HIGHER EDUCATION IN BRAZIL: PUBLIC AND PRIVATE[1]

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1. Introduction

Two characteristics mark the development of higher education in Brazil. The first is the fact that it developed late, with the first higher education institutions established only in 1808, and the first universities even more recently in the 1930s. The second, which is of particular relevance for this study, is the precocious development of a powerful private education system alongside the public. From the 1960s onwards this sector changed: it was no longer a case of parallel public and private systems with similar missions and aims, but rather of a new system that subverted the dominant idea of higher education based on a link between teaching and research, academic freedom and the public interest.

The growth of this new kind of private higher education is a relatively recent phenomenon that has had a particularly strong impact on developing countries. It is a phenomenon that has generated little research, perhaps because, until relatively recently, the expansion of this type of private higher education had not affected the countries where most research about higher education is done. It is only in the last few years that researchers have become more concerned with the meaning and impact of this kind of higher education.

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The peculiarities of the Brazilian case, where this tendency became apparent early on, are apparent when one compares it with other Latin American countries. In Latin America as a whole, as in Europe, until the end of the 1980s the higher education system consisted primarily of two kinds of universities: public secular, state funded universities, and Catholic universities, at least some of which depended totally or partially on public funding. Other, smaller, less important institutions existed on the fringes of these university-dominated systems.

Such is not the case in Brazil. First, until recently, universities have been only a small part of the higher education system. Second, in addition to church-related institutions and non-profit private higher education schools created by local elites, there was a proliferation of another type of institution from the 1970s onwards: schools run like businesses that are neither universities nor linked with the Church, and which are explicitly or indirectly profit-oriented: in short, businesses.

In Brazil, what has become clear and has permeated the higher education debate since then is the worrying expansion of this kind of private establishment. The literature on higher education in Brazil to date consists largely of a battle by intellectuals and students against private schools and in defence of state universities.

The analysis of this problem is crucial for an understanding of the peculiarity of higher education in Brazil. It is therefore important to provide a historical introduction on the development of Brazilian higher education in order to permit an understanding of the creation of the system in a complex and heterogeneous context.

The history can be divided up into periods that largely correspond with the main political transformations that occurred in the country. The first, which coincides with the monarchic period, takes place between 1808 and the beginning of the Republic in 1889. It is characterised by the establishment of a model of autonomous schools for the training of liberal professionals by exclusive Crown initiative. During the second period, which covers the whole period of the First Republic between 1889 and 1930, the system became decentralised and other both public (state or municipal) and private schools emerged alongside the federal establishments. Until the end of this period, there were no universities in Brazil, only autonomous higher education schools focused on a single course of study. The following phase begins in the 1920s, is consolidated in 1930, and coincides with the end of the First Republic and the establishment of the New State, the authoritarian government of Getúlio Vargas. It was during this period that the first universities in the country were created. This period ends in 1945, with the fall of Vargas and re-democratisation, and gives rise to a new phase that ends in 1964. It was characterised by an increase in the number of state universities. The following period begins in 1964 when a

new authoritarian era was inaugurated, during which time the university model was reformed and the private system underwent accelerated development, leading to the development of what Geiger calls a "mass private sector" (Geiger 1986). The current period began with the process of gradual re-democratisation in 1985. It has been shaped by the 1988 Constitution, the new 1986 Law of Guidelines and Foundations for National Education (*Lei de Diretrizes e Bases da Educação Nacional*, LDB), and by profound change at the political-economic levels and in education. Within this period, it is possible to distinguish the phase between 1995 and 2002, which coincided with the two mandates of President Fernando Henrique Cardoso. This period ended in 2003, and there is now profound uncertainty as to the future direction of higher education.

2. The Beginnings

Brazil had no universities or higher education establishments during the colonial period, unlike Spanish America where Catholic universities were created as early as the sixteenth century when colonisation began. The Portuguese Crown policy was to prevent the formation of a colonial intellectual class, and to concentrate higher learning in the metropolis. Even the Jesuit attempt to establish a seminary that might create a Brazilian clergy, along with a good part of the little organised education that existed in the colony were destroyed, when the Marquis of Pombal ordered the expulsion of the Company of Jesus at the end of the eighteenth century. It was only in the beginning of the following century in 1808, when the Portuguese Crown and the whole of the court moved to Brazil under the threat of the Napoleonic invasions, that higher education took off in Brazil. Three schools were founded in the year that the Portuguese king (then regent of the throne) arrived in Brazil.[2]

At the time there was no concern with or interest in creating a university. The aim was to train some professionals, such as lawyers, engineers and doctors, to satisfy the needs of the state apparatus and the local elite. The possibility of placing higher education in the hands of the Catholic Church, as in the Spanish American colonies, was also not contemplated. With the inauguration of republican governments in the newly independent countries the other Latin American countries experienced a new tendency to replace or create alongside old counter-reformation Catholic universities a new secular, state university system. In Brazil, history took a different turn. Given the presence of the Portuguese court, not only was independence delayed, but occurred with the preservation

[2] That year were created the School of Surgery and Anatomy of Bahia (today the Faculty of Medicine of the Federal University of Bahia), and the School of Anatomy and Surgery of Rio de Janeiro (now the Faculty of Medicine of the Federal University of Rio de Janeiro), and the Marine Guard Academy, also in Rio. Two years later in 1810, the Royal Military Academy was founded, which became the Central School, and thereafter the Polytechnic School (today the National School of Engineering of the UFRJ. See: Schwartzman (1991)

of the monarchy and the Bragança dynasty, which ruled the country until the end of the century. This characterised a markedly different historical development from that of the other countries of the continent, in which independence gave rise to republican regimes and ideals. The process was also different where education was concerned, as the model established in 1808 was maintained in Brazil. A state system under the influence but not directly administered by the Catholic Church was established (in accordance with the Portuguese tradition from the previous century), but it consisted of the creation of autonomous schools, rather than universities, to train liberal professionals. The creation of such schools was an exclusive prerogative of the Crown. This Napoleonic-inspired model was based on the pragmatism that guided the Portuguese modernisation project at the end of the eighteenth century, whose most notable legacy in the field of education was the reform of Coimbra University (Teixeira 1969).

Throughout the nineteenth century, the Crown maintained the Portuguese tradition of retaining a monopoly on higher education, resisting pressure from the Church to create Catholic establishments. The system expanded very slowly and at the end of the period, which culminated with the Proclamation of the Republic in 1889, there were only 24 professional training schools of this kind (Teixeira 1969), all of them created by Crown initiative and independent of the Church. It was the dissemination of positivist ideas among republican leaders at the end of the century that contributed to opening up the system to initiatives other than those led by the central government, although these still followed the model of isolated schools to train professionals.

After the proclamation of the Republic, the new Constitution decentralised higher education and permitted the creation of new establishments, both by other state institutions (state-level and municipal) and by private groups. Between 1889 and 1918, 56 new, mostly private, higher education schools were established. On the one hand, there were Catholic establishments committed to providing a church-sponsored alternative to public education institutions and, on the other, there were schools created by local elites who hoped to provide their states with higher education facilities. Of the latter, some were backed by state-level governments or were promoted by them, while others remained essentially private.

Thus, the diversification of the system dates back to this period and is still a characteristic of Brazilian higher education today: it created state-funded secular, federal or state-level institutions alongside church-sponsored or secular private ones.

Throughout the whole of the First Republic (1889-1930) the model of autonomous schools to train liberal professionals was prevalent. The attempts to create universities were rare, and none succeeded.[3]

3. The Movement to Modernise Education

The 1920s witnessed a strong modernising movement in the country. Urbanisation and the economic transformations brought about by industrialisation were accompanied by a genuine cultural renovation. The modernisation movement also affected education and various members of the education establishment proposed and partly achieved deep reforms are all education levels. The banner of the movement was free and universal primary school education. Together with a small group of scientists, the modernising group also proposed that higher education be modernised, calling for the creation of universities that would be, in the language of the period, «centres for impartial learning» rather than mere teaching establishments. The proposal meant far more than the mere creation of universities; it was about an all-encompassing reform of the higher education system as a whole, about the replacement of autonomous schools by large universities with a capacity to develop the basic sciences and research as well as professional training. The system had to be public, not linked with the church. The model was similar to the German, but adapted to innovations inspired by the North American model.

