



Policies, management and the right to higher education: new modes of regulation and trends in construction

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ABSTRACT. The present text problematizes and seeks to analyze the tendencies in construction in the Brazilian higher education, as well as the changes and new regulations that have been taking place after a period of clear expansion, considering the policies and actions projected for this field, in the conjuncture of crisis in the recent years. It synthesizes an exploratory study and its construction is based on bibliographical research and documentary analysis of convergent questions for the understanding of the theme, but also on the consultation of existing statistics, therefore, adopting a perspective of analysis that combines quantitative and qualitative aspects. It concludes by pointing out challenges and alternatives in the field of social and political movements.

Keywords: economic-political crisis, higher education policies, right to higher education, regulation of higher education.

Políticas, gestão e direito a Educação Superior: novos modos de regulação e tendências em construção

RESUMO. O presente texto problematiza e busca analisar as tendências em construção em educação superior no Brasil na educação superior brasileira, bem como as mudanças e novas regulações que vêm ocorrendo depois de um período de clara expansão, considerando as políticas e ações projetadas para esse campo na conjuntura de crise que se desenha nos últimos anos. Ele sintetiza um estudo de caráter exploratório; sua construção apoia-se em pesquisa bibliográfica e análise documental de problemáticas convergentes e necessárias à compreensão do tema, mas também na consulta a estatísticas existentes, adotando, portanto, uma perspectiva de análise que conjuga aspectos quantitativos e qualitativos. Conclui apontando desafios e alternativas no campo dos movimentos sociais e políticos.

Palavras-chave: crise econômico-política, políticas de educação superior, direito a educação superior, regulação da educação superior.

Políticas, gestión y derecho a Educación Superior: nuevos modos de regulación y tendencias en construcción

RESUMEN. El presente texto problematiza y busca analizar las tendencias en construcción en educación superior en Brasil en la educación superior brasileña, así como los cambios y las nuevas regulaciones que ocurre después de un período de clara expansión, considerando las políticas y acciones proyectadas para este campo en la coyuntura de crisis que se diseña en los últimos años. Él sintetiza un estudio de carácter exploratorio; su construcción se apoya en investigaciones bibliográficas y análisis documental de problemáticas convergentes y necesarias a la comprensión del tema, y también en la consulta a estadísticas existentes, adoptando, por lo tanto, una perspectiva de análisis que conjuga aspectos cuantitativos y cualitativos. Se concluye señalando desafíos y alternativas en el campo de los movimientos sociales y políticos.

Palabras-clave: crisis económico-política, políticas de educación superior, derecho a educación superior, regulación de la educación superior.

Introduction

Brazil is experiencing a complex economic and political situation. Its background is the international economic crisis¹, whose mark was the year 2008, which has led to a realignment between the different fractions of capital, inside and outside the country; and also, at the world level, a realignment of forces between the different States. The impacts of this crisis are differently manifested in geographical and temporal terms, but it is undeniable that in the last period it has strongly impacted the periphery of the system and its conditions of capital accumulation, creating and intensifying insurmountable contradictions that, on the one hand, reduced rates of profit, competitiveness, and came to be an obstacle to the very continuity of this accumulation; on the other hand, has produced a significant increase in unemployment², depletion of the remaining jobs, reduction of wages, increased work intensity, offensive against living conditions and struggle of the dominated classes, devaluing public services (education, health, sanitation, supply, transportation) and reinforcement of the repressive apparatus of State, increasing, moreover, the structural inequalities. On the other hand, one can at least infer that this form of production of subhuman life is highly developed, but at the same time fragile in processes of abstraction: a paradox. The autophagy of capitalism is bare and horrible, deepening in contemporary generations the culture of fear, in the Habermasian sense of “exhaustion of utopias” and lack of prospects for tomorrow. There is no mediated time, and no long time, once the profound loss of human rights is the exact materiality of the permanence of an eternal present.

In Brazil, the social foundations of political reproduction were shaken, most notably the impeachment of President-elect Dilma Rousseff, who was replaced by Vice-President Michel Temer by decision of the National Congress. Thus, Brazil is experiencing yet another democratic breakdown, accompanied by a serious political, economic and social crisis.

