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THE HISTORY OF RURAL SOCIAL SECURITY IN BRAZIL: A LITERATURE REVIEW

A HISTÓRIA DA PREVIDÊNCIA RURAL NO BRASIL: UMA ANÁLISE DA LITERATURA

HISTORIA DE LA SEGURIDAD SOCIAL RURAL EN BRASIL: UN ANÁLISIS DE LA LITERATURA

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Abstract

The Brazilian rural social security system is one of the most significant social protection instruments aimed at promoting human dignity and social inclusion, as well as reducing inequalities between rural and urban areas. However, its consolidation was the result of a long historical process marked by the initial exclusion of rural workers from the national social security system. This article aims to

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analyze the historical evolution of rural social security in Brazil through a literature review, identifying the key legislative, institutional, and doctrinal milestones responsible for the formation and consolidation of social security protection for rural workers. Methodologically, this is a qualitative study of an exploratory and descriptive nature, conducted through a narrative literature review and a documentary analysis of Brazilian social security legislation. The study draws upon classic works in Social Security Law—notably those by Agostinho, Berwanger, Castro and Lazzari, Martins, Porto, Porto and Araujo, and Santos—as well as an analysis of the 1988 Federal Constitution and the main regulations governing rural social security. The results demonstrate that the evolution of rural social security protection occurred gradually: beginning with the Rural Worker Statute (Law No. 4.214/1963), expanding through the Rural Worker Assistance Program (PRORURAL/FUNRURAL), and consolidating with the 1988 Federal Constitution, which established the Social Security system, universalized coverage, and recognized the "special insured" (*segurado especial*) as a category entitled to distinct legal treatment. The study concludes that rural social security represents a major achievement regarding social rights in Brazil, serving as an essential instrument for protecting rural workers, strengthening family farming, and promoting social justice; nevertheless, challenges remain regarding the effective realization of social security rights and the continuous improvement of public policies aimed at rural areas.

Keywords: Rural Social Security; Social Security; Special Insured; Rural Worker; Social Rights.

Resumo

A previdência rural brasileira constitui um dos mais relevantes instrumentos de proteção social voltados à promoção da dignidade humana, da inclusão social e da redução das desigualdades entre o campo e a cidade. Contudo, sua consolidação foi resultado de um longo processo histórico marcado pela exclusão inicial dos trabalhadores rurais do sistema previdenciário nacional. O presente artigo tem por objetivo analisar a evolução histórica da previdência rural no Brasil por meio de uma revisão de literatura, identificando os principais marcos legislativos, institucionais e doutrinários responsáveis pela formação e consolidação da proteção previdenciária destinada aos trabalhadores do campo. Metodologicamente, trata-se de uma pesquisa qualitativa, de natureza exploratória e descritiva, desenvolvida mediante revisão narrativa da literatura e análise documental da legislação previdenciária brasileira. O estudo fundamenta-se em obras clássicas do Direito Previdenciário, com destaque para Agostinho, Berwanger, Castro e Lazzari, Martins, Porto, Porto e Araujo e Santos, além da análise da Constituição Federal de 1988 e das principais normas que disciplinaram a previdência rural. Os resultados demonstram que a evolução da proteção previdenciária rural ocorreu de forma gradual, iniciando-se com o Estatuto do Trabalhador Rural (Lei

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nº 4.214/1963), ampliando-se com o Programa de Assistência ao Trabalhador Rural (PRORURAL/FUNRURAL) e consolidando-se com a Constituição Federal de 1988, que instituiu a Seguridade Social, universalizou a cobertura previdenciária e reconheceu o segurado especial como categoria dotada de tratamento jurídico diferenciado. Conclui-se que a previdência rural representa importante conquista dos direitos sociais no Brasil, constituindo instrumento essencial de proteção aos trabalhadores rurais, fortalecimento da agricultura familiar e promoção da justiça social, permanecendo, contudo, desafios relacionados à efetividade dos direitos previdenciários e ao aperfeiçoamento contínuo das políticas públicas voltadas ao meio rural.
Palavras-chave: Previdência Rural; Seguridade Social; Segurado Especial; Trabalhador Rural; Direitos Sociais.

