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## Social Security in Brazil: History, Legislation, and Social Transformations

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**ABSTRACT:** This article analyzes the historical, legislative, and social evolution of Social Security in Brazil, highlighting the main normative and constitutional milestones responsible for shaping the current social security system. The research addresses the earliest welfare-oriented initiatives during the Imperial period through the consolidation of social security rights in the Federal Constitution of 1988, emphasizing the influence of political, economic, and social transformations on the development of Brazilian social protection. The study underscores the importance of the Eloy Chaves Law of 1923, considered the founding milestone of Social Security in the country, as well as the subsequent inclusion of rural workers in the national social security system. Furthermore, the article examines the changes introduced by different Brazilian Constitutions, the influence of the International Labour Organization (ILO) and human rights on the construction of social security, as well as the major pension reforms implemented in recent decades. Methodologically, this is a qualitative, exploratory, bibliographic, and documentary study grounded in the analysis of legislation, legal doctrine, scientific articles, official documents, and case law related to the topic. It is concluded that Brazilian Social Security represents an important instrument for social protection, the promotion of citizenship, and the reduction of inequalities, although it remains constantly subject to challenges related to financial sustainability, structural reforms, and the effective implementation of fundamental social rights.

**KEYWORDS:** Social Security; Social Protection; Social Rights; Federal Constitution of 1988; Social Security Law; Rural, Workers, Pension, Reforms.

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### I. INTRODUCTION

The trajectory of Social Security in Brazil cannot be dissociated from the evolution of constitutionalism and the profound social transformations that shaped the nation. Historically, the first Brazilian constitutions, such as the Constitution of 1824, focused primarily on the organization of the State and the system of government, although they already indicated structural changes, such as the abolition of craft guilds in favor of professional freedom and humanitarian milestones such as the Law of Free Birth (Lei do Ventre Livre) (MARTINS, 2025). However, it was with the advent of social constitutionalism that worker protection began to be regulated within specific branches of law, such as Labor Law and Social Security.

This process was driven by a global context of transformation, strongly influenced by the emergence of the International Labour Organization (ILO) and by pressure from migratory movements demanding better wages and working conditions within the national territory. These demands served as the foundation for the labor and social security policies implemented by Getúlio Vargas beginning in 1930, culminating in the creation of the Ministry of Labor, Industry and Commerce and the establishment of rights such as the minimum wage and specialized labor courts.

According to research conducted by Antônio Carlos de Oliveira, “the first text concerning social security in Brazil was issued in 1821 by the then Prince Regent Dom Pedro de Alcântara. It was a Decree dated October 1 of that year, granting retirement to masters and teachers after thirty years of service, and ensuring a bonus corresponding to one quarter of earnings for those who continued working” (LAZZARI; CASTRO, 2021, p. 56).

The year 1923 represented a historical milestone for contemporary Brazilian social security law with the enactment of Legislative Decree No. 4,682, known as the “Eloy Chaves Law.” This regulation established the first Social Security system in Brazil by determining the creation of Retirement and Pension Funds for railroad workers, a category considered strategic for the economic and industrial sectors of the time, in addition to seeking to reduce labor demands (Weirich; Neres, 2026).

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The Eloy Chaves Law established benefits such as ordinary disability retirement — later converted into retirement based on length of service — as well as death pensions and medical assistance for employees. Although the decree received the name of Congressman Eloy Chaves, the project was inspired by the Argentine model of worker social protection conceived by engineer William John Sheldon (Weirich; Neres, 2026).

In this context, although rural workers are currently included in the General Social Security Regime (RGPS), their inclusion occurred only approximately forty years after the enactment of the Eloy Chaves Decree of 1923, considered the initial milestone of social security regulation within the Brazilian legal system. As highlighted by Weirich et al. (2026), although the Eloy Chaves Decree is recognized by several scholars as the first regulation directed toward Social Security in Brazil, the legislation did not contain any provision aimed at rural workers, restricting social security protection to specific categories of urban workers.