Obviously, this situation affects all republican institutions and, above all, higher education institutions (HEIs), as well as the policies and actions that were underway with regard to this level of education, such as the goals and strategies foreseen in the National Plan of Education (2014–2024), approved by Law 13,005, dated June 25, 2014 (Brasil, 2014).

The present study aims to address, precisely, the trends in construction in Brazilian higher education, as well as the changes and new regulations that have been taking place after a period of clear expansion, considering the policies and actions projected for this field, in the conjuncture of crisis in recent years. This is an exploratory study based on literature survey and documentary analysis of convergent problems and necessary for understanding the theme, but also in the consultation of existing statistics, adopting, therefore, a perspective of analysis that combines quantitative and qualitative aspects.

The Complex Context: From Lulism to the 2016 Coup

Much of the critical literature on the period has called as *lulism* the 12 years that covered the two mandates of Luís Inácio Lula da Silva and the first term of Dilma Rousseff. This was a stage in our history in which compensatory social policies were effectively expanded, bringing improvements to the most impoverished social sectors of the population, without an agenda of structural reforms having been fulfilled. Thus, *lulism* did not advance, structurally, in the expansion of goods and services of collective use; was ineffective in reversing the process of reprimarization of our export agenda and in the deindustrialization process of the country. Besides that, it maintained the media oligopoly intact and did not contribute to raising levels of politicization and organization of the working class (Singer, & Loureiro, 2016; Rizek, Oliveira, & Braga, 2010). The dynamics of *lulism*, in short, set a period of class conciliation, since it never broke with the economic model of subordination to financial capital, but it proved to be social through the use of focal policies, quotas and conjunctural social programs, in addition to have implemented some universal state policies.

In another pole, the bourgeois classes assumed with great degree of cohesion and progressively their dissatisfaction with the moderate neoliberal program adopted by the Workers' Party (PT), “[...] leading even important sections of the fractions of the great capital, more favored by it, such as industrial capital and agribusiness, to a distancing attitude from

¹ The literature on the 2008 crisis is quite extensive. In the international sphere, two works are worth mentioning: István Mészáros's book *The Structural Crisis of Capital*, published in the heat of events in 2009, and the book *The Enigma of capital and the crises of capitalism*, written by David Harvey, published in 2011. Specifically, on the impacts of this crisis in Brazil, we should mention a recent collection: “As contradições do lulismo: a que ponto chegamos?”, organized by André Singer and Isabel Loureiro, composed of articles written by different researchers, who seek to analyze in detail the most varied characteristics and contradictions of lulism, with a focused focus, in the international post-crisis scenario of 2008.

² Information on unemployment remain alarming, reaching 13.6% of the population able to work, according to the official methodology of Brazilian Institute of Geography and Statistics (IBGE, 2017), based on data from the National Survey by Household Sampling (Pnad). Thus, we had more than 14 million unemployed individuals between February and April 2017, even with all the difficulties of underreporting.

government and government candidacy” (Maciel, 2015).

Briefly, this was the tense internal framework that the country was living in and, following the re-election of President Dilma Rousseff, in late 2014, a parliamentary-judicial-mediatic coup began to be waged: the president’s impeachment on August 31, 2016, with no material and complete proof, constituting in the country a true State of Exception, as defined by Agamben (2004)³, ending the illusions of those who believed in the infinite virtues of class conciliation policy – the idea that it would be possible to overcome social apartheid and underdevelopment in Brazil without confronting the dominant elites, but only through the growth of the economy.

On the other hand, the crisis in the United States in 2008, which migrated then to Europe and continues to this day, in the face of the systemic vulnerability of the regime of financial predominance, hegemonic in the current phase of capitalism, marked an external framework that imposed changes to the periphery, generating a new geopolitical situation in Latin America. At the turn of the millennium, we had seen a certain turning to the left. According to Domingues (2015), this change was ‘modest in its results’, but had the merit of rowing against the global tide, and “[...] it meant the implementation of a progressive social-liberalism, having in its center equity policies that have levelled the hardships of the miserable masses of the most unequal region of the world in a humane and economically stimulating manner”. It also implied a greater centrality of States “[...] in the coordination of economic life and a distancing from the more severe dictates of financial capital” (Domingues, 2015). This ‘turnaround’ reached its limits without a more decisive change in the economic model and without achieving a true equality (Mancebo, 2017).