The banner of educational reform was appropriated and reformulated by the Vargas government, which took power in 1930, and marked the end of the First Republic and the beginning of the fascist-inspired so-called New State (*Estado Novo*).

The elaboration of the reform was marked by an intense struggle for hegemony over education, and higher education in particular, between conservative Catholic elites and liberal intellectuals of the period (Schwartzman, Bomeny and Costa 2000). Indeed, the Church had always attempted to gain hegemony over higher education, as it had done successfully in many other Catholic countries. In exchange for political support for the new regime, it asked the federal government to give the Church the task or organising the first, publicly funded, Brazilian university. In fact, the Church obtained various concessions,

[3] The near absence of demands for the creation of universities during the First Republic stands in contrast with the colonial and imperial periods, when dozens of projects indicated the advantages of creating a university in Brazil. Anísio Teixeira refers to the existence of 24 such projects between 1808 and 1872. Souza Campos lists 30, including the Jesuit (1592) and Inconfidents (1789) proposals made before King João VI, and 6 after the Empire. There is some dispute over which might have been the first Brazilian university. However, the first federal university was clearly the University of Rio de Janeiro, established in the 1920s as a federation of isolated establishments with the single purpose, as the legend gees, of giving King Albert of Belgium the title of an *Honoris Causa* degree during his official visit to Brazil. See: Teixeira (1969) e Cunha (1980).

particularly the introduction of religious education in public schools, albeit optional. However, despite the strong influence it exerted over the organisation of the University of Rio de Janeiro, it did not get what it wanted: the public financing of church-sponsored institutions. The opposition of liberal intellectuals was very powerful, and the monarchic and republican tradition in Brazil was different, marked by the predominance of a secular state education system inspired by the French model. The church-sponsored schools that had multiplied during the republican period remained a private education sector. Thus, one can see that the public/private education divide was strongly permeated from the outset by the state/church-sponsored education divide.

The private sector as a whole, and the church-sponsored one in particular, were already quite strong at the start of the period. The data for 1933, when the first education statistics were formulated, shows that private institutions accounted for around 44% of enrolment and for 60% of higher education establishments. However, the whole system was still of very modest proportions. The whole of the student population numbered only 33.723 students.

The reform negotiated by the Vargas government was a compromise between conservative and innovative forces. The universities were established, as was the legal framework for all such institutions to be created in Brazil. Although the university was established as the preferred means for higher education, the reform it did not abolish the autonomous schools. The freedom for private initiatives to create educational establishments was also maintained by the legislation, albeit under government supervision.[4] In fact, the reform provided for the regulation of both public and private higher education by the central government. Indeed, the legislation was extremely detailed and even ruled on issues like the appointment of professors, curricula, the duration of courses, the disciplinary system, the payment of taxes and the monthly payment of fees by students. Thus, there was a return to the centralising tendency of the monarchic period, not in terms of a monopoly on the creation and maintenance of education establishments as before, but in terms of a bureaucratic control over norms and supervision of the whole system.

When examining the structure of the new universities, which was similar to the Italian system, the conservative nature of the higher education reform is apparent. The proposed university model largely consisted of a confederation of schools that maintained much of their previous autonomy. Indeed, many universities were simply created by bringing together pre-existing institutions. The courses were strictly separated and

[4] Decrees 42/83, 2.076/40 and 3.617/31 of the reform established that the creation and maintenance of higher degree courses was «free and the public powers, legal or natural entity, and private law can minister them, as long as they are authorised by the federal government." Mendes and Castro (1984), p. 33

organised according to different careers, each under a specific faculty that even determined the number of students that could embark on each career. For this reason, then as now all courses, whether university or non-university, were similar and all degrees were equally valued. As is still the case today, there was no general pre-professional education like in the Anglo-Saxon tradition. The whole academic structure centred on the figure of the life-appointed professor. The congregation of professors in each unit exercised academic power, and even had the autonomy to nominate and dismiss assistants.

The innovation in the system was the creation of a Faculty of Philosophy, Sciences and Letters, which offered bachelor degrees in the different fields of the physical and exact sciences, biological sciences, humanities and human sciences. Although originally conceived as an American-style college offering a basic grounding prior to professional training, it was never able to fulfil this role. The inclusion of an Education sector meant that graduates of bachelor degrees could also acquire a professional teaching qualification, so that the Faculty of Philosophy, Sciences and Letters became yet another school for the preparation of professionals rather than becoming the centre of the university. Still, it was this faculty that provided an umbrella for the institutionalisation of basic research in Brazil in a few universities, although most of them became mere teaching institutions.

The first three universities created in this period are representative of the conflicts that marked the reform. The National University of Rio de Janeiro created by the federal government wholly represented the conservative nature of the Vargas government reform, which insisted that it was obligatory for all other universities to adopt the model. The University of the Federal District, also in Rio de Janeiro but older than the Federal University, followed an innovating model created by Anízio Teixeira, the most innovative of Brazil's «Education Pioneers» and the then Secretary for Education of the Federal District. This university was short lived. It was ferociously attacked by the Catholic Church, which saw it as a centre of liberal anti-clericalism, and was closed down by the New State in 1935 as part of the repression against the Communist uprising. Finally, the University of São Paulo, created by a state-level government that opposed the Vargas regime, managed to maintain its innovative character despite the stiffening of higher education legislation in 1937, not least because of the importance of the Philosophy Faculty, created with French, German and Italian professors. It was this university that precociously institutionalised research as one of the basic functions of a university.

All these innovations did not lead to a large increase of the system. During the Vargas period, which ended in 1945, the system expanded very slowly. In that year, it had about 42,000 students, of which 48% were with the private sector. In 15 years the system created only three universities, all of them public. (Table 1)

Table 1 – Evolution of state and private enrolment, 1933-2001

Table 1: Evolution of enrolment in state and private higher education establishments in Brazil, 1933-2001

	State		Private		Total
Year	Nº	%	Nº	%	Nº
1933	18,98	56.3	14,73	43.7	33,72
1945	21,30	52.0	19,96	48.0	40,97
1960	59,62	56.0	42,06	44.0	95,69
1965	182,69	56.2	142,38	43.8	352,09
1970	210,61	49.5	214,86	50.5	425,47
1980	492,23	35.7	885,05	64.3	1,377,28
1990	578,62	37.6	961,45	62.4	1,540,08
1995	700,54	39.8	1,059,16	60.2	1,759,70
2000	887,02	32.9	1,807,21	67.1	2,694,24
2001	939,22	31.0	2,091,52	69.0	3,039,75

Source: Censo e Sinopse Estatísticas do Ensino

4. The Second Republic

In the post-war period between 1945 until the establishment of the military regime in 1964 the higher education system continued to grow slowly until 1960. In this 15-year period, the number of students rose from 41,000 to 95,000, in response to increasing demand by a middle class growing as a result of the process of urban-industrial development. It was in this period that the network of federal universities, and the Catholic University of Rio de Janeiro (the first in a series of Catholic universities) were formed, that the São Paulo state university system expanded, and that new, smaller, both state and municipal institutions were established in all regions of the country. Between 1946 and 1960 18 state universities and 10 private ones were established.[2] Most of the latter were church-sponsored.

Throughout the period, the states, through their deputies, constantly demanded the creation of federally funded universities. The process occurred with the creation of campuses with the fusion of mostly private institutions that already existed. The usual

[2] Until 1971, official statistics do not discriminate between universities and other institutions. However, Helena Sampaio's research shows that although only three universities were created during the Vargas period (two state and one Catholic university, the Rio de Janeiro University established in 1944), in the period that followed, between 1946 and 1960 (just before the large expansion) another 18 state and 10 private universities were established. Sampaio (2000), p. 70.

procedure was for local elites to create some schools and later call on the federal government to federalise them and create a new university. The universities set up in this way did not correspond at all with the demands of liberal intellectuals of the 1920s and 1930s. The teaching body was improvised and made up of local liberal professionals who had no experience with or interest in research and were uninformed about universities in other countries. It is not surprising, therefore, that these new universities were simply federations of schools tied to a traditional and routine form of teaching based, at best, on a bookish provincial erudition. Nonetheless, it was these institutions that allowed for the effective widening and diversification of the courses on offer, encompassing new fields of knowledge, particularly given the legal obligation of including a Faculty of Philosophy, Sciences and Letters in any university structure.

