

Attack on Fundeb: intersection between ultraliberal and reactionary in the project for the privatization of the Brazilian education public fund

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Abstract

The night of December 10, 2020 must not be forgotten. On that occasion, during the vote on Bill No. 4.372/2020 that regulated the new Fundeb, a proposal to transfer resources from the public fund to private elementary and high schools gained majority support in the Brazilian Chamber of Deputies, in an unprecedented way and contrary to the Brazilian Constitution (1988). In this article, we analyze the factors related to the episode promoted by whom we name as *Aloprados do Fundeb*, in reference to the recent convergence of privatizationist and reactionary sectors in the Brazilian legislative branch. Special attention is given to the coincidences with the debate that led to the approval of the first Brazilian general law of education (1961), the role played by the party and legislative caucuses active in the 2019-2022 Brazilian legislature, the concertation between neoliberal and reactionary religious sectors interested in accessing public resources and eroding the secular nature of education, as well as the resistance of sectors opposed to privatization that managed to win on that occasion.

Keywords: Privatization of Education. Secularism. Public School. *Fundeb* (Public Basic Education Fund). Right to Education.

Ataque ao Fundeb: intersecções entre ultraliberais e reacionários no projeto de privatização do fundo público

Resumo

A noite de 10 de dezembro de 2020 não deve ser esquecida. Na ocasião, durante a votação do PL n. 4.372/2020 que regulamentou o novo Fundeb, ganhou adesão majoritária na Câmara dos Deputados, de forma inédita, uma proposta de transferência de recursos do fundo público para escolas privadas dos ensinos fundamental e médio, contrariando a Constituição de 1988. No artigo, analisam-se os fatores relacionados ao episódio promovido por quem aqui será denominado, a modo ensaístico, como *Aloprados do Fundeb*, em remissão à convergência recente de setores privatistas e reacionários no legislativo brasileiro. Atenção especial será dada às coincidências com o debate que levou à aprovação da LDB de 1961, ao papel desempenhado pelas bancadas partidárias e legislativas atuantes na legislatura 2019-2022, à concertação entre neoliberais e vertentes religiosas reacionárias, interessadas em acessar recursos públicos e erodir a laicidade do ensino e a resistência dos setores contrários à privatização, que lograram vencer naquela ocasião.

Palavras-chave: Privatização da Educação. Laicidade. Escola Pública. Fundeb. Direito à Educação.

Ataque al Fundeb: intersecciones entre ultraliberales y reaccionarios en el proyecto de privatización del fondo público

Resumen

La noche del 10 de diciembre de 2020 no debe olvidarse. En aquella ocasión, durante la votación del PL n. 4.372/2020 que regulaba el nuevo Fundeb, una propuesta de transferencia de recursos del fondo público a las escuelas primarias y secundarias privadas, contraria a la Constitución de 1988, obtuvo el apoyo mayoritario de la Cámara de Diputados, por primera vez. En el artículo se analizan los factores relacionados con el episodio promovido por los que serán denominados aquí, de forma ensayística, como *Aloprados do Fundeb*, en referencia a la reciente convergencia de sectores privatistas y reaccionarios en la legislatura brasileña. Se prestará especial atención a las coincidencias con el debate que condujo a la aprobación de la LDB de 1961, al papel jugado por el partido y las bancadas legislativas activas en la legislatura 2019-2022, a la concertación entre neoliberales y corrientes religiosas reaccionarias, interesadas en acceder a los recursos públicos y erosionar la laicidad de la educación, y a la resistencia de los sectores opuestos a la privatización, que lograron vencer en aquella ocasión.

Palabras-clave: **Privatización de la Educación. Secularidad. Escuela Pública. Fundeb (Fondo Público). Derecho a la Educación.**

If it were unconstitutional, we could not approve outsourcing with the same entities in early childhood education [...]. And, if it can be used for early childhood education [...], it obviously can be used for elementary education (Soraya Santos, PL/RJ, Chamber of Deputies plenary, Dec. 17, 2020).

Introduction

Law No. 14113/2020, which originated from Bill No. 4372/2020, establishes the calculations and procedures for the distribution of resources of the new *Fundo de Manutenção e Desenvolvimento da Educação Básica e de Valorização dos Profissionais da Educação* [Fund for Maintenance and Development of Basic Education and Recognition of Education Professionals] (the “Permanent *Fundeb*”, provided by Constitutional Amendment No. 108/2020). In addition to new calculation rules intended to reduce inequalities in education funding between public education systems, with the innovation represented by the criterion of *valor aluno/ano total* [total student/year value] (VAAT), the Federal Administration supplement to the *Fundeb*, will increase from 10% to 23% in six years, which means that public schools in poorer states and municipalities will receive more resources, even though problems persist that were not addressed by Constitutional Amendment No. 108/2020 or by Law No. 14113/2020 that regulated it (PINTO, 2015, 2019; CARREIRA; XIMENES; RAMOS, 2021).

Jair Bolsonaro’s election brought apprehension about the continuity of the *Fundeb*, since he and his Economy Minister, Paulo Guedes, have always been opposed to the constitutionalization of the Fund, giving way to a broader position in favor of its overall separation from the state budget. There were several attempts to de-characterize the *Fundeb*: first by stemming the increase in the Federal Administration supplement to the Fund in the

government's proposal¹ (which, despite this, ended up being increased), then by draining the Fund's resources and transferring them to a benefit for children as part of the *Renda Brasil* program² – inducing privatization of public education by distributing vouchers³. The government also intended to eliminate the minimum 70% earmarking of *Fundeb* resources for payment of education professionals, but was ignored by the Chamber of Deputies. The Executive branch also proposed postponing the vote on the new *Fundeb* until 2021⁴, which would have led the funding of the state and municipal education systems to a possible collapse, since according to Law No. 11494/2007 the *Fundeb* was to expire on December 31, 2020⁵.

However, in the case of the *Fundeb*, the Bolsonaro government was doubly defeated in the National Congress: first with the enactment of Constitutional Amendment No. 108/2020 and then with the approval of Bill No. 4372/2020 free from the changes that could have undermined the public character of the Fund.

One episode in the long and troubled passage of the *Fundeb* through the National Congress deserves a special record; namely the episode that began on the night of December 10, 2020, during the vote on Bill No. 4372/2020 in the Chamber of Deputies. On that night – and until the decision to reverse the decharacterization of the wording approved by the Federal Senate was confirmed in a new vote in the Chamber of Deputies seven days later – the proposal most clearly identified with the neoliberal education project gained majority support in the Chamber of Deputies, in an unprecedented way: the transfer of funds from the *Fundeb* to private elementary and secondary schools, even though a sufficient number of places in public elementary and secondary schools in the Brazil is known to exist. Although short-lived, that was a victory of the sectors in favor of privatization of basic education on a scale never reached under the 1988 Constitution.

The historical and legal precedent claimed by these sectors during the vote on Bill No. 4372/2020 is the provision given in Paragraphs 1 and 3 of Article 8 of Law No. 11494/2007, which regulates the *Fundeb* and which expired in 2020. It authorizes the counting of effective enrollments in early childhood education (daycare centers and preschools), with the consequent transfer of public resources to charity, community, or faith-based non-profit outsourced institutions, this being a rule maintained in the permanent *Fundeb* (BRASIL, 2007,

¹ "Weintraub e Guedes venceram a batalha do Fundeb". *Folha de S. Paulo*, Mar. 05, 2020. Available at: <https://www1.folha.uol.com.br/colunas/alexandre-schneider/2020/03/weintraub-e-guedes-venceram-a-batalha-do-fundeb.shtml>. Accessed: Sept. 15, 2021.

² "Governo quer 2021 sem Fundeb e em 2022 dividir recursos com o Renda Brasil". *Congresso em Foco*, Jul. 16, 2020. Available at: <https://congressoemfoco.uol.com.br/temas/educacao/governo-quer-2021-sem-fundeb-e-em-2022-dividir-recursos-com-o-renda-brasil>. Accessed: Sept. 15, 2021.

³ Paulo Guedes is notorious enthusiastic about the model used Chilean education (FALABELLA, 2015). See: "Vouchers para educação estão na agenda para combater desigualdade, diz Guedes". *Valor Econômico*, Jan. 21, 2020. Available at: <https://valor.globo.com/brasil/noticia/2020/01/21/vouchers-para-educacao-estao-na-agenda-para-combater-desigualdade-diz-guedes.ghtml>; and "Plano 'gigantesco' do governo para 'vouchers' em creches é questionado". *Valor Econômico*, Jan. 22, 2020. Available at: <https://valor.globo.com/brasil/noticia/2020/01/22/plano-gigantesco-do-governo-para-vouchers-em-creches-e-questionado.ghtml>. Accessed: Sept. 15, 2021.

⁴ "Governo tenta adiar Fundeb para 2022 e quer dividir recurso com Renda Brasil". *Folha de S. Paulo*, Jul. 18, 2020. Available at: <https://www1.folha.uol.com.br/educacao/2020/07/governo-tenta-adiar-fundeb-para-2022-e-quer-dividir-recurso-com-renda-brasil.shtml>. Accessed: Sept. 15, 2021.

⁵ Some of the Bolsonaro government's attempts to undermine the efforts of the Fundeb Special Commission in the final stretch of its work were refuted by the *Associação Nacional de Pesquisa em Financiamento da Educação*, in a Technical Statement issued in July 2020 (FINEDUCA, 2020).