In the Brazilian case, the structural changes that were necessary should have implied an agenda that included: the revision of public debt and the tax system; the change in the tax structure, making it progressive, based on capital rather than income from labor; agrarian reform, accompanied by the financing of small producers and cooperatives; the resumption of industrialization, in order to improve the economic sector of the country and reverse its reprimarization and what some call the ‘commodity

consensus’; the disruption of the communication oligopoly that compromises social discernment and support for the elevation of the Southern Common Market (MERCOSUR) to a more advanced stage than that of a mere common market (Sader, 2016; Mancebo, 2017). Such a set of measures, however, would require strong state participation in the public sphere and reasonable production and use of the public fund. It would imply the non-bearing of financial capital, which, in addition, moves the Brazilian economy since the Real Plan.

None of these guidelines have been fully materialized. On the contrary, the victory of rentismo, institutionalized progressively from the crisis of 2008, only deepened the structural contradictions of the bourgeois order at the world level, and also in Brazil, especially with regard to the public budget, opening space for the adoption of so-called austerity policies of neoliberal adjustment.

In the cases and places where the right has returned to government, there is not only a social retrogression, but also an economic and political retreat, as well as a shift in foreign policy, which is again more subaltern to the North American interests. Obviously, each Latin American and Caribbean country has its own irreducible and unique history. But the political-economic episodes that have occurred in recent times, including in Brazil, confirm that our differences, which are also relevant, coexist with huge similarities. Quoting Pomar (2016, p. 16), we emphasize that our dominant classes: (1) prefer to subordinate themselves to international capital than to build democratic and progressive experiences of sovereign development; (2) and their political and media representatives have a merely instrumental relationship with democracy; (3) prefer to earn money through inequality and dependence on metropolises rather than through regional integration and the promotion of equality.

This very brief synthesis of the economic, political and geopolitical interests of neoliberal capitalism, in its stage of structural crisis, allows us to affirm that the depth of the world economic crisis (of 2008), which arrived in a fury to the South American countries, progressively eliminated, the necessary conditions for the maintenance of lulism and the conciliation of classes, making it increasingly evident that this strategy is incapable of maintaining itself as an economic, political and social alternative. After this stage, a coup is staged in the country, with all the refinements of a programmatic platform of extreme neoliberalism (Mancebo, 2017).

³ Giorgio Agamben (2004, p. 92) defines the functioning of the ‘State of Exception’ from a paradigm that develops “[...] a zone of anomie that, on the one hand, must be maintained at all costs in relation to the right and, on the other, must also be relentlessly freed from this relationship”. It should be noted that, in Brazil, this anomie zone was built from an immense increase in the number of norms in various areas of Law, aiming at sanctioning citizenship.

In general, such a platform - summarized in the document 'Uma ponte para o futuro' (Brazilian Democratic Movement Party, 2015), indicates the surrender to the cycle of financial capital, which compresses the cycle of capital and whose accumulation of compressions falls on the actual production cycle of the value. This process has two structural consequences: (1) a fantastic reduction in the cost of living labor; and (2) a reform of the State, making it leave room for financial capital, and offering the public fund to this type of capital entering the country⁴.

This explains the extinction of many workers' rights⁵, the attempt to destroy the Consolidation of Labor Laws, the Reform of Social Security and the radicalization of changes in public higher education, from which is expected, on the one hand, a strong contribution to the flow of the productive chain and, on the other hand, the production of a hegemony that mitigates democracy and the subjective and inalienable rights of the citizen (Silva Júnior, 2017).

We return to the terms of the document 'Uma ponte para o futuro' (Partido do Movimento Democrático Brasileiro [PMDB], 2015), which supports the central thesis that much is spent on public policies and that a fiscal balance is required by cutting public spending. Symptomatically, the true 'fiscal problems' do not deserve even a line in this program. According to Marcelino (2016, author's emphasis):

Nothing [is written] about expenses with debt interest payments in the order of R\$ 311.5 billion, excessive tax reliefs amounting to R\$ 104 billion and the low collection due to the "investment strike" of several sectors of the business sector at least since 2012. These fiscal problems worsened in 2015 with the monetary and fiscal policy of the government's austerity plan [Dilma].

