

The inclusion of black students in the federal universities of Rio Grande do Sul state and the perspective of social justice by the Quota Law

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Abstract

This article analyzes the affirmative action policies in higher education, according to the Quotas Law (Law N. 12.711/2012) and its effects on democratizing access and promoting social justice for black students at federal universities in Rio Grande do Sul. It emphasizes redistributive and recognition measures to combat economic and cultural injustices with data from the Higher Education Census (Inep) from 2012 to 2019 on the enrollment, admission, and graduation of black students, interpreted in the light of Nancy Fraser's (2006, 2007) social justice theory. The results indicate a significant inclusion of black students following the Quota Law, demonstrating its effectiveness in promoting social justice. The conclusion highlights that the Quota Law has increased access for marginalized groups and points out that complementary actions of student assistance and the appreciation of racial and cultural diversity, as well as continuous monitoring of the policy at institutional and national levels, are essential to ensure the retention and academic success of these students.

Keywords: Social justice. Affirmative action. Quota Law. Federal university.

A inclusão de estudantes negros nas universidades federais do Rio Grande do Sul e a perspectiva da justiça social pela Lei de Cotas

Resumo

Este artigo analisa a política de ações afirmativas na educação superior, segundo a Lei de Cotas (Lei nº 12.711/2012) e seus efeitos na democratização do acesso e promoção da justiça social para estudantes negros nas

universidades federais do Rio Grande do Sul. Enfatiza as medidas redistributivas e de reconhecimento para combater as injustiças econômicas e culturais com dados do Censo da Educação Superior (Inep) de 2012 a 2019 sobre a matrícula, ingresso e diplomação de estudantes negros interpretados à luz da teoria de justiça social de Nancy Fraser (2006, 2007). Os resultados indicam uma significativa inclusão de estudantes negros após a Lei de Cotas, evidenciando sua eficácia na promoção da justiça social. A conclusão destaca que a Lei de Cotas ampliou o acesso de grupos marginalizados e aponta que ações complementares de assistência estudantil e valorização da diversidade racial e cultural, assim como o monitoramento contínuo da política em âmbito institucional e nacional, são essenciais para garantir a permanência e o sucesso acadêmico desses estudantes.

Palavras-chave: Justiça social. Ações afirmativas. Lei de Cotas. Universidade federal.

La inclusión de estudiantes negros en las universidades federales de Rio Grande do Sul y la perspectiva de la justicia social a través de la Ley de Cuotas

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Resumen

Este artículo examina la política de acciones afirmativas en la educación superior, según la Ley de Cuotas (Ley n° 12.711/2012) y sus efectos en la democratización del acceso y la promoción de la justicia social para estudiantes negros en las universidades federales del estado de Rio Grande do Sul. Enfatiza las medidas redistributivas y de reconocimiento para combatir las injusticias económicas y culturales con datos del Censo de Educación Superior (Inep) de 2012 a 2019 sobre la matrícula, el ingreso y la graduación de estudiantes negros, interpretados a la luz de la teoría de justicia social de Nancy Fraser (2006, 2007). Los resultados indican una inclusión significativa de estudiantes negros después de la Ley de Cuotas, destacando su eficacia en la promoción de la justicia social. La conclusión destaca que la Ley de Cuotas amplió el acceso de grupos marginados y señala que las acciones complementarias de asistencia estudiantil y valorización de la diversidad racial y cultural, así como el monitoreo continuo de la política en nivel institucional y

nacional, son esenciales para garantizar la permanencia y el éxito académico de estos estudiantes.

Palabras clave: Justicia social. Acciones afirmativas. Ley de Cuotas. Universidad federal.

The context and effectiveness of the Quota Law

Affirmative actions aimed at social justice when entering undergraduate courses are, in our country, a recent public policy, but already established. Situated among the policies of expansion of higher education, it has been woven as a strategy of social inclusion in the fight against elitism and racism. The policy arose from the actions of social movements and the boldness of public universities that faced the debate on the meritocratic criteria for admitting students and, as of 2003, experimented with other processes and criteria for selecting and ranking student access, including strong government support.