2020). This provision continues to be the object of criticism and questioning in the educational field, for encouraging the spread of private enrollments in low-cost facilities of questionable quality to the detriment of public daycare centers and pre-schools, for increasing unequal conditions of access to education and, in the case of paying for education in religious institutions, for violating the precepts of the secularity of the State (MONTANO; PERONI; FERNANDES, 2021).

The rules originated from amendments proposed in the Plenary that night – which aimed to include once again amendments that had been rejected by the rapporteur of Bill No. 4372/2020, Congressman Felipe Rigoni (PSB/ES) – dealt with the legal authorization for the use of *Fundeb* resources in community, charity or faith-based institutions and in the *Sistema S*, for the agreed provision of vacancies in primary and secondary education, as well as allowing the corresponding payment of the remuneration of outsourced education professionals, substantially expanding the scope of transfers from the public fund to the private sector – currently concentrated in early childhood education and specialized education services. In the specific case of the transfer proposal, the amendment approved at the time would have allowed allocation of up to 10% of the annual total of the *Fundeb* to fund enrollments in private primary and secondary education.

In this article, we analyze some contextual elements that, considering the broader context of attacks on fundamental rights sponsored by a neoliberal-reactionary hegemony, help to gain understanding of the risks that the legal guarantee of funding for public education in Brazil have faced and will continue to face. The objective, besides providing information, is to help map the political field, the tactical alliances between privatizationists and conservatives, and the eventual contradictions of this process, contributing to necessary and permanent resistance to attacks on public education. To build this work, we monitored and studied the legislative material produced during the passage of Bill No. 4372/2020 through the National Congress, as well as complementary sources about the passage through Congress of the 1961 *Lei de Diretrizes e Bases da Educação Nacional* [Law of Directives and Bases of National Education], which bears disturbing similarities to what has happened recently and characterizes this article as an effort to provide documentation for future studies on the political history of Brazilian education.

The final passage of Bill No. 4372/2020

Constitutional Amendment No. 108/2020 was approved in the National Congress by a large majority vote on July 21, 2020. Under pressure from the party benches – which, in turn, were being pressured by social sectors interested in increasing the volume of resources for public education in Brazil – the Bolsonaro administration gave in and advised its base in the Chamber of Deputies to vote in favor of the constitutionalization of the *Fundeb*. Standing out among the congressmen who ignored the administration's advice was a group of seven Bolsonaro supporters linked to the *Escola sem Partido* movement (CÁSSIO; MOURA, 2020). In December 2020, during the vote on Bill No. 4372/2020 which was intended to regulate the *Fundeb*, the arguments in favor of privatization put forward by those seven dissenters were reproduced by a substantially larger group of federal congressmen, who proposed amendments to change the wording of the Bill and divert part of the *Fundeb*'s resources to private institutions (Table 1):

Table 1 – Privatization amendments to Bill No. 4372/2020 vote counts (Dec. 10, 2020)

Amendment	Author	Objective	Vote
No. 6	Tiago Mitraud (Novo/MG)	Resources for the payment of technical and administrative professionals who are outsourced and working in community, faith-based and charity institutions could come from the 70% of the fund (minimum fraction) intended for remuneration of education professionals	212 vs. 205 (approved)
No. 7	Eduardo Barbosa (PSDB/SP)	Partner institutions could receive resources from the fund for making available activities complementary to standard school hours in order to provide full-time basic education	272 vs. 167 (approved)
No. 10	Soraya Santos (PL/RJ)	Enrollments in regular primary and secondary education at community, faith-based or charity institutions could be included in calculation of <i>Fundeb</i> transfers up to the limit of 10% of the enrollments offered in public schools for the same stages of education	311 vs. 131 (approved)
No. 40	Luísa Canziani (PTB/PR)	High-school professional technical education enrollments at community, faith-based, charity and <i>Sistema S</i> institutions could be included in <i>Fundeb</i> transfers	258 vs. 180 (approved)

Source: Prepared by the authors, based on information available at: https://www.camara.leg.br/proposicoesWeb/prop_mostrarintegra?codteor=1950046&filename=Tramitacao-PL+4372/2020. Accessed: Sept. 15, 2021.

Although not recommended by the rapporteur, Congressman Felipe Rigoni (PSB/ES), these amendments were voted on and approved in the Chamber of Deputies on the night of December 10, contrary to internal agreements that provided that the benches should withdraw the amendments from the agenda at that point of the vote. Amendment No. 10, which legalized *Fundeb* transfers for enrollments in primary and secondary education at private institutions – and was approved by a large majority of votes: 311 to 131 –, exposed the attempt of private appropriation of the public fund. In a Technical Statement published at the time, the *Campanha Nacional pelo Direito à Educação* [Brazilian Campaign for the Right to Education] and the *Associação Nacional de Pesquisa em Financiamento da Educação* [Brazilian Education Funding Research Association] (FINEDUCA) estimated that if the final wording of Bill No. 4372/2020 was approved by the Senate with the changes contained in the privatization amendments, the country's public schools would lose at least BRL 15.9 billion a year (CAMPANHA...; FINEDUCA, 2020). The amendment thus encouraged privatization of public education by setting 10% as the “maximum” limit for *Fundeb* transfers to community, faith-based or charity institutions, this percentage being higher than the current share of that sector in the provision of national basic education.

Transfer of public resources to private institutions in stages and modalities of basic education for which there are public school places contradicts Article 213 of the Federal Constitution. Its unconstitutional nature was raised in a Technical Note addressed to the Federal Senate and signed by 303 jurists, including law professors, public prosecutors, and attorneys (Dec. 14, 2020):

The general rule is that public resources are allocated to public schools because direct state provision of compulsory basic education is a Constitutional requirement. [...] For public resources to be transferred to private non-profit educational institutions, Paragraph 1 of Article 213 of the Constitution requires proof of insufficient vacancies, as well as priority and concomitant investment in the expansion of municipal and state education systems.

[...] the amendments seek to legalize outsourcing or indirect provision of public education services and to transform what is exceptional today into a stable rule and a government objective.

We must insist that such proposals are materially unconstitutional for several reasons. The first and most important is that, in its Article 213, the 1988 Federal Constitution made an explicit option for the transitory nature of partnerships with the private sector in the provision of compulsory public education, exclusively to meet vacancy shortfalls in public schools while public sector education was in the course of expansion (PINTO et al., 2020, p. 3-4).

As soon as it reached the Federal Senate, the modified wording of Bill No. 4372/2020 underwent several amendments in order to undo the privatization changes proposed by the congressmen. Five days after the vote in the Chamber of Deputies, several senators – some, incidentally, with no obvious links to popular agendas – affirmed on the rostrum and in social networks the public nature of the *Fundeb* and the need for the National Congress to maintain its commitment to the social expectations created following the enactment of Constitutional Amendment No. 108/2020.

Despite this, the Bill's rapporteur in the Senate, Senator Izalci Lucas (PSDB/DF), produced a preliminary report ratifying the diversion of *Fundeb* resources to charity, faith-based and community institutions sanctioned by the Chamber of Deputies. Linked to private education, the rapporteur of Bill No. 4372/2020 in the Senate is a notorious advocate of voucherization in public education and the proponent, as a federal congressman, of the first "*Escola sem Partido*" Bill introduced in the National Congress (Bill No. 867/2015) and of a Bill to ban discussion about gender in schools (Bill No. 1859/2015). Izalci Lucas was eventually convinced by his peers to support the substitute version that restored the original wording of the Bill that had been changed by the Chamber of Deputies. The Senate unanimously approved the wording, in a clear message to the congressmen.

The Senate substitute version was voted on in the plenary of the Chamber of Deputies just two days later (Dec. 17, 2020) and was approved by 470 to 15. The following parliamentarians voted against the text: Adriana Ventura (Novo/SP), Alexis Fonteyne (Novo/SP), Bia Kicis (PSL/DF), Eduardo Bolsonaro (PSL/SP), Gilson Marques (Novo/SC), Guilherme Derrite (PP/SP), Junio Amaral (PSL/MG), Kim Katagiri (DEM/SP), Lucas Gonzalez (Novo/MG), Luiz Philippe de Orleans e Bragança (PSL/SP), Marcel van Hattem (Novo/RS), Paulo Ganime (Novo/RJ), Pedro Lupion (DEM/PR), Tiago Mitraud (Novo/MG) and Vinicius Poit (Novo/SP). Of these fifteen parliamentarians, only Bia Kicis, Junio Amaral and Luiz Philippe de Orleans e Bragança were also part of the group of seven congressmen who, in July 2020, had voted against constitutionalizing *Fundeb* (CÁSSIO; MOURA, 2020).

After the vote on the main text, congressmen of the Novo Party insisted on voting the proposed amendment intended to include once more in Bill No. 4372/2020 the content of privatization Amendment No. 10, encouraging unconstitutional transfers of *Fundeb* funds for enrollments in primary and secondary education at private institutions. In addition to the Novo Party bench, the PSL, PL, Republican and Solidarity Party benches also recommended approval of the amendment. The PP, PSD, PTB, PROS, PSC, Avante and Patriota Party benches allowed their members to vote freely, while the other parties advised their members

to vote for maintaining the original text. The proposed amendment was rejected by 286 to 163 votes⁶.

