distribution of PNAES funds to IFES is based on the “PNAES Matrix,” which considers both the Undergraduate Student Equivalent Index (NAEg) and the Municipal Human Development Index (HDI_m). The matrix is divided equally: 50% of the resources are allocated based on the NAEg without group weighting, and the remaining 50% are allocated based on the NAEg and the HDI_m of the municipality in which the program is implemented (Palavezzini; Alves, 2019, p. 8).

Below are Tables 1 and 2, presenting data from two federal sources on the amounts allocated to PNAES since 2008. The first, taken from the FONAPRACE study (2019, p. 3), is based on data from the Annual Budget Law (LOA), while the second is drawn from the Federal Budget Dashboard, using the parameter “student assistance in higher education.” The LOA dataset presents only the overall budget, whereas the Federal Budget Dashboard provides more detailed information.

According to FONAPRACE (Fórum Nacional de Pró-reitores de Assuntos Comunitários e Estudantis, 2019, p. 3), beginning in 2013, some higher education institutions began funding student assistance with their own budgetary resources or with support from PNAES. The IV Profile

Table 1. Evolution of PNAES Funding Volume (2008–2018) - FONAPRACE, 2019.

Year	NATIONAL PNAES	Δ%
2008	R\$ 125.300.000,00	-
2009	R\$ 203.000.000,00	62
2010	R\$ 304.000.000,00	49.8
2011	R\$ 395.189.588,00	30
2012	R\$ 503.843.628,00	27.5
2013	R\$ 603.787.246,00	19.8
2014	R\$ 742.720.249,00	23
2015	R\$ 895.026.718,00	20.5
2016	R\$ 1.030.037.000,00	15.1
2017	R\$ 987.484.620,00	-4.1
2018	R\$ 957.178.952,00	-3.1

Note: Values expressed in Brazilian reais (R\$);

Source: Fórum Nacional de Pró-reitores de Assuntos Comunitários e Estudantis (2019).

Survey (Fórum Nacional de Pró-reitores de Assuntos Comunitários e Estudantis, 2019, p. 131) found that all student assistance programs and actions experienced a decline in coverage in 2018 compared to 2014. For instance, in 2014, 44.2% of students participated in food programs, 18.4% in transportation, 11.7% in housing, and 11.4% received institutional support grants. By 2018, these figures had dropped to 17.3%, 8.2%, 7.5%, and 7.6%, respectively.

Despite increases in investments for student retention up to 2016, resources allocated to PNAES declined starting in 2017, totaling R\$987 million in 2017 and R\$957 million in 2018. In 2021, the nominal amount settled—without adjusting for inflation—was lower than in any year from 2015 to 2020. In 2022, the nominal amount settled was comparable to that of 2018. This reflects a continuous reduction in budget allocations, commitments, and settlements related to the implementation of student assistance policies, directly impacting the program's ability to serve its target population (Fórum Nacional de Pró-reitores de Assuntos Comunitários e Estudantis, 2019, p. 13).

In light of this, Silva (2021, p. 8) poses the question: what is the total Priority Potential Demand (DPP) for PNAES? That is, how many students entering IFES qualify for the program, either due to financial need or because they come from specific educational or income backgrounds? To answer this, the 2021 FONAPRACE study by Leonardo Barbosa e Silva began by identifying the target audience: students who attended only public high schools or who have a monthly per capita family income of up to one and a half minimum wages. The goal was to analyze how this profile corresponds with the actual implementation of PNAES.

As shown in Figure 1, the study found that 80.7% of students—either from public school backgrounds or from families earning up to one and a half minimum wages per person per month—could be considered potential priority beneficiaries of PNAES.

The data reveal that the percentage of students from public schools or from families with a monthly per capita income of up to one and a half minimum wages increases in more recent cohorts, especially up to 2017. This trend aligns with the implementation period of the Quota Law. In contrast, the percentage of students actually covered by student assistance programs follows a different pattern. This percentage increases for cohorts entering up to 2014 but begins to decline steadily from that point onward. This drop may be attributed to the growing demand for assistance—driven by the expansion of higher education and the Quota Law—outpacing the growth of budgetary resources between 2014 and 2016, as well as broader economic challenges affecting the national context. Moreover, beginning in 2017, the nominal budget

Table 2. Student Assistance Budget in Nominal Terms – Federal Budget Dashboard.

Year	Bill	Initial Allocation	Revised Allocation	Committed	Settled	Paid
2008	182.608.393	182.608.639	178.175.071	141.013.037	65.863.827	61.946.838
2009	211.767.554	129.448.236	220.667.463	203.971.655	128.107.572	125.153.456
2010	318.434.441	318.934.441	320.235.978	307.450.212	209.935.368	206.595.864
2011	424.828.735	424.828.735	415.528.735	401.113.697	296.538.546	293.209.077
2012	551.393.605	551.993.605	579.847.776	512.809.339	389.126.243	379.915.096
2013	674.688.015	686.188.015	682.920.732	637.604.349	519.321.458	505.878.705
2014	791.632.704	808.032.704	802.207.316	713.567.760	621.855.687	615.971.693
2015	948.960.405	978.960.405	985.514.405	843.707.334	713.169.617	687.981.062
2016	1.030.037.000	1.016.094.062	1.006.674.625	951.874.877	814.251.944	810.103.868
2017	987.384.620	987.484.620	992.394.617	953.696.764	823.465.717	811.011.108
2018	957.078.952	957.178.952	961.604.278	956.886.046	833.433.889	817.181.527
2019	1.070.444.459	1.070.444.459	1.060.913.499	1.053.038.222	881.594.895	867.390.893
2020	646.838.575	626.463.914	1.028.270.305	1.010.985.618	811.148.436	801.863.275
2021	373.652.596	352.880.127	849.772.452	841.805.000	672.126.609	667.490.314
2022	1.072.349.505	1.074.898.505	985.750.341	983.967.057	826.776.709	818.341.080

Source: Federal Budget Dashboard / Author's systematization.