After four decades following the enactment of the first social security law in Brazil, during the government of João Goulart, the Rural Worker Protection Statute was created through Law No. 4,214 of March 2, 1963, which established the extension of social security protection to rural workers, who were required to contribute in order to be entitled to benefits (SANTOS; LENZA, 2021). Brazilian legislative evolution reflects the tensions between democratic advances and periods of state centralization. While the Constitution of 1934 consolidated guarantees such as freedom of association and the eight-hour workday, the Estado Novo regime (1937) imposed rigid control that repressed strikes and subordinated the economy to the State. The redemocratization process in 1946 restored fundamental rights, but it was the Federal Constitution of 1988, the “Citizen Constitution,” that promoted the greatest rupture by elevating labor and social security to the status of Fundamental Rights and Guarantees. By including these rights within the category of Social Rights (Article 6), the 1988 Constitution linked social security to human dignity and to the social value of labor, establishing a welfare system aimed at ensuring the material conditions indispensable for full citizenship.

With the enactment of the Federal Constitution of 1988, social security was subdivided into rules concerning healthcare, social security, and social assistance, governed by the principles of universality of coverage and service, equality or equivalence of benefits, unity of organization by the Public Administration, and financial solidarity, since it is financed by society as a whole (MORAES, 2020, p. 947).

Social security may be defined as a means of protecting individuals through contributions made by society, with the objective of preventing individuals from becoming economically deprived, while seeking to provide healthcare assistance and social protection. Over time, significant changes occurred in the social security system, aiming at broader social protection, provided that the legal requirements established by law are fulfilled (LAZZARI; CASTRO, 2021).

In Brazil, social security was subdivided by the Federal Constitution of 1988 into rules concerning healthcare, social security, and social assistance, governed by the principles of universality of coverage and service, equality or equivalence of benefits, unity of organization by the Public Administration, and financial solidarity, since it is financed by society as a whole (MORAES, 2020, p. 947).

This article aims to analyze the historical and legislative evolution of Social Security in Brazil, identifying the social, political, and economic transformations that influenced the formation and successive reforms of the social security system until the consolidation of the model established by the Federal Constitution of 1988. It also seeks to describe the main historical milestones of social protection in the country, examine legislative changes in the different Brazilian Constitutions, discuss the influence of social transformations and international organizations on the construction of national social security policy, and analyze the impacts of the principal contemporary reforms on the structure and sustainability of the Brazilian social security system.

## II. METHODOLOGY

The present research is characterized as qualitative, exploratory, bibliographic, and documentary in nature. The qualitative approach was adopted due to the need to understand the historical, social, and legislative evolution of Social Security in Brazil, allowing for a critical interpretation of the transformations that occurred throughout the development of the Brazilian social security system.

Regarding its objectives, the research has an exploratory character, as it seeks to expand the understanding of the historical formation of Social Security, as well as the legislative and constitutional reforms that contributed to the consolidation of the current social protection model.

With respect to technical procedures, the study was based on bibliographic and documentary research. The bibliographic research was developed through the analysis of scientific articles, books, specialized legal doctrine in Labor Law, Social Security Law, and Social Protection, in addition to dissertations and theses related to the topic. The documentary research focused on the analysis of legislation, official documents, institutional reports, constitutional and infra-constitutional norms, as well as content made available on the websites of Brazilian courts and public agencies related to Social Security.

The historical, political, and social contexts that influenced the construction and evolution of Social Security in Brazil were also analyzed, seeking to understand the structural changes in the social security system and the impacts of the reforms implemented over time.

### III. HISTORICAL AND SOCIAL CONTEXT OF SOCIAL SECURITY LEGISLATION IN BRAZIL

In Brazil, several systems contributed to the formation of the current social security system, including some regimes with more primitive notions that ultimately resulted in the complex contemporary system currently in force. Law No. 8,213 of 1991, known as the Social Security Benefits Law, introduced the concept of Social Security in its Article 1, as follows:

“Article 1. Social Security, through contributions, aims to ensure to its beneficiaries indispensable means of subsistence in cases of incapacity, involuntary unemployment, advanced age, length of service, family responsibilities, imprisonment, or death of those upon whom they were economically dependent.”

The current Federal Constitution, enacted in 1988, innovated in the field of fundamental rights by embracing the concepts of social protection intended to ensure rights related to healthcare, social security, and social assistance. In Brazil, the current social protection system was built under the influence of the Bismarckian model, and over time, social protection was also inspired by the British model of the 1940s (Rocha, 2008, p. 27).