Although the result preserved the public character of the *Fundeb* regarding the attempt to achieve massive expansion of the transfer of *Fundeb* resources to fund private primary and secondary education institutions, it is noteworthy that 163 parliamentarians, broke internal agreements and insisted on including a mechanism to remove almost BRL 16 billion per year from Brazilian public schools (CAMPANHA...; FINEDUCA, 2020). By the end of December 2020, they were no longer seven isolated figures proud to be seated at the right hand of Jair Bolsonaro; they represented almost 32% of the members of the Chamber of Deputies.

The vote mostly in favor of privatization on the night of December 10 can be explained by a broad party agreement endorsed by the then president of the Chamber, congressman Rodrigo Maia (DEM/RJ), who even left his president's chair to sit in the plenary with the intention of defending the proposal. After the Federal Senate defeated the proposals to privatize the *Fundeb*, based on the firm contestation of the constitutionality of the amendments and the indignant reaction of broad sectors of organized civil society, the persistence of the 163 *aloprados do Fundeb* (the *Fundeb* unhinged) in wanting to transfer resources from the public fund to private institutions deserves special analysis.

The *aloprados do Fundeb* and the “tactical alliance”

Congresswoman Joice Hasselmann (PSL/SP) was part of the group of 163 congressmen who tried to divert funds from the *Fundeb* to private institutions. In a speech at the rostrum of the Chamber during the last voting session on Bill No. 4372/2020, she acknowledged the lack of political climate for approval of the Novo Party's proposed amendment. “The Senate gave in [...] to trade union pressure, believed in an absolutely misleading narrative [...]”. A narrative, according to her, that was anchored in “prejudice against [charity and faith-based] schools that are of very high quality, because they are linked to religious entities”. The congresswoman continued:

These are entities that already offer places in day care centers, for example. Parents, families have the right to choose where they want their children to study. Parents, families have the right to choose which values will be passed on to their child. And today these children are very well taken care of in day care centers, in these places, but when the time comes for them to go on to first grade, what happens? The despair of their parents because those schools can't cope with the demand (Joice Hasselmann, PSL/SP, Chamber of Deputies plenary, Dec. 17, 2020)⁷.

The comparison between outsourcing for provision of places at day-care centers and transferring funds to private institutions proposed for Bill No. 4372/2020 – a rhetorical resource employed on a large scale that night – is legally unfounded, since the Federal Constitution does not create hypothesis of making transfers for the public funding of elementary and high school enrollments outside the public system (PINTO et al., 2020). As shown by the annual data from the School Census (INEP), there is no shortage of public elementary school first year places. Hasselmann, in any case, was not referring to a collective demand for state public

⁶ Available at: <https://www.camara.leg.br/presenca-comissoes/votacao-portal?reuniao=60214&itemVotacao=36588>. Accessed: Sept. 15, 2021.

⁷ Available at: www.youtube.com/watch?v=llf4ZwKVwK8&t=3302s. Accessed: Sept. 15, 2021.

education – a social right – but to private education with certain “values” funded with public resources. Refuting press analysts who attributed the attacks on *Fundeb* to the Bolsonaro administration, the congresswoman emphasized that the idea of Amendment 10 did not come from the Executive branch:

This text was built in São Paulo, with all the bishops, cardinals, and the archbishop [...], in a meeting in which even the president of this Chamber – Congressman Rodrigo Maia (DEM/RJ) – took part, with representatives of the Evangelical churches, with representatives of the Jewish churches, and, in consensus, the text was introduced in Parliament. That was when the government intervened, because they thought my amendment was too broad, and Congresswoman Soraya [Santos] introduced another amendment [No. 10] providing for 10% [...] of the *Fundeb* to go to these faith-based schools. I have just talked with Bishop Carlos [Lema Garcia] [...] and also with representatives of the Evangelical caucus in the Chamber [...]. We will introduce a bill that will deal specifically with faith-based and charity schools linked to these religious entities [...]. This bill will be introduced by me. I have just talked with Congresswoman Soraya, who has also embraced this fight, which is a fair fight and a fight for the freedom of families, so that they can choose what they think is best for their children. Unfortunately, ideology has trampled on a text that would have made a big difference for the schools and children of our country (Joice Hasselmann, PSL/SP, Chamber of Deputies plenary, Dec. 17, 2020).

Bishop Carlos Lema Garcia, cited by Hasselmann, is the auxiliary bishop of the Archdiocese of São Paulo/SP, episcopal vicar for education and university, and, since 2010, has held the position of spiritual director of Opus Dei in Brazil. The demand for public resources in faith-based schools was also recalled at the rostrum by Congresswoman Soraya Santos:

This plenary needs to recover the truth, contained in the header of Article 213 [...], which puts all institutions on the same level – public sector, charity non-profit entities and private non-profit entities –, to recognize the work that Marist, Salesian, community campaign and evangelical schools have done over the years in this country. It is not true that this plenary discussed putting money into the private sector! [...] If it were unconstitutional, we could not approve outsourcing with the same entities in early childhood education [...]. And, if it can be used for early childhood education [...], it obviously can be used for elementary education. [...] This House cannot engage in ideological warfare. This House has never stopped to discuss the content that these children are being taught. This House must show the harmonic coexistence that has existed, during the formation of the entire process of education in this country, between the public sector and the charity assistance and education sector. I have studied all my life in public schools. I only spent one semester as a student of the Salesians. [...] the experience that I had with the Salesians is the experience that I would like everyone to have (Soraya Santos, PL/RJ, Chamber of Deputies plenary, Dec. 17, 2020)⁸.

The congresswoman claimed that the “recovery of the truth” implied recognizing the Catholic educational institutions’ services to Brazilian education by injecting public resources into them. Soraya Santos is, moreover, married to former federal Congressman Alexandre Santos, president of the *Campanha Nacional de Escolas da Comunidade* [National Community Schools Campaign] (CNEC), a network of community schools with more than 200 institutions

⁸ Available at: <https://www.youtube.com/watch?v=llf4ZwKVwK8&t=5263s>. Accessed: Sept. 15, 2021.

in Brazil.⁹ The *Fundeb* debate, according to the congresswoman, should also include the “content that these children are being taught”.

Speaking for the Novo Party bench, Tiago Mitraud compared the unconstitutional fund transfer mechanism that the group proposed for the *Fundeb* to transfers of public resources to private universities via *Prouni/Fies*, two technically incommensurable objects, even though both deal with public funding for places at private institutions. While Amendment No. 10 to Bill No. 4372/2020 proposed including enrollments at private primary and secondary education in order to transfer budget resources from *Fundeb* directly to community, faith-based and charity schools, *Prouni* works through tax expenditure via tax exemption, while *Fies* is a subsidized loan policy that produces financial expenditure guaranteed by the Federal government. Mitraud also questioned the figures on the potential diversion of *Fundeb* funds publicized in the press that week:

[...] these calculations [of fund diversion] are extremely exaggerated estimates and sometimes even somewhat malicious in order to take the debate into a field that is not one of logic, but rather one of narrative, which, unfortunately, has ended up winning recently. It is also not true that the resources would be destined to churches. Rather they would be destined to outsourced faith-based and charity schools, whether they are church-related or not. And what if they are church-related, what is the problem? What matters is quality education for our children. I myself studied at a Franciscan school and I didn't suffer any religious indoctrination at that school. But some education specialists have said that there is indoctrination in schools linked to churches. So, unfortunately, this prejudice, this religious intolerance, has also ended up dominating this debate (Tiago Mitraud, Novo/MG, Chamber of Deputies plenary, Dec. 17, 2020)¹⁰.

The congressman, who also attended a Catholic school, criticized the “prejudice” of those who defended public schools and strict compliance with the Federal Constitution, seen by him as a gesture of “religious intolerance”. Critics of “indoctrination”, the *aloprados do Fundeb* defend massive public funding of faith-based education for private exercising of religious freedom, acting against the secularity of the State. This is far from being an unprecedented phenomenon in Brazil.

Yesterday's privatizationists, today's *aloprados*

Arguments very similar to those used by Hasselmann, Santos and Mitraud in favor of privatizing the *Fundeb* were used by federal Congressman Carlos Lacerda (UDN/DF) in the process that gave birth to the 1961 *Lei de Diretrizes e Bases da Educação Nacional* [Law of Directives and Bases of National Education] (Law No. 4024/1961) (1961 LDB)¹¹, about defending his substitute version of the Bill that intended to forbid State “monopoly” of education; that is, to finance private education with state funds in such a way that the provision of education by public authorities would take on a merely supplementary character in relation to its provision by the private sector:

⁹ “Sobre a CNEC”. Available at: <https://cneec.br/sobre>. Accessed: Sept. 15, 2021.

¹⁰ Available at: <https://www.youtube.com/watch?v=llf4ZwKVwK8&t=5966s>. Accessed: Sept. 15, 2021.

¹¹ The process was extensively documented by Barros (1960), Fernandes (1966), Saviani (2010) and Romanelli (2014[1978]), and has been the object of a variety of studies in recent years. Examples include Cunha & Fernandes (2012), Machado & Melo (2012), Montalvão (2011, 2013), Sepulveda (2013), Oliveira (2020) and Pereira & Poll (2021).

Mr. President, when the Constitution declares that education is everyone's right, it foresees a corollary that is inextricably linked to it: 1st – that every individual, in Brazil, has the right to be educated; 2nd – that for as long as that individual is underage the person responsible for him in his family is his father, in short his father is the representative of that right that he holds; 3rd – that the State is responsible for creating the conditions for the family to freely exercise this right (Carlos Lacerda, UDN/DF, Jun. 02, 1959)¹².