If one ignored the years that experienced sharp and atypical variations, which seem to result from statistical accidents and may be the result of federalisation, there is great stability in the relative participation of the private sector throughout the period, which represented between 47% and 45% of enrolment.

Although a cursory analysis of the numbers creates the impression of continual and smooth development of the higher education system, this was not the case. The growth of the system as a whole, while not small in percentage terms, was insufficient to absorb the explosive increase in demand for higher education at the end of this period, which fed pressures for reform not only in Brazil but also in other countries.

In Brazil, the constant demand for more vacancies targeted the non-fee paying state universities. Indeed, with increased demand, there was an accumulation of excess candidates made up of students who passed their school exams and could not be admitted due the lack of places. The admission of these excess students became an important demand of the student movement. This pressure began to show results already in the beginning of the 1960s, when the rate of enrolment accelerated.

Although what we call the first modern period (1931-1945) was marked by the struggle between Catholic and secular elites, the period was also marked by other struggles, whose main protagonist was not the intellectual elite but the student movement. Student mobilisation in favour of a reform to democratise access and university government is a global phenomenon like increased demand for university education. To a greater or lesser degree, none of these student movements limited themselves to education issues, also contesting established governments.

In Brazil the movement was not just about university issues either. This period, particularly from the 1950s onwards, was marked by intense social conflicts and the

growing involvement of university students in the politics of the period, among which various parties and militants of Marxist orientation were a strong presence. In fact, modernisation and capitalist expansion in the period aggravated the situation of the rural population in the regions with more traditional economies and made apparent the depth of economic, social, political and educational inequalities, which generated a general climate of social agitation. The issues that sensitised and mobilised students were not just those pertaining to higher education, but also included the fight against imperialism, capitalism and the *latifundia*, and in favour of nationalism, development, combating illiteracy, agrarian reform and anything popular: popular democracy, popular education and popular culture. Marxism became the dominant ideology of the movement (Durham 1994).

The student movement was very important in this period, and more precocious than their European and North American counterparts. As in the rest of Latin America, the strength of the Brazilian student movement was largely a product of centralised organisation through the National Union of Students (*União Nacional the Estudantes*, UNE). In Brazil, this organisation was not created in opposition to the state, but was an initiative of the Vargas regime, which sought to reproduce the corporative organisations of Italian fascism in Brazil. This guaranteed students financial resources and the power of direct contact with the state. This strange relationship with the state, however, did not lead to the taming of the movement. On the contrary, its combative nature is part of the Latin American student tradition, and Brazilian students, like their counterparts in other parts of the continent, tended to see themselves as a sort of national political, social and cultural vanguard and representative of popular interests. In Brazil, from the nineteenth century and even before the creation of the universities the student movement was a school for political leaders.

During the second half of the 1950s, the movement focused on a congressional debate on the Law of Guidelines and Foundations for National Education (*Lei de Directrizes e Bases da Educação Nacional*, LDB) incorporated into the 1946 Constitution that had reorganised the political system after the toppling of the New State. Along with other liberal and left wing intellectual circles, the students wanted a deep reform of the whole education system to alter existing structure and break with a model that had arisen from the political compromises of the New State. For higher education, the aim was to expand the free state universities, associate teaching with research as a motor for national development, in alliance with the popular classes in the struggle against social inequality. Students even demanded the replacement of all private education by public institutions. This demand directly challenged the interests of the private sector dominated by traditional autonomous higher education schools, which feared limits on its freedom to expand and opposed a project of state university domination. A new cleavage was created between the

private and state sectors continued in following decades was no longer about a struggle between secular and religious sectors.

The private sector was in fact marked the absence of educational progressiveness and an attachment to traditional bookish learning, which was uninterested in issues like the qualification of teachers and curricular innovation that agitated the state sector. There were exceptions, but only very few. The most important among them were the Catholic universities of Rio de Janeiro and São Paulo, which even supported the student movement. In fact, the position of the Church had changed a lot by this period, and because of the influence of the Second Vatican Council and Liberation Theology, a left-wing Catholic sector had emerged, which believed that the salvation of souls had to be accompanied or preceded by the liberation of the poor and oppressed from their conditions of misery and political marginality. Literacy was considered to be one of the fundamental instruments for this liberation, and it was to be accompanied by political awareness. Catholic university youth became an important and radical segment of the student movement and gave rise in the period that followed to one of the clandestine segments of the armed struggle against the military government.

The LDB, which was finally voted in 1991, constituted a victory for conservative private sectors, in practise ensuring the preservation of the existing system. The law and its complementary parts essentially preserved the status quo and focused on establishing mechanisms to control the expansion of higher education and the content of teaching. The Federal Education Council (*Conselho Federal de Educação*, CFE) was reformulated, acting with the Ministry of Education and representatives of the state and private sector as the new key control mechanism. Its responsibilities were, among others, to fix higher education studies curricula for all institutions and authorise the creation of new courses and federal or private sector institutions. Given its new powers the Council quickly became the main focus of pressure from the private sector in defence of its interests[6].

Defeated by the vote, the students adopted more radical positions and made the issue a banner of opposition waved on the streets against the government. They added to their demands proposals that were widely consensual among the Latin American student movements of the time: the idea of democratic university government exercised autonomously by teachers and students in conditions of equality.[7]

[6] In 1984 the CFE was extinguished because of strong suspicions of corruption and Constant attrition with the Ministry of Education. Two years later, a new Council was created, the National Education Council (*Conselho Nacional de Educação*, CNE).

[7] This position goes back to the movement for the Reform of the University of Córdoba in Argentina in 1918, which became a kind of myth of the Latin American student movement.

5. The Military Regime and the Reform (1964-1980)

The military coup of 1964 radically altered the political scenario. The student movement reorganised itself as part of the resistance against the regime and the state university became its stronghold. Thus began a direct confrontation between students and the government.

Initially, the government intervened in the state universities to remove teachers that were seen to be Marxist and linked to the students. Later, a Decree Law issued by then President Castelo Branco in 1967 prohibited the «organs of student representation to engage in any action, demonstration or propaganda of a party-political, racial and religious nature, and the incitement, promotion or support collective absences from school work[8]". This did nothing to cool off the movement but actually radicalised it. Great marches rejecting the regime set off from the universities. There were field battles between state university students and students from parts of the private sector that supported the government. The fight between the student movement and the military government peaked in 1968, in the wake of the great student demonstrations of the period. The May movement in France had reinforced the position of Brazilian students. Students occupied the state universities and established egalitarian student-professor committees as new academic decision-making organs in defiance of the law. The military government hardened its position and the period ended in 1968 with the destruction of the student movement by military repression, the imprisonment of its leaders and a new ban on teachers. For more than a decade, the universities were considered centres of subversion and kept under severe vigilance.

It is hard to understand the ongoing debate in Brazil about higher education without taking the importance, power and enthusiasm generated by this movement into account. The struggle against the military regime involved great sacrifice on the part of the political leaders who suffered imprisonment, torture and persecution. Thus, the ideal image of the university and higher education of the period became the only fair and politically correct one, connected as it was with the mantle of student heroism in the struggle against the dictatorship. The model of higher education articulated in this climate of revolutionary exaltation has served as the measure of all political struggles waged since then over this issue: the dominant idea was that education should be ministered by free, state universities that associated teaching and research and were autonomously governed by representatives directly elected by teachers, students and non-academic university workers. All courses should lead to full graduation, with a right to a bachelor degree or a professional degree that ensured access to a regulated profession. All other institutional or curricular structures

[8] Article 11 of Decree Law nº 228 of 18 February 1967. INEP (1969)

were considered a distortion of the model and should be abolished. It became almost impossible to undertake a realistic critical analysis of the changes taking place in higher education.

