

Other articles

Affirmative action: racialization and privileges or justice and equality?

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ABSTRACT:

The racial issue made its way into the Brazilian political agenda in the decade beginning in 2000, especially through the proposals made by black social movements for a quota system to be introduced for black students in the enrolment process to Brazil's public universities. However, there several pondered arguments, as well as imprudent ones, reject this system. In this article, owing to space restrictions, only those arguments against the system shall be analysed, which comprise: the public policies of inclusion of students in universities should be focused on the social class and not on the race/colour of the students, given that affirmative action for blacks will increase racialization in Brazilian society.

KEYWORDS:

Affirmative action, Anti-racism, Racialization, black social movements.

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INTRODUCTION

The inclusion of the racial issue in the Brazilian political agenda consolidated after the 3rd World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held from 30 August to 7 September 2001, in the South African city of Durban. The struggles and the internal pressures of the Brazilian Black Social Movements fighting for racial equality and the end of racism, along with the international drive towards ending racism, as shown in this conference, intensified discussion in Brazil about the need to implement affirmative action to enable blacks to get preferential access to public higher education. Therefore, the racial question was included in the agendas and proposals of several candidates for the President of the Republic in 2002.

The President elected at the time, Luiz Inácio Lula da Silva, after taking office as the President of the Brazilian Republic, created the Special Secretary for Promotion of Racial Equality Policies on 21 March 2003 (Seppir). In the speech made upon opening the premises of Seppir, President Lula officially stated that there was racial discrimination against blacks in Brazil (BRASIL/SEPPIR, 2003, p. 6). President Lula did not only create Seppir, but also sent the Draft Law no. 3 627, of 20 May 2004 to the Brazilian National Congress, that “institutes the Special System of Vacancy Reservation for student enrolment in public schools, especially black and indigenous students, in the public federal higher education institutions and other measures”. This draft law established, among others measures, that:

Art. 1 — The public federal higher education institutions shall reserve, in each selection process for enrolment to degree courses, at least fifty percent of their vacancies for students who have completed their middle school education in a public school.

Art. 2 — In each higher education institution the vacancies mentioned in art. 1 will be filled by a minimum proportion of self-declared black and indigenous students equal to the proportion of blacks, mixed race and indigenous people in the population of the unit of the Federation where the institution is based, in line with the last census from the Brazilian Institute of Geography and Statistics — IBGE.

This draft law and other related draft laws are going through the National Congress and have led to heated academic-political debate, disputes and arguments in favour of or against them. As described by Santos (2007), the proposal to reserve vacancies for black students in the Brazilian public universities, which derived from the Black Social Movements and which was endorsed by the federal government, has been, on the one hand, supported and defended by the intellectual blacks¹ who are members of the *Brazilian Association of Black Researchers* (ABPN), while on the other hand it has been rejected by the absolute majority of the white intellectuals from the area of studies and research into Brazilian race relations.

It must be pointed out that regardless of whether or not the aforementioned draft law, and other similar ones, are passed, several federal universities, invoking their university autonomy, have approved affirmative action programmes for black and indigenous students from public schools and/or low-income families, among other socio-racial groups. For example, Brasilia University, one of the most important universities in Brazil, was the first higher education federal institution to approve the quota system for student enrolment, on 6 June 2003, serving as a model for other universities. Five years later, in December 2008, there were eighty-four federal and public higher education institutions in Brazil which had implemented some form of affirmative action to enrol their students (Santos *et al.*, 2008, p. 920). However, this

change in the student enrolment process for the public universities is not taking place without a fierce debate. For example, in June 2007, the Federal University of Rio Grande do Sul (UFRGS), implemented its “Affirmative Action Programme”. The programme established that 15% of vacancies should be for black students and 15% for applicants coming from the Fundamental and Middle Education public system in all the UFRGS degree courses. However, during the discussion process to approve this programme at the university, the walls of the UFRGS were sprayed with the following racist phrases: “the blacks’ place is in the kitchen of the RU [university restaurant]” and “blacks go back to the township”.

One therefore realises that it is not only pondered arguments but also imprudent ones which contest the quota system² for black student enrolment into Brazilian public universities. Unfortunately, owing to space restrictions in the publication of this article, we will analyse herein just one of these arguments: public affirmative action policies to include students in the Brazilian public universities should be geared only towards the poor and not towards the black students. In other words, the public student inclusion policies should be focused on the social class and not the race/colour³ of the students, given that affirmative action for blacks will racialize Brazilian society. It is this matter that shall be discussed in this article.