Resumen

La seguridad social rural brasileña constituye uno de los instrumentos más relevantes de protección social, orientado a promover la dignidad humana, la inclusión social y la reducción de las desigualdades entre las zonas rurales y urbanas. Sin embargo, su consolidación fue el resultado de un largo proceso histórico marcado por la exclusión inicial de los trabajadores rurales del sistema nacional de seguridad social. Este artículo analiza la evolución histórica de la seguridad social rural en Brasil mediante una revisión bibliográfica, identificando los principales hitos legislativos, institucionales y doctrinales responsables de la formación y consolidación de la protección de la seguridad social para los trabajadores rurales. Metodológicamente, se trata de una investigación cualitativa, exploratoria y descriptiva, desarrollada a través de una revisión bibliográfica narrativa y un análisis documental de la legislación brasileña sobre seguridad social. El estudio se basa en obras clásicas de Derecho de la Seguridad Social, en particular las de Agostinho, Berwanger, Castro y Lazzari, Martins, Porto, Porto y Araujo, y Santos, además de un análisis de la Constitución Federal de 1988 y las principales normas que rigen la seguridad social rural. Los resultados demuestran que la evolución de la protección de la seguridad social rural se produjo gradualmente, comenzando con el Estatuto del Trabajador Rural (Ley N° 4.214/1963), ampliándose con el Programa de Asistencia al Trabajador Rural (PRORURAL/FUNRURAL) y consolidándose con la Constitución Federal de 1988, que instituyó la Seguridad Social, universalizó la cobertura de la seguridad social y reconoció al asegurado especial como una categoría con trato jurídico diferenciado. Se concluye que la seguridad social rural representa un logro importante en materia de derechos sociales en Brasil, constituyendo un instrumento esencial para la protección de los trabajadores rurales, el fortalecimiento de la agricultura familiar y la promoción de la justicia social. Sin embargo, persisten desafíos relacionados con la efectividad de los derechos de seguridad social y la mejora continua de las políticas públicas dirigidas al entorno rural.

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Palabras clave: Seguridad Social Rural; Bienestar Social; Persona Asegurada Especial; Trabajador Rural; Derechos Sociales.

1. Introduction

Social Security constitutes one of the principal instruments for the realization of social rights, being structured to provide protection to workers and their dependents against the occurrence of social risks, such as incapacity for work, maternity, old age, death, and other contingencies that may compromise the livelihood of the insured person and their family (Castro & Lazzari, 2024). As part of the constitutional Social Security system, social insurance, together with health care and social assistance, comprises a set of actions aimed at promoting well-being and social justice, guided by the principles of universal coverage, solidarity, equality, and social protection established in the 1988 Constitution of the Federative Republic of Brazil (Santos, 2023; Porto & Araujo, 2024).

The development of this protective system, however, occurred gradually. Although the Eloy Chaves Law (Legislative Decree No. 4,682/1923) is recognized as the founding milestone of the Brazilian Social Security system, its initial coverage was limited to workers employed by railway companies, reflecting a corporate and segmented social insurance model. For approximately four decades, rural workers remained virtually excluded from state social security protection, a situation that began to change only with the enactment of the Rural Workers' Statute (Law No. 4,214/1963), which extended the first social protection mechanisms to the rural population (Porto, 2019; Castro & Lazzari, 2024).

Subsequently, the creation of the Rural Workers' Assistance Program (PRORURAL), established by Complementary Law No. 11/1971, represented an important step toward expanding social security coverage for rural workers. However, it was only with the 1988 Federal Constitution that social security protection was effectively universalized, ensuring equal rights for urban and rural

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workers and recognizing the *special insured* (*segurado especial*) as a category entitled to differentiated legal treatment due to the specific characteristics of family-based farming (Berwanger, 2013; Berwanger, 2025).

Understanding this historical trajectory is essential for identifying the political, economic, and legal factors that led to the consolidation of the current social protection model for rural workers, particularly the *special insured*, whose legal development continues to be the subject of extensive doctrinal and judicial debate (Berwanger, 2025; Weirich et al., 2026).

Brazilian academic research has primarily focused on the eligibility requirements for social security benefits, the legal characterization of the *special insured*, constitutional pension reforms, and social security case law. In contrast, fewer studies have comprehensively reconstructed the historical development of Brazilian rural social security by integrating the formation of social protection, legislative evolution, and the consolidation of social security protection for rural workers. It is within this perspective that the present study is situated, proposing a historical-legal analysis grounded in the specialized literature and Brazilian social security legislation.

Against this background, the present study seeks to answer the following research question: How do the specialized literature and social security legislation interpret the historical process of the formation and consolidation of Brazilian rural social security and the inclusion of rural workers within the national social protection system?

Accordingly, this article aims to analyze the historical evolution of rural social security in Brazil through a literature review, identifying the principal legislative, institutional, and doctrinal milestones responsible for consolidating social security protection for rural workers. To this end, a qualitative, exploratory, and descriptive study was conducted using a narrative literature review and documentary analysis of Brazilian social security legislation.

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2. Literature Review

2.1. The Formation of Social Security

Social protection is a historical phenomenon associated with the development of social organizations and the need to protect individuals against situations of vulnerability, such as illness, incapacity for work, old age, and death. In ancient societies, mutual aid mechanisms, such as the Greek *eranoi* and the Roman *collegia*, represented early forms of collective protection, although they were not yet connected to organized public systems (Martins, 2024; Castro & Lazzari, 2024).

During the Middle Ages, assistance remained predominantly linked to families, craft guilds, and religious institutions. It was only with the Industrial Revolution, between the eighteenth and nineteenth centuries, that the expansion of wage labor, the increase in occupational accidents, and the widening of social inequalities stimulated the establishment of permanent state mechanisms of social protection, gradually replacing the private charitable assistance model (Agostinho, 2020; Martins, 2024).