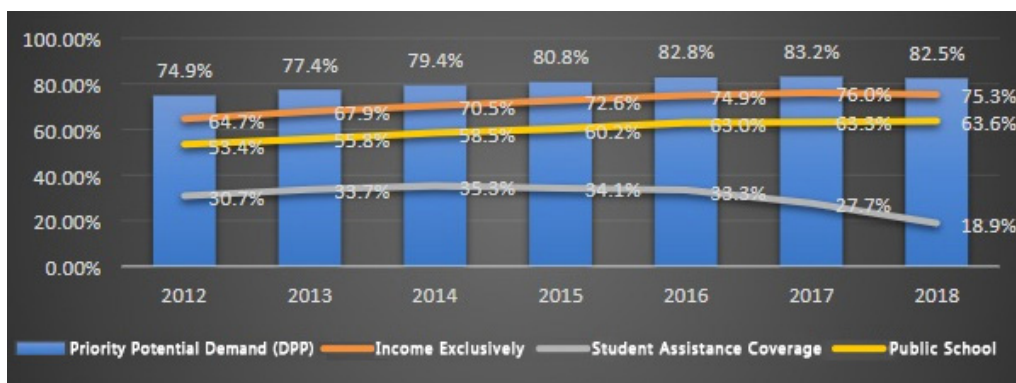


Figure 1. Percentage of students from higher education institutions with potential PNAES demand and within the program's income profile, by year of entry (2012-2018).

Source: Silva (2021, p. 42).

allocated to PNAES was reduced, which likely contributed to the marked decline in program coverage for more recent entrants.

Tables 1 and 2 present data from two federal sources on the budget allocated to PNAES since 2008. Table 1 draws from the FONAPRACE (Fórum Nacional de Pró-reitores de Assuntos Comunitários e Estudantes, 2019) study, using data from the Annual Budget Law (LOA), while Table 2 is based on figures from the Federal Budget Dashboard. The LOA dataset reflects only the overall program budget, whereas the Dashboard uses the specific parameter "higher education student assistance."

Despite the increase in investments in student retention through 2016, there was a reduction in resources allocated to the PNAES (National Program for Student Assistance in Higher Education) starting in 2017, totaling R\$987 million in 2017 and R\$957 million in 2018. In 2021, the nominal amount settled—without accounting for inflation—was lower than in any year from 2015 to 2020. In 2022, the nominal settled amount was comparable to that of 2018. This reflects the ongoing reduction in budget allocation, commitment, and execution for public policies aimed at student assistance. Consequently, this directly affects the program's ability to serve its target population.

Within this context, it is important to highlight the allocation of public funds to the expansion of private higher education in Brazil, through policies such as the Higher Education Student Financing Fund (FIES) and the University for All Program (PROUNI). These policies have redirected substantial public resources to the private sector, resulting in the precarization of Federal Universities and the strengthening of private educational institutions with public funding (Silva; Guimarães, 2022, p. 114).

Comparative data show that transfers to the private sector—whose institutions are not subject to any consistent student assistance policy beyond scattered, ad hoc measures—have increased sharply over the years, rising from R\$1.740 billion in 2003 to R\$12.719 billion in 2019, a 630.86% increase over the period. In comparison, funding for Federal Universities grew by just 156.44% in the same timeframe (Silva; Guimarães, 2022, p. 114).

This expansion of private higher education must be analyzed in the context of the global valorization of capital. The consolidation of educational services under large, profit-driven corporations is directly linked to the financial globalization of capital. The influx of speculative capital, the entry of foreign groups, and the listing of educational conglomerates on the stock exchange all contribute to this process. The prioritization of private over public higher education raises concerns regarding the sustainability and quality of Brazil's educational system, as well as the equitable distribution of public funds in the education sector (Silva; Guimarães, 2022, p. 107).

In the context of advancing neoliberal policies in Brazil, a significant portion of the Federal Public Fund (FPF) has been directed toward rentier capital through expenditures on public debt. Between 1989 and 2002, the payment of financial expenses consumed a substantial share of total current expenditures, negatively impacting investments in the social sector. As highlighted by Reis and Macário (2020, p. 22), this stems from the ongoing adoption of a rentier economic policy. From 2003 to 2020, a large share of federal government resources

was allocated to interest payments, charges, amortization, and public debt financing, representing 45.28% of total federal expenditures. In contrast, investments in areas such as education, health, science and technology, and social assistance accounted for only 10.28% of federal spending. Specifically, spending on federal universities—including university hospitals, which have distinct operational demands—accounted for just 1.61%, reinforcing the need for increased investment. This economic policy has favored national and international financial capital, while the population bears the burden of high taxation and restrictions on social rights (Silva; Guimarães, 2022, p. 111).

Understanding the limitations of the PNAES within a broader context of austerity and neoliberal public spending policies underscores the need to explore alternatives and enhance Brazil's current model of student assistance.

Current challenges in Brazilian student assistance

This discussion draws from data and analyses presented in Thematic Notebook III – The Potential Demand and Target Audience of Student Assistance, authored by Leonardo Barbosa e Silva and published by FONAPRACE. The 2021 study, based on Decree No. 7,234/2010—which established the PNAES—examines the program's alignment with the reality of Brazilian students and offers insights into coverage, target populations, and an evaluation of each area addressed by the PNAES.

In terms of gender, student assistance coverage reflects the following distribution: 50.6% of beneficiaries are cisgender women and 36.1% are cisgender men. The remaining 13.0% identify as trans women (0.2%), trans men (0.2%), non-binary (0.8%), other (3.2%), "I prefer not to identify myself" (4.3%), and "I prefer not to answer" (4.6%). These figures highlight the low representation of trans individuals in higher education compared to their cisgender counterparts. However, the coverage rates among gender-diverse groups are higher than their proportional representation: trans women (37.6%), trans men (35.1%), non-binary individuals (37.2%), and those identifying as "other" (36.7%). Among cisgender individuals, 31.6% of cis women receive assistance, compared to 27.0% of cis men.

Regarding race and ethnicity, students assisted by the program represent a wide range of racial groups. Coverage is lowest among white (25.7%) and Asian (26.2%) students, followed by mixed-race (31.5%) and non-Quilombola Black students (38.6%). Notably, non-village Indigenous students have the highest coverage rate at 46.1%. These figures suggest that some of the most socioeconomically vulnerable groups receive greater support from student assistance programs, reflecting a targeted approach toward equity.

The study also found that a majority of students enrolled in Federal Institutions of Higher Education (IFES)—about 60.6%—attended only public schools. Within this group, 84.8% fall within the income threshold defined by the PNAES for program eligibility. An additional 15.2% do not meet the income criteria but are still prioritized due to their educational background. This indicates that most students from public schools have a monthly per capita family income within the limits established by the program.