After the defeat of the student movement and in a context of intense political repression, the military government promoted a profound reform of higher education. The reform largely incorporated the demands of the student movement that corresponded with the consensus prevailing within academic circles and even among Ministry of Education technicians, who were then influenced by the American model. Even the government generally recognised the need for a profound reformulation and modernisation of higher education in Brazil. The figure of the professorial chair (*cátedra*) was abolished and replaced by departments. The autonomy of the faculties ended: internal structures were divided into Basic Institutes divided by areas of knowledge, and Faculties or Schools, which offered professional training. The credit system was introduced and it was proposed that a basic course be attended prior to professional training to give students a more solid general education. The representation of students and different categories of teachers was made possible in internal decision-making organs. However, the logic of the new structure inspired by the American model was cut short because careers were still separated and degrees validated as a necessary and sufficient condition for exercising a profession. The basic course proposal failed because student enrolment was still organised by careers. The difference was that students, while divided by rigidly separated courses, acquired part of their education outside the professional schools, in the Basic Institutes. The reform also failed to make curricula more flexible, as they continued to be rigidly defined by the Ministry of Education through the CFE.

The wide-ranging curricular reform necessary to widen access to higher education did not occur. Neither the universities nor the Ministry were able to promote an effective education reform: this should have accompanied university reform because the opening up of higher education to wider layers of the population, a social demand, could not be accommodated simply by increasing enrolment in the same traditional courses while preserving the old conception of the professional degree and the same kind of teaching.

The reform clearly aimed to reorganise the whole system of federal university education and to promote research according to student demands and the modernising ideals evoked since the 1930s. However, it was incomplete and failed to become institutionalised. Small archipelagos where research flourished dotted the sea of public education. Research activities were more of an ideal than a formal aim or a reality.

It is worth noting the peculiarities of the case of São Paulo at this point, and the pioneering nature of the state in the implementation of modernising measures. While in the

rest of the Brazilian states the system of state universities is almost entirely federal, in São Paulo the system was state-based. The first state university in São Paulo, the University of São Paulo founded in 1934, far preceded many others in institutionalising research, full-time research and in offering doctorates. The model was followed with the expansion of the *Paulista* system through the creation of other universities, and research was institutionalised in all of them. The state was also a pioneer in the creation of a modern agency for the support of research, the FAPESP, which was independent of the federal government and consolidated the state's leadership in academic research.

Federal research incentives for the system as a whole were instituted through co-ordinated policies that mainly affected state universities. Two key institutions that were created in the 1950s that both focused on the preparation of Brazilian researchers were reformulated and strengthened. One of the fundamental obstacles for the development of university research was the absence of a sufficient number of qualified researchers in the country. The National Campaign for the Improvement of Higher Education Personnel (*Campanha Nacional de Aperfeiçoamento do Pessoal do Ensino Superior*, CAPES) organised a grant programme that financed the creation and expansion of post-graduate study. The explicit aim was to prepare teachers with masters and doctoral degrees for the university. The financing programme of the National Council of Scientific and Technological Research (*Conselho Nacional de Pesquisa Científica e Tecnológica*, CNPq)[9] that also offered grants for masters and doctoral degrees to prepare researchers in Brazil and abroad was widened and reformed. The innovation introduced by these agencies was that their laws and regulations did not favour bureaucratic control but rather were based on peer evaluation of the financed programmes and projects. Thus was instituted in Brazil a model programme for support for post-graduate study and university research. In reality, the results were not immediate but rather felt over the long term. In the short term they were not very visible not only because of the long maturation period of the project, but also because the accelerated expansion of the education sector prevented it from having a stronger impact on research incentives within the university ethos. The number of qualified personnel to sustain the increase in enrolment was insufficient; alongside the few new doctors and masters' graduates, a great number of teachers with no degrees or preparation for research were hired. Nonetheless, the general orientation was institutionalised, and the instruments to guide it created. A long-term policy was institutionalised that is still in place today.

[9] Actually, an admiral founded the CNPq with the support of the military. It must be remembered that there were technocratic-modernising sectors within the military, which considered essential the country's scientific capacity for economic and military development.

Another important initiative was the introduction and widening of a new working regime in federal universities of Full Time Dedication (*Tempo Integral*), which paid teachers according to the time spent on research, thus doubling salaries. In effect, the programme was less efficient an incentive for the development of research because it was not rapidly accompanied by a system of evaluation, and thus ended up being merely a policy to complement salaries. Nonetheless, it created favourable work conditions for the development of research by graduating or recently graduated masters students. For the same reason, however, the state university tended to become an increasingly expensive institution, and thus failed to expand to meet demand.

The system was restricted to an elite group of students with stronger basic schooling or, in other words, the new middle classes.

When evaluating this period, it is necessary to take into account the fact that the military regime promoted the strong economic development of the so-called «Brazilian Miracle» of the 1970s. This economic prosperity directly benefited the middle classes, which became more numerous and well off, feeding the demand for higher education. Federal resources and the education budget increased. Thus, federal institutions in this period experienced a prosperity that they had never known before and never experienced thereafter.

Economic prosperity, and the links between the regime and these new middle classes that supported it, perhaps help to explain why in Brazil, in contrast to other Latin American countries like Argentina and Chile where authoritarian regimes led to a huge decline in enrolment and concomitantly to a contraction of the university system, political repression did not limit the growth of state or private higher education, but rather promoted it. University and non-university higher education expanded in an extraordinary way, from the inauguration of the regime in 1965 to the end of the 1970s. In about 15 years the number of students enrolling in higher education increased from 95.691 (in 1960) to 1.345.000 (in 1980), with 1968, 1970 and 1971 showing the highest growth rates.[10]

Studies undertaken in Brazil during this period transmit a strong conviction that the military government was promoting the privatisation of education. In fact, this is not quite what happened. In absolute numbers there was a substantial growth of the state and not just the private sector. Enrolment in the state sector increased in this period from 182.700 to 492.000, which means it increased by about 260%. There was no privatisation of

[10] Although growth in the 1960s was higher in relative terms, in this case one has to take into account the low starting point and the absolute number of new students absorbed: 329.787 students in 1960-1970, and 951.802 in the following decade.

education, but rather a rapid expansion of the private sector, which grew in this period by 512%, from 142.386 to 885.054 students.

There was in fact a shift in relative weight. The private sector, which had about 45% rate of participation until 1965 reached 50% in 1970 and thereafter reached and maintained a 60% participation rate. At the end of the decade of the 1970s, the higher education system had changed significantly and the development of the state and private sectors diverged.

The increase in demand for higher education is associated with the growth of the middle classes and new job opportunities crated by the more modern sectors of the economy and by the state technical bureaucracy. In order to respond to this generation of mass demand the public sector had to create new kinds of courses as well as new institutions. When demand for higher education in the US increased in the twentieth century, democratisation of access was ensured through the creation of community colleges, which proved to be very effective in responding to this kind of demand. This did not happen in Brazil so it was not possible for the state sector to absorb demand. The private sector also was unable to absorb the demand because it concentrated on offering low cost courses. For this sector, research, which was neither lucrative nor sustainable through the payment of fees, was neither an aim nor an interest. New private universities were added to the 20 that existed in 1975 but expansion occurred largely through the proliferation of isolated schools, which focused on offering low-cost courses with lower academic demands: courses in administration, economics and to train teachers (Table 2).

Table 2 – Evolution in the Number of State and Private Institutions, 1970-2000

Table 2: Evolution in the Number of State and Private Higher Education Institutions in Brazil -1970-2000

	Universities		Faculties Integrated		Establishments Isolated		Centres University		Total
	State	Private	State	Private	State	Private	State	Private	
1970	32	15	-	-	139	463	-	-	639
1975	37	20	-	-	178	625	-	-	860
1980	45	20	1	10	154	643	-	-	882
1985	48	20	1	58	184	548	-	-	859
1990	55	49	-	74	167	582	-	-	918
1995	68	59	3	84	147	490	-	-	851
2000	71	85	2	88	132	782	1	49	901

Source: Censo e Sinopse Estatísticas do Ensino Superior, MEC.
* The statistical inclusion of integrated faculties began in 1980.

In fact, private higher education institutions had become a big business. Some new education establishments emerged from the transformation of secondary schools. However, the profitability of these undertakings attracted new kinds of entrepreneurs without a prior commitment to education. The private sector became market-oriented as it

focused on increasing profits by captivating available demand. Thus was formed what Geiger calls a "mass private sector", which developed alongside the state sector that focused on responding to more qualified demand (Geiger 1986).