In the twentieth century, the consolidation of the welfare state was strongly influenced by the Beveridge Report, published in 1942, which proposed a national social protection system based on universal coverage, solidarity, and collective financing. Subsequently, the Universal Declaration of Human Rights (1948) and Convention No. 102 of the International Labour Organization (1952) reaffirmed social protection as a fundamental human right and established minimum standards for national social security systems (United Nations, 1948; International Labour Organization, 1952).

These historical developments provided the foundation for the organization of Social Security systems in several countries, including Brazil, where its evolution occurred gradually and was initially limited to urban workers formally integrated into

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the labor market.

The historical evolution of social protection demonstrates that contemporary social security systems are the result of a long process of social, economic, and legal transformations. The transition from private mutual aid mechanisms to public social security systems reflects the progressive expansion of state responsibility for protecting citizens against social risks. This historical context provides the foundation for understanding the development of the Brazilian Social Security system, and particularly the gradual inclusion of rural workers within the national social security system, which is discussed in the following section.

2.2. The Evolution of Brazilian Social Security

The evolution of the Brazilian Social Security system occurred gradually, following the economic, political, and social transformations experienced by the country from the colonial period to the consolidation of the current Social Security system established by the 1988 Constitution of the Federative Republic of Brazil. Unlike the contemporary model, characterized by universal coverage and protection against social risks, the earliest forms of assistance were essentially charitable in nature, targeting specific groups of the population without effective state participation in the organization of a public social protection system (Martins, 2024; Castro & Lazzari, 2024).

The earliest organized forms of social assistance in Brazil date back to the colonial period. In 1543, the *Santa Casa de Misericórdia de Santos* was founded by Brás Cubas to provide medical and social assistance to those in need and is regarded as one of the first organized social protection institutions in the country. Although its activities were predominantly charitable, the institution represented an important historical antecedent to the later development of the Brazilian Social Security system. Subsequently, in 1795, the Pension Plan for Naval Officers was established to provide pensions to widows and dependents of military personnel

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through contributions made by the members of the corps themselves, representing one of the earliest contributory social protection schemes in Brazil (Agostinho, 2020; Castro & Lazzari, 2024).

Another important historical milestone occurred in 1835 with the establishment of the Montepio Geral dos Servidores do Estado (MONGERAL), considered the first organized private pension institution in Brazil. The system operated through contributions made by its members, guaranteeing pensions and other benefits to public servants and their dependents, thereby consolidating the concept of collective financing for the coverage of social risks. Although restricted to specific professional groups, MONGERAL represented a significant step forward in the evolution of Brazilian social security institutions (Martins, 2024; Porto & Araujo, 2024).

The Imperial Constitution of 1824 contained only a general reference to so-called "public assistance," without establishing a structured social security system. Constitutional provisions specifically addressing social security emerged only in subsequent Republican Constitutions, reflecting the growing concern of the State with protecting workers in the context of the economic transformations brought about by industrialization (Santos, 2023; Castro & Lazzari, 2024).

The true starting point of the Brazilian Social Security system occurred with the enactment of Legislative Decree No. 4,682 of January 24, 1923, commonly known as the Eloy Chaves Law. This legislation established the Retirement and Pension Funds (*Caixas de Aposentadorias e Pensões* – CAPs) for railway company employees, providing retirement and social security benefits financed through contributions from workers, employers, and companies. Although it represented an important institutional advance, its coverage remained limited to organized urban occupational groups, reflecting a corporate and selective model of social protection. As noted by Malloy (1979) and Vianna (1998), the formation of the Brazilian Social Security system was closely associated with industrialization and the organization of urban labor, leaving a substantial portion of the rural population excluded.

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The success of the Retirement and Pension Funds encouraged the expansion of the system to other occupational groups, culminating in the creation of the Retirement and Pension Institutes (*Institutos de Aposentadoria e Pensões* – IAPs) beginning in the 1930s. Unlike the CAPs, which were organized by individual companies, the IAPs structured social security according to occupational categories, including industrial workers, commercial employees, bank employees, maritime workers, and public servants. Although this represented an important institutional development, the model remained corporate and selective, benefiting only workers formally integrated into the urban labor market while excluding millions of rural workers (Agostinho, 2020; Porto & Araujo, 2024).

The enactment of the Organic Social Security Law (*Lei Orgânica da Previdência Social* – LOPS) through Law No. 3,807 of 1960 represented another important milestone in the evolution of Brazilian social security. LOPS unified the existing social security legislation, standardizing benefits, eligibility requirements, and financing criteria applicable to the various social security institutions. Despite constituting a significant legislative advance, the law still failed to adequately protect rural workers, thereby maintaining the historical disparity between urban and rural populations (Castro & Lazzari, 2024; Martins, 2024).

The historical exclusion of rural workers began to be addressed with the enactment of the Rural Workers' Statute (Law No. 4,214/1963), approved in the context of intensified debates on agrarian reform, the expansion of rural labor organizations, and increasing demands for social protection in rural areas. Although it represented an important legal recognition of labor and social security rights for rural workers, its implementation faced administrative, financial, and institutional limitations, restricting the effectiveness of social security coverage during its initial years. Thus, the Statute represented the beginning of the legal inclusion of rural workers rather than the effective universalization of social protection in rural areas (Delgado, 1997; Malloy, 1979; Porto, 2024).