RACIALIZATION AND PRIVILEGES OR JUSTICE AND EQUALITY?

As we mentioned above, President Lula’s government sent a draft law to Brazil’s National Congress that institutes a *Special Vacancy Reserve System* for students who historically have not collectively had access to Brazilian public universities. However, even before the passing or rejection of this draft law, which establishes quotas for students coming from public schools, as well as black students, indigenous students and/or students from low-income families, several Brazilian public universities had instituted the quota system for black students, as we saw above. Something that the most optimistic intellectuals working in the study and research of social relations, and in favour of the quota system for black students, never imagined happening less than ten years after the International Seminar entitled *Multiculturalism and racism: the role of affirmative action in contemporary democratic states*, held in July 1996, by the Secretary of Citizenship Rights of the Ministry of Justice, at the Brasilia University campus. According to professor Antônio Sérgio A. Guimarães,

In July 1996, during the government of Fernando Henrique, when the Minister of Justice held a meeting with a group of Brazilian and American intellectuals in Brasilia to

discuss “Affirmative action and multiculturalism” (Souza, 1997), *nobody believed that, in little over five years, it would be possible to reserve the first vacancies for blacks in a public university and that, before completing the tenth anniversary of that event, this policy would be transformed into a directive of the Ministry of Education*. It seemed to all of us taking part in that meeting — those who were for affirmative action for blacks and those who were against it — that the seminar had been convened simply to satisfy the black militancy and transmit a feeling of inclusion to them, who were very active at the time in the party forums, at some levels of the federal government and very well articulated internationally into the network of civil NGOs and the fight for human rights. This was the idea I had after listening to the presentations and debates in the plenary session and judging by the opinions we swapped outside it, in the hotel courtyard and restaurant, and in the van that drove us from the venue of the seminar to the hotel, and vice-versa (Guimarães, 2005, p. 1, our italics).

There was, on the one hand, a lack of belief of the and in the action of the political force of the Black Social Movements by the intellectuals who supported affirmative action for the enrolment of black students into Brazil’s public universities, and on the other hand, a lack of consideration for this action and force by a considerable proportion of the intellectuals who opposed this kind of public policy. As stated by the anthropologists Yvonne Maggie and Peter Fry (2004, pp. 68-69), who are intransigently against the system of quotas for black students to enrol into Brazilian public universities, they underestimated the “advances made in certain key areas” and were surprised.

In failing to consider the Black Social Movements as important social agents in the Brazilian public sphere, the intellectuals who are against the quotas did not study, research into or analyse the political activity and strength of these movements, especially the academic-political action of the intellectual blacks in and for the process of implementing affirmative action for black students to enrol in the public universities. The Black Social Movements, through their organic intellectuals (the intellectual blacks), articulated externally and acted in a latent manner, clearly inside the various public universities, weaving academic-intellectual support networks for affirmative action for black students. As such, they collected allies and convinced other academics in a wide range of ways, won over hearts and minds, even if only momentarily, in support of the quota system. Changing and aligning the goalposts in the struggle for inclusion in the public universities of black students, indigenous students and students from public schools, among other Brazilian social groups, the process of the implementation of the quota system began in these Brazilian public universities (Santos, 2007).

However, this articulation for approval of affirmative action for black students enrolling into Brazilian public universities was not pacific or without conflict. There has been and still is strong pressure against the quota system for black students enrolling into public universities. In the university environment this pressure has not been only through rational-academic arguments; quite the opposite. In these universities there was no deep and open discussion on the matter, and one can affirm that there still has not been, where theories are confronted about the concept of affirmative action, between the authors who are in favour of this public policy and those against it, to ascertain whether this policy is appropriate to face up to the exclusion of black students from Brazilian higher education (Santos, 2007). Indeed, the social scientists who are against the quota system for students enrolling into Brazilian public universities state that this kind of affirmative action implementation technique necessarily leads to the racialization of Brazilian society.