What can be called the entrepreneurial private sector grew to satisfy the most immediate social demand to obtain degrees. This tendency was reinforced by the longstanding notarial tradition in Brazil, which associates a higher education degree with access to a specific regulated profession and ensures degree-carriers of privileged access to the job market. Thus education establishments where the quality of education is secondary are still profitable. The private system divided itself into a non-profit community or church-sponsored sector, akin to the state sector, and an entrepreneurial sector[11].

Another important change that shaped the system as a whole was the concentration of new private sector enrolment in the Southeast region. This was a result of the close link between the expansion of the private sector and the market, and therefore the concentration of growth in the more economically developed regions. In the poorer regions like the North or the Northeast, private investment was limited and the absorption of demand depended on the public sector, particularly the federal universities. Indeed, the state sector responded more closely to social interests and was more equitably distributed in the country as a whole.

At the end of the 1970s, the Brazilian higher education system had changed profoundly, with increased enrolment, new stimuli for degree study, public sector research, and the creation of a new entrepreneurial profit oriented private sector without a commitment to research or quality teaching, which co-existed with a non-profit private sector that more closely followed the model of the state system.

6. The 1980s

The 1980s was a decade of crisis and transition. Politically, it was marked by the long and gradual process of re-democratisation that began with a decline in political repression, continued with the election of a civilian president in 1985, and culminated in a new constitution in 1988 followed by the first direct presidential election the next year. Economically, it was a decade of economic crisis and growing inflation. For higher education, it was a period of stagnation.

It is rather surprising the system should stop growing abruptly after a period of accelerated growth. Stagnation affected both the state and private sectors, although latter

[11] It is impossible to document statistically the importance of this sector because until 1996, all establishments were formally non-profit based. The affirmation is based on a qualitative analysis and the author's familiarity with the system, given her participation in governmental decision-making bodies.

more than the former. The percentage of private education enrolment declined in the period.

This phenomenon is probably linked with the economic crisis, although other factors help to explain stagnation and another problem affecting Brazilian higher education: its anomalously small size compared with that of comparably developed countries in Latin America. Even at the peak of growth, the gross rate of enrolment in higher education relative to the 20-24 year old population was never greater than 12%. In the 1980s and most of the 1990s the rate fell to 11 and 10%. It was only in 2000 that it repeated the highest levels of the past, which suggests that a new phase of accelerated growth may be in the offing. The explanation lies in previously attained levels of education.

As Simon Schwartzman's chapter in this book shows, if higher education is a relatively recent phenomenon in Brazil, the establishment of a state system of basic education is even more recent. In 1960, in the midst of student mobilisation, almost 40% of the population was illiterate and less than 50% of children between the ages of 7 and 14 was enrolled in school[12]. These rates improved consistently, but it was only in 2000 that a net rate of 97% of school attendance for this age group was reached.

The problem was compounded by very high rates of failure to pass from one year to the next (repetition) and of truancy in basic education. Thus a very small proportion of the population actually attained a medium level of education and an even smaller percentage actually completed basic education. As a result, although the rate of enrolment in higher education is very small, there is a very strong relation between the number of places in higher education and the number of people leaving secondary education. In 1980, the proportion was 1,3 school leavers per place, which is much more than the system could absorb. In 2001, the proportion was 1.5. Thus, what one can see is that there have always been structural obstacles to widening higher education, which are related to the social inequalities that characterise the country.

These figures lead one to conclude that the growth of the 1970s was only possible because there was repressed demand from old secondary school leavers and from people who had finished supplementary courses and had been unable to enter higher education at the right age: an older population already inserted in the job market.

This view is confirmed when one analyses another phenomenon that marked Brazilian higher education, and the private sector in particular, from this period onwards:

[12] It is important to clarify, however, that until 1970 there were only 4 years of mandatory schooling, between the ages of 7 and 11. In 1971 it increased to 8 years, between the ages of 7 and 15.

the high percentage of night courses. Night courses generated a new demand insofar as they made it possible for a large contingent of old secondary school leavers already inserted in the job market for whom higher education levels held the promise of job promotion to gain access to higher education. The fact that private sector night courses make few demands in terms of school qualifications facilitated access for this population group.

Unfortunately, it was only in 1986 that statistics began to differentiate between enrolment in day and night courses. In that year, already in the middle of the period of stagnation, 76,5% of private sector enrolment was for night courses. In the federal universities, on the other hand, the percentage was only 16%. It is interesting to note that it is exactly in the universities where there is a discourse exalting democracy and commitment to the lower classes that resistance to the creation of night courses was greatest. The exception among the state universities is the University of São Paulo, which introduced night courses in 1952 well before the great movements in favour of the democratisation of access to higher education. The increase in night course in federal establishments was very slow, and in 1999 it covered only 21,4% of students.

Given the importance of the very slow-growing number of recent secondary school leavers, once repressed demand was absorbed there was no longer a sufficient number of candidates to fill existing places in the private system.

It is only more recently that the situation has changed, with an accelerated increase in secondary students resulting from the expansion and improvement of basic education in previous decades. Even so, the relationship between school leavers and available places fell again to 1.5 in 2001, after reaching 1.8 in 1997.

The scarcity of candidates in the 1980s and 1990s promoted an intensification of competition among private sector establishments. The universities were in an advantageous competitive position because they had the autonomy to create and extinguish courses and available places and thus to respond more agilely to the preferences of their clientele. The larger establishments that offered a lot of courses were also in a better position to face sharp changes in demand in one or another area of study.

It is thus easy to understand why the private sector focused on increasing the size of establishments through fusions and by incorporating small institutions, creating federations of schools and then seeking to transform them into universities, in order to acquire autonomy and escape the control of the CFE. The CFE was inundated with this kind of request and lobbying of the Council intensified. From 1975 to 1985 the number of private universities was stable, with a total of 20. However, the Federations of Faculties or

Integrated Faculties grew substantially. This new kind of structure was recognised officially only in the 1980 statistics, which indicate that there were 10 establishments of this kind. Five years later, there were 58, and in 1990 they numbered 74. The increase in the number of universities, on the other hand, is a phenomenon of the second half of the 1990s. Between 1985 and 1990 there was a 100% increase, from 20 to 40.

Thus, at the end of the 1980s there was a new inflection of the private sector. Up until then the private universities were predominantly confessional or community based non-profit institutions, which tended to follow the state university model. The expansion of private universities after 1985 resulted from the pressure exerted by the profit-oriented sector focused on mass education ands with no interest in developing research activities and qualifying teaching staff.[14]

In order to understand how this happened, one must analyse the university recognition mechanism administered by the CFE. Although all the legislation stated that universities, unlike other education establishments, had to associate teaching and research, CFE criteria made no such demands. The main criteria were the range of areas of knowledge covered by the courses and the existence of minimal infra-structural conditions. For the private sector, the constitution of Federations of Schools was the first step towards obtaining the desirable status of «university» and the autonomy that went with it. The application of these criteria led to the multiplication of private universities but did not entail improved quality of education, teaching staff, or the development of research. Nor did it entail the creation of a university ethos of academic freedom and of prizing competence in these establishments.

An analysis of the period is incomplete without an examination of the struggles waged within the higher education sector upon the emergence of a new political actor: the movement of higher education teaching staff led by the National Association of University Teachers (*Associação Nacional dos Docentes Universitários*, ANDES), which sort of replaced the student movement and adopted many of its demands of past decades. This movement was practically limited to the state sector.

To understand the nature and power of this movement, it is necessary to analyse the negative effects that military repression had had on the state universities in the preceding period. The gravity of the confrontations that occurred prior to the 1968 reform, and the

[14] Until 1997 the law did not permit the establishment of institutions for profit. Profits were made through subterfuges like the nomination of owners to management positions with very high salaries, the diversion of funds for other projects or for the private use of owners (such as the acquisition and maintenance of executive jets, luxury cars, the use of huge representation budgets). It was never possible to establish effective control over these expenditures.

force of repression that accompanied it, left profound marks on the state universities. For students and teachers, they de-legitimated not only the regime but also the reform itself.

