

Trade Unionism and Social Security Reform under the Bolsonaro Administration

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Abstract: The objective of this article is to examine the participation of union actors in the legislative decision-making process related to the social security reform enacted under the Bolsonaro administration (2019–2022), with particular attention to the role of the trade union caucus – comprising both deputies and senators – in the legislative consideration of Constitutional Amendment Bill N° 06 of 2019 (PEC 06/2019). The central research question guiding the study was: how did the union caucus act to defend workers' interests in a political and institutional context unfavorable to parliamentary opposition to the social security reform? From a methodological standpoint, the study focused on the main stages of the decision-making process associated with the social security reform: 01. the submission of the bill to the legislature; 02. the union caucus's initial position on the bill; 03. the bill's consideration in legislative committees; 04. plenary debate and roll-call voting; 05. final approval of the reform bill; and 06. the union caucus's stance on the text as approved. The research drew on three principal methods: 01. documentary analysis; 02. systematic coding and organization of the empirical material; and 03. interpretive analysis of the findings. The results support the argument that public policy change, notably social security reform, does not result from the straightforward imposition of presidential will on the National Congress. Rather, it emerges from a protracted, often contentious process of political negotiation involving the executive and legislative branches, as well as organized interest groups.

Keywords: Bolsonaro administration; trade unionism; union caucus; social security reform; decision-making process.

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Introduction

Among the theoretical approaches that have most effectively advanced the characterization of the so-called crisis of trade unionism, those that acknowledge the plural and multifaceted nature of the phenomenon have made the strongest contribution to a critical understanding of the profound challenges confronting the contemporary labor movement. From this analytical standpoint, the key issue is not merely whether a crisis of unionism exists, but rather how it should be understood in all its complexity and diversity¹.

In this regard, the power resources approach offers a useful framework for interpreting the multiple dimensions of the crisis of trade unionism, which takes different forms across countries and across different modes of union organization within a single national context. Without a proper grasp of this complexity and plurality, debates about the crisis of trade unionism in the contemporary world risk becoming sterile.

Based on a careful review of the literature, Costa et al. (2020) classify trade union power resources into four categories: 01. structural, 02. associational, 03. social, and 04. institutional².

The first category, structural power, refers to workers' position in the economic system, that is, their capacity to constrain or disrupt capital accumulation. This dimension of trade union power is closely tied to the underlying characteristics of the labor market (marketplace bargaining power) and the productive sector (workplace bargaining power).

The second category concerns the associational power of trade union organizations, understood as their capacity to recruit and mobilize workers. In this regard, it is worth noting that the associational power variable – often measured by membership levels, strike frequency, and the number of workers involved in strikes – has been the indicator most commonly used to assess the vitality or fragility of the trade union movement.

Social power, in turn, refers both to the influence of trade union organizations within society and to their ability to forge alliances with other actors and social movements. This form of power is closely linked to the capacity of trade unions to advance an

¹There is a substantial body of national and international academic scholarship on the so-called crisis of trade unionism. See, among others, Antunes and Silva (2015), Beynon (2003), Bridi (2006), Cardoso (2015), Jácome Rodrigues (2015), Munck and Waterman (1999), Rodrigues Netto (1999; 1998), Santana (2015), and Zapata (2003).

²For discussions of the power resources approach and strategies of union revitalization from different analytical perspectives, see Frege and Kelly (2004), Lévesque and Murray (2010), Schmalz et al. (2018), and Voss and Sherman (2000), among others.

agenda that goes beyond labor market-related issues and the interests of specific occupational groups, incorporating themes of concern to a broad network of social movements and civil society organizations³.

Finally, institutional power, – the dimension of primary interest in this study – is defined by Costa et al. (2020) as the power vested in trade union organizations by the prevailing legal framework and the broader institutional and legal structure, especially labor and trade union law. In the authors' words:

Institutional power influences not only trade unions' capacity to organize and represent workers, but also their position in collective bargaining, while simultaneously shaping the strategies and actions of political actors. It is therefore a form of power that is 'particularly sensitive to legislative intervention', underlying economic conditions, the behavior of capital, and changes in the institutional foundations of workers' rights, yet one that trade unions can still mobilize even during periods of decline in associational or structural power (COSTA et al., 2020, p. 35, emphasis added).

Although Costa et al. (2020) acknowledge the impact of legislative activity on the strategies of trade unions and employers' associations, their analysis is confined to the content of the institutional and legal framework governing collective bargaining and does not extend to the actions of union actors within the public policy decision-making process itself.

Against this backdrop, the present study contributes to the literature on power resources by drawing on empirical data on the legislative activity of trade union-affiliated legislators that demonstrate the capacity of institutional power to compensate, at least in part, for the relative weakness of trade union organizations in other dimensions of power (associational, structural, and social).

In a relatively recent study, Colombi et al. (2022) apply the power resources analytical framework to present an overview of Brazilian trade unionism from 2015 to 2021. The authors acknowledge that structural transformations over recent decades have adversely affected trade unions, particularly in terms of union density and strike activity. They stress, however, that the effects on the structural power of unions vary considerably across occupational groups and economic sectors.

Regarding associational power, Colombi et al. (2022) underscore the decline in membership among the most established sectors of trade unionism, including bank workers, postal workers, education workers, metalworkers, and chemical workers. The authors attribute this trend to the restructuring of the labor market and the broader reconfiguration of the working class. By contrast, occupational groups with less established traditions of unionization – such as informal workers, motorcycle couriers,

³The literature on unionism and social movements is extensive. See, among others, Estanque (2009), Galvão (2014), Scipes (2014), Recoaro (2023, 2020), Seidman (2011), Tapia and Alberti (2018), and Waterman (2008).

app-based drivers, and telemarketing workers – face equally significant challenges in strengthening their associational power, largely due to the precarious employment relations that characterize the sectors in which they operate (BRANCO and SILVA, 2023).