The expansion of rural social security protection occurred with the enactment

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of Complementary Law No. 11/1971, which created the Rural Workers' Assistance Program (*Programa de Assistência ao Trabalhador Rural* – PRORURAL). Although often referred to jointly, PRORURAL and FUNRURAL performed distinct functions: the former was the program responsible for granting social security benefits to rural workers, whereas the latter served as the financing and administrative mechanism supporting that public policy. The system expanded access to social security benefits in rural areas but maintained significant differences compared with the urban system, both in terms of benefit levels and eligibility conditions, demonstrating that the expansion of coverage occurred gradually and remained subject to institutional limitations (Porto, 2024; Castro & Lazzari, 2024).

The Constitution of the Federative Republic of Brazil of 1988 represented the principal milestone in the reorganization of Brazilian social protection by establishing Social Security as an integrated system encompassing health care, social assistance, and social insurance. In the field of social insurance, it significantly expanded protection for rural workers by establishing uniformity and equivalence of benefits and services for urban and rural populations, while preserving the specific rules concerning financing, eligibility requirements, and proof of rural activity (Castro & Lazzari, 2024).

The Constitution also established differentiated social security treatment for rural producers, sharecroppers, tenant farmers, lessees, and artisanal fishers engaged in family-based economic activities, leaving subsequent legislation to define the legal category of the special insured (*segurado especial*) and its specific eligibility requirements (Berwanger, 2013; Berwanger, 2025).

Laws No. 8,212 and No. 8,213, both enacted in 1991, structured at the statutory level the new social security model established by the Federal Constitution. While the former regulated the organization and financing of the Social Security system, the latter established social security benefits and defined the categories of insured persons within the General Social Security Regime (*Regime Geral de Previdência Social* – RGPS), including the *special insured*. These laws

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consolidated the legal framework applicable to rural workers by establishing specific rules governing eligibility, contributions, and access to social security benefits (Castro & Lazzari, 2024; Porto, 2024).

In the following decades, the Brazilian Social Security system underwent successive constitutional reforms. Constitutional Amendment No. 20 of 1998 introduced significant changes to retirement rules and reinforced the principle of the system's financial and actuarial balance. Constitutional Amendment No. 41 of 2003 focused primarily on reforming the pension schemes applicable to public servants. More recently, Constitutional Amendment No. 103 of 2019 implemented a comprehensive pension reform, modifying eligibility criteria, benefit calculation methods, and transitional rules. With regard to *special insured persons*, however, the fundamental characteristics of rural retirement benefits were preserved, recognizing the specific nature of family-based agricultural work and the social relevance of providing social security protection to rural workers (Berwanger, 2025; Castro & Lazzari, 2024; Agostinho, 2020).

The historical trajectory of the Brazilian Social Security system demonstrates a continuous process of expanding social protection, beginning with schemes restricted to specific occupational groups and gradually evolving toward the broader coverage established by the 1988 Constitution. In the case of rural social security, this evolution represented the gradual overcoming of decades of exclusion affecting rural workers and the establishment of a legal framework recognizing the specific characteristics of rural labor and the importance of the *special insured* for the effective realization of social rights.

As emphasized by Weirich and Neres (2026), rural social security extends beyond its traditional role of socioeconomic protection, constituting an important instrument for social inclusion, the strengthening of family farming, and the promotion of sustainable rural development. Likewise, Weirich et al. (2026) demonstrate that the legal concept of the *special insured* continues to evolve through both scholarly debate and judicial interpretation, particularly regarding the

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criteria for its recognition and disqualification.

The constitutional reforms introduced by Constitutional Amendments No. 20/1998, No. 41/2003, and No. 103/2019 affected rural social security in different ways. Although they primarily modified the general rules governing the social security system, they also stimulated debates concerning the financial sustainability of Social Security, the sustainability of rural financing, the evidentiary requirements for proving agricultural activity, and the preservation of the differentiated legal regime applicable to the *special insured*. These discussions demonstrate that the legislative consolidation of rural social security has not eliminated the challenges related to the effective realization of social security rights and legal certainty for rural workers (Berwanger, 2025; Agostinho, 2020).

The historical development of the Brazilian Social Security system demonstrates that the expansion of social protection has neither been linear nor uniform. Each stage of this process has been characterized by legislative advances, as well as institutional limitations, implementation challenges, and persistent inequalities between urban and rural workers. The inclusion of the rural population within the social security system resulted from social, economic, and political transformations involving state action, the mobilization of rural workers, labor organizations, and various social actors in the construction of Brazilian social citizenship.

The specialized literature indicates that rural social security can contribute to reducing the economic vulnerability of rural families, fostering income circulation in municipalities, and providing greater social protection for rural workers. However, these effects do not result automatically from the existence of social security benefits; rather, they depend on factors such as access to land, infrastructure, public policies, productive organization, and regional socioeconomic conditions (Delgado & Cardoso Jr., 1999; Schwarzer, 2000). Accordingly, the history of Brazilian rural social security should be understood as a continuous process of normative expansion accompanied by ongoing challenges related to the effective

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realization of social rights, proof of rural activity, and legal certainty for the *special insured*.