As noted above, the reform included measures for effective internal democratisation of universities and a substantial increase in the participation of students and teachers in their management. It also included measures to promote stronger academic values (structuring careers and valuing research). However, the new university structure made it difficult for the authoritarian regime to exert ideological and political control over them. For this reason, parallel non-academic mechanisms for political-ideological control were set up, corrupting and disturbing the whole system. These mechanisms included direct police repression, on the one hand, the banning academic leaders that were considered left wing, and ideological triage. These controls were implemented by representatives of state intelligence and information agencies, who operated without a legal or institutional framework, with the newly hired elements in the rectories linked to the university power structure. On the other hand, there was intense manipulation of the leadership election mechanism, exerted through direct and indirect pressures, to ensure that regime sympathisers would remain in the university administration.

The implementation of these control mechanisms facilitated all kinds of illegitimate interference and permitted the removal of a good part of the universities' intellectual leadership in favour of teachers protected by the central government of by local oligarchies allied to the regime. The reinvigoration of a merit-based system through the structuring of careers was thus weakened; autonomy was destroyed and systems of co-optation and clientilism were strengthened. In this context, students and teachers took refuge in intransigence, attributing all the evils of the university to the dictatorship and thus failing to engage in a deeper reflection on the problems facing the universities. At the same time, they symbolically expressed their resistance to the regime by defending a radical egalitarianism that contributed in other ways to de-legitimate the academic values of merit and competence.

The devaluation of academic values was compounded by the expansion of public federal universities that, as noted above, increased teaching staff without demanding academic qualifications. Further, because new contracts were made outside the traditional teaching staff selection mechanisms, opportunities for clientilistic manipulation to obtain jobs at federal universities increased. Parallel hiring systems were established, giving rise to a great heterogeneity in salary levels, which contributed to a general climate of dissatisfaction among teachers, particularly among teachers that were new, least qualified and did not benefit from job stability.

On the other hand, research activities developed through the programmes of the development agencies (CAPES, CNPq, FINEP, FAPESP) ended up becoming a parallel system, which created a direct relationship between researchers and development agencies and thus operated above and beyond the universities' power structures. It did strengthen academic values insofar as it was legitimated by the quality of scientific research and the competence of researchers, but it did so by dissociating the recognition of those values from the university as a whole. The system therefore operated by creating and maintaining «islands of competence» that were like enclaves in the fabric of general mediocrity of university institutions.[15]

The teachers' associations were organised by academic leaders who had been marginalised from the administrative organs of the state universities. The movement denounced as illegitimate the political instruments that guaranteed the perpetuation of power of a small incompetent administrative minority allied to the regime. The main banners of the movement were autonomy and democratisation, or the widening of teacher and student participation through representation mechanisms. The movement was legitimated by the defence of academic values and was backed by the scientific competence of its leaders. In sum it was a movement through which the politically excluded groups that had intellectual prestige within the universities sought to regain a place in institutional management. Initially, the movement was marked by a predominantly «academic» orientation, within which the need for reform was amply debated. Because the existing situation against which these teachers protested was supported by the authoritarian regime, the movement acquired a wider anti-regime political connotation from the outset. For the movement, democratising the university was a metonymy for social democratisation.

As its oppositional nature became increasingly explicit, the movement attracted all leftwing university sectors and its political nature became more pronounced, in accordance with the mobilisation of civil society of the end of the 1970s. In this context, and given the presence of the most radical sectors of the left, the issue of democratisation was also radicalised, becoming the almost exclusive topic of relevance and the rhetorical link with other civil society movements: the strong attack on authoritarian structures within and without the university relegated to a secondary position a reflection about the more specific problems of the higher education system and of more academic issues.

Unlike the student movement, which was intensely linked to the social struggles of the period, the teachers constituted an internal university movement without wider social bases. For this reason, they sought to increase their power in the struggle against the

[15] The expression «islands of competence» is Oliveira's (1984).

authoritarian structure by seeking allies within the university institution, establishing an alliance with students and non-academic workers. The idea of democratisation was reinterpreted to mean egalitarian participation for the entire «university community». In fact, this brand of egalitarianism was a common characteristic of the more radical left wing groups of the period and permeated the whole range of social movements that proliferated at the time.[16]

Given that the constitution of the movement of teachers' associations was concomitant with the progressive reduction of public funds for higher education and a consequent downward pressure on salaries, it very quickly took on a new, unionising, dimension. By becoming a union and organising salary demands, the movement became stronger and more all embracing, but it also changed its composition and reinforced its alliance with non-academic workers, encouraging them to build up a parallel trade union organisation.

In this context, the academic aspect became marginal. Although concerns with the competence of professors, the quality of teaching and the development of research were frequently a part of the discourse of the movement, its role was primarily to legitimate salary demands, and mobilization to defend academic values was rare. Indeed, it is easy to understand that the more union oriented the movement became, the more it incorporated the least qualified professors and those uninterested in academic issues. Thus, the greater the emphasis on egalitarianism, the less important was professional qualifications as a criterion for the selection of university leaders.

The strength of the union or corporative aspect of the teachers' associations' movement was largely a product of the hegemonic position then and still occupied by the federal universities. This is because the federal universities constitute a numerous and powerful bloc unified by common interest, and because they possess the same interlocutor and administrator in the MEC. It is therefore impossible to understand the nature of the movement's demands and resistance, if one does not recognise that they emerged from the problems, needs and demands specific to the network of federal universities.

In the federal universities, the selection of leaders was always directly subordinated to the MEC and therefore much more subject to political interferences and the interests of local oligarchies, for which the federal universities constituted an important source of resources and patronage. In some states, like Alagoas, the federal university budget was

[16] It is important to note the affinities of the teachers' movement with other social movements of the period, with which it shared «communitarian egalitarianism». For an analysis of these social movements and the peculiar position adopted with regard to the state, see Cardoso (1983) and Durham (1984).

larger than the state budget itself. Indeed, political pressure to influence the composition of lists send to the central government for the selection of rectors was an established practise that undermined the administrative and academic autonomy of the universities. In this context, the struggle for direct elections by leaders became of fundamental importance, as it was the only way to break with traditional mechanisms of domination and to establish minimum levels of university autonomy. Because the Ministry was a very powerful opponent, the alliance with workers and students became crucial. Thus the formula for direct tripartite elections became an indisputable principle. It is easy to see that the more authoritarian the historical behaviour of rectors and the greater the support that political forces gained from the government, the more exacerbated became the struggle for tripartite direct elections (with the vote of teachers, students and non-academic workers). On the other hand, because previous selection mechanisms had never accentuated academic criteria of qualification and competence, it was easier for the teachers' movement to abandon those values in favour of a position of radical egalitarianism that met with widespread support among students and non-academic workers (for whom, obviously, issues of career and graduate degrees were subtleties of secondary importance).

The teachers' movement attained some expressive victories with the formation of this monolithic bloc and through its direct confrontation with the MEC,[17] and came to dominate the debate about university reform. The basic confrontation mechanism was the successive and prolonged strike action that systematically left the whole teaching structure in disarray, with very negative consequences on the preservation of academic values. This process continues to have an important negative impact on the ability to deal with the issue of a new university reform. The strength of the teachers' movement and the power of its union dimension often contributed to obscuring or relegating to a secondary position the discussion of university reform, or the more serious problems of the higher education system in general. This happened because the debate focused on internal problems of the state universities and concentrated excessively on issues linked with the increase in public funds, career structures, salaries, and the best way to administratively represent the corporative interests of teachers, non-academic workers and students.

At the end of this period, a new group began to organise itself that opposed the orientation and positions adopted by ANDES. It was made up of university researchers who concentrated on analysing the Brazilian higher education system, qualified MEC technicians who knew the complexities and the problems of the system well, and rectors from the federal universities of São Paulo. They had in common a familiarity with research

[17] It consisted largely of the approval of a Single Juridical Regime for the federal higher education system as a whole, which abolished different hiring and salary systems and ensured the general job stability of teachers and administrative staff.

on university issues undertaken in Europe and the US and with the reforms being undertaken in countries from those places. The big underlying question that was being addressed in the international debate and that influenced this group was the changing role of the state from executor to regulator and evaluator of policy.