This unfavorable context and conditions for expanding structural and associational power have, in turn, prompted efforts to strengthen the social power of trade union organizations, entailing greater coordination with other popular movements and a more active presence of unions in economic, political, and social debates.

As for unions' institutional power, Colombi et al. (2022) distinguish four dimensions: 01. the rules and processes resulting from collective bargaining; 02. relations with public institutions in the labor field and across different branches of the state; 03. pressures exerted on the legislative and executive branches; and 04. the involvement of union leaders within the prevailing institutional and political framework. For the purposes of this study, particular emphasis is placed on the latter two dimensions. In the first case, the authors draw attention to the importance of interactions between less structured occupational categories and public authorities (in particular the executive and legislative branches) in the pursuit of social protection. In the second case, they highlight investments in electoral candidacies capable of representing trade union demands within the political system, whether at the municipal, state, or federal level.

This article examines precisely this latter dimension – the representation of trade union demands within the political system – by focusing on the role of trade union-affiliated legislators in the decision-making process surrounding the social security reform pursued during the Jair Bolsonaro administration (2019–2022).

As documented by Costa et al. (2020) and Colombi et al. (2022), trade unions have increasingly pursued new forms of action to compensate for the erosion of union power. In contexts characterized by sustained attacks on workers' social security rights, the strengthening of institutional power – whether through external pressure on the legislative and executive branches or through action within the existing institutional and political framework – takes on central importance in analyses of the crisis of trade unionism. Since the institutional and political engagement of union actors within the public policy decision-making process can – at least in part – offset the weakening of trade unions' structural, associational, and social power.

Given the substantial volume of data involved in the approval of a constitutional amendment, this study focuses on the main stages of the decision-making process surrounding the social security reform bill: 01. submission of the bill to the legislature; 02. the initial position of the trade union caucus in the legislature regarding the bill; 03. the bill's progression through legislative committees; 04. plenary debate and voting; 05. approval of the reform; and 06. the trade union caucus's position on the

final text. More specifically, the research employed the following methods: 01. documentary research; 02. systematic organization of the material collected; and 03. analysis of the findings.

Having outlined the power resources approach in this Introduction, with particular emphasis on institutional power, I now turn to the structure of the article. The paper is organized into five sections. The first section summarizes the main elements of the social security reform proposed by the Jair Bolsonaro administration and the challenges faced by the trade union caucus (comprising both deputies and senators) in opposing the executive's initiative. The second section offers a characterization of the trade union caucus and traces its evolution within the National Congress over recent decades. The third section examines the difficulties encountered by the trade union caucus in contesting a reform agenda treated as a legislative priority by the legislature itself. The fourth section presents and analyzes the main victories and defeats of the trade union caucus in the decision-making process surrounding the social security reform. Finally, the concluding section summarizes the main findings of the study.

Trade unionism and social security reform

There is a well-established scholarship in Brazil on relations between the state and trade unions. Much of this literature, however, has focused primarily on interactions between the executive branch and union organizations. By comparison, studies examining the relationship between the legislative branch and Brazilian trade unionism remain relatively scarce.

The primary objective of this study is to examine the participation of the trade union caucus (deputies and senators with union backgrounds) in the legislative process surrounding Constitutional Amendment Bill N° 06 of February 20, 2019 (PEC 06/2019). Since the social security reform advanced during the Fernando Henrique Cardoso administration (1995–2002), this has been the most ambitious bill to overhaul Brazil's social security system ever submitted to the National Congress.

Its main provisions included the introduction of a minimum retirement age for men and women, the decoupling of social security benefits from the minimum wage, a reduction in the value of the Continuous Cash Benefit (BPC), and the deconstitutionalization of pension rights, which would thereafter be governed by ordinary law.

However, the most consequential innovation of the reform bill was the introduction of a privately managed capitalization scheme into the Brazilian pension system (SANCHES and FARIA, 2022). Although comparable models had already been implemented in other Latin American countries and had even been considered by the Fernando Henrique Cardoso administration in Brazil (COELHO, 2003), this was the

first time the executive branch formally submitted to the legislature a proposal for the partial privatization of the pension system.

In general terms, and in comparison with previous presidents, Jair Bolsonaro was successful in securing congressional approval for incremental reforms that had faced resistance in the National Congress for decades, most notably the establishment of a minimum retirement age of 65 for men and 62 for women.

In addition to setting a minimum retirement age, the social security reform introduced more stringent eligibility criteria for survivor pensions, sickness benefits, and accident benefits. Taken together, these measures made access to social security benefits more restrictive and shortened the duration of benefit payments for workers in both the public and private sectors.

However, despite being celebrated by its proponents as a government victory, this study contends that the social security reform ultimately supports the argument that policy change does not occur through the straightforward imposition of presidential will on the National Congress. Instead, it unfolds through a prolonged, contentious, and highly intensive process of negotiation involving the executive and legislative branches, as well as organized interest groups (PALERMO, 2000; 2016; SILVA, 2014).

In this article, I emphasize the legislature's increasingly central role in shaping public policy change. The decision-making process surrounding the Jair Bolsonaro administration's social security reform revealed a balance of power in which the legislature came to dominate the executive in determining the pace, scope, and content of the reform. Put differently, although the reform initiative originated with the President of the Republic, the version ultimately approved was the outcome of an extensive process of political negotiation within the National Congress.