In the instituting track of the national legislation on affirmative action, by bonus or reservation of vacancies, the Quota Law (Brazil, 2012) stands out, mandatory for federal institutions of higher education and technical education, which was recently updated by Law 14,723, of 13th November, 2023, with improvements and reaffirmation of the program for black, brown², indigenous, quilombola and disabled students, as well as those who have completed their elementary and secondary education in public schools.

In a study that we distinguish by the scope and collective work of evaluative research of the "10 years of the Quota Law", Denise Carreira and Rosana Heringer (2022) highlight the importance of this policy as a milestone in the fight for the right to education in Brazil, due to its already highly positive impact, despite the challenges still present. The longitudinal analysis of national demographic statistics shows the low rate of people with undergraduate degrees people, meanwhile changes in educational conditions are generational and maintain racial inequalities. However, data from federal universities show a remarkable expansion in the access of public-school graduates – blacks, indigenous people, and low-income people – although they are still underrepresented in the student body. The case studies illustrate measures and limits of institutional and group movements, in addition to forces

and resistances to the expansion of rights and the overcoming of racism. This research culminates in a wide range of notes for the continuity of affirmative actions in public policies and in university institutions, with pertinent monitoring and expansion of the analyzed dimensions.

In this sense, we intend in this article to contribute, in addition, with an analysis of the effects of the institutionalized quota policy, through more specific criteria and circumstances. Thus, we seek to collaborate to the understanding of public policies of inclusion and the effectiveness of social justice to democratize education, both at its basic and higher levels and in its full institutionality. We address issues such as access to study conditions, what is studied and what knowledge is produced, with whom and for whom, that is, for what.

We discuss affirmative actions through the lens of social justice that Fraser (2006) provides us and how entry policies in federal universities focus on the democratization of access, or rather, on the consequent promotion of social justice for the black population. The context under analysis is limited to data from federal universities based in the state of Rio Grande do Sul state (RS). Currently, this is the state with the lowest percentage of black population in the country (IBGE, 2022), stage of complex issues of social and racial inequality, as portrayed in the technical report Panorama of Race/Color Inequalities in Rio Grande do Sul state (Rio Grande do Sul, 2021). Therefore, it calls for monitoring of the effectiveness of public policies addressed to equity and racial issues.

Law No. 12,711, of August 29, 2012, (Brazil, 2012), which in this article we treat as the Quota Law, was politically built in the process of expanding education and restricted access to higher education, notably to public universities, which are of higher quality and free of charges. As Dias Sobrinho (2010) points out, the large mass of poor Brazilians with long school permanence was still very small; the democratic State, together with society, should make efforts to interrupt the vicious cycle of social and educational inequality. In facing this challenge and the inherent racism – hardly admitted by the leaders of the hegemonic power – it was necessary to ponder the economic and social condition of vulnerability of public-school students in the face of competitive entrance exams with scarce vacancies in public higher education to, then, modulate the promotion of the groups most excluded due to race.

As the Report of the Third Cycle of Monitoring the Goals of the National Education Plan warns:

The historical debt of national education with school access is marked by the large number of young people, outside the mandatory enrollment age group, from 18 to 29 years old, who do not have complete Basic Education, that is, at least 12 years of schooling. Inequalities of access, which have historically alienated the right to education from the populations of the countryside, of less developed regions, of black people and of lower income groups, are addressed in the National Education Plan in its Goal 8. Reaching the minimum of 12 years of schooling for these groups and equalizing schooling between blacks and non-blacks is the goal for 2024 (INEP, 2020, p. 14).

The Quota Law aims, therefore, to democratize access to higher education for public school students, but also to repair historical injustices. From the beginning of their debates, the inclusion of black students was at the center of their intentions. The black movement played a crucial role in its formulation and implementation. However, we have learned that public policies focused on ethnic-racial issues can thrive in more progressive political environments. Often, as in Brazil, a more universalist approach is needed to obtain broad approval in legislative bodies.