2.3. The Formation of Social Protection in Rural Areas

The development of the Brazilian Social Security system was strongly influenced by the country's process of industrialization and urbanization during the first half of the twentieth century. The earliest social security legislation was directed toward urban occupational groups considered strategic for economic development, such as railway workers, dockworkers, maritime workers, bank employees, and industrial workers, while rural workers remained excluded from the official social protection system for several decades (Malloy, 1979; Vianna, 1998).

This exclusion reflected the urban-industrial model adopted by the Brazilian State, whose social security policy was corporate and contributory in nature, privileging workers formally integrated into the urban labor market. According to Malloy (1979), the development of the Brazilian Social Security system was directly linked to the state's modernization project and the strengthening of the industrial economy, leaving aside a significant portion of the economically active population, composed predominantly of rural workers. Similarly, Vianna (1998) argues that the expansion of social protection occurred selectively, following the consolidation of formal employment relationships and restricting access to social security rights to organized urban workers.

Until the 1960s, rural workers remained virtually without state social security protection, relying on family, community, or charitable support mechanisms to cope with situations of disability, old age, and death. As emphasized by Delgado (1997) and Schwarzer (2000), this lack of coverage reflected a profound inequality between rural and urban areas and demonstrated that the Brazilian Social Security system had been designed primarily to meet the demands of the urban labor market, disregarding the specific characteristics of agricultural production and labor relations

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in rural areas.

The inclusion of rural workers in the Brazilian Social Security system occurred gradually and was associated with the social and political transformations that took place beginning in the 1960s. The enactment of the Rural Workers' Statute (Law No. 4,214/1963), in the context of intensified debates on agrarian reform and growing demands for social rights in rural areas, represented the first legal recognition of the need for specific social security protection for this group. Nevertheless, as noted by Delgado and Cardoso Jr. (1999), the effective implementation of these rights occurred progressively, being subsequently expanded through PRORURAL and significantly strengthened by the 1988 Federal Constitution, which broadened social security protection for rural workers and established the principles of uniformity and equivalence of benefits and services for urban and rural populations, subject to the specific provisions established by law.

2.4. The 1988 Federal Constitution and the Universalization of Rural Social Security Protection

The promulgation of the 1988 Constitution of the Federative Republic of Brazil represented one of the most significant milestones in the evolution of the Brazilian Social Security system by establishing a new paradigm of social protection founded on human dignity, solidarity, and the expansion of social rights. Known as the "Citizen Constitution," the 1988 Constitution reorganized Brazilian social protection by structuring Social Security as an integrated system designed to guarantee the rights related to health care, social insurance, and social assistance (Martins, 2024; Castro & Lazzari, 2024).

Pursuant to Article 194 of the Federal Constitution, Social Security comprises an integrated set of actions undertaken by public authorities and society to ensure the rights related to health care, social insurance, and social assistance. This new constitutional framework came to be guided by principles such as universal

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coverage and access, uniformity and equivalence of benefits and services for urban and rural populations, selectivity and distributivity in the provision of benefits, preservation of the real value of benefits, equity in the financing of the system, and diversity of the funding base (Brazil, 1988; Santos, 2023).

With regard to rural social security, the Federal Constitution significantly expanded social protection for rural workers, reducing the historical inequalities that had existed between rural and urban workers. The new constitutional framework established the principles of uniformity and equivalence of benefits and services for urban and rural populations while preserving the specific rules governing financing, legal requirements, and proof of rural activity. As emphasized by Castro and Lazzari (2024), the 1988 Constitution represented a milestone in the democratization of social security protection by expanding system coverage and recognizing social protection as a fundamental right.

Another important constitutional innovation was the establishment of differentiated social security treatment for rural workers engaged in family-based farming (*regime de economia familiar*). Paragraph 8 of Article 195 provides that rural producers, sharecroppers, tenant farmers, lessees, artisanal fishers, and their respective spouses or partners shall contribute to Social Security through a levy on the commercialization of agricultural production. The regulation of this category, later designated as the special insured (*segurado especial*), was established by subsequent legislation, particularly Laws No. 8,212 and No. 8,213, both enacted in 1991, which defined the eligibility requirements and conditions for access to social security benefits (Berwanger, 2013; Berwanger, 2025).

According to Berwanger (2013), the differentiated legal treatment granted to the *special insured* derives from the specific characteristics of rural work performed under a family-based farming system, whose productive organization is incompatible with the traditional contributory models applicable to urban workers. In her most recent work, Berwanger (2025) emphasizes that this differentiated legal regime remains one of the principal instruments for promoting the social security

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inclusion of family farming, although its effective implementation continues to depend on appropriate legislative interpretation and judicial application.