This context posed a distinctive challenge for the caucus of union-affiliated legislators. For the first time since the social security reform initiative pursued under the Fernando Henrique Cardoso administration (1995–2002), the union caucus confronted the full legislative process of a bill submitted by a government widely perceived as politically hostile by the majority of its members⁴. Consequently, unlike during the administrations of Luiz Inácio Lula da Silva (2003–2010) and Dilma Vana Rousseff (2011–2016), union-affiliated legislators lost the strategic edge of belonging to the governing coalition, which eroded their institutional power in the reform's decision-making process (SILVA, 2021; 2018)⁵.

However, despite an adverse institutional and political environment, the union caucus played an important role in the social security reform decision-making process by

⁴In 2017, the Michel Temer administration (2016–2018) introduced a social security reform bill in the National Congress, but the proposal stalled at the committee stage (CAMPOS and ARAÚJO, 2020).

⁵For a discussion of the importance of shifts in the partisan dynamics between government and opposition in the legislature, see Melo and Anastasia (2006).

exposing the measures that had the most detrimental effects on workers and, in doing so, raising the political costs of approving the reform for its proponents. As Melo (2002) observes, social security reforms entail substantial political costs for deputies and senators, who are required to take positions on unpopular measures that directly affect their respective electorates.

From this perspective, this study aligns with a well-established strand of political science scholarship, both national and international, that emphasizes the importance of institutions and the 'rules of the game' in shaping institutional and political contexts that can either enable or constrain the action of minority groups (FIGUEIREDO and LIMONGI, 2001; IMMERGUT, 1996; TSEBELIS, 1998). An examination of the trade union caucus from this perspective helps to explain how specific institutional arrangements shape public policy outcomes, even when the actors involved operate from structurally disadvantaged minority positions within the decision-making process.

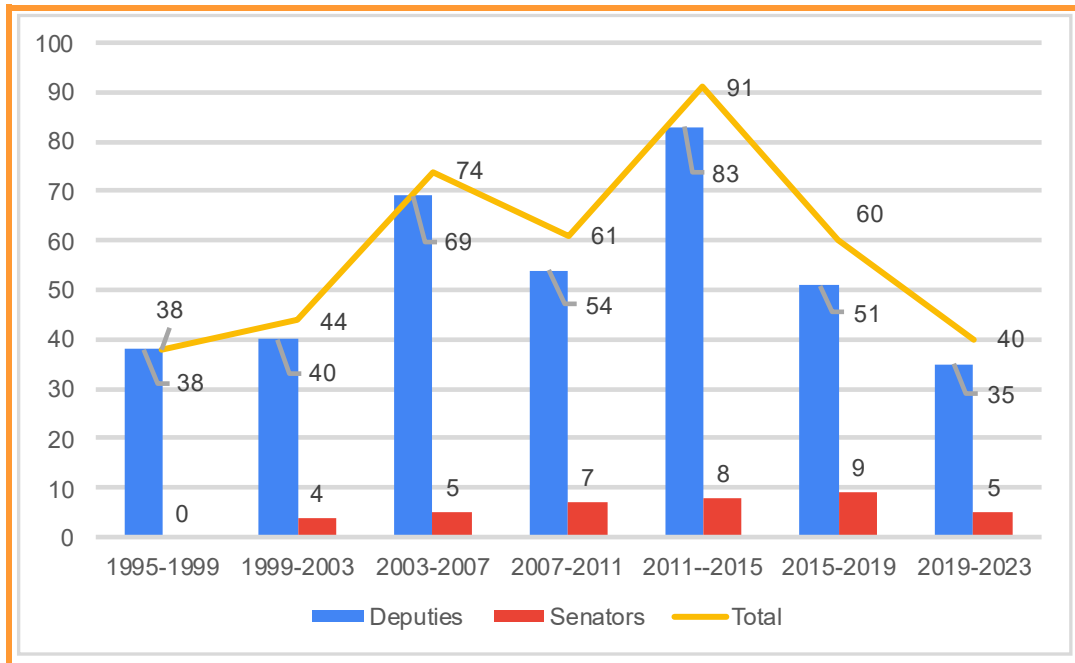
Trade union caucus

The trade union caucus has as its primary objective the promotion and defense of workers' labor and social security rights in the National Congress. It also operates in a coordinated and systematic manner as an intermediary between workers, employers, and government actors. Since Brazil's redemocratization in 1985, it has been one of the most influential cross-party caucuses in the Brazilian legislature.

Drawing on prior research (SILVA, 2018) and the classification proposed by the Inter-union Department for Parliamentary Advisory Services (DIAP, 2002), I define members of the union caucus as deputies and senators who maintain long-standing ties to the labor movement. And who, while in office, consistently act to defend workers' interests in the National Congress. These legislators are primarily union activists or leaders who, after being elected, continue to maintain political ties with their respective occupational groups and with the labor organizations from which they emerged. For the purposes of this study, the DIAP classification is particularly well suited. As, it is produced by the leading parliamentary advisory body for the labor movement in Brazil.

Over the past thirty years, labor union representation in the National Congress has varied markedly. In general, its performance in legislative elections has closely tracked that of left-wing parties, especially its main political ally, the Partido dos Trabalhadores (Workers' Party, PT).

Figure 01. Evolution of the trade union caucus, 1995–2023



Source: Elaborated by the author based on DIAP data (2018a, 2014a).

As shown in Figure 01, the size of the union caucus rose steadily during the first three legislatures of Brazil’s nascent democracy: 25 legislators in the 49th Legislature (1991–1995), 38 in the 50th Legislature (1995–1999), and 44 in the 51st Legislature (1999–2003). This period was marked by intense economic, political, and social mobilization, in which Brazilian trade unionism played a prominent role⁶.