In general terms, 'Uma ponte para o futuro' is a political-economic program which aims, on the one hand, to deepen the role of a 'minimum state' in order to realize social benefit and, on the other

hand, is strong enough to increase the private sector participation, make flexible the labor market and increase international competition, open wide the doors for the sale of the national patrimony, suppressing, and even imprisoning, freedoms.

According to Kliass (2007), one of the most paradoxical aspects of this phenomenon lies in the absolutely unequal treatment that the command of the economy confers on the different types of public expenditure. On the one hand, the alleged 'successes' obtained in the budget cuts and in the contingencies of budget items in the social areas and in the investments due to the State; on the other hand, commitments made to the financial market are always considered as 'immutable' model variables.

Related to these broader principles, we propose:

1 - fiscal adjustment policy, already standardized in 2016, through Constitutional Amendment 95, dated December 15, 2016, (Brasil, 2016a) which established a new fiscal regime in the country for the next 20 years (2017-2037), which aims to ensure the payment of public debt, benefiting the financial sector and protecting the interests of the holders of profitable capital;

2 - eliminating the indexation of any benefit, including pensions, to the minimum wage;

3 - untying the minimum wage in relation to inflation, sealing the end of the policy of its valuation⁶;

4 - the attack on labor rights, seen as business costs, and which is already in two directions: first, with the approval of Law 13,429, dated March 31, 2017 (Brasil, 2017), which guarantees, among other aspects, unrestricted outsourcing and, secondly, the labor reform proposed by Bill 6787/2016 (Brasil, 2016c), passed on April 27, 2017, that makes flexible the minimum legal level established by CLT and indicates to the patronage the liberation and relegation of the rules of use and remuneration of the work force, in several senses;

5 - the reform of Social Security, presented as one of the strong responsible for the fiscal crisis, whose text, suggested by the government through Proposed Constitutional Amendment 287/2016 (Brasil, 2016b), which threaten acquired rights, disregards gender inequalities and the heterogeneities of the Brazilian rural zone, promotes a profound change in Social

⁴ It can be said that today we see a deepening of what had begun in the 1990s with the government of Fernando Henrique Cardoso (FHC). The 'Real Plan' and 'Uma Ponte para o Futuro' program are from the same theoretical-political matrix; the second accentuates the first drastically and illegitimately, since FHC was elected. The two, however, have their structural reason in the compression of the cycles of capital movement and are the tip of the legal order that becomes possible with the Reform of the State apparatus, led by the then Minister of FHC, Bresser-Pereira.

⁵ There were so many rights lost or threatened with extinction, which gave rise to the production of the book *Um golpe por dia: 365 direitos perdidos*, published in 2017, under the editorial coordination of Monica Rodrigues. It contains a summary of the first 12 months of the Temer government, with 365 facts and measures that imply the loss of rights of Brazilians. Every month a public policy was highlighted and, in a good journalistic style, it is presented as it is being dismantled.

⁶ The national minimum wage for 2017 was set at R\$ 937.00. This amount corresponds to a salary readjustment equivalent to 6.47%, in relation to the wage floor of 2016. It should be noted that, for the first time since 2003, the minimum wage does not have a (real) increase above inflation.

Security, consisting of breaking the paradigm of protective evolution established with the Federal Constitution;

6 - the increase in privatizations, where we can expect the end of the sharing and control regime of Petrobrás, Pré-Sal, as well as the sale of assets of Caixa Econômica and Banco do Brasil, and

7 - an international trade policy, in which the role of Mercosur and BRICS (Brazil, Russia, India, China and South Africa) is minimized, subjecting the country to US-led transatlantic and transpacific partnerships that privilege foreign investors, assaulting Brazil's sovereign and social-environmental protection.