In this sense, Caregnato and Oliven (2017), in a study with the population of Rio Grande do Sul state, detected that, although most of their interviewees were in favor of the quota policy, their rejection is three times higher than in relation to the University for All Program (PROUNI, in the Portuguese acronym). That is, when it comes to race and color, people tend to disapprove. Therefore, the need for anti-racist and social mobility instruments such as the Quota Law (BRAZIL, 2012) is justified.

However, as Batista (2018) recorded, the clashes occur even within the public university when it comes to promoting the inclusion of individuals from groups constantly discriminated against in undeniable socioeconomic and cultural exclusion. In this sense, with the author, we understand that

[...] public Higher Education in Brazil is a scarce collective good and, as such, it is the object of social dispute, which needs a model of social justice that regulates it. Thus, the focus of educational

public policies makes sense in contexts of proven educational inequality, even if, for this, there is a social differentiation, or a "positive discrimination", in the distribution of public resources (Batista, 2015, p. 97).

In addition, we state that it is enough to have some type of systematic discrimination to configure the right to such a policy and that it must be sufficiently broad to cover any condition considered as a factor of social differentiation. Better said,

[...] it seems reasonable to consider affirmative action any program, public or private, that aims to confer resources or special rights to members of a disadvantaged social group, with a view to a collective good. Ethnicity, race, class, occupation, gender, religion, and castes are the most common categories in such policies (Feres Júnior; Campos; Daflon; Venturini, 2018, p. 13).

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Thus, we converge to the eminent contribution of Nancy Fraser (2006, 2007) that social justice is established in three dimensions: redistribution, recognition, and representation, which imply an integrated approach. As exemplified by Feres Júnior, Campos, Daflon and Venturini (2018, p. 13), effective affirmative action must achieve "[...] political participation, access to education, admission to higher education institutions, health services, employment, business opportunities, material goods, social protection networks and cultural and historical recognition".

So, within the scope of this article, we seek to situate the Quota Law in some historical references, centralizing the perspective of social justice (Fraser, 2006 and 2007) as an analytical lens of its performance in federal universities based in the state of Rio Grande do Sul.

This analysis is contained in the third section, in which we present data from the Census of Higher Education (CES, in the Portuguese acronym) between 2012 and 2019, on the admission and certification of black students by institution, that is, before and after the implementation of the Quota Law. We aim, therefore, to collaborate in assessing the effects of the vacancy reservation policy and the implications for the democratization of access to higher education.

With the criterion of social justice, we face the evaluative question of national interest within the contextualized limits: After all, does the Quota Law have effects on the democratization of access to public higher education, particularly for black students from Rio Grande do Sul state? To what extent can we perceive the redistributive character of resources and opportunities and recognition, according to the premises discussed by Fraser (2006), pillars for the promotion of social justice?

Social justice and affirmative policies: the Quota Law from Nancy Fraser's perspective

With Fraser (2006, 2007) we learned that social justice must be thought from the diagnosis of an injustice. In Brazil, there is no lack of evidence of injustices caused by racism, permeating cultural issues and income inequality, health, education, among others. As Batista and Figueiredo (2020) explain, the social organization of the Brazilian State produces and reproduces a legalized institutionality of exclusion of the black population from social, economic and cultural goods, to which we address affirmative actions.

The study "Social Inequalities by Color or Race in Brazil" (IBGE, 2019) lists a series of social indicators that expose inequalities by color and race caused by racism, thus supporting the importance of making social justice prosper for black Brazilians. Educational inequalities are deep and resistant, with clear racial traits, and access to public higher education, due to its quality and scarcity, calls for affirmative action, despite the recognition of rights and the goals of universalization of basic education.

Public affirmative action policies for higher education in Brazil are actions of the social State with the function of distributing a scarce collective good. On this basis, they follow the public argumentation of redistribution of an asset to compensate for an empirically proven social inequality (Batista, 2018, p. 45).

The concept of affirmative action was introduced in Brazil, especially due to the racial issue, but it was already used in several contexts, even if it was not recognized as such. Moehlecke (2002) indicates the reservation of at

least 30% of the vacancies to female candidates in each political party as a precursor. However, when implemented in 1995, the policy was not recognized as an affirmative action. Since then, some policies have been designed by recognizing inequalities to combat and redress racial discrimination.

