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In Brazil, a New Debate Over Color

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The split-second decision about his race -- not his mediocre 78-percent test score on the entrance exam -- won him a coveted seat at the State University of Rio de Janeiro, one of the country's most prestigious institutions of higher education. But Mr. Barreto now questions whether it was really fair to use his skin color to get into college.

"I guess I would be considered pardo because my mother is blonde with green eyes and my father is black," says Mr. Barreto, who has light-brown skin and hazel eyes. "But I went to private school. My father is a lawyer. Did I really need special treatment?"

Mr. Barreto is not alone in questioning the merits of the university's controversial new quota policy, which is part of a wave of affirmative-action measures that have swept Brazil over the past several years. For the first time, Brazilians are debating the once-taboo subject of race, in a country that has the world's largest black population after Nigeria, but also a proud history of racial intermarriage. Brazilians are also being asked to define their own race among a set of limited options, in a culture that typically employs dozens of terms to describe gradations of skin and hair color, as well as facial features.

In 2001, the Rio de Janeiro state legislature passed laws requiring the two universities under its jurisdiction -- the one in Rio city and another in the interior of the state -- to reserve 50 percent of spots for graduates of public high schools and 40 percent for black or pardo students. (One student could qualify for both quotas.) The law applied to admissions tests in 2002, with the first quota beneficiaries entering the universities last year. The state also has four federal universities, which were not affected by the law but are debating whether to adopt their own quota policies.

The Rio legislators were responding to growing public pressure to deal with glaring social inequalities in Brazil, which has one of the world's most unequal distributions of wealth. Universities, meanwhile, are bastions of the elite. While 45 percent of university students come from the wealthiest 10 percent of the population, only 6.9 percent come from the poorest 50 percent, according to the Brazilian Institute of Geography and Statistics.

The disparities are equally striking among racial groups. While 45 percent of the country's 170 million people defined themselves as either black or pardo in the 2000 census, only 17 percent of university graduates are of mixed race and only 2 percent are black, according to Pablo Gentili, director of a program at the State University of Rio that studies race in education. In addition, the

majority of blacks and pardos are concentrated in such areas as social work and education, while law, medicine, and engineering departments are virtually all white, he says.

Challenges in Court

So far only two universities outside of Rio state, the State University of Bahia, in the impoverished northeast, and the Federal University of Brasília, in the federal capital, have voted in favor of quotas for black students. But the success of the program at the State University of Rio, because of the university's elite status, will determine whether more universities follow suit.

More than 200 students, most of them white, who were rejected under the racial quotas have sued the Rio university. In addition, the National Association of Private Schools has brought a challenge to the public-university quota before the Supreme Court. In both cases, the complainants cite the Constitution, which states that access to university admissions should be based on merit and bars discrimination based on race. Many critics also point to the 1978 U.S. Supreme Court landmark ruling, *Regents of the University of California v. Bakke*, outlawing quotas as a factor in admissions, but permitting universities to give preference according to race.

Supporters of the quotas appeal to another article of Brazil's Constitution, which guarantees equal access to education for all. They say that racial and economic obstacles prevent such access, making quotas necessary.

Nino Oliva, an 18-year-old who considers himself white, says he decided to sue the university after he spent a whole year studying for the law entrance exam, only to find that he could only compete for the 17 percent of spots not reserved for quota students. While he awaits a final court ruling in his case, he is enrolled in the less prestigious law school at the Federal University of Rio de Janeiro, which has yet to adopt a quota system.

"If discrimination were the real issue, they should have set up quotas for women," he says. "Blacks are not slaves anymore." He adds that his parents, both professors at public universities, scrounged to send him to a private high school so he could attend a public university.

At the heart of the debate are differing views on how much of a role race plays in modern-day Brazil. Unlike in the United States, Brazil has never had an explicit policy of racial segregation, and centuries of racial mixing created a population in which a majority are of mixed African, Amerindian, and European blood.

Critics of the racial quotas argue that poverty, not race, determines who gets accepted by universities. They say that blacks have not managed to bridge the economic gulf with whites since Brazil ended slavery in 1888 -- the last country in the Western Hemisphere to do so -- and therefore cannot afford the private schooling needed to increase their children's chances of getting into college.

"You're not discriminated against because you're black, but because you're poor," says Flávio Bolsonaro, a Rio state legislator who has filed a lawsuit challenging the quota laws. Even if it were

legal to distinguish based on race, he argues, there is no scientific basis for determining who is black or pardo. "If I say I'm black, no one can prove I'm not," says Mr. Bolsonaro, who has olive skin and is of Italian descent.

A similar problem exists with the quotas for public-school students, he says, since the law does not distinguish between the handful of good public schools where wealthy families send their children and the rest, which are notoriously bad. The solution, he and other critics say, is for the government to invest more in basic education, rather than handing out places at universities.

In response to the controversy, the Rio legislature eliminated the category for pardos in the 2003 admissions test. The lawmakers also reduced the quotas to 20 percent for blacks, 20 percent for public-school students, and 5 percent for a category loosely defined as "other minorities." In addition, applicants will have to prove financial necessity, defined as each working member of the household earning less than \$110 per month. But Mr. Bolsonaro has challenged the modified law, which he argues does not account for the millions of Brazilians who work in the informal economy and whose income cannot easily be calculated. "In the end, all quotas are wrong," he says. "Do you want to have your heart operated on by someone who went to university because he was black, or because he was competent?"