The Federal Constitution also expanded the range of social security rights guaranteed to the rural population, contributing to the reduction of historical inequalities and strengthening the social protection of families who live and work in rural areas. However, the effective implementation of these rights became dependent upon subsequent statutory regulation, the administrative capacity of the social security system, and the interpretation adopted by the institutions responsible for enforcing social security legislation. In this regard, Weirich and Neres (2026) emphasize that rural social security constitutes an important instrument of social protection and support for family farming, while Weirich et al. (2026) demonstrate that the legal framework governing the *special insured* continues to evolve, particularly through judicial interpretation concerning the criteria for the recognition and disqualification of this social security category.

2.5. The Classification of Rural Workers under the General Social Security Regime

The 1988 Federal Constitution and subsequent social security legislation expanded social protection for rural workers by incorporating them into the General Social Security Regime (Regime Geral de Previdência Social – RGPS) through different forms of affiliation compatible with the diversity of labor relationships existing in rural areas. Owing to the different forms of organization of agricultural activities, Law No. 8,213/1991 establishes specific categories of insured persons based on criteria related to the nature of the activity performed, the manner in which the property is operated, the existence of an employment relationship, and the applicable social security contribution regime (Castro & Lazzari, 2024; Martins, 2024).

In this context, rural workers may be classified as rural employees, self-

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employed rural workers, rural casual workers, and special insured persons (*segurados especiais*), whose principal characteristics are summarized in Table 1.

Table 1 – Classification and Definition of Rural Workers

Category	Definition
Rural employee	A natural person who provides non-occasional services on a rural property or rustic estate under subordination and in exchange for remuneration, pursuant to Article 2 of Law No. 5,889/1973.
Self-employed rural worker	A natural person who independently engages in agricultural activities under the circumstances provided for in Article 11, item V, of Law No. 8,213/1991, and who is subject to the individual payment of social security contributions.
Rural casual worker	A worker who performs rural services through the mandatory intermediation of a labor union or labor management body, without maintaining a permanent employment relationship with the service recipient.
Special insured (*segurado especial*)	A rural producer, sharecropper, tenant farmer, lessee, artisanal fisher, and members of the family group who engage in activities under a family-based farming regime without permanent employees, subject to the differentiated contribution regime established by Article 195, § 8, of the Federal Constitution and Article 11, item VII, of Law No. 8,213/1991.

Source: Prepared by the authors based on the 1988 Federal Constitution, Law No. 5,889/1973, Law No. 8,213/1991, and Tavares (2007).

These categories differ primarily with respect to the manner in which rural activities are performed, the legal relationship established with the recipient of the services, and the Social Security financing regime. While rural employees and rural casual workers enjoy social security protection comparable to that afforded to urban employees, self-employed rural workers are required to make direct social security contributions. By contrast, the *special insured* is subject to a differentiated legal regime designed to accommodate the particular characteristics of family farming and other activities conducted under a family-based farming system (Agostinho, 2020; Castro & Lazzari, 2024).

Among these categories, the *special insured* occupies a prominent position in the evolution of Brazilian rural social security. According to Berwanger (2013; 2025), this category represents a legal construct designed to reconcile social security protection with the socioeconomic reality of family farming, recognizing that a substantial portion of Brazil's agricultural production is carried out by family

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production units that do not fit within traditional employment relationships. The differentiated social security treatment granted to the *special insured* constitutes one of the principal innovations introduced by the 1988 Federal Constitution, making it possible to expand social security inclusion while respecting the specific characteristics of rural productive organization.

The classification of rural workers demonstrates that the Brazilian Social Security system was designed to accommodate the diverse forms of labor relationships existing in agriculture, reflecting the heterogeneity of rural production systems. Nevertheless, this diversity also creates interpretative challenges concerning the legal classification of insured persons, particularly in the case of the *special insured*, whose legal characterization remains the subject of extensive scholarly debate and judicial interpretation. As observed by Weirich et al. (2026), defining the boundaries between the family-based farming regime and other forms of rural production continues to be one of the most significant issues in contemporary Brazilian Social Security Law.

3. Methodology

The present study is characterized as a qualitative, exploratory, and descriptive investigation, conducted through a narrative literature review and documentary analysis of Brazilian social security legislation. The qualitative approach was adopted because it enables an understanding of the historical, legal, and institutional evolution of rural social security in Brazil, emphasizing a critical interpretation of the doctrinal and normative literature on the subject.

A narrative literature review was selected because it is consistent with the objective of the study, which is to historically reconstruct the process of the formation and consolidation of Brazilian rural social security by integrating different historical periods, legislative milestones, and doctrinal interpretations. Unlike systematic reviews, which are designed to synthesize empirical evidence through

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rigorous selection protocols, the narrative review is particularly appropriate for historical-legal studies that seek to integrate different theoretical perspectives, legal documents, and classical works, thereby allowing a contextualized analysis of the evolution of social protection for rural workers.

The bibliographic research was conducted between June and July 2026 through searches in Google Scholar, the Brazilian Digital Library of Theses and Dissertations (Biblioteca Digital Brasileira de Teses e Dissertações – BDTD), as well as specialized books, Social Security Law textbooks, doctoral dissertations, master's theses, scientific articles, and institutional documents related to social security and rural development. In addition, a documentary analysis was carried out on Brazilian social security legislation and international legal instruments concerning social protection.