But, at the end of the day, what is racialization according to these social scientists? We cannot find among all the authors who are actively against the quota system for black students an explicit concept of what racialization means, let alone any author who draws up an “appraisal of the literature” on the concept. However, most of them present some definition of racialization, without elaborating on it. According to the historian Mônica Grin, racialization consists of promoting race as a subject entitled to rights, or even that one’s racial belonging defines the subject’s rights in terms of policies of recognition and distribution of social goods and services (Grin, 2004a, 2004b). The anthropologist Peter Fry is not very different, saying that racialization is the recognition of race in the distribution of justice and the State’s goods or recognition of race as a category of meaning in the distribution of moral judgements or goods and privileges (Fry, 2005). The same can be said for the anthropologist Yvonne Maggie, as in her opinion racialization is a policy based on race that enthrones racial markers as criteria of distribution of rights and life strategy (Maggie, 2006). It can also be considered the imposition of a racial identity to citizens by the Brazilian State (Maggie & Fry, 2002, 2004) or the institution by the Brazilian State of public policies that force the population to be defined in a bipolar racial classification (whites and blacks) (Azevedo, 2004). None of these definitions differ widely from one another.

However, what one can observe from these various definitions about what racialization means is the use of race linked directly to the State or the distribution of public goods and services, which implies mediation by the State. In other words, when the State uses the category of “race” to distribute rights, goods and services, it is racializing, and according to the social scientists quoted in the above paragraph, practising racism, given that

“any appeal to racialization would also be a form of racism” (Grin, 2004b, p. 337). According to these authors racialization takes place when the *visible hand of the State* formally guides its public policies using racial criteria to define who will benefit from such policies. Therefore, if there is no *visible hand of the State* (by means of laws, rules or public policies), even if racism exists in society, there is no process of racialization.

However, two questions should be asked here: 1) does racial discrimination against blacks exist in Brazil? The answer is obviously yes, as we shall see below; 2) is there any society in the world that racially discriminates any of its social groups and which is not racialized? Of course not. Hence it is plausible to affirm that those who racially discriminate necessarily make use of race or the idea of race. So, in logical terms, it is impossible to racially discriminate and not use the idea of race. Therefore, those who racially discriminate, racialize, given that racialization, according to the sociologist Anthony Giddens, is the “process whereby the conceptions of race are used to classify individuals or groups of people. The racial distinctions are more than mere methods of describing human differences: they are important factors in reproducing standards of power and inequalities” (Giddens, 2005, p. 574). The data disclosed on an annual basis by the Brazilian Institute of Geography and Statistics (IBGE), deriving from the National Research through Residential Samples (PNAD), or the Applied Economics Research Institute (IPEA) show how Brazilian society is racialized, or rather how the term race is used in Brazilian society to depreciate the wages of black workers in relation to white workers, among other racial inequalities.

However, this racialization is not limited to the workplace and the low-income population, nor is it absent from the school environment, as would be generally supposed. In the everyday life of the black students or the black population in general, racial discrimination is evident. Black citizens who are today considered illustrious, famous and rich have also had to endure experiences of discrimination at school. However, few have the courage or even the public opportunity to reveal or denounce such discrimination, like the singer-songwriter Gilberto Gil. In the year celebrating the centenary of the abolition of slavery in Brazil, 1988, when asked in an interview given to the magazine *Veja*, if he had been racially discriminated against, Gilberto Gil, the former Minister of Culture of the Lula Government answered:

Several times. In São Paulo, for example, when I was an employee of Gessy Lever, I tried to rent an apartment. I read the advert in the newspaper. I rang to ask if the property was available. They said yes, but when I arrived there they said the apartment had already been rented. It was just 15 minutes later. The person refused to show me the apartment, alleging this reason. I felt at the time that the tenant

wasn't desirable. And I was somebody with a good job in a multinational, with a reasonable salary. *What I lacked was racial qualification*, you can say. (...) [In childhood] *I studied at a college run by Marist priests which was attended by the elite of Baía State. I suffered there a lot, not only from my colleagues [pupils], but also from the teachers, the priests, the brothers.* It was a disguised discrimination, only slight most of the time but with some acute episodes. *I remember once when I asked for something to be explained, a teacher, who was called Brother Inácio, simply turned to me and said: "Shut up, shut your black mouth".* And I shut up. It was a very difficult time (Gil, 1988, p. 8, our italics).

As you can see, from the first years of study black pupils are marked by racial discrimination at school. And the racial discrimination against black students does not only happen in public schools and with low-income children, but also in middle or upper-class schools, with black middle and upper class pupils, as shown in the school days of Gilberto Gil.