As previously noted, the research concluded that approximately 80.7% of students at federal institutions meet the criteria for Priority Potential Demand (DPP), either by having attended public high schools or by having a per capita family income of up to one and a half minimum wages. However, actual student assistance coverage falls short, reaching less than 40% of this potential demand—leaving a majority of eligible students without support.

The data also reveal that most recipients of student assistance fall within the lowest income bracket, with the majority reporting a per capita family income of up to half the minimum wage. When analyzing priority potential demand by race and income, students who self-identify as Asian, white, or undeclared have lower representation than the overall average, indicating they are not the primary beneficiaries of the program. Conversely, students who identify as mixed-race, Black (both Quilombola and non-Quilombola), and Indigenous (both from villages and non-village contexts) show above-average rates of eligibility and support. This pattern also holds when cross-referenced with income and educational background, reaffirming that Black and Indigenous students are overrepresented among those with the greatest need, while white and Asian students are underrepresented.

Regarding social protection, the students with the highest levels of coverage are Indigenous students living in villages (71.1%), Black Quilombola students (54.8%), non-village Indigenous students (48.5%), non-Quilombola Black students (41.0%), mixed-race students (34.4%), students without racial self-declaration (34.0%), White students (32.3%), and Asian students (30.8%).

Decree 7,234/2010 does not explicitly mention race, which represents a significant gap in the student assistance program. Given that the program aims to promote equal opportunities, it is crucial to acknowledge the discriminatory effects of racism on achieving such equality. Moreover, although the program recognizes the importance of serving students with disabilities, this condition is also not considered a priority criterion—despite there being a specific area of action dedicated to this group.

Additionally, based on the areas listed in Article 3, §1 of Decree No. 7,234/2010, which define the scope of PNAES student assistance actions—(I) student housing; (II) food; (III) transportation; (IV) healthcare; (V) digital inclusion; (VI) culture; (VII) sports; (VIII) daycare; (IX) pedagogical support; and (X) access, participation, and learning for students with disabilities, global developmental disorders, and high abilities/giftedness—the study analyzes each area in relation to the other data presented, always using the DPP as a reference point.

In the area of food, the study found that eating fewer meals or relying on University Dining Halls (URs) is associated with higher representation in the DPP, greater difficulties and emotional distress, and increased thoughts of dropping out. Protection for UR users covers only 47% under general actions and 31% under specific food-related actions. When comparing meal frequency to dropout ideation, the data shows that students consuming fewer than three meals per day have higher rates of such thoughts. Increasing meal availability, especially for lower-income students—who make up a significant portion of the DPP—may contribute to reducing dropout ideation.

In terms of housing, students who do not live with their families are more prevalent in the DPP and tend to face academic challenges, emotional distress, and higher rates of dropout ideation. General housing support reaches less than half of this population, while specific housing assistance covers less than 21%.

Regarding transportation, students who use public or rented transport and have longer commute times and distances are overrepresented in the DPP. General housing support tends to benefit those who walk or bike, as well as those with either very short or very long commutes. Exclusive transportation assistance is more commonly provided to public transport users who travel over thirty minutes and more than five kilometers.

When it comes to healthcare, students with health issues affecting academic performance report higher levels of emotional distress and dropout ideation compared to the general student population. Assistance coverage for this group reaches approximately 47% within the DPP.

In the area of sports, the majority of students report being sedentary. Lack of physical activity is associated with higher dropout rates, learning difficulties, and emotional distress. However, participation in sports programs under AE is very limited, reaching only 1.1% of the DPP.

As for cultural activities, few variables were prioritized, with the number of books read being the main one considered. This indicator showed subtle correlations with academic engagement and performance, such as lower dropout levels and more hours spent on extracurricular study. However, AE coverage for culture is minimal, reaching only 1% of the DPP.

Regarding daycare, the study looked at students with children aged five or younger. It found that the lower the Municipal Human Development Index (MHDI) in the campus region, the higher the percentage of students with children in this age group. This group tends to participate less in academic activities, spend fewer hours on extracurricular study, and report more frequent dropout ideation. Although nearly 91% of students with preschool-aged children are part of the DPP, when analyzing the Daycare Modality of Student Assistance separately, it was found to cover only 5.19% of DPP students with children under five.

Regarding digital inclusion, the study found that the level of computer proficiency is linked to participation in the DPP. Students with lower computer skills are more represented in the

DPP. However, the coverage provided by retention policies does not adequately reflect this disparity. While the number of students without adequate digital skills continues to decline, existing digital inclusion policies are limited in scope and serve a relatively small portion of the student population—especially those most in need of such support.

With respect to pedagogical support, four variables were analyzed: learning difficulties, lack of discipline or study habits, excessive academic workload, and the teacher-student relationship. Students experiencing these issues showed higher-than-average dropout rates, particularly those facing learning difficulties or poor relationships with instructors. Despite this, targeted protection policies under the Pedagogical Support category reach only a very small share of the population—just 1.2% of the PNAES Priority Potential Demand (DPP).

As for accessibility, students with disabilities are overrepresented across all demand indicators. This means they are more prevalent both in the overall potential demand and in general and specific coverage within the Student Assistance framework. Nonetheless, both general and specific coverage remain insufficient relative to the actual demand, and disability is still not considered a priority criterion—even though there is a designated area of action for this group. In light of these findings, the study offers key insights for strengthening Brazilian student assistance so that it functions as a comprehensive public policy, rather than as a collection of isolated actions within a program⁷:

Therefore, it is essential to:

1. Review the logic behind budget allocation, taking into account the volume, nature, and distribution of student vulnerabilities;
2. Conduct a study on reference teams for student assistance, in order to define appropriate team sizes and profiles for addressing different vulnerability conditions;
3. Reassess the content and structure of PNAES, identifying both its limitations and the progress required to shape a national student assistance policy;
4. Institutionalize practices of analysis, monitoring, and evaluation of student assistance policies, with the aim of improving their precision, effectiveness, and efficiency; and
5. Promote new studies on the potential demand for student assistance, extending beyond the current priority criteria established by the PNAES. (Silva, 2021, p. 105).