In order to establish a social security system, or compulsory social insurance, several legal norms emerged as mechanisms for confronting risks that, although individually unpredictable, are constant within social life and affect certain individuals in specific situations (Rocha, 2008, p. 53). In Brazil, there was a series of changes in labor and welfare rules that resulted in the current contemporary social security system.

The Santa Casa de Misericórdia of Santos, founded in 1543 by Brás Cubas, aimed to provide welfare assistance through a pension plan intended for employees working in units located in Rio de Janeiro and Salvador, also encompassing other hospitals, shelters, orphanages, and support houses for members and disabled individuals.

Around 1793, Prince Regent Dom João VI approved the official navy plan, which, through the deduction of one day's salary, guaranteed pensions to the widows of deceased officers. This official navy plan remained in force for approximately one hundred years.

Dom Pedro de Alcântara, in 1821, introduced retirement for masters and teachers after the completion of thirty years of service, ensuring an additional 25% increase in benefits for teachers who continued working.

With the enactment of the National Constitution of 1824, there was no expansion of social protection within the legal text, the only provision being Article 179, which addressed public assistance for the support and subsistence of the poor population. Some historians emphasize that this constitutional provision had no practical application and served merely as a form of “comfort” for the State in attempting to remedy the social misery created as a consequence of the dogma of liberty and equality (Horvath Júnior, apud Meirelles, 2009).

In 1835, a Decree was issued approving the creation of the Montepio da Economia dos Servidores do Estado (MONGERAL) Statutes, the first private entity intended for state employees. Law No. 3,397/1888 was established to address all expenses of the Monarchy and provided for the creation of relief funds for railroad workers employed by the State.

In 1889, with the Proclamation of the Republic, there was a strong protectionist movement for several categories and segments of society, resulting in the emergence of the postal workers' category (Montepio), through Decree No. 9,212-1 of 1889. Following the enactment of Decree No. 221 of 1890, retirement for employees of the country's central railroads was established.

In the following year, the Constitution of the Republic of 1891 was enacted, ensuring the first forms of public assistance in cases of disability for those serving the country. Similarly, Law No. 3,724 of 1919 established protection against workplace accidents, making it mandatory for employers to pay compensation for occupational accidents suffered by their employees. The aforementioned law introduced strict liability for employers, under which there existed a duty to provide compensation without the need to prove intent or negligence.

In 1923, an important historical achievement occurred for contemporary social security law with the publication of Legislative Decree No. 4,682, known as the Eloy Chaves Law, which implemented the first Social Security system in Brazil. The law determined the creation of retirement and pension funds for all railroad employees, since that sector possessed great importance for economic and industrial development and also sought to mitigate the widespread protests of railroad workers.

With the enactment of the Eloy Chaves Law – Decree No. 4,682/23 – ordinary disability retirement was created, later renamed retirement based on length of service, while also guaranteeing death pensions and medical assistance for employees and dependents. The Decree known as Eloy Chaves received this name because the draft bill was presented to Congress by Congressman Eloy Chaves of São Paulo and consequently received his name. However, the project was inspired by the Argentine model of worker social protection brought by Engineer William John Sheldon, allowing the law to be adapted to the Brazilian legal system.

In this context, labor law and social protection doctrine in Brazil share a consensus that Social Security in Brazil emerged in 1923, the year of the enactment of the Eloy Chaves Decree-Law, the first legal norm establishing the Brazilian social security system. However, until 1963, rural workers were excluded from Social Security. Four decades after the enactment of the first social security law in Brazil, during the government of João Goulart, the Rural Worker Protection Statute was created through Law No. 4,214 of March 2, 1963, extending social security protection to rural workers, who were required to contribute in order to qualify for benefits (SANTOS; LENZA, 2021), thereby creating FUNRURAL – the Rural Worker Assistance Fund.

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Finally, with the enactment of Legislative Decree No. 5,109 of 1926, the benefits established by this law were extended to port and maritime workers. After the 1930s, the social security system ceased to be specific to certain companies or industries and instead became directed toward specific professional classes. With the enactment of Decree No. 24,615 of 1934, retirement and pension rights were established for banking employees and their dependents.