Moreover, it is worth highlighting the Brazilian situation in the field, where the response to the crisis manifests itself with the advancement of agribusiness, the protection of unproductive lands for future expansion of agricultural business, and the expansion of Agrarian Reform. All this, with a broad process of criminalization of social movements fighting for land (and for education in the field) and with the intensive proposition of agribusiness as the only possible logic for development, not only of production, but of education, research, technical assistance, among other aspects.

'Uma ponte para o futuro' (PMDB, 2015), whose implementation, as we have seen, is already well advanced in its normative aspects, signifies a sharp setback in the rights enshrined in the 1988 Constitution (Brasil, 1988), in the achievements, even if insufficient, achieved in the governments led by the PT since 2003, and even in the 'Age Vargas' conquests. It should also be noted that the 'Uma ponte para o futuro' program is the radicalization - required by the structural and globalized crisis - of the 'Real Plan', as well as Constitutional Amendment 95/2016 (Brasil, 2016a) accentuates the Fiscal Responsibility Law - Complementary Law 101, of May 4, 2000 (Brasil, 2000) - created during the government of Fernando Henrique Cardoso. It should be noted that the 'Real Plan', in addition to being a strategy to contain electoral hyperinflation, was, above all, the plan that changed the foundations of the Brazilian economy to adhere to the globalization of capital under a predominantly financial regime.

After this brief diagnosis of the Brazilian economic and political situation and the program platform of the new government, already in advanced course, it is necessary to ask: what impacts can already be seen in higher education?

Higher Education in the Exception Context: New Modes of Regulation⁷ and Trends in Construction

The examination of the current context of Brazilian higher education constitutes a notorious challenge.

First, because Brazilian higher education is highly diversified and heterogeneous, especially in terms of academic organization, quality and social inclusion. This differentiation is not a domestic brand, since the international university system has undergone transformations towards a broadly diversified post-secondary system, with a multiplicity of institutional arrangements strongly encouraged by international organizations (Mancebo, 2015; Silva Júnior, 2017). The differentiation or diversification refers not only to the need for the proliferation of integrated structures that can provide opportunities for attending to differences of motivation, professional perspectives and capacity of students, but mainly to the need for a more agile response to the specialized demands the process of economic growth and social change, and, what is particularly important, the need to impose heavy restraint on public spending.

Secondly, the analysis of higher education in the current situation is on a tricky terrain because it focuses on a very special and critical present time, in which we are completely immersed and implied, outlined in the first part of the text.

Even considering the difficulties of the theme, we move on its development.

Preliminarily, it must be said that the nature of science and higher education has undergone profound changes in the context of a new economic orthodoxy, which involved the transition from the balance of power and bourgeois interests of productive activities to institutions linked to financial capital. Although it is a highly abstract valuation process and also depends on the productive economy, this new arrangement allows economic financing to be imposed as the dominant economic logic. More than an alliance between finance and industry, there is a subsumption of this by that, subjecting the productive logic to the financial logic of large and short-term returns for shareholders (Chesnais, 1996; Harvey, 2005). In addition, as Sguissardi (2015, p. 98) observes, in this context of globalization of financial capital, "[...]

⁷ We adopt in this text the conceptualization of regulation as proposed by Cabrito (2011, p. 187): "In broad terms, and in the institutional framework, I mean by regulation how the bearers of authority coordinate, control and influence the education system and its actors, by means of rules, norms, pressures and constraints, conditioning the action of those actors according to the political objectives that they pursue. In this sense, regulation takes shape in the actions that the holders of the organs of power, that is, those that have the capacity to exercise constraints successfully and within the legality, carry out with the objective of leading the governed to execute their decisions".

science and higher education acquire increasing value as effective commodities”; the institutions with the capacity to produce them come to be seen as a new “[...] company producing, although indirectly, more value” (Sguissardi, 2015, p.98). It can be said, therefore, that great transformations took place in institutions of higher education in a large part of the world, engendered in the last instance by the hegemony of financial capital under the aegis of interest bearing capital and of fictitious capital (Mancebo, 2017).