In the legal context, Gomes and Silva (2003) argue that it is important to recognize and promote the principles of diversity and pluralism, seeking a transformation of the collective mindset. For the racial collectivity, it is essential not only to redistribute material conditions, but also to extinguish the stigma of the individual in relation to race, promoting his culture and recognizing it as a symbolic value.

In this sense, Fraser (2006, 2007) argues that race is a bivalent collectivity, suffering injustices of redistribution and recognition. To combat racial injustices, it is necessary to adopt policies that contemplate both dimensions, economic and cultural, in an integrated way, because they intertwine and reinforce each other.

I maintain that the emancipatory aspects of the two problems need to be integrated into a comprehensive and unique model. The task, in part, is to elaborate a broad concept of justice that can accommodate both the defensible claims of social equality and the defensible claims of recognition of difference (Fraser, 2007, p. 103).

Thus, we emphasize the peculiar importance of the Quota Law (Brazil, 2012) for reserving directly to socioeconomically and culturally inferior individuals a significant portion of the asset that is public higher education. As Feres Júnior, Campos, Daflon and Venturini (2018) point out, affirmative action implies the redistribution of resources and opportunities such as cultural recognition.

By denouncing the prohibitions faced in the school trajectory, the struggle of the black movement was successful, achieving progressive recognition and the recent update of the Quota Law (Brazil, 2023) that incorporates more affirmative actions. It is worth mentioning, therefore, Batista's (2018) perception that-it is necessary to demonstrate that social organization must demand justice and that current contracts prevent equal participation in social life.

Fraser (2006) unravels the two intricate faces of injustice: economic, structurally based on exploitation that expropriates the fruit of one's work in favor of others, by marginalization that forces undesirable and poorly paid work, or that does not allow access to paid work, by deprivation that denies access to a materially appropriate standard of living. Fraser (2006) also points out the cultural, or symbolic, injustice, based on social patterns of representation, interpretation, and communication. It acts by domination with alien or hostile values and expressions, which denote racism, by the concealment of certain social groups or people, by the disrespect that routinely defames or disqualifies individuals, by stereotyped public cultural representations and in the interactions of everyday life.

The Quota Law (Brazil, 2012) promotes the redistribution of access to higher education and combats economic injustice with the recognition of subjugation, thus combating the cultural injustice that falls on black people in Brazil. In this way, the opportunity is opened for them to occupy professions with higher status and to receive salaries that are traditionally earned by white people. And, not least, so that these people are recognized in their differences, stories, and values.

In a robust research on the change in the profile of students in Brazilian federal institutions of higher education, Senkevics and Mello (2022) concluded that the Quota Law has fulfilled its role of expanding the presence of students graduating from public schools, especially blacks, browns and indigenous people. In addition, they highlight that:

[...] the courses most transformed by the Quota Law were precisely those that had the smallest contingent of students of vulnerable social origin, that is, the most competitive, selective, prestigious courses and, therefore, with the greatest potential for economic returns in the labor market (Senkevics; Mello, 2022, p. 214).

In this sense, the Quota Law (Brazil, 2012) is seen as a redistributive measure for the race collectivity and that, potentially, allows the appreciation and empowerment of blacks, transforming society and offering a positive representation, that is, promoting the dimension of recognition. By the way, the author Nilma Lino Gomes (2011) deserves to be remembered when she states that the black movement seeks real equality and citizenship, challenging the

belief in harmonious relations between ethnic-racial groups. Overcoming this myth, she points out, requires affirmative policies to correct racial inequalities, as the black population, already marginalized by slavery, faces greater exclusion and cultural depreciation.