One pathway toward meeting these demands is the creation of a federal law to regulate the PNAES, applicable to both public and private Higher Education Institutions (HEIs). Understanding both the limitations and the positive impacts of the current program is a necessary starting point for achieving universal student assistance. The current legal foundation of the PNAES—a regulatory decree—undermines its authority, as it can be revoked or modified by another decree. Moreover, the tools available for implementing its provisions are less robust than those afforded by ordinary law.

It is important to clarify the nature of such decrees: they are administrative acts, under the exclusive authority of the executive branch, intended to regulate general or specific matters already expressly, explicitly, or implicitly provided for in legislation. As such, a decree is always hierarchically inferior to the law and cannot contradict it. In this framework, regulatory authority is subordinate to legislative authority. A decree should serve to clarify and implement the law, not replace it. (Merçon; Araújo, 2007, p. 6).

Furthermore, the absence of a preceding law represents a formal flaw in the current legal structure of the PNAES. Constitutionally, the power to issue regulations is only activated

⁷ Thus, and above all, the student assistance policy would consist of principles and guidelines for action. As defined, in Brazil, there has never been a national student assistance policy consolidated within any legal framework, only as a program, despite bills being processed for this purpose. From the first actions in this field in 1928 (Carvalho, 2013, apud Silva, 2021, p. 11) to the present, the only national document guiding retention policies is the National Student Assistance Program (PNAES). Thus, there would be no reason to discuss a student assistance policy, but rather actions within a program. If there were, as defined by FONAPRACE, it would be aimed at guaranteeing access, retention, and completion of undergraduate programs. Based on a strict interpretation of the policy's objectives, access to undergraduate programs can be understood as a matter for the agencies responsible for higher education admissions policies. Today, as the bodies managing student assistance actions are, they are rarely imbued with such responsibilities, but rather with actions after access, after admission (Silva, 2021, p. 11).

when there is a law to enforce. Without a corresponding law, a regulatory decree lacks legal grounding, as illustrated below:

For the limited purposes of this work, it is enough to point out that the regulatory power is subordinate to the law, because, constitutionally, its responsibility is to ensure its faithful execution. Therefore, in the absence of a law, there can be no talk of regulation, as the Constitution establishes the law as a necessary and *sine qua non* prerequisite for regulatory acts. Bandeira de Mello aptly emphasizes the formal and substantive distinctions between a regulatory decree and a law. He states: “According to the subject matter, the difference lies in the fact that a law originally innovates the legal system, while a regulation does not alter it”. He further explains: “Formally, a regulation is subordinate to the law, as it relies on it as a prior text for its execution, both in its application and in the implementation of the guidelines established by it through legislative authorization. Regulations are, therefore, subject to the law, which stands above them as a superior normative legal rule. The law governs their activities and remains unassailable by them, as they cannot contradict it.”. (Ataliba, 1969, p. 25).

Given this understanding, it becomes clear that reforming the PNAES—its control and evaluation mechanisms, the budget allocated to its implementation, the potential demand among student assistance users, and the ways in which specific policies are developed within each HEI—is essential. Drafting a law with this objective, based on broad social dialogue, would address many of the limitations imposed by the current decree.

Furthermore, in order to implement student assistance policies within private HEIs, a legal provision could, for example, make the adoption of retention policies a condition for receiving tax incentives, exemptions, or public funding.

Public participation in the budget and the direction of student assistance

As noted previously, the population defined by the PNAES as its priority target group—students with household incomes of up to one and a half minimum wages and graduates of public high schools—represents a vast majority of students at federal institutions. Yet, on a national level, coverage fails to reach even half of them (Silva, 2021, p. 103).

In addition, the multiple dimensions of vulnerability that affect students—such as food insecurity, transportation difficulties, mental health issues, and physical inactivity—are reflections of broader social inequalities. These factors contribute to a scenario that seriously threatens student retention in federal institutions. According to Silva (2021, p. 101), even students who receive assistance often continue to face severe financial hardship, emotional distress, lack of discipline, excessive academic workload, difficulties socializing within and beyond the university environment, and both learning and health challenges.

Considering the methodology used by Silva (2021, p. 39), which estimates that 80.7% of students at federal institutions meet the PNAES Priority Potential Demand (DPP) criteria, it is reasonable to conclude that the vast majority of students at federal institutions face such vulnerability conditions.

Another key issue in Brazilian student assistance policy is what Nascimento and Arcoverde (2012, p. 172) describe as a trend toward the “bolsification” of student assistance services. This refers to the concentration of actions on granting individual scholarships, without prioritizing meaningful dialogue with students to understand their needs and construct a more comprehensive, integrated assistance project. This approach undermines the educational mission of student assistance, which should ensure the right to remain in school by promoting collective and universal spaces.

According to Nascimento and Arcoverde, by opting to provide food and housing stipends instead of investing in structural initiatives such as university dining halls and dormitories, current policies reinforce a logic of market-driven individualization, in which students are treated in isolation. This “bolsification” is symptomatic of the welfare-oriented transformation of social policies, with student assistance becoming one of its clearest expressions. The result is a process of segmentation and fragmentation, in which support is allocated based on criteria similar to those of the Social Assistance Policy—focused primarily on individual needs.

Consequently, student assistance actions tend to be marked by an emergency-oriented, short-term logic, similar to social assistance programs. This restricts their ability to address the broader needs of students' educational journeys, limiting services to only the most vulnerable and reducing the overall impact and reach of student assistance programs and projects.

Alternatively, Nascimento and Arcoverde (2012, p. 174) contend that student assistance policies must be aligned with the real needs of students, which entails, above all, the active participation of students/users in both the planning and evaluation processes. In this context, mechanisms of social control constitute a fundamental component:

(...) The politicization of social relations and practices concerning the social question involves reorienting these practices as mediating processes between social needs and the construction of emancipatory strategies of social control by subaltern classes, enabling their conscious intervention in the historical process (...). (Abreu, 2008, p. 69).

We align ourselves with the conclusions of the aforementioned authors, who highlight the need for political and pedagogical orientation in the professional practice of Social Work, committed to developing strategies for the realization of rights. This implies incorporating the needs of students/users of the policy into the institutional service dynamic—what the authors refer to as its political-pedagogical dimension.