In Brazil, the 1990s represented the historical milestone of these profound changes and also in the institutional culture of higher education, which continues and deepens to the present day. In the impossibility of developing all the stages that have been processed in the Brazilian public policies, we are going to stick to the current moment and, in this, what happens is related to the ‘adaptation and accommodation’ of the country to the conjuncture of international crisis. It is a complex context, in which economic crisis and political crisis are articulated, and higher education institutions are affected mainly by recession and systematic cuts from the Federation and various federative entities.

The public higher education network

The most noticeable aspect of the ‘accommodation’ of the public higher education network is the abandonment of the physical infrastructure of the campuses, due to the funding cuts for maintenance and renovation of the institutions⁸. However, the difficulties do not end therein. The expansion of enrollments and courses - in the case of the Program for Restructuring and Expansion of Federal Universities (Reuni) - is constrained by adjustments, which undermines the right to education and leaves institutions with the bitter task of reconfiguring various internal procedures, to cope with the expansion (from the previous period) that left them more students, courses, campuses and strong internalization, without financing for the proper consolidation.

Another movement, already noticeable in some public HEIs, refers to a certain reduction of functions, giving priority to teaching (is the case of

the Federal Institutes of Education, Science and Technology - IFEs), to the detriment of the inseparability between teaching, research and extension. Education, which is often lightened, aimed at the demands of the market or even by the hasty and light use of distance education (EAD), is not always adapted to the needs of the new students who entered the public university, creating serious dropout problems.

It is also necessary to emphasize the various strategies of deregulation and attack on labor rights that have been occurring in public HEIs (federal and state). According to Mancebo (2017):

Several governments, in addition to the federal ones, have more frequently adopted “alternatives” to reduce the cost of the workforce by implementing various strategies of precariousness, with a view to transforming labor relations and reducing payroll. A situation that is becoming general and requiring further investigation refers to the outsourcing of the auxiliary workforce - but that can be extended to the employees of the purpose activities - with contracts with companies that deny labor rights and protection to employees.

In order to complete the analysis of the impacts of the current conjuncture on public higher education, it is necessary to address the production of knowledge, whose identity has been deeply affected. As Lander (2005, p. 5) argues: “[...] with the accelerated displacement of public financing by the corporate and the ever-closer relations between university and industry, there have been profound changes in academic culture and in the ethos of science”. Of course, in this field, there is a strong movement that attempts to link, organically, the production of knowledge to local, national and globalized production chains. This imposes on the HEIs and research communities - which are already verifiable in some institutions - their own research agenda, which implies that research, which is strongly carried out in graduate studies, tends to be oriented towards the world economy also driven by financial capital (Silva Júnior, 2017; Lander, 2005). Thus, science and the activity of university research do not escape the advances of mercantile logic that progressively invades more and more scopes of collective life.

Under the influence of the hegemonic country - the United States - the new type of knowledge takes on the characteristic of Raw Material Knowledge: one that is able to break the gap between science and technology required by spatial and temporal compression. It is a knowledge that is immediately transformed into product, service and process (Silva Júnior, 2017; Oliveira, Ferreira, & Moraes, 2015).

⁸ At the federal level, in August 2016, the still-temporary Temer government decided to cut nearly half of the resources of public universities. With about R\$ 350 million less in investments for the 63 federal universities (45% cut), students and scientific research have also been shaken. Another blow to the research was the cut of 20% of the grants made by CNPq, which also had its budget reduced. At the state level, not a few governments aligned themselves with austerity policies. The situation of the State University of Rio de Janeiro is exemplary in this respect. According to the book *Hoje acordei pra luta: intelectuais pela universidade pública*, organized by Phellipe Marcel, Mauro Siqueira and Iuri Pavan (2017), in this university there is a great deterioration of working and study conditions due to, among other aspects, lack of cleanliness, insufficient collection of garbage and surveillance and, practically, the lack of maintenance of the buildings.

The private-market network of higher education

For private-market HEIs, which held 73% of enrollment in undergraduate courses in 2015, the effects of the crisis and the adjustments are not the same.