The following descriptors were used individually and in combination: "Rural Social Security," "Social Security," "Social Protection," "Special Insured," "Rural Worker," "Social Security Law," "FUNRURAL," "PRORURAL," "Rural Workers' Statute," "Eloy Chaves Law," and "Rural Social Protection," as well as their corresponding terms in English (*Rural Social Security, Social Security, Special Insured,* and *Rural Worker*), whenever appropriate.

The inclusion criteria comprised: (i) classical and contemporary doctrinal works recognized as authoritative in the field of Social Security Law; (ii) scientific articles published in specialized journals; (iii) master's theses and doctoral dissertations addressing rural social security and the *special insured*; (iv) relevant constitutional and statutory legislation; and (v) international legal instruments that contributed to the development of modern social protection systems. The exclusion criteria consisted of studies not directly related to the historical evolution of rural social security, duplicate publications, purely opinion-based texts, and documents lacking technical or scientific support.

Table 2 – Bibliographic and Documentary Corpus Used in the Study

Source	Type	Period Covered	Contribution to the Study

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Agostinho (2020)	Social Security Law textbook	Contemporary	Provides the theoretical foundation for the principles of Social Security, legislative developments, and the interpretation of the General Social Security Regime (RGPS).
Berwanger (2013)	Doctoral dissertation	Historical and constitutional evolution of the *special insured*	Examines the legal construction of the concept of the *special insured* and the constitutional foundations of rural social security protection.
Berwanger (2025)	Book	Contemporary developments	Provides updated doctrinal analysis of the *special insured*, legislative changes, case law, and the evolution of rural social security following Constitutional Amendment No. 103/2019.
Brazil (1988) – Federal Constitution	Legal document	1988–present	Establishes the Social Security system, constitutional principles, rural social security protection, and the constitutional treatment of rural workers.
Brazil (1991) – Law No. 8,212	Legal document	1991–present	Regulates the organization of the Social Security system and its financing structure.
Brazil (1991) – Law No. 8,213	Legal document	1991–present	Establishes the Social Security Benefits Plan and regulates social security protection for rural workers and the *special insured*.
Castro & Lazzari (2024)	Social Security Law textbook	Historical and contemporary	Provides the principal doctrinal basis for the historical evolution of Social Security, social security legislation, and the interpretation of the General Social Security Regime (RGPS).
Delgado (1997)	Book	1965–1985	Examines the relationship between economic development, agriculture, and public policies directed toward rural areas.
Delgado & Cardoso Jr. (1999)	IPEA Discussion Paper	Post-1988 Constitution	Analyzes the distributive effects of rural social security, the expansion of coverage, and the socioeconomic impacts of social security income in rural areas.
Malloy (1979)	Book	Historical development of Social Security	Examines the institutional formation of the Brazilian Social Security system, its corporate model, and the initial exclusion of rural workers.
Martins (2024)	Social Security Law textbook	Contemporary	Provides the theoretical foundations of Social Security institutions and the legislative evolution of the Brazilian Social Security system.
Porto (2024)	Specialized book	Historical evolution of rural social security	Serves as the principal reference for the historical reconstruction of Rural Workers' Social Security, the Rural Workers' Statute, PRORURAL, FUNRURAL, and

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			the *special insured*.
Porto & Araujo (2024)	Social Security Law textbook	Contemporary	Complements the doctrinal discussion of the General Social Security Regime (RGPS), benefits, and rural insured persons.
Santos (2023)	Social Security Law textbook	Contemporary	Systematizes Brazilian social security legislation and the interpretation of RGPS benefits.
Schwarzer (2000)	Technical study (IPEA)	Post-1988 Constitution	Evaluates the distributive impacts of rural social security and its contribution to reducing social inequalities.
Tavares (2007)	Social Security Law textbook	Contemporary	Provides the doctrinal basis for the classification of insured persons, particularly rural casual workers.
Vianna (1998)	Book	Evolution of Brazilian social policies	Discusses the formation of the Brazilian social protection system and its historical characteristics.
Weirich & Neres (2026)	Scientific article	Contemporary	Examines the social security protection of the *special insured* under the family-based farming regime and its implications for sustainable rural development.
Weirich et al. (2026)	Scientific article	Contemporary	Analyzes the evolution of case law concerning the legal characterization and disqualification of the *special insured* within the Federal Regional Court of the Fourth Region (TRF-4).

Source: Prepared by the authors (2026).

Although the bibliographic survey prioritized recent publications, classical works recognized as essential references for understanding the historical evolution of the Brazilian Social Security system and rural social security protection were also incorporated. The bibliographic corpus consisted of Social Security Law textbooks, books, doctoral dissertations, scientific articles, and technical studies of recognized national relevance, encompassing both classical and contemporary authors who contributed to the historical, legal, and doctrinal foundation of this study. The selection of sources sought to encompass different analytical perspectives on the development of Social Security, the evolution of social security legislation, the protection of rural workers, and the legal construction of the *special insured*, as summarized in Table 2.