In the 52nd Legislature (2003–2007), following the election of former union leader Luiz Inácio Lula da Silva to the presidency, the union caucus in the National Congress expanded substantially, reaching 74 legislators. In the subsequent legislature (2007–2010), however, as the so-called ‘Mensalão’ scandal⁷ weakened the electoral performance of the PT and other parties in the governing coalition, the union caucus experienced its first decline, falling to 61 members.

During the two terms of Dilma Vana Rousseff’s administration (2011–2016), the union caucus once again followed a pattern of expansion and contraction, increasing to 91 members in the 54th Legislature (2011–2015) before declining to 60 in the 55th Legislature (2015–2019). In addition to another corruption scandal involving the PT – the so-called ‘Petrolão’⁸ – an economic downturn, largely reflected in rising underemployment and unemployment, has been widely cited as a key factor in the caucus’s decline in the National Congress.

⁶Within Brazilian scholarship, Leôncio Martins Rodrigues Netto was among the earliest scholars to document the growing presence of workers in the Brazilian legislature in the post-1988 Constitution period, with particular attention to union leaders (2009a, 2009b, 2002, 1987).

⁷Criminal Case N° 470 (AP 470/MG), filed in 2007.

⁸Reference to Operation Lava Jato, initiated by the Federal Police on March 17, 2014, which exposed a wide-ranging corruption scheme involving the state-controlled oil company Petróleo Brasileiro S.A. (Petrobras).

In the 2018 legislative elections, Brazilian trade unionism suffered another parliamentary defeat, amid a broader electoral shift toward right-wing and far-right candidates, widely portrayed as embodying political renewal and new ways of governing, alongside a rejection of left-wing and center-left candidates, often associated with corruption and so-called 'old politics'. In this context, the union caucus declined to 40 members: 35 deputies and 05 senators⁹.

In terms of party composition, during the 56th Legislature members of the union caucus were distributed across 11 parties, most of them in opposition to the new government. In the Chamber of Deputies, an absolute majority was concentrated in left-wing parties, in descending order. 19 in the Partido dos Trabalhadores (PT), four in the Partido Comunista do Brasil (PCdoB), four in the Partido Socialista Brasileiro (PSB), two in the Partido da República (PR), and one each in the Partido Socialismo e Liberdade (PSOL), the Partido Democrático Trabalhista (PDT), Solidariedade (SD), Podemos (PODE), the Partido Social Cristão (PSC), and the Partido Social Liberal (PSL). In the Federal Senate, by contrast, the union caucus comprised only five members: three from the PT, one from Rede Sustentabilidade (REDE), and one from the PSL.

This predominantly left-of-center party composition suggested that union deputies and senators would play an important role as critics of the reform agenda pursued by a right-wing government; at the same time, however, their position within an overwhelmingly conservative National Congress left them with limited capacity to block the progress of the social security reform bill.

At this juncture, it should be noted that the institutional power of union actors is not insulated from the broader crisis affecting organized labor. Indeed, the number of seats held by deputies and senators with union backgrounds has declined, signaling a reduced labor presence in the legislature. Nevertheless, within the institutional arena, even as its numerical strength diminished, the union caucus remained actively engaged in substantive debates over the social security reform bill, thereby raising the political costs of its approval.

Because constitutional amendments require a qualified three-fifths majority (308 votes) to pass, minority groups opposed to policy change typically focus on exposing the most unpopular elements of a bill and raising the political costs of its approval when they do not, on their own, command enough votes to defeat it outright. This was precisely the strategy adopted by the union caucus to secure targeted gains during the reform's passage¹⁰.

⁹According to DIAP (2018), the union caucus in the Chamber of Deputies lost 16 seats compared with the 2014 election. In the Federal Senate, the proportional decline was even steeper, with representation falling from nine to five senators. Overall, with the rise of Bolsonaroism, union representation in the National Congress fell to levels lower than those recorded in the legislature, that immediately preceding the rise of Lulism.

¹⁰The union caucus also played a key role in sharing information about the social security reform's decision-making process with union organizations, particularly by clarifying the balance of power within the National Congress and outlining possible strategies through which unions could exert pressure on legislators in favor of the reform.

In sum, after four terms under allied governments in the executive branch, the union caucus, during the Bolsonaro administration's social security reform, encountered for the first time a president who was an explicit political 'enemy' of organized labor, in a context that was highly unfavorable both politically and numerically. Moreover, the caucus no longer had an ally in the presidency - as had been the case during the administrations of Luiz Inácio Lula da Silva and Dilma Vana Rousseff. And, its representation in both the Chamber of Deputies and the Federal Senate had declined substantially, thereby significantly constraining its capacity for parliamentary resistance to the social security reform under the Jair Bolsonaro administration.

Nevertheless, despite operating in an adverse institutional and political setting, the union caucus played a meaningful role in defending the social rights at stake in the Jair Bolsonaro administration's social security reform. It did so by drawing attention to the proposed measures and, in turn, raising the political costs of approving the most unpopular provisions, particularly those that concentrated losses across multiple organized groups – the so-called 'infeasible policies' (ARNOLD, 1998; 1990; PIERSON, 1997).

Unionism and the decision-making process

By declining to form a coalition government, i.e., with broad party representation in key executive positions, newly elected Jair Bolsonaro signaled a governing strategy that led the union caucus to expect that the social security reform, the first major bill sent by the president to the National Congress, would face significant obstacles to legislative advancement and approval.