Preliminarily, we must remember that this sector has been heavily financialized since the middle of 2000, when its businesses are opened on the stock exchange. Since then, business logic becomes “[...] profit maximization for the shareholder” (Guttmann, 2008, p. 12), that is, there is a continuous effort to align the management goal of these educational enterprises with the interests of shareholders, through the adoption of fairer practices, providing greater liquidity and better valuation of the shares traded in the market. For this and other reasons, as we will see below, the effects of the crisis in this sector are not the same as those pointed to the public network. In reality, they are opposite.

According to a detailed diagnosis elaborated by Valdemar Sguissardi (2015, p. 103), “[...] for-profit IES of the country, especially those held by publicly-traded companies and involved in the stock market, [...] today appear as the sector of greater profitability among the sectors active in BM & FBovespa”. Following the evolution of the Ibovespa index and the value of shares in 2013 and 2014, the same author concludes: “[...] in two years, Kroton appreciated 314.87% of its shares on the stock exchange; Estácio, 240.97%; and Anhanguera, in the two years running until March 28, 2014, 85.89%” (Sguissardi, 2015, p. 122).

This differential in facing the crisis can be attributed to several factors, among which the strong state induction stands out. According to data presented by Chaves and Guimarães (2017), in 2016 the federal government released R\$ 19.57 billion for the Student Financing Fund (Fies) and the University for All Program (Prouni). What is more surprising is that these expenses came to represent approximately 16% of the total budget under MEC supervision. In financial terms, resources for private higher education, through Fies and Prouni, grew approximately 1,151%: from R\$ 1.56 billion in 2003 to R\$ 19.57 billion in 2016⁹.

In summary, even in this context of crisis in the financing of public HEIs and restrictions on the rights of the working class and the population, the federal government continues to adopt measures

that weaken the control mechanisms and favor the growth of private-market HEIs, especially large corporate groups that, since 2007, have entered the stock market.

The new business dynamics of the private-commercial sector - with the opening up of the stock market, which allows for the increase of its capital and the purchase of smaller institutions spread out in the country - has made it possible to oligopolize this sector, transforming the right for higher education into commodity. Thus, this new financial logic of market HEIs, accompanied by other organizational strategies, is incompatible with the principles that guide the educational process. The expansion of access to these institutions, which in fact occurred, has in fact favored the oligopolization of this branch of business, with the creation of large educational conglomerates.

Managerialism and conservatism in higher education

In order to conclude this preliminary diagnosis of the current stage of Brazilian higher education, it is important to highlight the hegemonic concept of quality that has guided many of the policies implemented in the public and private sectors. The hegemonic concept of quality is the one uttered by the advocates of ‘new public management’, according to which quality in education is directly related to achievement of goals, productivity, performance, efficiency, effectiveness and excellence, as well as to the paradigm of corporate management, in the case of private-market HEIs. To achieve quality, it would be necessary to monitor, adapt to pre-defined standards and produce information to the consumer market managed by marketing and competition. This dynamics is particularly strong in graduate and knowledge production communities, since many of the actions, in terms of evaluation of funding agencies (Capes, CNPq, Finep, Supporting Foundations, Embrapii, etc.), use such concepts in view of the option of ranking for purposes of granting resources.

It is also noteworthy the conservative and anti-democratic environment that has been established in the field of educational discussion (both basic and higher), in which at least three issues merit reference due to the seriousness of the subjects and the repercussions they have on educational communities and society.

The first one refers to the ‘School without a Party’ proposal, which, in very direct terms, makes the apology of a school without ideology and updates the myth of knowledge neutrality, proposing the absence of political-ideological components in the exercise of teaching work. In this

⁹ In fact, the number of new Fies contracts fell sharply from 2014 to 2016. According to the Portal of the National Fund for Education Development (FNDE), while in 2014 there were a total of 731,700 new contracts, in 2016 this number was only 203,392 contracts (FNDE, 2017). However, in terms of spending, the increase remained a trend, going from R\$ 14.6 billion in 2014 to R\$ 18.3 billion in 2016 (Chaves & Guimarães, 2017).

way, it ignores the historical, social, cultural and ideological determinants that permeate the production and transmission of knowledge, as well as the concrete social contradictions manifested in the differences of class, gender, ethnicity, among others, denying the conception of education as human praxis and as a political act, and the school as a space for project dispute, skill building, critical knowledge and the exercise of citizenship. In fact, the proposal hurts the very concept of education, because, under the pretext of reducing some ideological character of teaching, it puts at risk all teaching. At the limit, as analyzed by the Andes-National Union (Sindicato Nacional dos Docentes das Instituições de Ensino Superior [Andes-SN] , 2016), it is an affront to democracy, freedom of expression and manifestation of an instrument of criminalization of teaching work.