One can argue that the aforementioned example is an isolated fact or case and is not part of the everyday Brazilian school life. However, this fact also occurs broadly or at nationwide level. Analysis of the statistics compiled by the IBGE, like those of the researcher Ricardo Henriques (2002), conclude that the colour/race variable is one of the crucial components explaining the differing school performance of black and white pupils in fundamental education. Henriques (2002) shows, grounded on the data of the PNADs carried out by the IBGE throughout the whole of the 1990s, that there is a constant reduction in the quantity of poor and black students as the school years advance. Furthermore, analysing the Brazilian school population of fundamental education as a whole, he reaches the conclusion that there is a *temporal deterioration* in school performance determined both by the social origin of the students and their colour/race⁴.

This pattern of deterioration means that, throughout the fundamental level educational cycle we can see that each new year of school leads to a continuous reduction in the proportion of people who complete each series with the expected age. At 11 years of age, for example, the child should have completed the 4th series of fundamental education. However, in 1999 only 37.1% of children were in this situation. In the extremes of the fundamental educational cycles we identified that 53.2% of the 8-year-old children completed the 1st series, while only 20.4% of 15-year-olds completed the 8th series. *In the black population this performance is even smaller and unsatisfactory: this figure is 8.7% for black pupils and a shameful 3.8% for poor black pupils. [Therefore] (...) when we consider this information in the light of a racial breakdown we see that 29.2% of whites complete the fundamental education and only 11.5% of blacks reach this stage* (Henriques, 2002, pp. 75-80, our italics).

Henriques (2002) concludes that the difference in school performance between children is explained by the variables of income and race. But moreover, discriminatory processes are at play in school that lead to the exclusion of the black pupil as the level of teaching get higher. Citing the anthropologist Kabengele Munanga, Ricardo Henriques states that:

The prejudice enrooted in the teachers' heads and their inability to deal professionally with diversity, together with the prejudiced content of the textbooks and teaching materials and the prejudiced relations among the pupils from different ancestry, ethnic-racial, social and other groups, saps the motivation of the black pupils and harms their learning. Which explains the extremely high levels of repeat years and school avoidance by black pupils compared to white pupils (Munanga, cited in Henriques, 2002, p. 94).

These conclusions ratify what the IPEA researcher Sergei Soares tells us:

in the education process itself black pupils suffer strong racial discrimination long before finishing the second level. There is strong evidence of discriminatory practices applied in the classroom that make it a very hostile environment for black children" (Soares, 2004, pp. 126-127, our italics).

Although the analysis of Ricardo Henriques (2002) was carried out for fundamental teaching, if we consider the problems in the Brazilian basic education, as well as the Brazilian racial hierarchical relations, it is possible to state that there is a tendency to exclude black pupils in middle education and/or as the educational level gets higher, through racial discrimination, among other factors, which they have to endure inside the school system.

In other words, racism does exist in Brazil against blacks, as we saw above, and hence racialization does exist in the country. Hence, Brazil is already a racialized country regardless of the implementation of the policies of affirmative action for the black students. If the authors who are against the quota system for these students, and who were cited in this article, agree that Brazilian society discriminates against blacks for being black (or "darker"⁵), how can one claim that the society is not racialized? How can one argue that it is the affirmative action for black students that is racializing Brazilian society, when this kind of public policy only makes sense when the group it is geared towards lives, in truth, in an inferior and/or negative discriminatory situation in society?

This illogical interpretation that affirmative action for blacks leads to the racialization of society is possible because these authors, no matter how much they agree with the research confirming that there is racial discrimination in Brazil, insist in stating that the best thing to do

is to work towards a racial democracy ideal for the future, without mentioning the idea of race, instead of immediately trying to address the problems of racial inequalities in Brazilian society through public policies that, according to these authors, may trigger large-scale tensions and conflicts, which would only reinforce racism in Brazil. As can be seen in Santos (2007) and in Santos *et al.* (2008), the history of Brazil does not contain any precedents that can be invoked supporting this forecast of violent racial conflicts and confrontations. Moreover, the anthropologist Livio Sansone (2004) states that a noticeable peculiarity in Brazil's history is the acceptance of living with racial discrimination and inequality without this leading to violent racial conflicts.

On the other hand, among other factors, the interpretation that forecasts racial confrontations is possible because the authors who are against the quota system for black students gaining access to Brazilian public universities do not, and perhaps refuse, to undertake a review of the literature on the concept of affirmative action, an unbelievable state of affairs given that we are talking about an academic-scientific environment (Santos, 2007).