As Branco et al. (2023) and Flores (2023) argue, Jair Bolsonaro did little to advance, and in some respects even undermined, the legislative progress of the social security reform. Unlike his predecessors, the president did not invest political capital in building or coordinating a governing coalition in the National Congress to secure approval of the bill. Moreover, the economic team was slow to articulate clear explanations of key aspects of the reform, including the introduction of a capitalization system, changes to the Continuous Cash Benefit (BPC), and revisions to the social security rules governing rural workers.

Opposition legislators leveraged the executive's apparent inability to advance the social security reform bill submitted to Congress, as reflected in remarks by José Guimarães (PT-CE) during the initial plenary debate in the Chamber of Deputies:

I have never seen a president come to this House with only a handful of deputies present. This reveals the government's inability to marshal political support in the Chamber. The government has no political center, no dialogue,

and no ability to build a parliamentary majority capable of dealing with an issue as contentious as social security reform. Our position, as the PT, is clear: we will not support any measure that dismantles the three pillars established by the 1988 Constituent Assembly: social security, health care, and social assistance (GUIMARÃES, 2019).

Nevertheless, despite the executive's limited coordination capacity, Constitutional Amendment Bill N° 06 of 2019 emerged as a top legislative priority within the National Congress. In particular, the leadership of the then presidents of the Chamber of Deputies, Rodrigo Maia (DEM-RJ), and the Federal Senate, Davi Alcolumbre (DEM-AP), played a decisive role in compensating for the government's political disarray and advancing the bill through the legislative process.

Among the major party blocs and congressional leadership in the National Congress – excluding opposition parties – a broad consensus formed around social security reform as a legislative priority. This development fundamentally reshaped the strategic environment for the union caucus. The challenge was no longer merely to resist a bill introduced by the executive, but rather to engage in negotiations over a reform that had been elevated to a legislative priority by Congress itself.

The consolidation of a reform-oriented majority, led by the presidents of the Chamber of Deputies and the Federal Senate, severely constrained the union caucus's ability to prevent the social security reform from advancing and ultimately from being approved in the National Congress. Under these conditions, union legislators turned to a strategy of damage control, denouncing provisions in the reform that were most detrimental to workers and that undermined the public, solidaristic foundations of the social security system. As the minority leader in the Chamber, Jandira Feghali (PCdoB-RJ), stated, "We will try to mitigate the damage" (BRASIL –CÂMARA DOS DEPUTADOS, 2019a).

The legislative process

On February 20, 2019, echoing a gesture made years earlier by his main political rival, former president Luiz Inácio Lula da Silva, the newly elected president Jair Messias Bolsonaro personally delivered his social security reform bill to the National Congress. Unlike the highly publicized and celebratory presentation of the Lula administration's reform proposal – which was attended by all 27 state governors and dozens of civil society representatives, including union leaders – Bolsonaro's appearance was markedly subdued. After submitting the bill, "Bolsonaro left the Chamber via a secluded corridor, did not meet with opposition legislators, and did not speak to journalists during his visit to Congress" (BRASIL -SENADO FEDERAL, 2019).

More telling than the symbolic handover of the bill to the presidents of the Chamber of Deputies, Rodrigo Maia (DEM-RJ), and the Federal Senate, Davi Alcolumbre (DEM-AP), was Jair Bolsonaro's low-profile departure from the National Congress, which

signaled his limited personal and institutional involvement in securing approval of the so-called New Social Security. Responsibility for advancing and defending the executive's original bill in the legislature thus shifted to his closest aides, most notably the minister of economy, Paulo Guedes, and the special secretary for social security, Rogério Marinho (JARDIM and MOURA, 2023).

Accordingly, although the bill passed the constitutionality review with relative ease in the Constitution, Justice, and Citizenship Committee (Comissão de Constituição e Justiça e de Cidadania, CCJC), this initial committee stage nonetheless marked the first substantive defeat of the executive's original draft. Under a cross-party agreement, the rapporteur, Delegado Marcelo Freitas (PSL-MG), removed two provisions from the bill: 01. the proposal to eliminate the 40% severance fine and FGTS contributions (Brazil's mandatory severance fund for private-sector workers) for retirees who continued working, and 02. the provision granting the executive exclusive authority to initiate changes to the social security system. The first proposal, in particular, met strong resistance from the union caucus in the Chamber of Deputies and from the labor movement more broadly.

After clearing the Constitution, Justice, and Citizenship Committee with the amendments noted above, the bill was referred to the Special Committee on Social Security (Comissão Especial da Previdência Social, CESP), chaired by Marcelo Ramos (PL-AM), with Samuel Moreira (PSDB-SP) serving as rapporteur. Although both were supportive of the reform, they opposed several elements of the executive's original bill and signaled early on that the version approved by the committee would differ substantially from the one submitted by the government.

This moment offered a rare opportunity for the union caucus to influence the bill's original text. In the decision-making process surrounding social security reform, legislative committees are the arenas in which parliamentary minorities have the greatest leverage to influence policy change. They therefore constitute a privileged locus for union legislators to denounce the reform's most unpopular provisions and, in doing so, raise the political costs associated with their approval (SILVA, 2016). The Special Committee on Social Security (CESP) included six union legislators: Alice Portugal (PCdoB-BA), André Figueiredo (PDT-CE), Carlos Veras (PT-PE), Giovani Cherini (PL-RS), Heitor Schuch (PSB-RS), and Lídice da Mata (PSB-BA). With the exception of the PL deputy, all adopted an active stance against the government's bill.