The assistance activities carried out in the Student Housing Units, where the authors conducted their professional practice, exemplify how to engage students/residents in the operationalization of such policies, primarily in two ways: (1) by prioritizing the active participation of the students themselves in the planning and implementation of actions; and (2) by monitoring and evaluating these actions based on students'/users' assessments of the services offered by the institution. This professional orientation seeks to counteract the excessive institutional objectification that often characterizes social programs which, although universal in scope, fail to address specific and concrete individual needs.⁸

One practice of popular participation and social control in public policymaking, to some extent consolidated in Brazil, is the use of participatory councils. While councils are not new to the Brazilian context, their proliferation took place after the 1988 Federal Constitution, which paved the way for sector-specific legislation across various public policy domains (Santos, 2017, p. 29). These participatory spaces emerged during a period of intense critique of state intervention, exacerbated by the capitalist crisis of the 1980s and deepened in the subsequent decade.

The democratic mechanisms enshrined in this legislation were a direct outcome of civil society mobilization, particularly by social movements seeking inclusion in the formulation, implementation, and oversight of public policies—traditionally monopolized by the State. Participatory councils are considered a democratic innovation in Brazil, as they create opportunities for civil society to engage in drafting and revising regulations, monitoring public actions, and proposing measures to respond to collective needs.

However, these spaces are not free from contradictions. On the one hand, they can expand democratic mechanisms in policymaking; on the other, they risk legitimizing hegemonic power structures and co-opting social movements, ultimately reinforcing the status quo. This dual nature resonates closely with the thinking of Paulo Freire, as will be further explored below:

Social control is grounded in the establishment of effective and appropriate mechanisms and instruments within the "tense relationship of democracy" that Paulo Freire referred

⁸ This notion closely aligns with Freire's views on the development of public policy, as described by Gadotti (2014): Paulo Freire did not draw a dichotomy between the State and Civil Society. He conceived of them as entities that interpenetrate in the struggle for hegemony (Gramsci), that is, for a societal project. It is therefore possible to consider the transformation of the State from within—"one foot inside and one foot outside." Freire argued that we must be tactically inside the State, but strategically outside it. As with Popular Education, popular participation in the State seeks to build greater popular power. Popular Education, as a public policy—as Freire advocated—is a process constructed both inside and outside the State. The State, like Society, is not monolithic; it is in a constant process of transformation. For this reason, Freire defended the idea that Popular Education can and should inspire public education policy. When he took office as São Paulo's Municipal Secretary of Education in 1989, he launched The Popular Public School as the guiding motto of his education policy. He respected the diversity of civil society while breaking with authoritarian practices and contesting political and cultural hegemony through a popular project—incorporating participatory democracy tools, strengthening school councils and encouraging popular participation through "participatory councils," "popular councils," and "popular assemblies" as methods of governance (Gadotti, 2014, p. 8).

to. As stated in the 2014 Conae Reference Document, “breaking with the logic of restricted participation requires overcoming participatory processes that do not ensure social control over educational processes, nor the sharing of decisions and power, and instead serve as legitimizing mechanisms for decisions already made at the central level”. (p. 74). (Gadotti, 2014, p. 11).

In the financial sphere, Article 74, §2 of the Federal Constitution establishes that any citizen, political party, association, or union is a legitimate party, in accordance with the law, to report irregularities or illegalities to the Federal Court of Accounts. At the same time, Brazil lacks a prominent model of participatory budgeting, for example.

In the years following the military dictatorship in Brazil, pressure from progressive sectors and popular movements created openings for new forms of relations between the state and society, culminating in the 1988 Constitution. Starting in the 1990s, urban planning became increasingly politicized, with broader popular participation and the creation of new arenas to engage previously marginalized sectors. Experiences of popular participation gained momentum, influencing democratic management and planning in various regions of the country—among which participatory budgeting stands out (Santos, 2017, p. 29).

Participatory budgeting is a democratic practice in public administration in which citizens have the opportunity to actively engage in defining government spending and investment priorities in a given region, city, or locality. Through assemblies, meetings, public consultations, or other participatory mechanisms, citizens can propose projects and initiatives they consider essential for community development and well-being (Fedozzi; Ramos; Gonçalves, 2020, p. 3).

According to Dutra and Benevides (2001, p. 8), former governor of Rio Grande do Sul, who implemented participatory budgeting during his administration, public participation in budget proposals enabled a significant shift in the relationship between society and the State. It ceased to be an arrangement between the government, business groups, and experts, becoming instead a political and cultural decision made by the people. These public spaces progressively overcome selfish and limiting interests, fostering collective struggles and the emergence of supportive citizens with critical awareness and social commitment. The goal is to achieve decentralized resource management based on universal and voluntary citizen participation, gradually improving the process and fostering collective responsibility for the public good.

The direct participation of the population in decision-making processes ultimately contributes to reducing the distortions that persist in “weak democracies,” while also curbing corruption, waste, and authoritarianism. It supports efforts to confront excessive technocracy and dismantle the barriers that still separate the technical staff within State structures from the citizenry. However, it is also important to emphasize that the relationship between participation and a heightened intensity of democracy—or increased material and subjective equality in citizenship—is not directly proportional. (Souza, 2004; Fedozzi, 2008; Pochmann, 2014, *apud* Santos, 2017, p. 21).

However, starting from the understanding that we are situated in a capitalist country, marked by apparatuses of domination that organize both the private and public spheres according to the interests of maintaining and expanding the economic base, it is not possible to assume neutrality in the means of collective participation:

For now, we can identify two major superstructural ‘planes’: one that may be referred to as ‘civil society’—that is, the set of organizations commonly considered ‘private’—and the other as ‘political society’ or the ‘State.’ These correspond, respectively, to the function of ‘hegemony’ exercised by the dominant group throughout society, and to that of ‘direct domination’ or command, which is expressed through the State and the ‘juridical’ government. These functions are, fundamentally, organizational and connective. (Gramsci, 2000, pp. 1518-1519).

Particularly in a context of capitalist crisis and the radical expression of neoliberalism through austerity policies, the illusion of equal participation by the working class and oppressed groups in the development of public policies often obscures the fact that economic power has already established predetermined objectives for these policies. Yet, the effectiveness of public policy

depends on the ability of social groups to assert and contest their interests—overcoming these limits requires awareness of the apparatuses that sustain capitalist hegemony. Such contestation only seems possible through a practice of organized collectivity that is conscious of the limitations inherent to institutional spaces for collective construction; otherwise, participation risks legitimizing the very apparatuses it seeks to transform.