Indeed, Otaíza Romanelli notes that Carlos Lacerda's last substitute Bill was structured in the form of a syllogism, in which public funding of private education (article 5) was the inevitable conclusion of the family's right to decide on the education of its children, taken as a premise (articles 3 and 4):

Art. 3 – The education of its offspring is an inalienable and imprescriptible right of the family.
 Art. 4 – The school is, fundamentally, an extension and delegation of the family.
 Art. 5 – In order that the family, by itself or by its agents, may free itself of the burden of educating its offspring, it is up to the State to provide the indispensable technical and financial resources needed, either by encouraging the private sector by providing free official education or reduced fees (ROMANELLI, 2014 [1978], p. 180).

Following this, in Article 7 of the substitute Bill, the practical consequence of the previous principles in terms of public funding of education was presented:

Art. 7 – The State shall grant equal conditions to public and private schools:
 b) by distributing the funds earmarked for education between public and private schools, proportionately to the number of students attending them (ROMANELLI, 2014 [1978], p. 180).

The proposal provoked vehement reactions in the educational field, such as the manifesto led by Fernando de Azevedo (Jul. 01, 1959) and signed by “190 of the most expressive names among Brazilian intellectuals of the time” (SAVIANI, 2010, p. 293), who recognized in the substitute Bill “a broad offensive to obtain greater resources from the State, which will not continually increase the means that public education needs, but rather bleed its schools to death in order to support those of the private sector” (AZEVEDO et al., 2006 [1959], p. 209-210). Even more vociferous was the *Campanha em Defesa da Escola Pública* [Campaign in Defense of Public Schooling] initiated by Florestan Fernandes, who became the most outspoken critic of Lacerda's substitute Bill (FERNANDES, 1966).

Lacerda's grandiloquent speeches in defense of his substitute Bill amalgamate liberal and conservative theses, mobilizing arguments very similar to those that, in 2020, were uttered from the rostrum of the Chamber of Deputies in defense of the privatization of the *Fundeb*. With a rhetorical strategy like that of Soraya Santos, Lacerda defended himself from those who called him a privatizationist by claiming his authority as a “product of public schooling”:

One of these misunderstandings is the idea that our substitute Bill intends to superimpose private schooling, private education, on the public school. I need not, at this point in my life, remind a Chamber of Deputies that has no obligation to know this that, being a product of public schooling myself, I would not throw away that to which I owe the basis of my meager, precarious knowledge of life (Carlos Lacerda, UDN/DF, Chamber of Deputies plenary, Jun. 02, 1959)¹³.

¹² *Diário do Congresso Nacional*, Jul. 01, 1959, Seção I, p. 3715. Available at: <https://imagem.camara.gov.br/Imagem/d/pdf/DCD01JUL1959.pdf>. Accessed: Sept. 15, 2021.

¹³ *Diário do Congresso Nacional*, Jul. 01, 1959, Seção I, p. 3713. Available at: <https://imagem.camara.gov.br/Imagem/d/pdf/DCD01JUL1959.pdf>. Accessed: Sept. 15, 2021.

On another occasion, when provoked by Congressman Carlos Brant (PR/MG), Lacerda replied that article 7 of the substitute Bill would not imply harm to public education, since “students, under equal conditions, will receive equal treatment by the State. [...] The interest of the State is not that students be educated in this or that school” – an argument identical to that put forward by Joice Hasselmann in 2020. The UDN Party Congressman made the most of the opportunity to make a jibe at Anísio Teixeira, the prestigious director of the *Instituto Nacional de Estudos Pedagógicos* [National Institute for Pedagogical Studies] (INEP) who also opposed the privatizing-conservative Bill: “My friend, Professor Anísio Teixeira, intends to take my place as a father in the choice of the kind of education my child will have. Now, this is anti-democratic, inhuman, anti-Christian and deeply reprehensible” (Carlos Lacerda, UDN/DF, Chamber of Deputies plenary, Jun. 01, 1959).¹⁴ Respecting families’ freedom of choice was, in Lacerda’s view, a Christian attitude. In a very similar vein to Joice Hasselmann, he also extolled the supposed consensus around his proposal:

The ideas we sustain and seek to substantiate in our Bill have the support of all political parties and all areas of thought and spirituality in Brazil. Not only Bishops of the Catholic Church, but also Protestant Ministers, Israeli Rabbis, people who have the most respectable titles [...] have brought their extraordinary contribution to our Bill [...] (Carlos Lacerda, UDN/DF, Jul. 29, 1959)¹⁵.

Hasselmann’s attacks on trade unions and the Left, of course, was in the same tone as right-winger Carlos Lacerda’s speeches in favor of transferring public resources to private schools in the late 1950s:

So, Mr. President, on a television station this week, or at the end of last week, Mr. Darci Ribeiro (*sic*), whom I have heard is a communist – but this does not interest me in this case; what interests me is his position as a subordinate to the Minister of Education, [...] displayed the impudence, effrontery, mindlessness, insolence to allow himself, in a television station broadcast, to distort our ideas, deform our concepts and present us as having been bought, or something like that, by private educational establishments (Carlos Lacerda, Chamber of Deputies plenary, UDN/DF, Jul. 29, 1959)¹⁶.

The perfidies attributed by the UDN Party Congressman to the educators who attacked his substitute Bill based on the defense of secularism in education, bring his 1959 speech closer to that of congressmen like Tiago Mitraud, who in 2020 attributed “religious intolerance” to those who defended the public character of the *Fundeb*. Carlos Lacerda did the same, although his criticisms were aimed at specific people:

The [...] confusion consists in attempting, using the pretext of a fundamental issue, such as the education of the Brazilian people, to raise a religious quarrel also driven forward by a former but *défroqué* Jesuit¹⁷, my dear friend and eminent Professor Anísio Teixeira, who is fighting a personal war with the Catholic Church, which has nothing to do with it,

¹⁴ *Diário do Congresso Nacional*, Jun. 13, 1959, Seção I, p. 3055. Available at: <https://imagem.camara.gov.br/Imagem/d/pdf/DCD13JUN1959.pdf>. Accessed: Sept. 15, 2021.

¹⁵ *Diário do Congresso Nacional*, Jul. 31, 1959, Seção I, p. 4676. Available at: <http://imagem.camara.gov.br/Imagem/d/pdf/DCD31JUL1959.pdf>. Accessed: Sept. 15, 2021.

¹⁶ *Diário do Congresso Nacional*, Jul. 31, 1959, Seção I, p. 4677. Available at: <http://imagem.camara.gov.br/Imagem/d/pdf/DCD31JUL1959.pdf>. Accessed: Sept. 15, 2021.

¹⁷ Sarcastic reference to the fact that Anísio Teixeira attended Jesuit schools in the state of Bahia, having considered following a religious career.

has nothing to do either with education or, even less so, with the destiny of Brazil's children (Carlos Lacerda, UDN/DF, Chamber of Deputies plenary, Jun. 02, 1959)¹⁸.

Montalvão points out that the focus of the historiography concerning the 1961 LDB, which typically emphasizes the role of Carlos Lacerda as an intermediary of the interests of the education business community, hinders more complex analyses of that which “is specific, from a political-pedagogical point of view, in this discourse” (MONTALVÃO, 2013, p. 307-308). According to the author,

Carlos Lacerda's liberalism was frankly conservative. It was in line with the *União Democrática Nacional* [National Democratic Union] (UDN) Party leaders, who ran the Party as a conservative middle-class political organization. UDN politicians were known for their moralistic discourse, which included the fight against corruption and the vigilant posture of watching over good conduct in public life. It was Lacerda's understanding that Brazil needed virtuous elites, of good moral character, to lead the country's destiny (p. 308).

The concertation of liberal and conservative interests, beyond the general aspect of a “tactical alliance” between privatizationists and anti-secularists – often evoked in the literature on the period – denotes a sharing of conservative values mediated by religion. If, on the one hand, in the debate on the 1961 LDB, the “role of the Catholic Church in legitimating the interests [...] of the private sector as a whole, which was not yet strong enough to dispense with the legitimacy that this institution provided” is recognized (CUNHA; FERNANDES, 2012, p. 851), on the other hand, as emphasized by Montalvão (2013), Carlos Lacerda converted to Catholicism in the 1940s and defended principles identified with the most reactionary factions of the episcopate. For him, public funding of private schools – which in the late 1950s were mostly faith-based – was a way to “guide the direction taken by national education so as to avoid social change from eroding the position of Catholic faith-based schools and, above all, the presence of the Church in preparing students for citizenship” (MONTALVÃO, 2013, p. 310).

With due reservations regarding the differences in historical context – and considering the somewhat cyclical transformations in the alliances and conflicts between the political and religious fields (CUNHA, 2007) – it can be inferred that the discourses of the *aloprados do Fundeb* express, beyond the preponderantly pecuniary interest of the sectors that try to seize the *Fundeb* resources, a discourse on the “democratization of education” that is placed as an alternative to those that advocate defense of the right to public education and exclusive public funding for public schools¹⁹.

Having reached the understanding that this is not a new phenomenon in Brazil, we will now go on to analyze the specificities of the intertwining relationship between ultraliberalism and school reactionism in the case of the *aloprados do Fundeb*, mobilizing data about the occupational profile of the group and their actions in a set of Parliamentary Fronts in the National Congress.