Within the committee, the government suffered significant defeats on provisions that would have disproportionately harmed vulnerable segments of the population, particularly 01. rural workers and 02. beneficiaries of the Continuous Cash Benefit (BPC). In the case of rural workers, the executive's proposal would have abolished special retirement rules – 55 years of age for men and 50 for women – and replaced them with a minimum retirement age of 60, along with a 20-year contribution

requirement for both men and women. With respect to the BPC, the bill proposed raising the eligibility age from 65 to 70.

Because these provisions adversely affected the most vulnerable recipients of social security benefits, the government's proposal attracted sustained criticism from the media, labor organizations, and even from the legislators responsible for evaluating it. The union caucus, in turn, consistently denounced the unjust and regressive nature of these measures, both within Congress and in the broader public sphere.

While the bill was still under review in the CESP, the government suffered two further major setbacks: 01. the removal of the provision allowing for the deconstitutionalization of the minimum retirement age and the minimum contribution period, and 02. the removal of the proposal to introduce a capitalization-based regime into Brazil's pension system. In substantive terms, the latter decision signaled the rejection of the executive's much-publicized 'New Social Security' project.

Finally, the special committee also rejected the government's proposal to extend changes to retirement rules to state and municipal governments. These significant, albeit incremental, defeats of the government's bill bolstered the morale of the union caucus, as reflected in remarks by Orlando Silva (PCdoB-SP):

On several core aspects of the bill, the 'government suffered defeats', starting with the capitalization proposal. [...] With regard to both the Continuous Cash Benefit and rural workers' retirement, I believe there was another significant shift. While there is little to celebrate, it is nonetheless important to acknowledge, above all, the political struggle. This final outcome was achieved through struggle, mobilization, and resistance (BRASIL - CÂMARA DOS DEPUTADOS, 2019b, emphasis added).

Nevertheless, once its most controversial provisions had been stripped out, the bill increasingly secured majority support in the legislature, despite the executive's limited capacity for party coordination. The debate thus shifted from executive–legislative relations to conflicts between supporters and opponents of the reform within the legislature itself. From that point on, union legislators – now confined to the parliamentary minority, particularly among left-wing parties – saw their influence significantly curtailed, which limited their ability to halt the bill's progress and ultimately prevent its approval as Constitutional Amendment Bill N° 06 of 2019.

A legislative priority

There is relative consensus in the academic literature that the challenges governments face in enacting public policy change arise not only from the content of the measures they propose, but also from the institutional rules governing the decision-making process. Legislative proceedings that unfold under conditions of high

public visibility, in which supporters can be individually identified, provide opponents – even when they are in the minority – with a distinctive opportunity to raise the political costs associated with the approval of unpopular measures.

As detailed earlier, by the time the bill reached the plenary of the Chamber of Deputies, the reform pursued by the Jair Bolsonaro administration had already been scaled back on several key elements of its effort to restructure Brazil's social security system. The introduction of a capitalization regime, the increase in the eligibility age for the Continuous Cash Benefit (BPC), the application of the new rules to rural workers, and the deconstitutionalization of the minimum retirement age and contribution period.

The union caucus opposed essentially all of these measures and, rather than limiting its efforts to intra-legislative resistance, mobilized its support base beyond the legislature to challenge them through trade union organizations, street protests, media outlets, and other public venues, thereby seeking to increase the political costs of the reform.

Thereafter, the items remaining on the agenda for debate and approval were those that enjoyed growing support in Congress, most notably the introduction of a minimum retirement age for men and women, along with changes to the rules governing eligibility for pensions and other social security benefits (including benefits related to work-related injury, sickness, and maternity).

The consolidation of a pro-reform legislative majority significantly constrained the capacity of union legislators to prevent these measures from moving forward. As noted earlier, the challenge was no longer simply opposition to the executive's original proposal, which had already been extensively reshaped during the committee stage (CCJC and CESP), but rather resistance to the will of a legislative majority that had elevated pension reform to a central legislative priority.

Against this political and institutional backdrop, the union caucus continued to express opposition to the social security reform bill but, in practice, recalibrated its strategy toward slowing the legislative process and mitigating the substance of the measures as they applied to specific groups of social security beneficiaries. Put simply, once pension reform had been established as a legislative priority, the prospects for its outright defeat were minimal.

Even so, the union caucus continued to take part in the key plenary debates, denouncing the costs of the reform for workers and the broader public. At the same time, aware that it could no longer prevent the bill's passage in its entirety, union legislators pursued a strategy of targeted intervention in the social security reform bill, focused on 'damage control'.

This strategy focused on three main issues: 01. minimum contribution periods for social security beneficiaries; 02. the minimum value of pension benefits; and 03. special retirement provisions for teachers and police officers.

On the issue of minimum contribution periods, the union caucus and opposition legislators achieved a significant victory by preserving the 15-year minimum requirement for workers already covered by the social security system. The government's proposal to raise this requirement to 20 years was restricted exclusively to new entrants.

Members of the union caucus welcomed the approval of this measure, as reflected in a speech by Orlando Silva (PCdoB-SP): "I would also like to acknowledge the dialogue among political forces, which was important. I commend the members of the PSB, and its leader Tadeu Alencar, for helping reduce the minimum contribution period for men from 20 to 15 years" (BRASIL - CÂMARA DOS DEPUTADOS, 2019b, p. 03).

Another significant victory for the union caucus was securing the preservation of a minimum-wage floor for survivor pensions for beneficiaries who had no other source of formal income. By contrast, the government's original proposal defined benefits as a family share of 50% of the pension amount, plus an additional 10% per dependent, and did not guarantee a minimum-wage floor as a general rule for pension benefits.