Thus, in a scenario of public spending cuts driven by a neoliberal agenda, the participatory budgeting model and social mobilization around the development of student assistance policies appear to offer promising outcomes in the Brazilian context, as evidenced by the Unified Health System (SUS), which is likewise under threat within an austerity-driven logic:

However, it is evident that the ongoing development of the Unified Health System (SUS) faces clear limitations, and that legislation alone is insufficient to guarantee its full realization. A culture centered on collective well-being, the valuing of public goods, and a sense of collective ownership is still not concretely observed. Therefore, social participation and mobilization within the SUS are essential to building a genuinely democratic process—one based on a space for the representation of society, including social movements, professional associations, labor unions, government actors, legal entities, service providers, among others, and a population whose needs and interests reflect those of individuals, families, and community groups. (Amorim *et al.*, 2012, p. 196).

FINAL CONSIDERATIONS

It is evident that the initial developments in university student assistance arose from efforts led by the student movement in the mid-20th century—a period during which the primary target audience for assistance policies—the poorest populations, as well as Black and Indigenous groups—lacked incentives or conditions to access higher education.

Although these demands emerged within an elitist and predominantly white university environment, they laid some of the groundwork for the later development of assistance policies, even if they were not yet oriented toward universalization. Nonetheless, any attempt to examine the trajectory of student assistance policies—which are situated within the broader social security framework—is incomplete without a critical analysis of the historical and socioeconomic conditions that have shaped them. These include the expansion of private education during the military-business dictatorship and, beginning with the administration of Fernando Henrique Cardoso, the adoption of austerity measures in line with neoliberal economic principles.

The outcome of these processes was that the advance of neoliberal reforms and the institutionalization of an austerity agenda—prioritizing financial market interests over social needs—undermined what could have been progress toward the universalization of welfare policies. What transpired instead was a significant increase in public investment in private higher education, while growth in the number of places in the public system remained comparatively modest and was not matched by a proportional increase in retention and support policies. In a context of expanded access for socioeconomic minorities, this left a large segment of vulnerable students without adequate protection or support through social policies.

The theory of the Financial Constitution offers one possible framework for understanding the priorities of state financial management, particularly in the tension between budgetary balance and the implementation of fundamental rights—where the former is not a constitutional principle, while the latter constitutes one of the core objectives of the Citizen Constitution.

Thus, the trajectory of student assistance in Brazilian history must be understood as intimately linked to the political activity of the student movement, which has historically operated in conditions of fragility and marginalization. It follows that strengthening mechanisms for social participation in the public budget appears to be a promising strategy for mobilizing and empowering society in the current context. Such a path points toward the transformation of the PNAES into federal law, applicable to both public and private education institutions.