In 1934, with the promulgation of the Constitution of the Republic, there was express provision for social security rights. According to Article 121, §1, subsection “h,” tripartite funding among workers, employers, and the State was established, representing the first mandatory linkage between the social security system and the State. Furthermore, subsection “c” of item XIX of Article 5 established that the Union possessed authority to establish general rules regarding social assistance, while healthcare rights and public assistance remained under the responsibility of the member states.

The aforementioned Constitution also provided for compulsory retirement for public servants upon reaching sixty-eight years of age and established disability retirement, guaranteeing full benefits to public servants with at least thirty years of labor as well as full rights for public servants who suffered accidents.

The Constitution of 1934 already prohibited retired individuals from receiving benefits greater than the remuneration received during active employment. It also permitted the accumulation of benefits unless otherwise prohibited by law, while allowing accumulation in cases involving Montepio pensions, inactivity benefits, and the accumulation of public positions or functions.

In 1936, with the enactment of Law No. 367, the Retirement and Pension Institute for Industrial Workers (IAPI) was created, under which employees were considered mandatory insured individuals, while employer affiliation remained optional.

In 1937, a new Constitution was promulgated that represented a regression in certain aspects, since it considered the institution of social security to apply only to retirement insurance for old age, disability, and workplace accidents. The law required workers’ associations to provide assistance to their members, including in cases of occupational accidents and other forms of social insurance. Under this Constitution, the State had no obligation to finance the social security system.

Regarding the Constitution promulgated in 1946, there was a systematization of all social security matters, since Article 157 addressed workers’ rights. For the first time, the term “social security” was expressly mentioned through a tripartite contribution system in which funding was provided by the Union, employees, and employers. This tripartite funding model remained in all subsequent constitutions, including the current Constitution of 1988.

The Organic Social Security Law (LOPS), No. 3,807, enacted in 1960, was responsible for unifying social security legislation and all social security and welfare institutes previously created. With the enactment of LOPS, legislative differences that produced unequal treatment among worker categories were revoked, ensuring equal treatment, including within the funding system, by establishing contribution rates between 6% and 8%.

It is important to emphasize that this achievement granted Brazil the title of the country with the greatest level of social security protection, since it provided approximately seventeen social security and welfare benefits. LOPS underwent several modifications, especially through Decree-Law No. 66 of 1966, regarding the protection of self-employed workers, establishing mandatory contributions for companies hiring self-employed labor.

With the Federal Constitution of the Republic of 1967, there were no significant changes regarding social security rights. However, in the same year, Law No. 5,316 established insurance against workplace accidents (SAT), ensuring that individuals suffering accidents would be entitled to compensation paid by employers, while allowing companies to transfer this obligation to private insurance companies contracted for that purpose.

Decree-Law No. 367, enacted in 1968, introduced the counting of years of service for public servants of the Union and federal agencies. Complementary Law No. 11 of 1971 established PRORURAL, regulating the protection of all rural workers, later amended by Complementary Law No. 16 of 1973. In 1972, domestic workers were included as mandatory affiliates of social security.

The 1970s were also highly important for the achievement of elderly rights. Through Federal Laws No. 6,179 and 6,243, social security coverage was extended to individuals over seventy years of age and disabled individuals, granting entitlement to one minimum wage and the payment of bonuses to elderly individuals over sixty years of age who returned to work activities.

Regarding rural workers, it was only beginning in 1971 that they started obtaining entitlement to certain benefits with the creation of the Rural Worker Assistance Program (PRÓ-RURAL), financed with FUNRURAL resources (SILVA; COSTA, 2016, p. 171). However, it should be emphasized that within the category of rural insured workers, there are classifications according to their specific characteristics, and these requirements are essential for obtaining rural old-age retirement. These classifications are defined as rural employee, rural individual contributor, independent rural worker, and special insured person (OLIVEIRA; SANTOS, 2016, p. 3-7).

In 1977, the National Social Security and Assistance System (SINPAS) was created through Federal Law No. 6,439, seeking to reorganize the social security system by integrating healthcare and social assistance activities while promoting the administrative, financial, and patrimonial management of all entities linked to these agencies. Subsequently, in 1986, Federal Law No. 2,283 created welfare benefits for cases of involuntary unemployment, known as unemployment insurance.