The issues introduced by this group were autonomy and evaluation. Although autonomy was also a banner of the ANDES, it meant direct elections to executive positions and no academic demands on teachers and non-academic workers holding those positions. In the new debate, autonomy meant decentralisation of administrative responsibility and a necessary association with state control through evaluation mechanisms; the idea was that university resource allocation should be performance-linked with the institutions engagement in teaching and research tasks. The first time that this issue entered the public debate was in 1985, with the constitution of a high level commission proposed by president-elect Tancredo Neves. With this death on the eve of his taking office, the proposal was adopted by his successor, President Sarney, and implemented by the then Minister of Education, Marco Maciel. After the commission ended its work, Maciel created a special group, the GERES, to elaborate and detail legislation to implement the recommendations. Given the negative reaction of teaching staff, Maciel backed down and shelved the work of the Commission and GERES. Despite this initial setback, the issue had been raised and remained in the public debate and inspired new reform proposals.

Another attempt to implement these ideas occurred in 1991, when José Goldemberg, a former rector of the University of São Paulo who defended evaluations became Minister of Education. There was no time for implementation, however, as the minister resigned less than a year later because of the conflicts with the then president of the republic, Fernando Collor de Mello. Following the impeachment of the president and the inauguration of a new government representing traditional Brazilian political sectors, the project was abandoned. The following government took up the issue again in 1995, as described below.

7. The Recent Past 1995–1998

The recent period coincides with the two mandates of President Fernando Henrique Cardoso, during which there were very substantial changes in economic and social policies and important reforms in education, particularly in primary education: there was a change in the system of funding of basic education that promoted access to, permanence in and successful completion of basic education, which became practically universal in this period; a primary and secondary education curricular reform was implemented; the whole

system of education statistics was modernised and became more efficient; the system of evaluation of school performance was improved, and programmes for teacher training were widened. Eight years of administrative continuity permitted consistent change in the whole system. As a result, there was an explosive increase in enrolment in secondary education at the end of the period, as a result of those who had initiated basic education in the previous decade coming out of the system.

These results are linked to the resumption of growth of higher education in the last five years. In fact, growth in this period was surprising: it represented 82% of total enrolment. As in the 1970s, however, growth was concentrated primarily in the private sector. The participation of this sector, which was around 60% between 1980 and 1998, reached 69% in 2001, accounting for 115% of the increase in enrolment as a whole. As in the 1970s, the public sector grew at a slower rate, by less than 36%. Its participation in the system as a whole declined from 41,6% in 1994 to 31% in 2001. This expansion took place in all the regions of the country except the Northeast.

It is possible to link this worrying decline in the relative weight of the state sector with the fact that higher education policy did not incorporate the proposals formulated by the ministry, or the Education Policy secretary. These focused on the creation of a mass state system of education based on quality that might counterbalance the elitism inherent in the exclusive concentration on research universities. Nonetheless, there was progress where evaluation was concerned, with the creation of a system for education quality control with enormous potential.

This system was incorporated into the new LDB voted in December 1996. The new law introduced important innovations into the system as a whole. First, it clearly defined the role of universities in the higher education system, requiring an association between teaching and research, with the production of scientific knowledge as a necessary condition for gaining or renewing credentials. It is true that the link between teaching and research had been made by all other prior legislation but there had never been a mechanism to ensure its implementation by the private sector. This is clear in the analysis of the process of approving the creation of new universities by the CFE. The law also demanded that the universities should require a minimum level of qualification of teachers and instituted a work regime without which research would not have been possible: at least a third of teachers had to have masters or doctoral degrees and a third had to be exclusively dedicated to that job. The approval of these provisions was particularly difficult, as it was strongly opposed by the private sector lobby.[20] Although apparently bureaucratic, these

[20] Because of this, the demands of the original proposal were reduced from half to a third.

legal provisions established very objective criteria that therefore substantively altered the process of university creation.

Another very important innovation was the requirement for a periodical renewal of credentials of higher education institutions after an evaluation process. This made it possible to correct the distortions and deficiencies of the existing system, threatening the position of universities that were nothing more than great teaching units, which ceased to be immune to a periodic process of government control. The universities were given a period of 8 years to comply with the new legal requirements.

The law also provided for the periodic renewal of recognition of higher education degrees. State recognition of both federal and state-level courses has always been a requirement to legalise degrees in Brazil, including university degrees. When properly applied, the procedure guaranteed minimal standards for new courses, but it could not ensure that conditions would not deteriorate. The requirement for periodic renewal of recognition made it possible to exert a permanent pressure on institutions to ensure the maintenance of minimum levels of quality.

By creating a special niche for universities, the law recognised the heterogeneity of a system in which research universities and other kinds of teaching-focused institutions co-existed. However, the LDB maintained a rigid bureaucratic control over the latter institutions. It would have been desirable to grant autonomy to other kinds of teaching establishments in order to limit bureaucratic centralism, had such a measure been accompanied by a system of periodic evaluation and renovation of credentials to limit abuse. A presidential decree of the following year created a new category of establishment, the university centre. These were not required to undertake research but only to provide excellent teaching standards. These institutions were granted academic autonomy to create courses and increase places, and submitted to the periodic evaluation system.

The system became much more flexible but subject to mechanisms of quality control. This flexibility applied to courses as well, with the abolition of the «minimum curriculum that made all education, both public and private, stick to curricula that were rigidly defined by the CFE. It its place General Curricular Guidelines were adopted. Further, the law also provided for short sequential courses for basic or complementary education.

The new legislation did not affect the public federal and state-level universities much: for better or worse, these had developed their own research activities as a result of prior policies, and had increased the full time dedication requirement and given their teachers degrees. For the private universities, however, the legislation threatened a loss of

status and autonomy. The reactions of the private sector to the new legislation are assessed below. What follows is an analysis of the policies and initiatives of the ministry.

The efficacy of the new legislation as a whole depended on creating an evaluation system and this was the main concern of the Ministry even before the law was approved. The key measure adopted in this regard did not focus on evaluating teaching institutions but rather the quality of the courses. This was done through the creation of a National Course Exam, commonly known as the *Provão* (Super Test), which consists of objective tests applied to all graduates of a course or university career. The exam is obligatory for students and a condition for obtaining a degree, although it is not an instrument for passing or failing individuals. The aim is to evaluate the courses offered by different institutions, classifying them according to the average grades obtained by their students.

The *Provão* was strongly resisted by the administrators of private teaching institutions and by the students and teachers of the state sector. Although opposition by the former was predictable, the resistance of the latter was surprising, particularly as the first applications of the *Provão* proved that the quality of courses in public institutions was higher than that of the private sector. The explanation for this phenomenon lies in the corporative nature of the public sector, which is led by the teachers' union with the support of students. The latter always tenaciously opposed any evaluation that might permit comparisons between public institutions, as this was seen as a threat to the principle of isonomy, or the egalitarian distribution of benefits and rewards within the sector as a whole. Indeed, defending isonomy is a precondition for the monolithic unity of the members of the union. The only form of evaluation that is acceptable is a self-evaluation that is not based on a comparison between different institutions and is not associated with a differential distribution of resources and benefits. The implementation of the new system was only possible because it had the strong support from the media and society. The publication of results by the press awakened great public interest and legitimated the *Provão*, making the exam the most powerful instrument ever created in Brazil to establish incentives to improve the quality of teaching, particularly as it even has an effect on the education market. The private institutions that have better classified courses have used that classification as publicity to attract students. Indeed, demand has in fact been shaped by the results of the evaluation.

The *Provão* was first applied to three courses (Administration, Law and Engineering). New courses were added every year and by 2001 the *Provão* was already evaluating 20 courses, including the most sought after ones, and covering 1.293.170 students. It thus covers the vast majority of graduating students. At the same time, a qualitative evaluation mechanism was introduced, constituted by commissions of peers, the Commissions for the Evaluation of Teaching Supply Conditions (*Comissões de Avaliação*

das Condições de Oferta de Ensino), which complemented and corrected the *Provão* evaluation. Although he Ministry managed to implement evaluation instruments for graduate courses, it practically ignored institutional evaluations, which are essential for the implementation of the LDB. This task is relatively easy to institutionalise, however, using existing systems, which include those that have an impact on graduate studies that work alongside the new *Provão* and the Evaluation Commissions, and those that have an impact on post-graduate studies and research, like the long established evaluation by the CAPES and CNPq.

All these initiatives had important repercussions on the system, although they are still not consolidated. The impact on the private sector was greater, particularly in the case of the universities, as these were threatened with the loss of autonomy or with being issued lower credentials and thus being demoted. They therefore undertook a series of internal measures to comply with the legal requirements at the lowest cost possible.