It is remarkable that social scientists from the field of research and study into race relations, who are against the quota systems for black students, refuse to present and debate a concept or definition of affirmative action, and in contrast, intellectual blacks from the ABPN and activists from the black social movement based their pro quota system arguments within a minimal discussion about what affirmative action is, or to be more precise, by means of theoretical references. For example, the black activists Ivanir dos Santos and Carlos Alberto Medeiros, in writing an article in favour of affirmative action for blacks in Brazilian public higher education, which was published in the *O Globo* newspaper on 21 December 2001 under the headline "Threatened Privileges", do not neglect to include a concept of affirmative action in a short amount of publication space, as well as to confirm the need to hold qualified debates on the matter. According to them it:

consists of granting advantages to groups discriminated against according to their gender, race/ethnic group, caste, national origin, etc, to provide them with equal opportunities. The expression was used for the first time at the start of the 1960s in a document of the American government, when the fight for civil rights broke out again. But the concept it encapsulates had already been present in the first constitution of India, of 1948, which outlines special measures to promote the *dalits*, or the untouchables, in the areas of parliament (reserved places), higher education and public sector entities. Similar policies have been adopted in different contexts. In Malaysia, to encourage the participation of the majority ethnic group, the Bumiputera, in an economy dominated by Chinese and Indians. In the former Soviet

Union, for the inhabitants of the backward Siberia, a special quota of 4% was reserved in Moscow University. In China, for certain ethnic groups. In Israel, in relation to the Arabs, Falashas, Jews of Ethiopian origin. In Germany, in Columbia, in Nigeria, to benefit women, indigenous peoples and others. In the case of the United States, as well as the blacks, eight different groups have been the target of affirmative action, including again women — who everywhere are the chief benefactors of these programmes. (...) Affirmative action is not synonymous with quotas, which is only one tool in the application of this policy. In the American case, in contrast to what many people think, quotas are only implemented in the last instance. Scholarships, special training programmes, active recruitment (stimulating candidatures for certain positions, of members of groups discriminated against) and extra schooling are some of the measures that have provided a quantitative and qualitative advance to the benefactor groups in the job market, in higher education and in the business world. Brazil adopted positive discrimination a long time ago. Women, for example, took advantage before men of the double working shift. They also have a 30 percent share reserved in the lists of candidates of political parties. Interestingly, nobody argues the principle of equality to contest these feminine conquests, and no woman is embarrassed to benefit from the measures. The reservation of vacancies in companies for handicapped people, progressive Income Tax, the two thirds law (which guarantees two thirds of jobs in Brazilian companies for Brazilians), are all examples of positive discrimination. (...) Affirmative action is not the panacea for all social ills. Its purpose is to reduce inequality, as has happened in the United States (...) it is now time to engage ourselves in a qualified debate. We, of the black movement, do not only master the topic, because we have been studying it for a long time, but we are honest enough to present ourselves up front, as blacks (Santos & Medeiros, 2001, n. p.).

The above citation, although long, is extremely enlightening. First, it shows us one of the bedrocks of affirmative action. It is directed at social groups that are discriminated against and not only at blacks. One understands, therefore, that the affirmative actions are not necessarily public policies to fight against poverty, but also to fight against discrimination, including class discrimination. In this last case one may be indirectly fighting against poverty, if a poor person (regardless of his/her colour) benefits from some kind of affirmative action owing to being discriminated against as a poor person and not because the Brazilian State wants to rid itself of poverty. Hence, it is repeated that: *affirmative action is not a policy to fight against poverty as some critics of affirmative action for blacks would have us believe, but rather a policy to fight against discrimination.*

Second, the citation also shows that in several countries of the world there are policies of affirmative action;

moreover, that they are directed not only at minorities or blacks, but at all social groups that are discriminated against in a given society, whether they be in the minority or majority. Third, there are several kinds of affirmative action in Brazilian society, although none of the methods mentioned above have been specifically directed at blacks, and therefore these affirmative actions do not encounter so much resistance as the proposals that were and are directed exclusively towards blacks. Fourth, the militants of the black movements themselves do not see the affirmative action as a panacea for all ills, in other words, as a “solution” for the exclusion of blacks from public higher education as stated by professor Peter Fry (2003). Fifth, the black activists and intellectuals who are in favour of the quota system are willing to discuss the concept of affirmative action and put it to the test, and have also sought to qualify the debate on the topic, as it is generally them who present the concept and the theoretical references about affirmative action in their articles published in the written press, journals, books and other publishing outlets.