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On October 5, 1988, the current Constitution of the Republic was promulgated, placing strong emphasis on social rights and introducing a series of guarantees to individuals as part of the Human Rights Convention and the International Labour Organization. It included a chapter addressing Social Protection, encompassing Articles 194 through 204.

The current Federal Constitution became known as the “Constitution of Solidarity and Well-Being,” since it undoubtedly provided the greatest guarantees to individuals, while maintaining tripartite funding among public treasuries (Union, States, Federal District, and Municipalities), workers, and employers.

With the promulgation of the Federal Constitution of 1988, advances occurred in the social security rights of rural workers. From that point forward, family farmers and rural wage earners became integrated into the General Social Security Regime, with equality of rights in relation to urban workers (SILVA; COSTA, 2016, p. 171).

Regulated through Laws No. 8,212 (Organization and Financing of Social Protection) and No. 8,213 (Social Security Benefits Plan), the new social security system for rural workers, despite deficiencies that still produced exclusion, represented an important recovery of a historical social debt, in which rural individual producers were not required to withhold and collect contributions owed by self-employed contributors providing them with services (SILVA; COSTA, 2016, p. 171).

The Federal Constitution established three areas of operation, known as social assistance, healthcare assistance — which instituted the current Unified Health System (SUS) — and social security. In 1990, under the Collor administration, SINPAS was extinguished, followed by the unification of the Ministry of Labor and Social Security (MTPS), with services provided by Dataprev and the National Social Security Institute (INSS), a federal agency created through Federal Decree No. 99,350/1990.

The INSS was created to collect and administer social security contributions and also to pay beneficiaries. Subsequently, Federal Law No. 8,212 of 1991 established the current financing plan, while Law No. 8,213/1991 addressed social security benefits legislation. Finally, with the publication of both laws, constitutional social security matters were consolidated, unifying urban and general systems, which is why the term General Social Security Regime (RGPS) came into use.

In 1993, two important legislative changes occurred at the federal level. First, through the enactment of Federal Law No. 8,689, INAMPS was extinguished, and its functions were transferred to SUS. At the request of the constituent power, Law No. 8,742 was enacted regulating the organization of Social Assistance. Subsequently, through Provisional Measure No. 813 of 1995, converted into Federal Law No. 9,649/98, the former Ministry of Social Security was extinguished and became the Ministry of Social Security and Social Assistance. In that same year, a small social security reform occurred with the enactment of Law No. 9,032, which abolished the natality salary benefit and the category of designated dependents, while also altering benefit calculations.

Subsequently, Law No. 9,715 of 1998 created the Social Integration Program and Public Servant Asset Formation Program, known as PIS/PASEP, aimed at contributing to workers’ income and asset formation. Today, the benefit is known as the salary bonus. Law No. 10,676 of 2003 regulated PIS/PASEP contributions by cooperatives in general.

In 1998, significant changes occurred in social security with the promulgation of Constitutional Amendment No. 20, which abolished retirement based on length of service and created retirement based on contribution time, requiring thirty-five years of contributions for men and thirty years for women. There were also changes to the family salary benefit and imprisonment assistance benefit, which became restricted to dependents of low-income insured individuals.

Federal Law No. 9,876/1999 completed the social security reform with the creation of the so-called “social security factor,” incorporating life expectancy into benefit calculations in an effort to achieve financial balance within the system. There was also the addition of social security crimes involving fraud, extortion, and tax evasion through Law No. 9,983 of 2000, which amended the Penal Code.

Supplementary social security was regulated through Complementary Laws No. 108 and 109. There was also a minor amendment to the Social Security Benefits Law through Law No. 10,403/2002, establishing reversal of the burden of proof in cases involving the granting of social security benefits.

Subsequently, Provisional Measure No. 103 of 2003 separated matters concerning Social Security and Social Assistance, resulting in the creation of two ministries: the Ministry of Social Security and the Ministry of Social Assistance. In the same year, maternity salary benefits paid by employers to pregnant insured employees were also achieved.

Constitutional Amendment No. 41, promulgated in 2003, also affected public servants by replacing full retirement with proportional retirement, while allowing public servants hired before the reform to continue receiving benefits based on their final salary. Subsequently, Constitutional Amendment No. 47 amended Article 201 of the Federal Constitution regarding public servants’ retirement rules.