Undercover Racism

Advocates of the racial quotas say that despite the loopholes, such steps are needed to counter centuries of racial discrimination.

"Brazil has the worst form of racism because it operates undercover," says Ivanir dos Santos, a prominent black activist in Rio. "It's in the unconscious. It's a lot more efficient than the law. If you have a problem determining who is black or white, you just have to check with the police or the marketing people at shopping centers. When it comes to excluding, they know who is black. But suddenly, when you're talking about benefits, no one knows who's black? It's hypocrisy."

The recent study by the Brazilian Institute of Geography and Statistics shows glaring disparities between blacks and whites in nearly all areas. Whites earn 57 percent more than blacks with the same level of schooling. Blacks go to school for an average of 4.6 years, while whites attend an average of 6.6 years -- a gap in education that has remained static for the past 100 years.

Equally striking is the absence of blacks in positions of power. Only 15 of the 513 members of the lower house of Congress and 3 of the 81 senators are black, says Mr. dos Santos. The country has had only one black ambassador -- in 1962 -- and 99 percent of diplomats are white, he says. In the judicial system, 98.5 percent of judges are white, says Mr. dos Santos.

Brazil's reformist president, Luiz Inácio Lula da Silva, has vowed to combat discrimination in government, naming four black ministers to his cabinet, including a newly created minister for racial equality. In November, he visited the impoverished northeast region to launch the new National Policy for the Promotion of Racial Equality, which seeks to create quotas for government jobs and in television broadcasting, among other areas. Usually called Lula, the former labor leader

also appointed the first black Supreme Court justice, Joaquim Barbosa, a former law professor at the Rio university.

While most academics agree that black people are socially marginalized, they disagree about whether quotas at universities are the answer.

"I think its a terrible system because it attacks the effects without touching the causes," says Ubiratan Iorio, head of the economics department at the Rio university. "The tail is wagging the dog." He asserts that the poor academic background of many of the quota students will make it hard for them to cope with more-difficult courses, such as macroeconomics.

Indeed, while 30,000 students competed for slightly fewer than 5,000 spots for the 2003 academic year, some were admitted with university entrance-exam scores of as low as 4 percent. In law, some quota students were admitted with scores of 58.75 percent, compared with the top score of 97 percent.

Mr. Iorio told how the former Soviet premier Mikhail Gorbachev, on a visit to the university in the 1980s, remarked that it looked like an automobile factory because of all the new cars in the parking lots -- a reference to the elite student body. "I agree, but that does not justify the quotas," Mr. Iorio says. "You should not blame the university for having rich students, because they want to attend a good university. If you put people here who won't make good economists, they won't help their country."

Policies, Not Charity

Other professors at the university, however, question the assumption that the black and public-school students will do poorly.

"The fact that a student doesn't have past circumstances that allow him to reach university does not mean he will not thrive once he is there," says Magali Almeida, the only black professor among 40 in the social-services department, which teaches a combination of social work and public health.

In fact, the quota system has benefited public-school applicants more than blacks or pardos. Only 4 percent of students admitted under the quota for public-school applicants scored high enough on the admissions test to have won admission without the quotas. But 13 percent of the black and pardo applicants would have been admitted regardless, according to admissions officers.

The real problem with the system, says Mr. Gentili, the race-in-education specialist, is that many of the quota students cannot afford to stay in school. Under the new law, quota students will receive scholarships of \$70 per month, barely enough to cover the cost of books, never mind pay for equipment. Meanwhile, students studying dentistry are required to buy their own equipment by the fourth semester, at a staggering cost of \$8,250 per student, according to Mr. Gentili.

Daniel Fernandes, a 26-year-old medical student who earned the top score on the admissions test, works 40 hours a week at the state hospital to pay for his school expenses. He spent three years in the army saving up money so he could take a year off to devote himself to studying for the notoriously difficult exam.

Ironically, 2002 was the first year when he did not need to do so well. Fernandes, who has olive skin and dark eyes, checked the box next to black and pardo "because they told me in the army that I was pardo." He agrees with the economic quotas, but not the racial ones: "That's what makes a difference, whether you have money or not."

Surprisingly, many of the other students who were accepted under racial quotas express similar reservations.

"Of course there's racism, but the fact that you are black doesn't mean you should get into university," says Wonderson Nunes, 23, a first-year math student who describes himself as preto, Portuguese for dark black. He grew up in "the suburbs," the euphemistic term Rio residents use for the crime-ridden satellite cities that extend for miles along the railroad tracks. He joined the air force several years ago, one of the few careers open to poor Brazilians, and needs a college degree to become an officer. "If you make quotas for black people, you are saying that they are intellectually inferior," says Mr. Nunes, whose 59-percent score on the math admissions test might have secured him a spot at the Rio university even without the quotas.

Ms. Almeida, the black social-services professor, disagrees. She gestures toward the sprawling slum -- called a favela in Rio -- clinging to a hillside across the street from the university's main campus in a '60s-era high-rise.

"Imagine you live in that favela and you know you will never get to university, or if you do, it's only to clean it," she says, "Quotas are not the ultimate solution. But it's the only way to make Brazilians face that racism is alive and well, and that the way to combat it is through government policies, not charity."

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