On the other hand, the social scientists who contest the quota for blacks in general do not even present the concept of what affirmative action is, seeking merely to criticise and deconstruct it and on that basis demonstrating through academic-rational arguments, or perhaps one can say through the authority of their arguments, why they are against the quota system. As such, one can understand that the accusation of the establishment of black privileges, with the implementation of affirmative action policies directed at this group of racial belonging, is made by intellectuals who refuse to discuss the theoretical framework concerning affirmative action because if they did so there would be no intellectual-moral room for this accusation to hold true, given as they would realise that *affirmative action policies are recommended to fight against discrimination that socially prejudices certain social groups*. Given that generally the intellectuals who position themselves against the quota system for black students recognise that Brazilian society is racist, and discriminates racially against blacks, theoretically they cannot allege the creation of privileges for blacks.

Furthermore, advocates of this point of view usually ground their ideas on the arguments of the “natives”, like the anthropologists Yvonne Maggie and Peter Fry (2002, 2004). However, we do not understand the accusation of the establishment of privileges for rich elderly that benefit from preferential treatment by Brazilian Justice, provided by the Statute for the Elderly, when compared with the poor elderly; even less considering that the former have privileges in the form of reservation of spaces for their vehicles in public car parks, when the overwhelming majority of the poor elderly do not even own a car. We do not see the accusation of the establishment of privileges for rich women, business-women or even senior

female civil servants, who retire after the same number of years of service or Social Security contributions that is demanded from women workers in the private sector, such as, for example, domestic maids, road sweepers, cleaners, sugarcane harvesters, among others. The latter usually have extremely precarious working conditions, whereas the senior civil servants not only have better working conditions, but better wages as well. We do not see the accusation of the establishment of privileges for the physically handicapped who are rich and who benefit from quotas in public selection processes, when compared to the physically handicapped who are poor or have low income levels.

It is not our aim and this is not the place to try and explain why such accusations are not also levelled at these groups, but simply to indicate that no questions are asked about who (or what the social class is) of the physically handicapped, women or elderly who benefit from the respective social policies focussed on them. The philosophical basis of the rules or social consensus that grants them different treatment is accepted, given that it is acknowledged they are discriminated against, or have or are at a disadvantage in terms of social interaction and need to be treated on an equal footing.

The Black Social Movements and their organic intellectuals, the intellectual blacks, are accused of defending privileges for the richest blacks of Brazilian society. But one need only cast an eye over the school-academic data and profile of the intellectual blacks of the ABPN (Santos, 2007) to see that the absolute majority of them (53.33%) declare themselves to be of a low income social origin, 33.33% from the lower middle class, and 13.34% middle class. Some of these intellectuals even started working before they were 14 years old. One of them started studying at night when he was 12 years old, so that he could work in the day, and another started working at 13 years of age (Santos, 2007). Why would these intellectual blacks want to advocate privileges for the rich blacks when the history of many of them is one of suffering, pain, deprivation, among so many other difficulties? One can read the defence of privileges also as the undertaking of an attitude of solidarity, not only racial but also of class, siding with the poorest blacks, given that the intellectual blacks know through their own experience the school path awaiting the blacks in fundamental and middle education.

CONCLUSION

This article was not restricted to deconstructing the opinion of some social scientists who have researched and studied Brazilian race relations and who are against the quota system for black, and who believe that affirmative action for black students, through the implementation of the quota system, will racialize Brazilian society.

This opinion involves a mistaken assumption that society is not yet racialized. In other words, that it is a society that does not use race/colour to classify, qualify or disqualify certain Brazilian population groups and impose inequalities on them in line with the colour of their skin.

The article also shows, in contrast to one of the arguments used against the implementation of the affirmative action policy for black students enrolling into Brazilian public universities, that this policy does not create privileges. In practice, it tends to question them given that this necessarily implies the redistribution of university vacancies that historically are set aside for the rich (Demo, 2003, p. 93) (who generally would prefer the blacks to stay in the townships or restaurants of the public universities, as we saw earlier), transferring part of these vacancies to students who have historically been excluded and/or marginalised from the so-called universal social policies, even if they are of good quality.