In 2009, with the publication of Decree No. 6,765, the maximum ceiling for RGPS benefits was adjusted to R\$ 3,218.90; however, the minimum salary-benefit could not be lower than the prevailing minimum wage, according to legal provisions.

In 2019, a drastic constitutional change occurred with the enactment of Constitutional Amendment No. 103, which introduced numerous changes to benefits and retirement, including modifications to the minimum retirement age, changes to special retirement, the end of retirement based on contribution time, and the establishment of transition rules. This constitutional amendment did not alter rural worker retirement.

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Given the numerous changes within Brazilian legislative systems, it is possible to understand that political issues influence the organization of social protection. It is important to recall that the Ministry of Social Security and Social Assistance was created only in 1974 after being separated from the Ministry of Labor and Social Security; however, in 1990 the ministries were reunified. In 1992, the ministries became independent once again. Subsequently, in 2019, by force of Provisional Measure No. 870, the formerly independent ministries became part of the structure of the Ministry of Economy (Rocha, 2022, p. 53).

Although Brazil possesses extensive legislation, with the enactment of the Constitution of the Republic of 1988 it became one of the countries with the greatest number of legal norms aimed at complying with recommendations of the United Nations (UN), respecting and integrating into the Brazilian legal system the Universal Declaration of Human Rights and the rights guidelines published by the International Labour Organization (ILO).

In this context, the Federal Constitution of 1988 promoted equality between urban and rural workers, ensuring to both categories the social rights intended to improve their living and working conditions. As provided in Article 7 of the Constitution of the Federative Republic of Brazil, workers' social rights became part of the list of fundamental rights and guarantees, encompassing protection of employment relationships, unemployment insurance, the Severance Indemnity Fund (FGTS), minimum wage guarantees, wage irreducibility, and wage floors proportional to the extent and complexity of labor (Weirich; Neres, 2026b).

In addition, rights such as the thirteenth salary, higher remuneration for night work, wage protection with guarantees against seizure, limitation of working hours to eight hours per day, paid weekly rest, retirement, additional compensation for arduous, unhealthy, or hazardous activities, recognition of collective labor agreements and conventions, as well as insurance against workplace accidents, among other constitutionally established rights, were guaranteed (BRAZIL, 1988; Weirich; Neres, 2026b).

Thus, the unification of labor guarantees and rights occurred, later consolidated in the Consolidation of Labor Laws (CLT), which came to encompass different categories of workers. Nevertheless, it was only with the creation of the General Social Security Regime (RGPS) that social security affiliation became mandatory for both urban and rural workers (Weirich; Neres, 2026c).

The current social security system possesses significant importance within the Brazilian socioeconomic context, since benefits linked to social security and social assistance directly contribute to the subsistence of millions of families. Furthermore, these mechanisms exert significant influence on local and regional economies, especially in municipalities whose economic dynamics depend heavily on the circulation of resources originating from social security and welfare benefits (Weirich; Neres, 2026c).

In this manner, it may be affirmed that Brazilian legislation, although having undergone numerous legislative changes, is concerned with applying the principles of equality and Human Dignity, always seeking to promote social inclusion while safeguarding well-being and social protection.

## CONCLUSIONS

The analysis of the historical trajectory of Social Security in Brazil makes it possible to understand that the construction of the Brazilian social security system occurred gradually, marked by political, economic, and social transformations that accompanied the very development of the Brazilian State. From the earliest welfare-oriented manifestations present during the imperial period to the consolidation of social protection in the Federal Constitution of 1988, it can be observed that social protection ceased to possess a restricted and corporatist character and progressively assumed a universal dimension linked to human dignity.

Throughout the research, it was verified that Brazilian Social Security initially emerged directed toward specific categories of urban workers, especially those considered strategic for national economic growth, such as railroad workers. The enactment of the Eloy Chaves Law in 1923 represented the inaugural milestone of the institutionalization of Social Security in the country, although it remained limited and exclusionary in relation to a large portion of the working population, especially rural workers. Such a scenario demonstrates that social security protection in Brazil was historically constructed in an unequal manner, reflecting the social and economic structures prevailing in each historical period.