¹⁸ *Diário do Congresso Nacional*, Jul. 01, 1959, Seção I, p. 3713. Available at: <https://imagem.camara.gov.br/Imagem/d/pdf/DCD01JUL1959.pdf>. Accessed: Sept. 15, 2021.

¹⁹ This idea is borrowed from Montalvão (2013, p. 310), who states that Carlos Lacerda was, in his own way, defending the “democratization of education” from a viewpoint different to that of those seeking to renew education such as Anísio Teixeira, Darcy Ribeiro, Fernando de Azevedo, Almeida Júnior and Florestan Fernandes.

In “defense of life” and against basic income

The group of 163 *aloprados do Fundeb* includes Bolsonaroists and their Novo Party variations, but is much broader than that. Only five congressmen (3%) out of the group of 163 who voted in favor of Amendment 10 declare themselves to be teachers – versus 36 (7%) congressmen out of the total of 513 members of the Chamber of Deputies: Adriana Ventura (Novo/SP), Aline Sleutjes (PSL/PR), Giovani Cherini (PL/RS), Maria Rosas (Republicanos/SP) and Professora Dayane Pimentel (PSL/BA) – all with incipient links with the defense of public schools.

Congresswoman Maria Rosas taught at public schools for eight years, but she taught for much longer at charitable institutions.²⁰ She is the author of Bill No. 5616/2019, that prohibits the “dissemination of content that encourages early sexuality in teaching materials or cultural productions aimed at children”. A supporter of the *Escola sem Partido* agendas, Professor Dayane Pimentel uses “*professora*” [“teacher”] in her parliamentary name and declares herself to be a “university teacher” (she has a degree in Literature and has postgraduate specialization in “Higher Education”), but has never taught in higher education²¹. Aline Sleutjes, a Physical Education teacher who worked in private schools in the interior region of the state of Paraná, advocates schools without political bias and without gender ideology²².

In 2016, federal Congressman Giovani Cherini criticized *bacharelism* and the inordinate importance given to diplomas in Brazil. However, the speaker and holistic therapy coach presents himself as a cooperative educator and university teacher. With degrees in “neurolinguistics, Namaste, ontopsychology, and emotional education,” Professor Cherini works in the *Cooperativa Universidade de Líderes “Juventude sem Fronteiras”* [University Leaders’ Cooperative “Youth Without Frontiers”] he founded.²³

Adriana Ventura, Ph.D. in Business Administration, taught “management and entrepreneurship” at Fundação Getúlio Vargas in São Paulo. Together with Aline Sleutjes and Paula Belmonte (Cidadania/DF) – another congresswoman of the group of 163 – Ventura is joint author of Bill No. 5594/2020, that proposes to make education an essential activity throughout the national territory in order to force schools to reopen during the COVID-19 pandemic. Paradoxically, the three congresswomen who want to make the return of classroom activities in public education systems under unsafe conditions obligatory, exposing millions of students and education professionals to health risks in schools with precarious infrastructure, voted in favor of the amendment that intended to withdraw resources from those schools.

The low number of teachers on the list of the *aloprados do Fundeb* is offset by the large number of businessmen (32), evangelical ministers (30), members (or former members) of the security forces (26), and lawyers (21), who account for 67% of the group. Although the

²⁰ See: <https://republicanos10sp.org.br/noticias/deputada-federal-eleita-republicana-maria-rosas-e-diplomada-em-sao-paulo>; and <https://sinapse.gife.org.br/download/palestra-de-maria-rosas-no-evento-rumos-da-filantropia>. Accessed: Sept. 15, 2021.

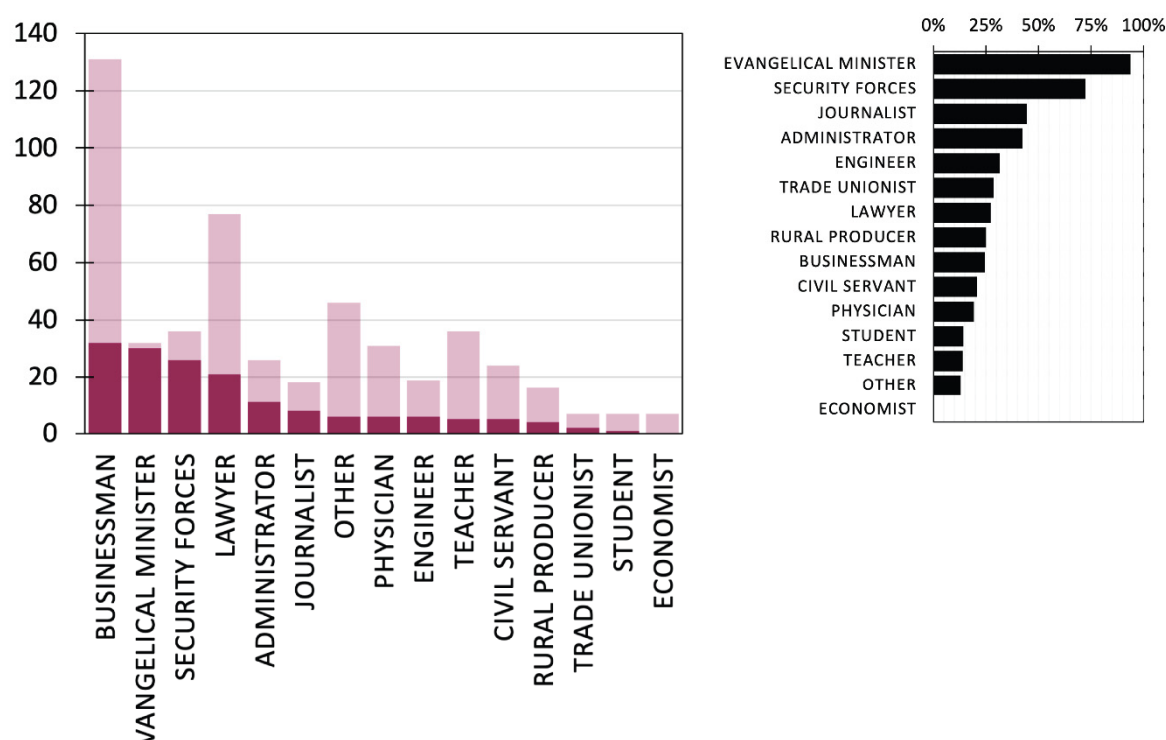
²¹ See: www.correio24horas.com.br/noticia/nid/conheca-dayane-deputada-mais-votada-da-bahia-que-quase-foi-vice-de-bolsonaro. Accessed: Sept. 15, 2021.

²² See: <https://alinesleutjes.com.br/educacao/aline-defende-projeto-escola-sem-partido-e-quer-melhoramento-do-curriculo-educacional>. Accessed: Sept. 15, 2021.

²³ See: https://www.jornaldocomercio.com/_conteudo/2016/08/colunas/reporter_brasilia/517111-escola-sem-partido.html; e <http://giovaniherini.com/palestrante>. Accessed: Sept. 15, 2021.

occupation of “businessman” is also the most common among the 513 federal congressmen (25.5%), the distribution of occupations in the group of 163 is quite different from the distribution of occupations in the Chamber of Deputies as a whole (Figure 1, left). The proportion of evangelical ministers and policemen, for example, is much higher among the *aloprados do Fundeb* than among the total members of Chamber of Deputies (Figure 1, right).

Figure 1 – Number of federal congressmen by occupation – *aloprados do Fundeb* (N=163, dark red) and total Chamber of Deputies congressmen (N=513, light red). On the right, the occupation of the *aloprados do Fundeb* in terms of the total group (% of the total)



Alopados do Fundeb (N=163) – Religious denominations of the evangelic ministers: Assembly of God (12), *Igreja Universal do Reino de Deus* [Universal Church of the Kingdom of God] (11), Foursquare Church (2), Other (5). Security force distribution: Military Police Fireman (1), Armed Forces (reservists) (5), Civil Police (4), Federal Police (4), Military Police (reservists) (8), Military Police (retired) (4). The “Other” category includes: architect (1), singer (1), project manager (1), politician (1), public prosecutor (1) and radio broadcaster (1).

Total federal congressmen (N=513) – Security force distribution: Military Police Fireman (1), Armed Forces (reservists) (5), Civil Police (5), Federal Police (5), Military Police (reservists) (10), Military Police (retired) (8), Federal Highway Police (2). The “Other” category includes: agronomist (3), architect (2), social worker (2), actor (1), bank worker (2), librarian (1), singer (3), political scientist (2), account (2), real estate/insurance/finance agent (2), nurse (1), writer (1), pharmacist (2), geologist (1), project manager (1), humorist (1), judge (1), veterinary (2), radio and TV operator (1), politician (2), public prosecutor (2), public attorney (1), psychologist (2), radio broadcaster (2), photographic reporter (1), Catholic priest (2), sociologist (1), technologist (2).

Source: Prepared by the authors, based on public information about the parliamentarians and the occupation databases about the federal congressmen elected in 2018, retrieved from: <https://www.diap.org.br/images/stories/profissao-eleitos-2018.pdf>. Accessed: Nov. 22, 2021.