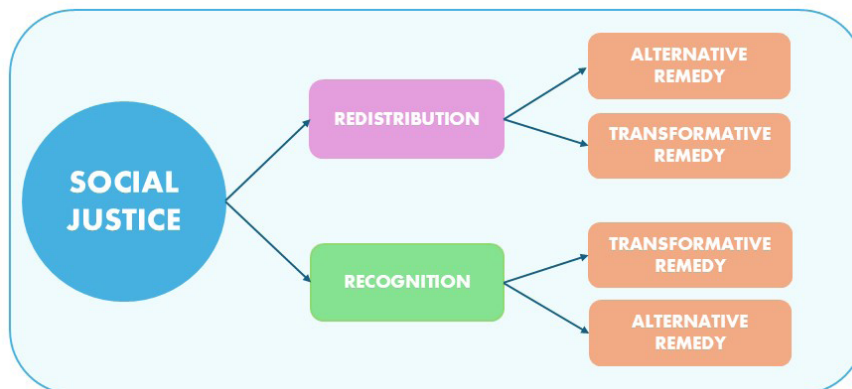
It is worth repeating Fraser (2006) when she states that recognition is essential for the transformation of social patterns of racial representation, since, in racism and injustice,

Its two sides [the economic-political and the cultural-evaluative] intertwine to reinforce each other, dialectically, even more so because racist and Eurocentric cultural norms are institutionalized in the State and in the economy, and the economic disadvantage suffered by people of color restricts their "voice". To compensate for racial injustice, therefore, it is necessary to change the political economy and culture (Fraser, 2006, p. 236).

Thus, we have the redistribution-recognition binomial. Two analytically distinct types of injustice; two analytically distinct remedies: "affirmation" and "transformation." Affirmative remedies alleviate the unequal effects, but are not enough to shake the underlying structure; transformative remedies are aimed at remodeling the underlying generative structure (Fraser, 2006).

With the illustration below, we highlight the Fraser's concepts (2006) and advance some explanations about the remedies, which in this work we will call affirmative and transformative measures to combat cultural and economic injustices, which can also be interesting to understand the performance of the Quota Law in Brazil.

Illustration 1 – Designing social justice



Source: Prepared by the authors based on Fraser (2006).

Affirmative measures aim to (re)value subaltern identities and improve economic distribution without changing the underlying structures. However, they can create group antagonisms and not address the root causes of the disadvantage (Fraser, 2006).

Similar distinctions apply to remedies for economic injustice. Affirmative remedies for these injustices are historically associated with the liberal welfare state. They seek to compensate for poor terminal distribution, while leaving most of the underlying economic-political structure intact. Thus, they would increase the consumption share of economically underprivileged groups, without restructuring the production system. Transformative remedies, by contrast, are historically associated with socialism. They would compensate for unfair distribution by transforming the existing economic-political structure. By restructuring the relations of production, these remedies would not only change the terminal distribution of the parts of consumption; they would also change the social division of labor and, thus, the conditions of existence of all (Fraser, 2006, p. 238).

On the other hand, transformative measures, linked to cultural deconstruction and socialism, seek to transform the underlying cultural and economic structures. These measures destabilize group identities, raise the self-esteem of disrespected groups and restructure relations of production, changing the social division of labor and improving the conditions of all. Fraser (2006, 2007) argues that transformative measures are more effective to combat class

injustices, as they combine universalist social welfare programs, high taxes and full employment policies. These measures promote reciprocity and solidarity, reducing social inequality without stigmatizing vulnerable groups, unlike affirmative measures, which can perpetuate the perception of special treatment and create new injustices of recognition.

With this perspective, we understand that the Quota Law (Brazil, 2012) has a wide range of social justice and particularly important contours to combat the economic and cultural injustices imposed on the black Brazilian population. Therefore, we seek to contribute to the studies on this affirmative policy, entering the microdata of the Census of Higher Education (Inep) in an institutional circumscription that allows us to appreciate the effects in more specific socio-cultural and economic contexts.

Quota holders' access to the federal universities of Rio Grande do Sul state and their certification

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The six federal universities based in the state of Rio Grande do Sul state were surveyed: Federal University of Rio Grande do Sul (UFRGS), Federal University of Santa Maria (UFSM), Federal University of Pelotas (UFPEL), Federal University of Rio Grande (FURG), Federal University of Pampa and Federal University of Health Sciences of Porto Alegre (UFCSPA). Universities have different academic profiles and are distributed in a wide territory, with contextual and institutional diversities that value the set portrayed, although, due to the limits of this text, these differences have not been detailed in the analysis.