REFERENCES

- ABREU, M. M. **Serviço Social e a organização da cultura**: perfis pedagógicos da prática profissional. 2. ed. São Paulo: Cortez, 2008.
- ALEX, R. **Teoría de los derechos fundamentales**. Madrid: Centro de Estudios Constitucionales, 1997.
- AMORIM, C. R. *et al.* Participação e mobilização social no sus: entraves, desafios e perspectivas. **Revista de APS**, Juiz de Fora, v. 15, n. 3, 2012. Disponível em: <https://periodicos.ufjf.br/index.php/aps/article/view/14898>. Acesso em: 7 maio 2023.
- ASSOCIAÇÃO NACIONAL DOS DIRIGENTES DAS INSTITUIÇÕES FEDERAIS DE ENSINO SUPERIOR. **Andifes defende que Pnaes passe a ser política de Estado – Andifes**, 2018. Disponível em: <https://www.andifes.org.br/?p=57947>. Acesso em: 21 maio 2023.
- ATALIBA, G. Decreto regulamentar no sistema brasileiro. **Revista de Direito Administrativo**, Rio de Janeiro, v. 97, p. 21-33, 1969. Disponível em: <https://periodicos.fgv.br/rda/article/view/32548>. Acesso em 23 maio 2023.
- AZEVEDO, M. L. N.; BRAGGIO, A. K.; CATANI, A. M. A Reforma Universitária de Córdoba de 1918 e sua influência no Brasil: um foco no movimento estudantil antes do golpe de 1964. **Revista Latinoamericana de Educación Comparada**: RELEC, Buenos Aires, v. 9, n. 13, p. 37-51, 2018. Disponível em: <https://dialnet.unirioja.es/servlet/articulo?codigo=6572529>. Acesso em: 10 maio 2023.
- BARRETO, A. L.; FILGUEIRAS, C. A. L. Origens da universidade brasileira. **Química Nova**, São Paulo, v. 30, n. 7, p. 1780-1790, 2007. DOI: <http://doi.org/10.1590/S0100-40422007000700050>.
- BRASIL. **Constituição da República Federativa do Brasil**. Brasília, DF: Presidência da República, 1988. Disponível em: http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm. Acesso em: 4 jun. 2023.
- BRASIL. Decreto nº 1.916, de 23 de maio de 1996. Regulamenta o processo de escolha dos dirigentes de instituições federais de ensino superior, nos termos da Lei nº 9.192, de 21 de dezembro de 1995. **Diário Oficial da União**: Brasília, DF, p. 9028, 24 maio 1996. Disponível em: https://www.planalto.gov.br/ccivil_03/decreto/d1916.htm. Acesso em: 12 maio 2023.
- BRASIL. Lei nº 9.394, de 20 de dezembro de 1996. Estabelece as diretrizes e bases da educação nacional. **Diário Oficial da União**: seção 1, Brasília, DF, p. 27833, 23 dez. 1996. Disponível em: https://www.planalto.gov.br/ccivil_03/leis/l9394.htm. Acesso em: 3 jul. 2023.
- BRASIL. Lei nº 10.260, de 12 de julho de 2001. Dispõe sobre o Fundo de Financiamento ao Estudante do Ensino Superior e dá outras providências. **Diário Oficial da União**: seção 1, Brasília, DF, p. 2, 13 jul. 2001. Disponível em: https://www.planalto.gov.br/ccivil_03/leis/leis_2001/l10260.htm. Acesso em: 12 maio 2023.
- BRASIL. Lei nº 11.096, de 13 de janeiro de 2005. Institui o Programa Universidade para Todos - PROUNI, regula a atuação de entidades beneficentes de assistência social no ensino superior e dá outras providências. **Diário Oficial da União**: Brasília, DF, p. 7, 14 jan. 2005. Disponível em: https://www.planalto.gov.br/ccivil_03/_ato2004-2006/2005/lei/l11096.htm. Acesso em: 12 maio 2023.
- BRASIL. Supremo Tribunal Federal. Súmula nº 12. A cobrança de taxa de matrícula nas universidades públicas viola o disposto no art. 206, IV, da Constituição Federal. **Diário da Justiça Eletrônico**: Brasília, DF, n. 157, 22 ago. 2008. Disponível em: <https://portal.stf.jus.br/jurisprudencia/sumariosumulas.asp?base=26&sumula=1223>. Acesso em: 24 mar. 2025.
- BRASIL. Decreto nº 7.234, de 19 de julho de 2010. Dispõe sobre o Programa Nacional de Assistência Estudantil – PNAES. **Diário Oficial da União**: Brasília, DF, p. 5, 20 jul. 2010. Disponível em: https://www.planalto.gov.br/ccivil_03/_ato2007-2010/2010/decreto/d7234.htm. Acesso em: 28 jun. 2023.
- BRASIL. Lei nº 12.711, de 29 de agosto de 2012. Dispõe sobre o ingresso nas universidades federais e nas instituições federais de ensino técnico de nível médio e dá outras providências. **Diário Oficial da União**: seção 1, Brasília, DF, p. 1, 30 ago. 2012. Disponível em: https://www.planalto.gov.br/ccivil_03/_ato2011-2014/2012/lei/l12711.htm. Acesso em: 25 mar. 2025.
- BRASIL. Câmara dos Deputados. **Financiamento da educação superior no Brasil**: impasses e perspectivas. Brasília, DF: Câmara dos Deputados, 2018. Disponível em: <https://www2.camara.leg.br/a-camara/estruturaadm/altosestudios/pdf/financiamento-da-educacao-superior-no-brasil-impasses-e-perspectivas>. Acesso em: 25 ago. 2023.
- CEZNE, A. N. O direito à educação superior na Constituição Federal de 1988 como direito fundamental. **Educação**, Santa Maria, v. 31, n. 1, p. 115-132, 2006. Disponível em: <https://periodicos.ufsm.br/reveducacao/article/view/1532/845>. Acesso em: 10 ago. 2023.
- COSTA, L. F. L. **Caminhos do PNE 2014-2024**: implicações da Emenda Constitucional 95 para a educação brasileira. 2019. 29 f. Trabalho de Conclusão de Curso (Licenciatura em Educação Física) – Departamento de Educação Física, Universidade Federal Rural de Pernambuco, Recife, 2019. Disponível em: https://repository.ufrpe.br/bitstream/123456789/1363/1/tcc_lfc3%a1sarofilipelopescosta.pdf. Acesso em: 2 maio 2023.
- CUNHA, L. A. O legado da ditadura para a educação brasileira. **Educação & Sociedade**, Campinas, v. 35, n. 127, p. 357-377, 2014. Disponível em: <https://www.scielo.br/j/es/a/Tm5wH75ZnW3DLpxLbLFqcv/?format=pdf&lang=pt>. Acesso em: 25 ago. 2023.
- DUTRA, O.; BENEVIDES, M. V. **Orçamento participativo e socialismo**. São Paulo: Perseu Abramo, 2001.

FAGNANI, E. **Política social no Brasil (1964-2002):** entre a cidadania e a caridade. 2005. 601 f. Tese (Doutorado em Ciências Econômicas) – Instituto de Economia, Universidade Estadual de Campinas, Campinas, 2005. Disponível em: <https://repositorio.unicamp.br/acervo/detalhe/350149>. Acesso em: 2 jun. 2023.

FEDOZZI, L.; RAMOS, M. P.; GONÇALVES, F. G. G. Orçamentos Participativos: variáveis explicativas e novos cenários que desafiam a sua implementação. **Revista de Sociologia e Política**, Curitiba, v. 28, n. 73, p. e005, 2020. DOI: <http://doi.org/10.1590/1678-987320287305>.

FERRAZ, A. C. C. A Autonomia Universitária na Constituição de 05.10.1998. **Revista da Procuradoria Geral do Estado de São Paulo**, São Paulo, 1998. Disponível em: <https://pge.sp.gov.br/centrodeestudos/revistaspge/revista/tes5.htm>. Acesso em 30 ago. 2023.

FÓRUM NACIONAL DE PRÓ-REITORES DE ASSUNTOS COMUNITÁRIOS E ESTUDANTIS. **Revista Comemorativa 25 Anos:** histórias, memórias e múltiplos olhares. Uberlândia: UFU, PROEX, 2012.

FÓRUM NACIONAL DE PRÓ-REITORES DE ASSUNTOS COMUNITÁRIOS E ESTUDANTIS. **V Pesquisa nacional de perfil socioeconômico e cultural dos(as) graduandos(as) das IFES - 2018.** Brasília: ANDIFES, 2019. Disponível em: <https://www.andifes.org.br/wp-content/uploads/2019/05/V-Pesquisa-Nacional-de-Perfil-Socioeconomico-e-Cultural-dos-as-Graduandos-as-das-IFES-2018.pdf>. Acesso em: 27 jul. 2023.

FURNO, J. **Imperialismo:** uma introdução econômica. Porto Alegre: Da Vinci Livros, 2022.

GADOTTI, M. (org.). **Alfabetizar e conscientizar:** Paulo Freire, 50 anos de Angicos. São Paulo: Instituto Paulo Freire, 2014. Disponível em: <https://acervo.paulofreire.org/handle/7891/90002>. Acesso em: 15 maio 2013.

GRAMSCI, A. **Cadernos do cárcere (Vol. 3):** Antonio Gramsci: Maquiavel. Notas sobre o Estado e a política. Tradução Carlos N. Coutinho. Rio de Janeiro: Civilização Brasileira, 2000.