In addition to the occupational profile of the 163 parliamentarians, we investigated their representativeness and how they are distributed over a set of 59 Parliamentary Fronts (PF) related to education, health, culture, human rights, social rights, free market, entrepreneurship, philanthropy, religion, public security, firearms, and abortion (Figures 2 and 3). At a first glance, one can identify that the group has much more affinity with reactionary and ultraliberal agendas (firearms, abortion, reduction of the age of criminal responsibility, military education, homeschooling, free market) than with human rights, economic, social, and cultural agendas (anti-racism, democracy, basic income, children and adolescents, shanty towns, *quilombola*

communities, rural education, reading incentives). The average number of congressmen in the 59 PFs analyzed is 211 (41.1% of the total in the Chamber of Deputies). The representativeness of the group of 163 congressmen in these PFs is far-removed from the general average (Figure 2).

Taking the composition of each PF, it can be seen that the *aloprados do Fundeb* – which amount to 31.8% of federal congressmen – are highly represented in Fronts such as: Mixed Parliamentary Front (MPF) against Abortion and in Defense of Life (52.6%), MPF for Confronting Pedophilia (52.2%), PF in Defense of Life and the Family (47.8%), MPF for Reducing the Age of Criminal Responsibility (47.7%), Firearms PF (47.1%), PF for the Free Market (46.8%), Evangelical PF in the National Congress (46.2%), and PF in Support of Military Education in Brazil (46.0%). At the same time, the group is underrepresented in the MPF in Defense of Basic Income (11.7%), MPF in Defense of Democracy and Human Rights (11.8%), MPF for the Strengthening of the *Sistema Único de Saúde* [Brazilian National Health System] (SUS) (13.4%) and MPF Brazil-Africa to Fight Racism (14.8%).

Differently to what the speeches in praise of the provision of “non-state” public education services, used to justify the depletion of *Fundeb* resources in favor of community, charity and faith-based schools might make one presume, the participation of the *aloprados do Fundeb* in the Parliamentary Fronts related to private institutions that provide public services through outsourcing – MPF in Defense of Therapeutic Communities and Associations for Protection and Assistance to Convicts – “Loving your neighbor, you will love Christ” (35.9%), MPF for Commerce, Services and Entrepreneurship (35.0%); MPF for the Third Sector and Philanthropy (32.4%); MPF in Defense of Exceptional Students’ Parents and Friends Associations, Pestalozzis and Sister Entities (29.8%); MPF in Defense of Community Universities (29.7%); and PF in Support of *Santas Casas*, Hospitals and Philanthropic Entities (27.0%) – is less than its participation in Parliamentary Fronts with explicitly reactionary agendas.

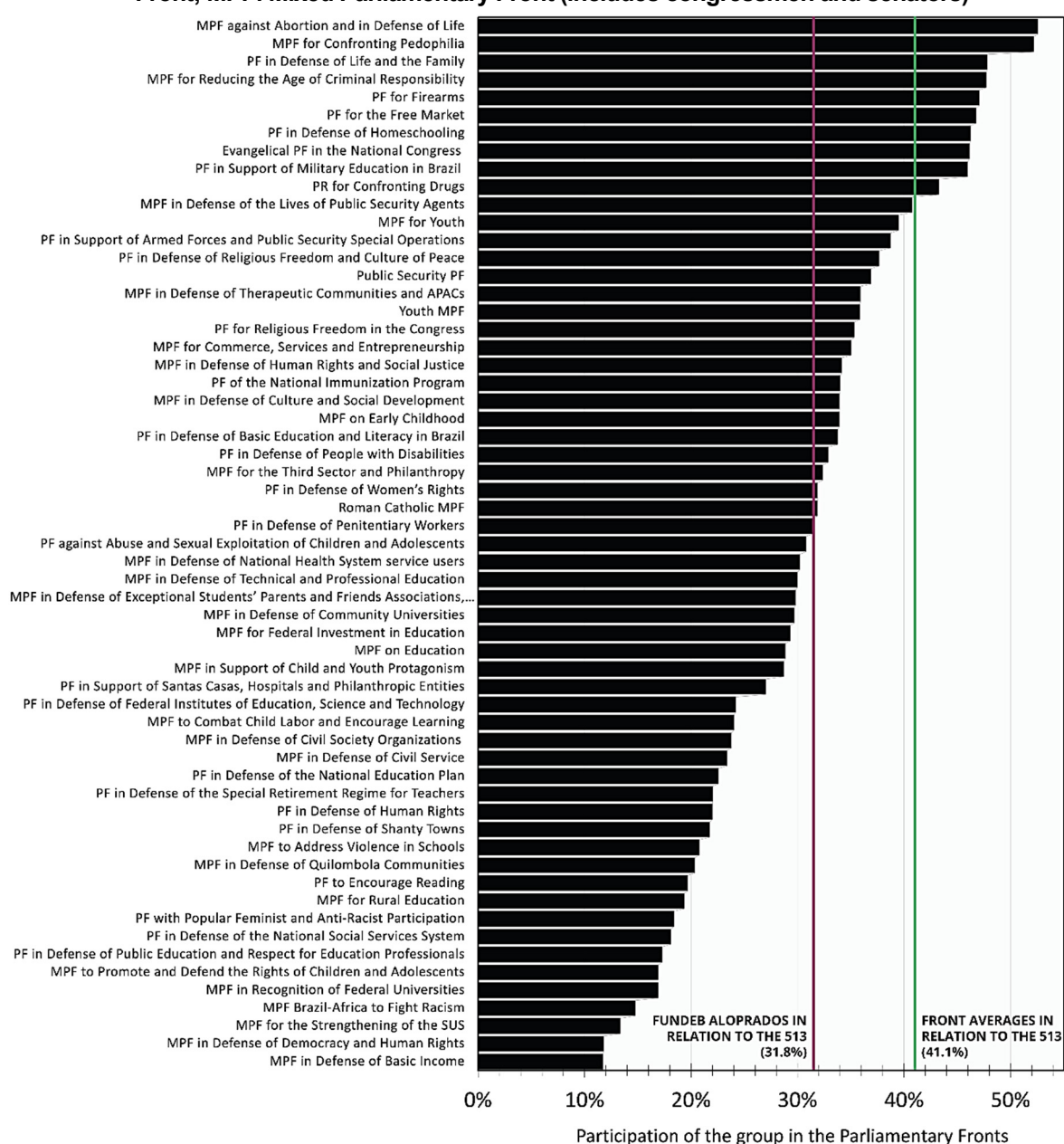
It appears that while Bill No. 4372/2020 was being voted, the Christian caucus acted jointly in defense of their interests and against the secularity of the State. The participation of the group of 163 in the Roman Catholic MPF (31.9%) is compatible with its representativeness in the Chamber of Deputies as a whole and is substantively greater in the Evangelical PF in the National Congress (46.2%). Even if this suggests a difference between Catholics and Evangelicals with regard to diverting *Fundeb* funds, it should be noted that the two Fronts usually act in together in the National Congress.²⁴ In 2015, during the launch of the Roman Catholic MPF²⁵ at an event of the *Conferência Nacional dos Bispos do Brasil* [National Conference of Brazilian Bishops] (CNBB), the creator of the Parliamentary Front, former Congressman Givaldo Carimbão (MDB/AL), stated that the Catholic and Evangelical Fronts would work together on common agendas (e.g. against abortion and euthanasia). In fact, some parliamentarians participate simultaneously in both Fronts. Another priority of the Roman Catholic MPF is the defense of Catholic schools, which dominated the speeches in favor of the privatization amendments on the night of December 17 and exposed the Catholic lobby’s

²⁴ “Católicos e evangélicos do Congresso defendem atuação conjunta contra pauta de costumes”. *O Estado de São Paulo*, Jan. 28, 2020. Available at: <https://politica.estadao.com.br/noticias/geral,catolicos-e-evangelicos-do-congresso-defendem-atuacao-conjunta-contr-pauta-de-costumes,70003175621>. Accessed: Sept. 15, 2021.

²⁵ See: <https://www.camara.leg.br/radio/programas/460172-deputados-lancam-frente-parlamentar-mista-catolica-apostolica-romana>. Accessed: Sept. 15, 2021.

action to snatch part of the *Fundeb* resources. Neither Joice Hasselmann nor Soraya Santos are members of the Roman Catholic MPF. The former states she is a Baptist church member, and the latter is a member of the Evangelical PF in the National Congress, besides having links, as we have seen, with community schools. The agreement between Catholics and Evangelicals to drain the resources of the *Fundeb*, which does not correspond to the composition of the Parliamentary Fronts, also serves to reveal certain limits of analyzing of parliamentary behavior based on Parliamentary Front membership in the National Congress.