The evolution of the Brazilian constitutional system demonstrated a significant expansion of social and social security rights, especially beginning with the Constitution of 1934, which introduced State participation in the financing of social security and consolidated important labor guarantees. Nevertheless, it was also found that authoritarian and centralizing periods, such as the Estado Novo and the military regime, directly influenced the organization of social protection, alternating between advances and setbacks in the implementation of workers' rights.

In this context, the Federal Constitution of 1988 represented the most important legal and social milestone of Brazilian Social Security by elevating social protection to the category of a fundamental right and structuring an integrated system of healthcare, social assistance, and social security. The so-called "Citizen Constitution" consolidated essential principles such as universality of coverage, social solidarity, equality between urban and rural workers, and State participation in financing the system, reaffirming the constitutional commitment to social justice and the reduction of inequalities.

It was also possible to observe that the expansion of social security rights for rural workers represented an important social and historical achievement. The inclusion of this category within the General Social Security Regime significantly contributed to the reduction of social inequalities in rural areas by guaranteeing minimum protection to a population historically marginalized from public social security policies. Furthermore, social security benefits began to play a relevant role in the economic dynamics of

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thousands of Brazilian municipalities, functioning as an important mechanism for income distribution and the strengthening of local and regional economies.

The research further demonstrated that the successive social security reforms implemented in recent decades were strongly influenced by economic, demographic, and fiscal factors, especially in light of increased life expectancy, declining birth rates, and constant concerns related to the financial and actuarial balance of the system. Reforms promoted through Constitutional Amendments No. 20/1998, No. 41/2003, and No. 103/2019 demonstrate the State's attempt to adapt the social security system to new social and economic demands, although such changes generated intense debates regarding the preservation of social rights and the effectiveness of social security protection.

In addition, it was verified that Social Security goes beyond a merely economic or contributory dimension, constituting an essential instrument for the promotion of citizenship, social inclusion, and the realization of fundamental human rights. The influence of international organizations, especially the International Labour Organization (ILO) and the United Nations (UN), was decisive for the incorporation of protective principles into the Brazilian legal system, reinforcing the idea that social protection constitutes an indispensable element for the construction of a more just, supportive, and democratic society.

Finally, it is concluded that the history of Social Security in Brazil reveals a continuous process of political disputes, normative advances, and social transformations, demonstrating that social security rights were not spontaneous achievements, but rather the result of historical demands by workers and of the very evolution of social constitutionalism. Thus, the preservation and improvement of the Brazilian social security system require a constant balance between financial sustainability, social justice, and the guarantee of human dignity, so that Social Security may continue fulfilling its role of protecting individuals against the social and economic vulnerabilities inherent to life in society.

### Artificial Intelligence Use Statement

I hereby declare, for all appropriate purposes, that Artificial Intelligence tools were used exclusively as auxiliary support for orthographic and grammatical review, translation into the English language, and textual adaptation of this academic work. It is emphasized that the development of the scientific content, analyses, interpretations, arguments, bibliographic selection, and conclusions is entirely the responsibility of the authors.

The use of the tool did not replace human intellectual production and was employed solely for linguistic improvement, translation, and textual correction, in compliance with the ethical and academic principles applicable to scientific research.