The second issue to be highlighted is the strong criminalization of social movements. Political (and police) reaction is increasingly strong, including against young students occupying their schools and institutions of higher education in protest against governmental measures. Political persecution is becoming more and more intense and sectarianism is taking its course through a biased 'interpretation' of the law: it is the nature of the larger legal-parliamentary coup, manifesting itself in daily life.

The third issue concerns changes in the pattern of control and regulation of higher education, in favor of greater freedom for the expansion of the mercantile and internationalized private sector. A revision of the legislation that establishes greater parameters for the accreditation of institutions and authorization and recognition of undergraduate and graduate courses is underway. The government has amended laws, decrees, ordinances and resolutions, giving greater freedom of action to private companies that work in the field of education, as well as seeking to favor access to the resources of the public fund, through, for example, Fies and Prouni.

Final considerations

At the moment we conclude this text, we discuss the inevitability of the departure of the Temer government and the need to call new elections, which will depend on the organization, radicality and programmatic coherence of those who oppose the current State of Exception. Nevertheless, whatever the course of history, one can not only bet on elections, because, thus, one persists in the error of overvaluing institutional politics, renouncing the power that can be built on the streets and popular organizations.

Resistances have already occurred. Social and trade unions movements in Brazil have a lot of vitality and are already opposing the latest events, with emphasis on the general strike carried out on April 28, 2017. But it is also true that social movements are exhausted in the struggle for everyday life, for the maintenance of rights, and do not always have the time and energy to clearly design a future project beyond capital (Antunes, 2016). Thus, it is urgent to think of a counter-hegemonic program, a program for the next decades, with the awareness of going beyond the policy of class conciliation and lulism, and that in this field and with this radicality, there is no room to move forward without conflict and coping.

The same is necessary in relation to higher education, because in both the private and public sectors the situation is quite discouraging and there are many issues to be discussed and addressed. Thus, it is necessary to break the complicit silence about the plans, programs and activities that are being imposed, often with alliances and interlocutors internal to HEIs.

The answer and the action are not simple, of course, but some scenarios can be outlined, as Mancebo (2017) notes: "[...] first, it is necessary to make HEIs relevant both socially and scientifically, and this calls for a reconciliation of their intellectuals with critical, reflexive knowledge and, therefore, insubmissive to mercantile and antidemocratic interests [...]", which demands a democratic debate on the management of science and technology.

Following is the challenge of overcoming alarming numbers relating to higher education. The PNE Observatory (2017), based on the IBGE National Household Sample Survey, indicates that, in 2015, only 18.1% of the Brazilian population aged 18 to 24 years (net rate) was enrolled in higher education (including postgraduate studies); the net enrollment rate in higher education of rural populations was 6.5%; the net rate of the richest quartile was 41.5% and that of the poorest quartile of the population, only 6.9%, and, finally, the shameful inequality that indicates that the net enrollment rate in higher education of white population was almost double the rates of black and indigenous populations.

The current changes imply an analysis of the new policies being developed, the changes in the organization, management and decision-making patterns in HEIs, especially in public universities, and the perspective of the right to higher education in a context of strong privatization, precariousness in working conditions and curtailment of public expansion.

In this context, it is necessary to consider that the problem of current higher education, especially in countries that do not make up the center of capitalism, such as Brazil, is a rather complex reversal. It will not change without a profound reform of its strictly academic spaces, but neither will it change only with the direct protagonists of the university - teachers, technicians, administrative staff and students. Thereby, one should take more seriously the hypothesis developed by Roberto Leher (2015, p. 4) that “[...] without social antisystemic movements, the defense of a strategic place for the public, critical and autonomous university in the project of a nation, will remain weak and possibly unfeasible”.

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Received on June 15, 2017.

Accepted on July 12, 2017.

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