Figure 2 – Representativeness of the 163 *aloprados do Fundeb* (%) in 59 selected Parliamentary Fronts. The red line represents the proportion of the group out of the total number of congressmen in the Chamber of Deputies (163/513); the green line represents the average number of congressmen in the Fronts analyzed in relation to the total number of congressmen (211/513). PF: Parliamentary Front; MPF: Mixed Parliamentary Front (includes congressmen and senators)



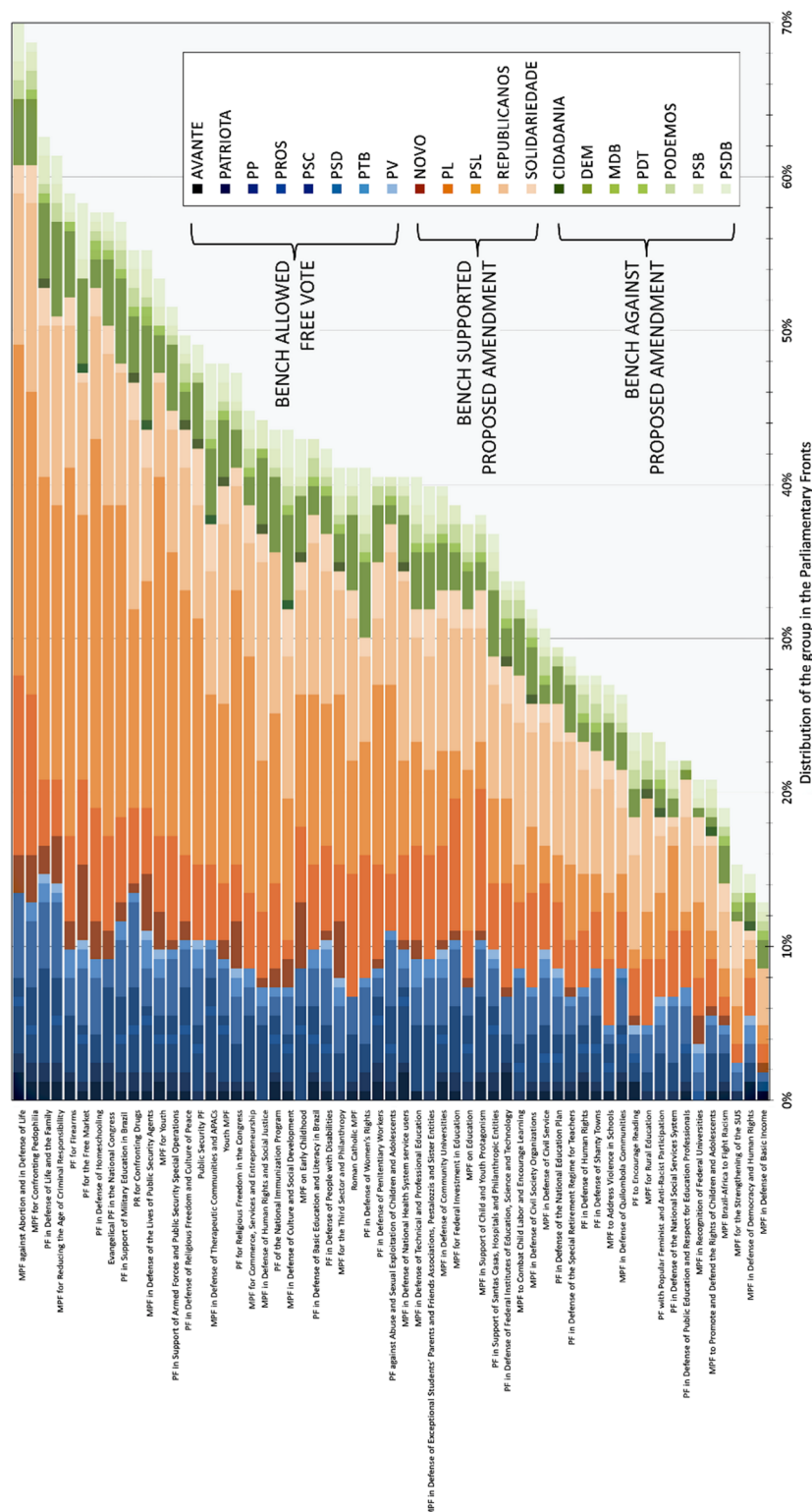
Source: Prepared by the authors, based on data retrieved from: <https://www.camara.leg.br/internet/deputado/frentes.asp> and www.camara.leg.br/presenca-comissoes/votacao-portal?reuniao=60214&itemVotacao=36588. Accessed: Nov. 22, 2021.

Some Parliamentary Fronts that have names suggesting adherence to progressive agendas – and which sometimes have a significant participation of the *aloprados do Fundeb* – were, in fact, founded and are coordinated by members of that same *Fundeb* group: e.g. MPF for Youth (Chris Tonietto, PSL/RJ), Youth MPF (Júlio Cesar Ribeiro, Republicans/DF), MPF in Defense of Human Rights and Social Justice (Roberto de Lucena, Podemos/SP) and PF in Defense of Religious Freedom and Culture of Peace (Carla Zambelli, PSL/SP). In November 2020, Congresswoman Chris Tonietto (PSL/RJ), one of the seven who voted against constitutionalizing *Fundeb* (CÁSSIO; MOURA, 2020), acted through the MPF for Youth, jointly with the Catholic and Evangelical Fronts, aiming remove from the Federal Supreme Court agenda Direct Action of Unconstitutionality No. 5668, filed by the PSOL Party to recognize the constitutional duty of public and private schools to prevent and restrain homophobic bullying, as well as to respect the identity of LGBT children and adolescents in the school environment, in compliance with article 214 of the Federal Constitution. Tonietto did not participate in the December 17, 2020 vote, because she was on maternity leave.

Analyzing the distribution of these 163 congressmen over the 59 Parliamentary Fronts (Figure 3), it can be seen observe that almost 70% are part of the Parliamentary Fronts on Public Security and in Defense of Homeschooling, representing, respectively, 36.9% and 46.3% of the total of these two Fronts. This data suggests that, beyond the most reactionary segment that is part of the Firearms Front, the “In Defense of Life” Front and the Reducing the Age of Criminal Responsibility Front, the *aloprados do Fundeb* group goes beyond organic Bolsonaroism and its ultraliberal ramifications. The map of the distribution of the 163 congressmen by political party and by political party bench advice on voting on Bill No. 4372/2020 includes religious fundamentalists, privatizationists of various hues, militarists, those contrary to civil service and congressmen with personal or family interests in the privatization of public education.

In this supra-partisan front – formed by tactical alliances, but also with conservative and religious values in common – the defense of SUS service users (they are 30.2% of the MPF in Defense of SUS service users) has more relevance than the strengthening of SUS itself. The abstract defense of education is more important to the *aloprados do Fundeb* than the concrete defense of the National Education Plan (PNE), rural education, public schools, and education workers. They compete to be part of the Education MPF and most of them are part of the MPF for Fighting Pedophilia, but they sheer away from the Parliamentary Fronts for Fighting Violence in Schools, Fighting Child Labor, Valuing Federal Universities, Defending the Civil Service, and Promoting the Rights of Children and Adolescents. Their strategies for confronting violence in schools go in the direction of school militarization and massive de-schooling via homeschooling. They are, at the same time, in “defense of life” and against basic income.

Figure 3 – Percentage distribution of the *aloprados do Fundeb* over the 59 Parliamentary Fronts, by political party. The different groups of colors identify the political parties that allowed the caucus to vote freely (blue) and advised on voting in favor (orange) or against (green) the proposed amendment to Bill No. 4372/2020. PF: Parliamentary Front; MPF: Mixed Parliamentary Front (includes congressmen and senators)



Source: Prepared by the authors based on data retrieved from: <https://www.camara.leg.br/internet/deputado/frentes.asp> e <https://www.camara.leg.br/presenca-comissoes/votacao-portal?reuniao=60214&itemVotacao=36588>. Accessed: Nov. 22, 2021.

Broad Front against Broad Front

Although the advice on voting given by the political party benches weighed heavily in the vote against public schools (note the size of the orange portion in the graph in Figure 3), the volume of votes in favor of the privatization amendment to Bill No. 4372/2020 was also high when taking the total of parties that let their benches vote freely or advised them to vote against the proposed amendment. These congressmen, as shown in the map of membership of Parliamentary Fronts, are close to the Bolsonaroist reactionary and ultraliberal agendas, which corroborates several analyses already made in the press about ideological affinities in the National Congress²⁶.

Among those who tried to drain public school funding, there were three congressmen belonging to the PSB Party, one to the PDT Party and one to the Cidadania Party, these being self-declared center-left parties that voted against the Bill. The four PSB and PDT congressmen are evangelical ministers: Jefferson Campos (PSB/SP), Liziane Bayer (PSB/RS), Rodrigo Coelho (PSB/SC) and Alex Santana (PDT/BA). In turn, Paula Belmonte (Cidadania/DF), is married to lawyer Luís Felipe Belmonte, first substitute of Senator Izalci Lucas and the main political operator of the *Aliança pelo Brasil* [Pro-Brazil Alliance], which Jair Bolsonaro attempted to found as a political party in 2019.²⁷ No Rede, PCdoB, PSOL or PT Party congressmen voted in favor of the amendment, while all Novo Party congressmen and the vast majority of the equally right-wing PSL Party voted in favor of Amendment No. 10 being reincorporated into the wording of the Bill. But as no political group can, alone or even with its close allies, obtain the majority of votes in the Chamber of Deputies, the victory of public education against the proposed amendment to the Bill to regulate the *Fundeb* was due to two factors: 1) the formation of a broad front of political parties; and 2) higher rates of abstention and party infidelity in the government's base in the Chamber than among those who positioned themselves in favor of the public nature of the *Fundeb*.