The union caucus and opposition parties also celebrated the reduction in the minimum age under the transitional rules for teachers, from 58 to 55 for men and from 55 to 52 for women. The measure was approved after sustained pressure from teachers' representative organizations within the Chamber of Deputies, as illustrated by a speech delivered by union legislator Dionilso Marcon (PT-RS).

Mr. President, I would like to place on record 'this victory for teachers' and to commend the respect, recognition, and appreciation that the public holds for this profession. Present here today were the CNTE, the national teachers' organization, as well as the CPERS, the union representing public school teachers in the state of Rio Grande do Sul. Many state-level teachers were also present, together with their leaders and members. This is a well-deserved victory, because the work of teachers is to educate and guide our youth and our children. Thank you very much (BRASIL - CÂMARA DOS DEPUTADOS, 2019b, p. 05, emphasis added).

Legislators from the union caucus also hailed an important victory for federal police officers and civil police officers in the Federal District (DF), as well as federal prison officers and federal socio-educational officers: the reduction in the minimum retirement age under the transitional rules to 52 for men and 50 for women. In this case, the outcome also reflected a strategic effort by the union caucus to appeal to a politically important constituency of the Jair Bolsonaro administration – public security professionals – who had been adversely affected by pension reform. As Erika Kokay

(PT-DF) put it: “Here, we fought hard against capitalization, against the inclusion of states and municipalities, and in defense of the rights of rural workers, teachers, and ‘police officers’. That fight will continue” (BRASIL - CÂMARA DOS DEPUTADOS, 2019b, p. 44, emphasis added).

The plenary speeches delivered by union legislators Orlando Silva (PCdoB-SP), Dionilso Marcon (PT-RS), and Erika Kokay (PT-DF) reinforce the argument that, despite operating under unfavorable quantitative and qualitative constraints, the union caucus played a consequential role in blocking key components of the social security reform. Capitalization, deconstitutionalization, measures affecting rural workers, and changes to the Continuous Cash Benefit (BPC) – and in securing partial revisions to others, including the retention of a 15-year minimum contribution period for existing beneficiaries, the preservation of a minimum-wage floor for pensions, and the lowering of the minimum retirement age under the transitional rules for teachers and police officers. Although the union caucus did not command sufficient votes to impose these changes on the executive’s original proposal, it nonetheless acted assertively to raise the political costs of the reform’s most unpopular measures, thereby inducing some of the proposal’s proponents to accept these amendments.

The repeated celebration by opposition lawmakers, particularly those from the union caucus, regarding the changes introduced in PEC 06/2019 triggered an ironic and paradoxical response among proponents of the reform. During the approval process, the main dispute between supporters and opponents was no longer over defending the government’s original proposal (by the majority) or criticizing it (by the minority), but rather over competing claims to authorship of the amendments to the bill, as seen in a speech by Alceu Moreira (MDB-RS):

Mr. President, this may be the only case I know of anywhere in the world: a group with 130 votes claiming victory over a group with 370 votes! I have never seen anything like this! It was not them, with 130 ‘no’ votes, who took farmers out of the pension reform! It was us! We were the ones who removed the BPC! We were the ones who did away with capitalization, undoubtedly! If any amendment was altered in this House, it was because of the actions – and the concessions – of those who actually held the votes! (BRASIL - CÂMARA DOS DEPUTADOS, 2019b, p. 24).

Adopting a more measured and conciliatory tone, Deputy Arthur Lira (PP-AL) praised the legislature’s reclaimed ‘leadership role’ in the social security reform and asserted authorship of the changes to the original bill on behalf of the centrist parties.

I want to speak here about the decisive role played by the leaders of the centrist parties, who, before anyone else, signed a document to ensure that the most vulnerable, the poorest, those who should not have been included, were excluded from this reform: BPC beneficiaries and rural workers. The centrist parties prevented the deconstitutionalization of the reform. The

centrist parties also worked to exclude the capitalization model, which remains vague to this day (BRASIL - CÂMARA DOS DEPUTADOS, 2019b, p. 29).

Although the votes of the centrist parties were decisive in securing changes to the original text, the fact remains that, without sustained public scrutiny – both within and beyond the National Congress – of the negative consequences of several provisions, those measures would likely have gone largely unnoticed in the public debate, thereby reducing the political costs of their approval. From this perspective, the union caucus's primary strategy for influencing the social security reform bill was to increase the visibility of the decision-making process itself and, consequently, to raise the political costs of approving unpopular measures.

Thus, rather than focusing exclusively on the final vote tally, it is essential to examine the bill's entire legislative trajectory in order to capture the contributions of both majority and minority actors to the shaping of the legislative debate. As this article has shown, the text ultimately approved emerged from an intense and often contentious process of negotiation between supporters and opponents of the social security reform in the National Congress.

As the parliamentary deliberation over PEC 06/2019 unfolded, the intense early clashes between the pro-reform majority and the opposing minority gradually gave way to successive revisions of the executive's original bill. In this context, lawmakers from across the political spectrum increasingly came to frame the social security reform text as a 'political victory' for the legislature. In the words of Afonso Florence (PT-BA):

This plenary brought demands from the streets into the debate. This is a victory for the Brazilian people. It is a victory for the opposition, and I want to commend all the opposition parties. 'But it is also a victory for parties in the government's coalition', given that deconstitutionalization was partially rolled back, capitalization was removed, the elimination of rural retirement was reversed, and the withdrawal of the BPC was secured. Although this represents an important victory for the opposition, it is not an opposition victory alone, because centrist parties and parties from the government's coalition also contributed (BRASIL - CÂMARA DOS DEPUTADOS, 2019b, p. 06, emphasis added).