Regarding the documentary analysis, the principal legal instruments that structured the evolution of the Brazilian Social Security system were examined,

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including constitutional and statutory provisions governing the organization of Social Security and rural social security. The analysis focused on the legislative milestones that shaped the development of the Brazilian social security system, the expansion of protection for rural workers, and the consolidation of the General Social Security Regime (Regime Geral de Previdência Social – RGPS), particularly the 1988 Constitution of the Federative Republic of Brazil and Laws No. 8,212 and No. 8,213, both enacted in 1991. The complete set of bibliographic and documentary sources, together with their nature, period of coverage, and contribution to the study, is summarized in Table 2.

The interpretation of the sources was based on a historical-normative analysis, seeking to understand the evolution of rural social security protection through the articulation of historical context, doctrinal production, legislation, and public policies. Beyond the chronological description of legislative milestones, the analysis sought to identify institutional transformations, advances in the expansion of social security coverage, implementation limitations, and changes in the legal conception of rural workers and the *special insured* throughout the historical process.

Finally, certain limitations of this study should be acknowledged. As a narrative literature review, the study is not exhaustive and does not follow the protocols typically associated with systematic reviews, making it subject to potential selection bias. Furthermore, the analysis prioritized legal and historical-institutional literature published in Portuguese, without conducting a systematic review of the international literature or empirical studies addressing the implementation of rural social security policies. Despite these limitations, the body of sources analyzed provides a consistent foundation for understanding the historical evolution of rural social security in Brazil and its consolidation as an instrument of social protection.

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4. Final Considerations

The historical evolution of Brazilian rural social security demonstrates that social protection for rural workers resulted from a long process of normative, institutional, and political development. Unlike urban workers, whose inclusion in the social security system began during the early decades of the twentieth century, rural workers remained on the margins of public social protection policies for many years, reflecting the initially corporate and urban-industrial nature of the Brazilian Social Security system. It was only in the 1960s, with the enactment of the Rural Workers' Statute, that a gradual process of expanding social security protection began, later strengthened by the creation of PRORURAL and significantly expanded by the 1988 Federal Constitution and the statutory legislation enacted to implement its provisions.

The review of the literature and legislation made it possible to answer the research question by demonstrating that the formation of Brazilian rural social security did not result from a single legislative milestone but rather from a continuous historical process of expanding social protection. This process was influenced by economic, social, and political transformations that culminated in the expansion of social security coverage for rural workers, the structuring of the General Social Security Regime (Regime Geral de Previdência Social – RGPS), and the consolidation of the legal framework applicable to the different categories of rural insured persons.

The findings showed that the 1988 Constitution of the Federative Republic of Brazil represented the principal milestone in the evolution of rural social security by establishing Social Security as an integrated system of social protection, significantly expanding social security protection for rural workers, and establishing the principles of uniformity and equivalence of benefits and services for urban and rural populations, subject to the specific rules applicable to certain categories. Subsequently, Laws No. 8,212 and No. 8,213, both enacted in 1991, regulated this

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new social security model by establishing the financing structure, benefits, and eligibility criteria applicable to rural insured persons, particularly the special insured (*segurado especial*).

The analysis also demonstrated that the evolution of the legal concept of the *special insured* represents one of the most significant contributions of the Brazilian Social Security system to social inclusion in rural areas. The doctrinal and legislative development of this category made it possible to reconcile social security protection with the specific characteristics of family farming and other activities carried out under a family-based farming regime, recognizing the diversity of labor relationships existing in rural areas and establishing differentiated mechanisms for financing and access to social security benefits.

The study further found that rural social security extends beyond its traditional function of replacing income in situations of disability, old age, or death. The literature reviewed indicates that social security benefits may contribute to reducing the socioeconomic vulnerabilities of rural families, promoting income circulation in small municipalities, and strengthening the conditions that enable people to remain in rural areas. However, these effects depend on the articulation of social security with other public policies aimed at rural development, access to land, technical assistance, infrastructure, and productive inclusion, and therefore cannot be attributed exclusively to the existence of social security protection.

Despite the normative advances observed throughout the historical evolution of rural social security, important challenges remain regarding the effective realization of social security rights, the simplification of mechanisms for proving rural activity, legal certainty for the *special insured*, and the preservation of the financial and actuarial balance of the social security system. Furthermore, ongoing demographic, economic, and legislative transformations require the continuous updating of legal interpretation and public policies aimed at protecting rural workers.

From a scientific perspective, this study contributes to the literature by systematizing, from a historical-legal perspective, the evolution of Brazilian rural

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social security, integrating the development of social protection, the institutional evolution of the Brazilian Social Security system, the principal legislative milestones, and the consolidation of the legal framework governing the *special insured*. By bringing these elements together in an integrated analysis of the specialized literature and social security legislation, the article provides a theoretical framework that may support future research on Social Security Law, social protection, family farming, and sustainable rural development, while also contributing to the improvement of legal interpretation and the formulation of public policies aimed at rural populations.

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