The approval of the four amendments in favor of privatization during the first passage of Bill No. 4372/2020 through the Chamber of Deputies (Dec. 10, 2020) was a defeat for the educational field committed to the defense of public schools. In response, civil society pressure on congressmen and senators increased significantly in the week beginning on December 14, 2020, and was decisive for enabling the formation of an even broader front to affirm the public character of the *Fundeb*. This had already been accomplished between July and August 2020, when the text of Constitutional Amendment Bill No. 15/2015, which had as its rapporteur Congresswoman Professora Dorinha (DEM/TO), reached a high level of legitimacy in both legislative houses and sealed the constitutionalization of the Fund through Constitutional Amendment No. 108/2020.

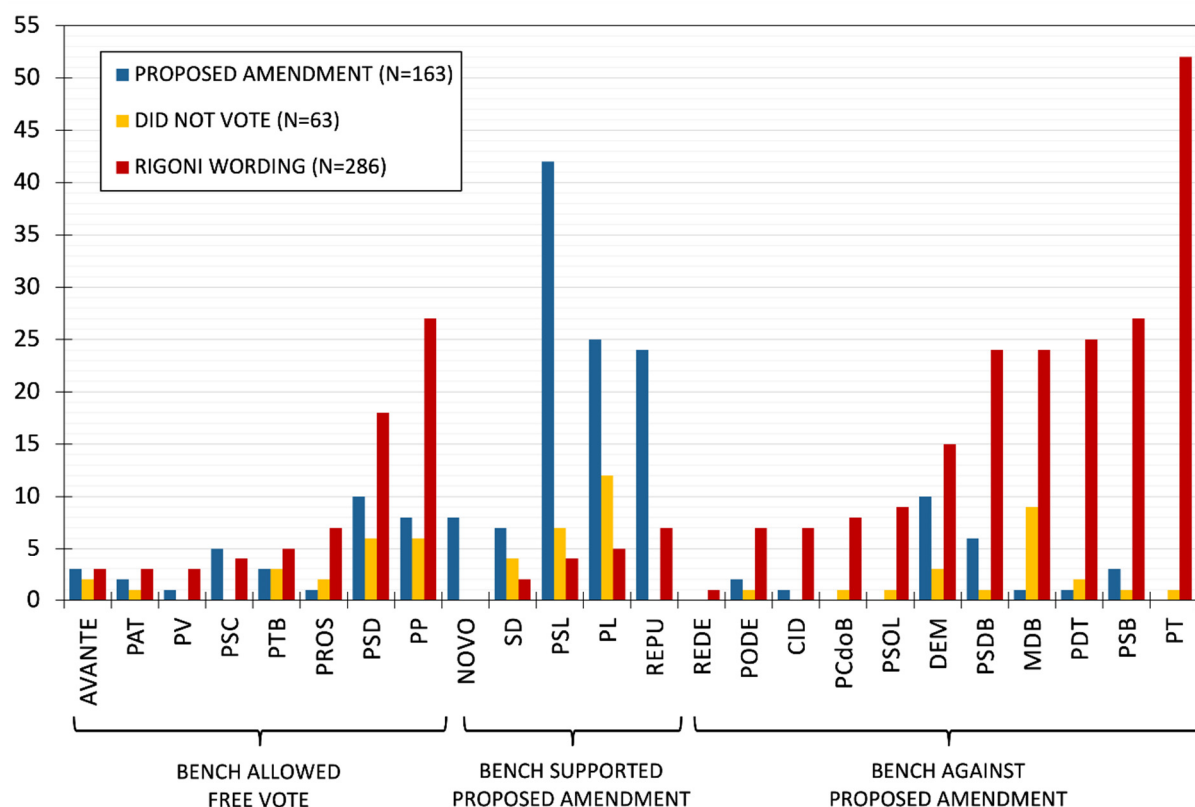
During the vote on Bill No. 4372/2020, the amendment approved by the Chamber of Deputies by 311 to 131 votes on December 10, 2020 was defeated seven days later, also in the Chamber of Deputies, by 286 to 163 votes, and counted on votes by congressmen of all

²⁶ See, for example, "Os 12 partidos que formam a base fiel do governo na Câmara". *Congresso em Foco*, Sept. 30, 2020. Available at: <https://congressoemfoco.uol.com.br/area/governo/exclusivo-os-12-partidos-que-formam-a-base-fiel-do-governo-na-camara>. Accessed: Sept. 15, 2021.

²⁷ "O advogado milionário que está à frente do novo partido de Bolsonaro". *Veja*, Nov. 29, 2019. Available at: <https://veja.abril.com.br/politica/o-advogado-milionario-que-esta-a-frente-do-novo-partido-de-bolsonaro>. Accessed: Sept. 15, 2021.

right-wing parties (except for the Novo Party). The overwhelming majority of votes from the PP, PSD, Podemos, PSDB and MDB Parties were in favor of public schools (Figure 4). In the meantime, the Federal Senate restored the original text free from the privatization amendments.

Figure 4 – Count of votes regarding the proposed amendment to Bill No. 4372/2020, by political party (Dec. 17, 2020). The total (N=512) includes parliamentarians who did not vote, but excludes the vote of Chamber President Rodrigo Maia, which had been counted on the voting panel



Source: Prepared by the authors, based on data retrieved from: <https://www.camara.leg.br/presenca-comissoes/votacao-portal?reuniao=60214&itemVotacao=36588>. Accessed: Nov. 22, 2021.

Once the victory in the Chamber of Deputies had been confirmed, several organizations claimed to have played a leading role due to the pressure they brought to bear on parliament and political articulation that, in the final stretch and in a short period of time, produced an even broader and more numerous fronts than that of the *aloprados do Fundeb*. It should be noted that the consolidation of a broad front in the Legislative branch and in civil society in defense of the public character of the *Fundeb* led to the defeat of the enemies of public schools, but did not erase the roles played by different social actors throughout the five-year passage of the *Fundeb* through the National Congress (PELLANDA; CARA, 2020).

Final considerations

The historical insistence on appropriating for the private sector part of the resources intended for public education and the most recent configuration analyzed in this article show that, far from expressing a legislative accident, the victory – albeit temporary – of the *aloprados do Fundeb* is the culmination of a structured and long-term demand from secular and faith-based private sectors, which has gained political reinforcement in the recent governmental

agenda. The indirect effect of the episode is to put the opposing agendas on the defensive, focused on the allocation of public resources to public schools, such as the demand for gradually ending *Fundeb* funding of private early childhood education, among others, these being exceptions that not only were not overcome, but also became permanent rules under Law No. 14113/2020. Exceptions that, today, support the rhetoric affirming privatization of direct education provision as an alternative to the state school education.

Differently to when Congress approved Constitutional Amendment No. 108/2020, Jair Bolsonaro did not try to capitalize politically on the law that regulated the *Fundeb*. Once Bill No. 4372/2020 had been approved, the *Palácio do Planalto* limited itself to informing that its “[...] enactment [...] represents an important advance in legislation in the sense of attempting to ensure, in a permanent way, the transfer of resources for purposes related to the development of basic education and the recognition of the professionals who provide it”.²⁸ There is a reason for the conciliatory tone of this statement. Regulation of the *Fundeb* did not end with Law No. 14113/2020. As provided in the law itself and in Constitutional Amendment No. 108/2020, by 2022 mechanisms such as *Custo Aluno-Qualidade* [Student-Quality Cost] (CAQ), *Sistema Nacional de Avaliação da Educação Básica* [National Basic Education Evaluation System] (Sinaeb), *Sistema Nacional de Educação* [National Education System] (SNE) and the criteria for distribution of a new Federal Administration supplement related to the achievement of educational results (VAAR) have yet to be regulated.

Judging by the actions of the 163 *alopradados do Fundeb*, new attempts to undermine the funding of Brazilian public education may be just a matter of time.²⁹ A little more than a year after the episode of the *alopradados do Fundeb*, on December 16, 2021, the Chamber of Deputies rejected enhancements made by the Senate and approved the Bill No. 3418/2021, which changes Law No. 14113/2020. The initial goal was to extend to 2023 the deadlines for the complementary regulation of the *Fundeb*, but ended up going further and broadening the hypotheses of privatization, with the express inclusion of professional technical high school education provided by autonomous social services (*Sistema S*) in the calculation of enrollments financed by the Fund. The intention, however, was to return to the 2020 proposal, which was rejected after mobilization by the same sectors that defeated the reactionism and social setback on that occasion.

²⁸ “Bolsonaro sanciona regulamentação do novo Fundeb”. *Correio Braziliense*, Dec. 25, 2020. Available at: <https://www.correiobraziliense.com.br/euestudante/2020/12/4897013-bolsonaro-sanciona-regulamentacao-do-novo-fundeb.html>. Accessed: Sept. 15, 2021.

²⁹ It is worth mentioning as an example two recent attempts to implant vouchers in public education: 1) the publication of Provisory Measure No. 1061/2021, which revoked the Bolsa Família Program, brought into force the precarious *Auxílio Brasil* Program and, within it, proposed what it called *Auxílio Criança Cidadã* [Child Citizen Aid] (CAMPANHA..., 2021). At the time of finishing this article, the Chamber of Deputies removed from the wording of the proposal the possibility of implanting vouchers, but kept encouragement of day care center outsourcing; and 2) Constitutional Amendment Bill No. 188/2019 has been introduced in the Senate, which intends to alter Article 213 of the Federal Constitution to allow Fundeb resources to be transferred in the form of *bolsas* [grants] (i.e. vouchers) without requiring public authorities to “invest as a priority in expanding their local education system”, as required by the current wording (AMARAL et al., 2021).

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