As well as explicitly showing that Brazilian society is already racialized and that the calls for affirmative action by the black movements are precisely owing to the fact that society racially discriminates against blacks, between the lines of this article there is also evidence of what is really at stake in Brazilian society with the implementation of the quotas for blacks in Brazilian universities. Certainly there is the indication that it is possible to carry out a redistribution (e.g. transfers) of good quality public services (which have historically been reserved for the richest Brazilians) to sectors that have been marginalised from society, provided that it is the downtrod-

den who are at the forefront of the process to demand, implement and monitor these public services. In other words, the implementation of the quota system for black students, demanded by the blacks, called for from the bottom upwards, shows that it is possible to bring about change in extremely unequal societies (such as the Brazilian society), without having to use physical violence, despite the confrontation of a political nature, which is inevitable. This is why there has been so much pressure against the quota system for black students. Because it signals the potential for fight and transformation that never before had been explored in Brazilian society.

Hence, what is at stake with the implementation of this system in the public universities is not the racialization of Brazilian society — given that it is already racialized — but the possibility of part of the Brazilian population that is discriminated against because of the colour of their skin not having to work solely in the restaurants of the public universities or even to return to the kitchens, as the *Gaúcho* academics who sprayed racist phrases against blacks on the walls of the UFRGS would like. According to the graffiti authors the blacks should not be university students because the “place of the black is in the University Canteen kitchen” or the “blacks should return to the townships”. What is at stake is the democratisation of public university access, and the arrival of a more racially, socially and intellectually diversified university — something that the conservative sectors of Brazilian society do not want at any cost.

ENDNOTES

1. Based on research carried out with the managers and ex-managers of the *Brazilian Association of Black Researchers*, the sociologist Santos (2007) makes the distinction between black intellectuals and intellectual blacks. “Intellectual blacks are in reality the academics of black origin or descent who are directly or indirectly influenced by the Black Social Movements, acquiring or incorporating an anti-racial ethical conviction from the movements which, together and in interaction with an academic-scientific set of ethical values which they acquired or incorporated from the post-graduate programmes of Brazilian or foreign universities, produce an active academic ethos in these intellectuals which guides their research, study, actions, as well as their professional activity as university teachers. This academic conduct leads them to research into Brazil’s race relations, racism, prejudice, discrimination, racial inequalities and the bitter consequences for the black population, based on a perspective that rejects the Eurocentric intellectual colonisation. But this conduct also leads them to focus foremost on the need to implement policies promoting racial equality, aimed not only at eliminating the racial inequalities between the various ethnic-racial groups in Brazil, especially between blacks and whites, but also ridding Brazilian society of racism. (...) one of the factors that distinguishes the black intellectuals from the intellectual blacks is precisely the fact that the latter are touched: 1) directly by an anti-racist ethical conviction, through organic militancy in any anti-racism black entity; and 2) indirectly through conversations, dialogues, information exchange, and other forms of contacts between these intellectuals and the activists of the Black Social Movements; these direct or indirect influences are reflected in their scientific work and in their academic-intellectual conduct” (Santos, 2007, pp. 248-249).

2. Fixed quota is another technique for implementing affirmative action, where a percentage of vacancies is reserved, in a process of competition for social goods, for a given social group whereby only members belonging to this group can compete for the good. Hence, in a selection process, a given number of vacancies are guaranteed beforehand for members of a certain social group that is earmarked for affirmative action. It is worth pointing out that, as stated by the Head of the Supreme Federal Court, Joaquim B. Barbosa Gomes, “regarding the implementation techniques of the affirmative actions, as well as the quota system, the method of establishing preferences, the bonus system and the fiscal incentive system (as an tool to encourage the private sector) can be used. In other words, affirmative action should not be confused with and should not limit the quotas” (Gomes, 2002, p. 142).

3. The term “race” is a social construction and not a biological concept or a natural reality that distinguishes

different kinds of human beings, given that biologically race does not exist. Furthermore, as the sociologist Guimarães points out (1999), in Brazil colour is a code deriving from the idea of race.

4. Ricardo Henriques does not neglect the social origin of the pupils as a determining factor of the inequalities in the Brazilian education system. According to Henriques, “the opportunities for access to school must be directly related to the socioeconomic situation of the children’s families. As such, we should research into the differences between poor families and non-poor families (...). Meanwhile, as well as the expected difference between the poor and non-poor, *we can see that within each income interval the differences between the whites and blacks is large*” (Henriques, 2002, p. 49, our italics).

5. The anthropologist Peter Fry (2003) acknowledges that there is discrimination and racism in Brazil against “darker” people.

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