KOWALSKI, A. V. **Os (des)caminhos da política de assistência estudantil e o desafio na garantia de direitos.** 2012. 180 f. Tese (Doutorado em Serviço Social) – Faculdade de Serviço Social, Programa de Pós-Graduação em Serviço Social, Pontifícia Universidade Católica do Rio Grande do Sul, Porto Alegre, 2012. Disponível em: <https://repositorio.pucrs.br/dspace/handle/10923/5137>. Acesso em: 13 ago. 2023.

MENON, G. A reforma de Córdoba, movimentos estudantis e seus impactos para o ensino superior na América latina. **História da Educação**, Porto Alegre, v. 25, 2021. Disponível em: <https://www.scielo.br/heduc/a/PMw84HfGb7f6gXbVw4sDK3c/>. Acesso em: 10 maio 2023.

MERÇON, G.; ARAUJO, G. **Um decreto com força de lei.** Manaus: CONPEDI, 2007. Disponível em: http://www.publicadireito.com.br/conpedi/manaus/arquivos/anais/campos/gustavo_mercon.pdf. Acesso em: 25 ago. 2023.

NASCIMENTO, C. M.; ARCOVERDE, A. C. B. O serviço social na assistência estudantil: reflexões acerca da dimensão político-pedagógica da profissão. In: Fórum Nacional de Pró-reitores de Assuntos Comunitários e Estudantis (org.). **Revista Comemorativa 25 anos:** histórias, memórias e múltiplos olhares. Uberlândia: UFU-PROEX, 2012. p. 167-79. Disponível em: http://www.proae.ufu.br/sites/proae.ufu.br/files/media/arquivo/revista_fonaprace_25_anos.pdf. Acesso em: 4 jul. 2023.

PALAVEZZINI, J.; ALVES, J. M. Assistência estudantil nas universidades federais: o orçamento do programa nacional de assistência estudantil (PNAES) garante a permanência do estudante? In: III CONGRESSO INTERNACIONAL DE POLÍTICA SOCIAL E SERVIÇO SOCIAL: DESAFIOS CONTEMPORÂNEOS, 3., IV SEMINÁRIO NACIONAL DE TERRITÓRIO E GESTÃO DE POLÍTICAS SOCIAIS, 4., CONGRESSO DE DIREITO À CIDADE E JUSTIÇA AMBIENTAL, 2019, Londrina. **Anais [...].** Londrina: Universidade Estadual de Londrina, 2019. Disponível em: <https://www.congressoservicosocialuel.com.br/trabalhos2019>. Acesso em: 10 abr. 2023.

PESSO, A. E. Os negros nas faculdades de Direito do Brasil no século XIX: exclusão, preconceito e apagamento. **Revista Direito GV**, São Paulo, v. 20, p. e2407, 2024. DOI: <http://doi.org/10.1590/2317-6172202407>.

POERNER, A. J. **O poder jovem:** história da participação política dos estudantes brasileiros. 5. ed. Rio de Janeiro: Booklink, 2004.

REIS, L. F.; MACÁRIO, E. Dívida Pública e Financiamento das Universidades Federais e da Ciência e Tecnologia no Brasil (2003-2020). **Práxis Educacional**, Vitória da Conquista, v. 16, n. 41, p. 20-46, 2020.

SALVADOR, A. C.; PAIVA, A. R.; NEVES, A. V. Ações afirmativas, movimentos sociais e reconhecimento–Estudos contemporâneos. **O Social em Questão**, Rio de Janeiro, v. 20, n. 37, p. 9-14, 2017.

SANTOS, R. C. S. **Do Orçamento Participativo ao Recife Participa:** uma avaliação comparativa dos processos de participação no planejamento e gestão urbanos do Recife. Dissertação (Mestrado em Desenvolvimento Urbano) – Universidade Federal de Pernambuco, Recife, 2017. Disponível em: <https://repositorio.ufpe.br/handle/123456789/29413>. Acesso em: 2 jun. 2023.

SARLET, I. W. **A eficácia dos direitos fundamentais:** uma teoria geral dos direitos fundamentais na perspectiva constitucional. Porto Alegre: Livraria do Advogado, 2018.

SILVA, A. T.; GUIMARÃES, A. R. Orçamento público e financiamento das universidades federais no Brasil. **Cadernos de Pós-graduação**, [S. l.], v. 21, n. 2, p. 106-117, 2022. DOI: <http://doi.org/10.5585/cpg.v21n2.21317>.

SILVA, L. B. **Caderno temático III:** A demanda potencial e o público-alvo da assistência estudantil. Goiânia: Cegraf UFG, 2021. Disponível em: https://files.cercomp.ufg.br/weby/up/688/o/Caderno_tem%C3%A1tico_III_A_demanda_potencial_e_o_p%C3%BAblico-alvo_da_assist%C3%Aancia_estudantil.pdf. Acesso em: 5 jul. 2023.

SILVA, L. B.; MARQUES, F. J. A assistência estudantil na educação federal brasileira e a Emenda Constitucional do Teto dos Gastos. **Revista Brasileira de Política e Administração da Educação**, Porto Alegre, v. 38, 2022. Disponível em: <https://seer.ufrgs.br/index.php/rbpae/article/view/112696>. Acesso em: 25 ago. 2023.

TORRES, H. T. **Direito constitucional financeiro**: teoria da constituição financeira. São Paulo: Revista dos Tribunais, 2014.

TORRES, R. L. **Curso de direito financeiro e tributário**. 20. ed. São Paulo: Processo, 2018.

UNIÃO NACIONAL DOS ESTUDANTES. **Declaração da Bahia**. Salvador: UNE, 1961. Disponível em: <http://movimentosjuvenisbrasileirosarte7.blogspot.com/2009/10/declaracao-da-bahia-i-seminario.html>. Acesso em: 25 ago. 2023.

UNIÃO NACIONAL DOS ESTUDANTES. Carta do Paraná. **Caderno da UNE**, Curitiba, n. 2, 1962. Disponível em: <https://search.worldcat.org/pt/title/Carta-do-Parana--resolucoes-do-...-Curitiba-marco-1962/oclc/48277297>. Acesso em 14 mai 2023.

VIEIRA, A. M. D. P.; CARVALHO, M. G. G. O ensino superior poderia ser considerado um direito fundamental? **Revista Interações**, [S. l.], v. 15, n. 51, p. 1-19, 2019. Disponível em: <https://revistas.rcaap.pt/interaccoes/article/view/15038>. Acesso em: 26 ago. 2023.

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