### REFERENCES

- 1) BRASIL. [Constitution (1988)]. *Constituição da República Federativa do Brasil*. Brasília, DF: Senado Federal, 2016. 496 p. Available at: [https://www2.senado.leg.br/bdsf/bitstream/handle/id/518231/CF88\\_Livro\\_EC91\\_2016.pdf](https://www2.senado.leg.br/bdsf/bitstream/handle/id/518231/CF88_Livro_EC91_2016.pdf). Accessed on: April 18, 2025.
- 2) CASTRO, Carlos Alberto Pereira de; LAZZARI, João Batista. *Manual de direito previdenciário*. 24th ed., rev., updated and expanded. Rio de Janeiro: Forense, 2021.
- 3) MARTINS, Sérgio Pinto. *Comentários à Lei nº 8.213/91: Benefícios da Previdência Social*. 3rd ed. Indaiatuba, SP: Editora Foco, 2025.
- 4) MEIRELLES, Mário Antônio. *A EVOLUÇÃO HISTÓRICA DA SEGURIDADE SOCIAL – ASPECTOS HISTÓRICOS DA PREVIDÊNCIA SOCIAL NO BRASIL*. Available at: <https://oabpa.org.br/noticias/a-evolucao-historica-da-seguridade-social-aspectos-historicos-da-previdencia-social-no-brasil-mario-antonio-meirelles>. Accessed on: March 17, 2025 at 08:54 a.m.
- 5) MORAES, Alexandre de. *Direito constitucional*. São Paulo: Atlas, 2020.
- 6) OLIVEIRA, Tamires Santana de; SANTOS, Camila Regina. *Aposentadoria por idade rural*. 2016. Undergraduate Thesis – UNIVAG, 2016. Available at: <https://www.repositoriodigital.univag.com.br/index.php/rep/article/download/171/203>. Accessed on: May 29, 2026.
- 7) ROCHA, Daniel Machado da; BALTAZAR JUNIOR, José Paulo. *Comentários à lei de benefícios da previdência social*. 8th ed., rev. and updated. Porto Alegre: Livraria do Advogado; Editora Esmafe, 2008. 502 p.
- 8) ROCHA, Daniel Machado da. *Comentários à lei de benefícios da previdência social: lei 8.213 de 24 de junho de 1991*. 20th ed., rev., updated and expanded. Curitiba: Alteridade, 2022. 904 p.
- 9) SANTOS, Marisa Ferreira dos. *Direito previdenciário esquematizado*. Coleção Esquematizado®, coordinated by Pedro Lenza. 10th ed. São Paulo: Saraiva Educação, 2020. 816 p.
- 10) SANTOS, Marisa Ferreira dos; LENZA, Pedro. *Direito previdenciário esquematizado*. 11th ed. São Paulo: Saraiva Educação, 2021.
- 11) WEIRICH, Samuel Felipe; NERES, Marcela Abbado. *A previdência social e a proteção do trabalhador rural no regime de economia familiar: uma análise voltada para o desenvolvimento rural sustentável*. REVISTA BRASILEIRA DE

DIREITO SOCIAL, [S. l.], v. 9, n. 1, p. 16–33, 2026. Available at: <https://rbds.emnuvens.com.br/rbds/article/view/388>. Accessed on: May 29, 2026.

- 12) WEIRICH, Samuel Felipe; NERES, Marcela Abbado. *O DIREITO FUNDAMENTAL AO TRABALHO E A PROTEÇÃO SOCIAL DO TRABALHADOR SEGUNDO A PERSPECTIVA DOS DIREITOS HUMANOS E DO 8º OBJETIVO PARA O DESENVOLVIMENTO SUSTENTÁVEL*. Revista Ibero-Americana de Humanidades, Ciências e Educação, [S. l.], v. 12, n. 1, p. 1–14, 2026. DOI: 10.51891/rease.v12i1.23631. Available at: <https://periodicorease.pro.br/rease/article/view/23631>. Accessed on: May 29, 2026.
- 13) WEIRICH, Samuel Felipe; NERES, Marcela Abbado. *DIREITOS SOCIAIS DOS TRABALHADORES, PREVIDÊNCIA, E DIREITOS HUMANOS SEGUNDO O DESENVOLVIMENTO SUSTENTÁVEL*. Revista Ibero-Americana de Humanidades, Ciências e Educação, [S. l.], v. 12, n. 1, p. 1–12, 2026. DOI: 10.51891/rease.v12i1.23636. Available at: <https://periodicorease.pro.br/rease/article/view/23636>. Accessed on: May 29, 2026.
- 14) WEIRICH, Samuel Felipe; LUNKES, Bruna Michele Weirich; NERES, Marcela Abbado; HANSEL, Tiago Fernando; AHLERT, Alvor; OLIVEIRA, Irene Carniatto de. *A (DES)CARACTERIZAÇÃO DO SEGURADO ESPECIAL RURÍCOLA: ANÁLISE DA JURISPRUDÊNCIA DO TRF-4*. *Veredas do Direito*, [S. l.], v. 5, p. e235468, 2026. DOI: 10.18623/rvd.v23.5468. Available at: <https://revista.domhelder.edu.br/index.php/veredas/article/view/5468>. Accessed on: May 29, 2026.



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