The ability to 'forge' a text that incorporated proposals put forward by legislators both in favor of and opposed to the social security reform was likewise acknowledged by the reform's rapporteur, Samuel Moreira (PSDB-SP), in his remarks during the plenary debate.

We reached understandings even with the PDT on the issue of teachers; with the opposition; and with the PSB over the reduction of the minimum contribution period for men from 20 to 15 years. This has been a process of collective construction. It is a project that has consistently generated social

gains – gains that have been acknowledged even in statements by the opposition, including by the PT itself, both in committee and here in the plenary. Many of these gains coincide with the PT's own positions. When we talk about women – and the women deputies contributed to progress on this front – when we talk about female teachers, about all sectors, about the CSLL on banks, there was an ongoing process of collective construction (BRASIL - CÂMARA DOS DEPUTADOS, 2019b, p. 09).

In sum, parliamentary speeches by lawmakers both supportive of and opposed to the social security reform reinforce the argument that the bill ultimately enacted was shaped through deliberation and negotiation within National Congress between advocates and critics of the reform. Viewed in this light, the outcome of the legislative process was not an unambiguous victory for the Jair Bolsonaro administration, but rather the result of a political process that incorporated substantial revisions to the executive's original bill. These changes were proposed and defended not only by the pro-reform congressional majority, but also by the legislative minority opposed to the original text, among whom the union caucus is particularly salient for the purposes of this study.

Final considerations

"We are here to argue. We are here to try to bring about change, because politics, ladies and gentlemen, is not the art of corruption; politics is the art of 'convincing and persuading' in order to improve people's lives" Deputy Alice Portugal – Pcdob-BA (BRASIL - CÂMARA DOS DEPUTADOS, 2019b, p. 22, emphasis added).

This article has argued that, even in an unfavorable economic, political, and social context, the political-institutional power of organized labor can play a meaningful role in constraining, at least in part, the rollback of social rights. Accordingly, despite its limited numerical strength and its operation within a predominantly conservative legislature, the union caucus was able to secure important gains in the defense of the rights at stake in the social security reform process.

Among its main victories were: 01. the exclusion of rural workers from the reform bill; 02. the removal of recipients of the Continuous Cash Benefit (BPC); 03. the rejection of the capitalization model; 04. the retention of a 15-year minimum contribution requirement for existing beneficiaries, both men and women; and 05. the lowering of the minimum retirement age for teachers and police officers.

Thus, even amid declining structural, associational, and social power among trade unions, the institutional-political action of the union caucus in the National Congress was decisive in safeguarding a substantial portion of workers' social security rights.

Although the legislature approved several major components of the executive's original bill, including the introduction of a minimum retirement age of 65 for men and 62 for women, an overall assessment of the measures ultimately approved and rejected makes it difficult to characterize the reform as an unequivocal victory for the Jair Bolsonaro administration.

Quite the contrary. Paraphrasing the epigraph that opens these Final Considerations, the social security reform ultimately stands as a victory of the 'art of politics'. As this article has argued, union legislators played a pivotal role in defending workers' social security rights and, ultimately, in safeguarding the public and solidaristic nature of the social security system itself, even as it faced its most far-reaching attempt at privatization, advanced by an administration that openly defined itself as hostile to organized labor.

Finally, although the institutional power of union actors is not immune to the so-called crisis of unionism – as reflected, for example, in the declining number of deputies and senators elected to the 56th Legislature – the procedural rules governing the legislative process, including roll-call voting in two rounds, qualified-majority requirements. And motions for separate votes on specific provisions, allow parliamentary minorities to increase the visibility of decision-making and, in turn, raise the political costs of approving certain public policies. This dynamic underpinned the union caucus's primary strategy for defending the key interests of its constituent base during the social security reform advanced by the Jair Bolsonaro administration.

Translated by Paulo Scarpa

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Appendix

Methodological notes

As stated in the article itself, given the extensive volume of data and information involved in the process of approving a constitutional amendment, the analysis concentrated on the key stages of the social security reform decision-making process:

01. Submission of the proposal to Congress;
02. The union caucus' initial stance on the proposal;
03. The bill's progression through legislative committees;
04. Floor debate and voting;
05. Approval of the reform;
06. The union caucus's stance on the approved measure.

The primary sources for the data cited in the text are:

- Constitutional Amendment Proposal (PEC) N° 06/2019 (BRASIL - CONGRESSO NACIONAL, 2019);
- Presidential Message N° 55, dated February 20, 2019, concerning PEC N° 06/2019 (BRASIL – CÂMARA DOS DEPUTADOS, 2019c);
- 'Radiografia do Novo Congresso' – 2015–2019 Legislature (DIAP, 2014b) and 'Radiografia do Novo Congresso' – 2019–2023 Legislature (DIAP, 2018b), published by the Inter-union Department for Parliamentary Advisory Services (DIAP - Departamento Intersindical de Assessoria Parlamentar);
- The official verbatim transcript of the 196th sitting of the 1st Ordinary Legislative Session of the 56th Legislature of the Chamber of Deputies BRASIL – CÂMARA DOS DEPUTADOS, 2019d);
- The article 'José Guimarães Criticizes Bolsonaro's Social Security Reform' ('José Guimarães critica Reforma da Previdência de Bolsonaro'), (PT – CÂMARA, 2019) published on February 20, 2019, on the PT Câmara website; and
- The article 'Opposition Will Seek to Modify Social Security Reform in the Second Round, Says Minority Leader' ('Oposição vai tentar modificar reforma da Previdência no segundo turno, diz líder da Minoria') (BRASIL – CÂMARA DOS DEPUTADOS, 2019a) , published on August 05, 2019, on the Chamber of Deputies' official website.