It became apparent that one of the biggest obstacles was the easiest to overcome: increasing the number of staff with post-graduate qualifications. In this regard the private sector had an absurd corporative advantage, which had been inserted in the text of the 1988 Constitution itself: the right to retirement with a full salary for teachers at all levels of education with a minimum of 25 years of work for women and 30 years for men.

This unjustifiable privilege led to an authentic exodus of more qualified and experienced staff from the public universities, who began to complement retirement benefits with new jobs in the private sector. This measure had another deleterious effect on the public sector: because retirement benefits are paid out of the education budget, an increasing percentage of the resources for education is taken up by the growing number of retirees. This scandalous corporative privilege has become nothing less than a public subsidy to the private sector, which has been spared much of the onus of ensuring that its staff is properly qualified.

The private sector did made some effort in this regard as post-graduate qualifications for teaching staff did become an increasingly important criterion for all forms of evaluation. Thus, enormous pressure was generated to approve new post-graduate courses in the private institutions themselves. Indeed, there were significant increases in the number of teachers with masters or doctoral degrees, an essential condition for the recognition of a post-graduate course. But given the absence of a research tradition and the lack of any real understanding of the meaning and contribution of research, the private universities found it very difficult to recognise the proposed courses and mobilised to limit the rigid demands that CAPES had managed to institutionalise for this level of education. In the interim, and given the growing market for post-graduate and continuing education,

the whole sector of specialist courses was expanded, over which there is little quality control.

Other subterfuges were used. As scientific output is one of the main ways to prove scientific activity, the private universities created their own reviews (non-indexed), exerting pressure on their teachers to produce articles. Another subterfuge consisted in opening up to the global higher education market. Unable to create their own post-graduate courses, the private sector reached agreements with foreign universities interested in exploring the graduate course market through long distance or semi-attended courses. In such instances degrees are obtained from abroad, which therefore escape the rigid quality control of the CAPES.[21]

It is true that there were initiatives that were more in keeping with the spirit of the law. Various institutions, including for profit education establishments, established small, effectively serious, research groups with retired pubic sector staff. These were in a position to obtain funding from public agencies and thus satisfy legal requirements. For the most part, however, these are small enclaves in huge institutions that are basically focused on mass education and have no capacity to influence graduate courses. The fate of these groups is rather problematic, because their survival depends entirely on the financial strategies of private university administrators.

There is a basic problem in profit-oriented institutions that underlies all these initiatives: the already mentioned complete absence of academic freedom and the appropriation of university autonomy by the administrators or owners of establishments. In fact, the teachers in these institutions constitute the proletariat of the education system, as they are submitted not only to the decisions but even the caprices of the owners. Directors are generally appointed by the owners and are often relatives, and qualified personnel are rarely appointed. In this way, the profit-oriented private universities are frequently a falsification of the university model that inspired the legislation and movements for higher education reform.

However, one should highlight the role of the non-profit, community or confessional institutions, which have sought to implement the university model that associates teaching and research, invests in serious pedagogical projects, and exercises some degree of academic freedom. This segment has contributed in a very positive way to develop Brazilian higher education.

[21] The legislation establishes that these degrees should be re-evaluated by Brazilian universities that have masters and doctoral programmes that have already been recognised by the CAPES. This norm, however, has been difficult to apply.

Despite all the innovations, there were important omissions in recent education policy that have had a particular impact on the state higher education system, leaving unresolved the structural problems that stifle their operation and expansion.

In fact, there was no initiative by public institutions to meet with increasing demand for post-secondary level education by a population with a previous basic education that is insufficient to permit success in research or in institutions focused on post-graduate studies. Federal and state level governments continue to concentrate resources on providing free university education and on increasing stimuli for research and post-graduate studies. There was no diversification of types of establishments or of teaching programmes to meet the needs of an increasingly heterogeneous demand. There was also no effort to create an open university with public funds that might offer high quality long distance or semi-attended courses. This job was delegated to the public and private universities that minister attended courses, and which do not have the necessary competence in this new area or the resources to create the necessary new competences. Public university initiatives have been very limited and private university initiatives lack the necessary quality. Indeed, long distance learning has promoted pressure to open the system to the aggressive foreign institutions with an interest in exporting courses, particularly at the post-graduate level. Thus, the democratisation of education with the absorption of a more popular kind of demand is increasingly dependent on the private mass education sector, for which this continues to be a very lucrative activity. The short-term vision of this sector, on the other hand, has not promoted a renovation of education that can correct the deficiencies of the prior schooling of this kind of public or to offer training that adequately responds to the growing demands of the job market.

During this period there was also no administrative reform of public education, and of the relationship between these institutions and the state so as to break rigid bureaucratic centralism and promote the necessary rationalisation of available resources. The problem resides in the absence of administrative and financial autonomy of the state universities, with the single exception of the São Paulo state universities. Without this autonomy, it is impossible to change the nature of management and establish a funding system that associates funding with performance quality criteria. The 1988 Constitution, which is extremely detailed, actually granted teaching, scientific, administrative and financial autonomy for the universities. But while academic freedom was established, legally granted autonomy did not flourish given the continued submission of the universities to the rigid rules of the public bureaucracy on admissions, firing and staff salaries, and the complex budgetary controls of the government. The control over new contracts was still exercised directly by centralised government organs, as was control over regulations governing careers. Salaries, which consume about 90% of resources, are directly

administered and paid out by the Ministry. The freedom to determine what to do with the remaining 10% is limited by the rigid separation between the financing and capital budget and the itemisation of expenditures by the National Congress. Although research does in fact depend on the quality of projects and the competence of researchers, research depends on funding agencies and is extra-budgetary. There is still no system of institutional evaluation that integrates teaching and research.

The situation is further aggravated by the fact that, in the wake of the democratic exaltation that presided the creation of the constitution, the corporative teachers' and workers' movement obtained important victories that, in addition to the retirement benefits already mentioned, ensured total job stability, impregnable salaries and the permanent incorporation of any temporary benefit that might be conceded as a result of the exercise of a post, scientific production or pedagogical innovation. The composition of teaching staff has become extremely rigid and practically immune to any merit based evaluation. As a result of this, any innovation in the system depends entirely on increased resources. J. Joaquim Brunner analysed the impossibility of modernising and rationalising public universities in a system like this, which was established in practically all the countries of Latin America (Brunner 1991). Without far-reaching reform, public education cannot increase its capacity to attend the demand of the population.

One can only regret and lament that the opportunity to implement such a reform was lost when conditions the stability and longevity of the Fernando Henrique Cardoso government could have permitted it.

8. Perspectives

On 1 January 2003 there was a big political change with the victory of the Workers Party in the presidential elections and the coming to power of President Luiz Inácio Lula da Silva. A party that was part of the opposition to the previous government and one of whose slogans was «put an end to everything that's there» (*acabar com tudo que está aí*) took power.

Indeed, there has been a strong tendency to dismantle the administrative machine that unfortunately has also affected technical sectors.

In the Ministry of Education, the change has consisted of the replacement of previous civil servants with members of the Teachers Union, which always violently opposed evaluation procedures and intransigently fought a university reform that might differentiate institutions according to merit and performance and that could threaten the stability of teachers and existing corporative benefits. On the other hand, there is as yet no

consistent and integrated proposal for a new higher education and evaluation policy. In the first months of government there were only isolated and casuistic initiatives.

In the absence of a system to evaluate the quality of teaching, it is difficult to implement a policy to limit abuse in the private mass education sector, particularly as teachers' union activities have been limited to the state sector (where job stability and the difficulty of suspending the payment of salaries means that strikes imply no risks or costs). In this context, the issue of qualifications and working conditions for teachers in private mass education institutions has hardly been touched. Without better working conditions, the quality of education cannot be improved. Although there has been a significant improvement in salaries in many private institutions, salaries depend on the number of classes taught and there are no incentives for on-going teacher training and to improve qualifications. Teachers give up to 40 or even more classes a week in overcrowded classes without the support of pedagogical planning. They are therefore unable to offer appropriate teaching for a public that suffers from serious prior schooling deficiencies.

It is too early to tell, but I see few prospects for deeper reform and I fear that the reforms undertaken in the previous period may be destroyed, and that the leap will not be made to consolidate a system to renew credentials based on institutional evaluations.

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