In the quantitative research, we sought to describe, monitor, and evaluate the effectiveness of the quota policy in these universities, using indicators of admission, evasion, and certification. Conceptually, we rely on Jannuzzi, which defines indicators such as:

[...] a generally quantitative measure endowed with substantive social meaning, used to replace, quantify, or operationalize an abstract social concept, of theoretical interest (for academic research) or programmatic (for policy formulation). It is a methodological resource, empirically referred to, that informs something about the aspect of social reality or about changes that are taking place in it (Jannuzzi, 2006, p. 15).

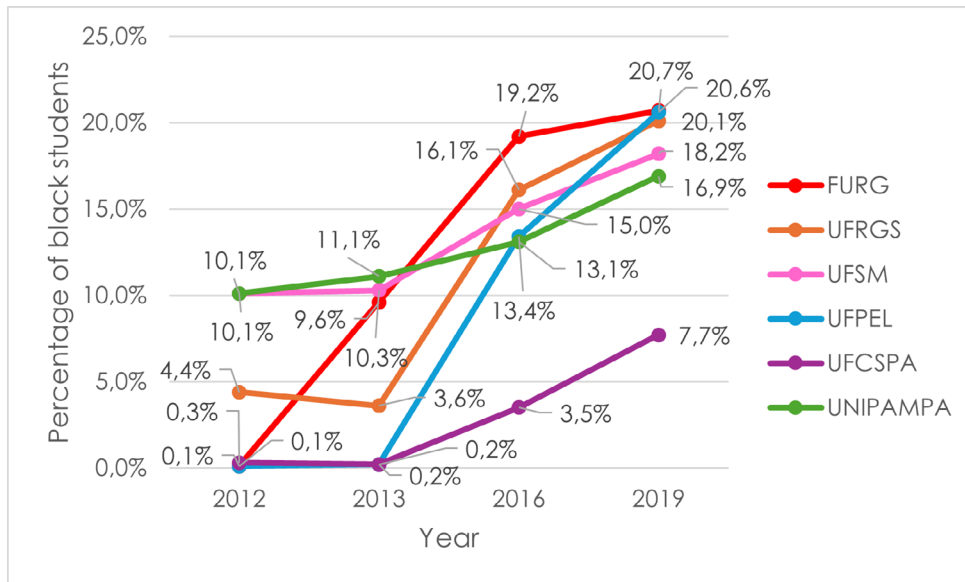
The chosen indicators highlight the phenomenon of democratization of access to higher education and serve to monitor and adjust public policies, connecting empirical evidence and the theory of social justice. In the Census of Higher Education (Inep), microdata was collected for the years 2012, 2013, 2016 and 2019. To elaborate tables and graphs present in this article, we used a simple descriptive statistic, which consists of organizing and presenting data in a summarized way, facilitating visualization and transforming the numbers into information that is easier to understand. With the SPSS software, data were computed for each of these years, by university code, on undergraduate students in the variables: race/color, enrollment/bond status, admission by reservation of vacancies, admission by reservation of ethnic-racial vacancies and admission by reservation of vacancies by income. From the analysis, we highlight a table and graphs, elaborated with Microsoft Excel, which denote absolute and proportional numbers related to black students.

The years chosen are justified: 2012 is the year before the implementation of the Quota Law (Brazil, 2012) and serves as a basis for comparison with the following years; in 2013, immediate effects can be captured; 2016 is the first year after the legal deadline for federal institutions of higher education to complete the percentage of 50% in the reservation of vacancies; and 2019 was the last year in which there was access to microdata, as a result of the implementation of the General Data Protection Law.

In the interpretation of the data, it is pertinent to note that some universities already adopted affirmative actions before 2012, with a higher number of black students. On the other hand, the Quota Law allowed the progressive implementation of quotas, with no standardized effects until 2015. In 2012, universities did not record race/color information for 57.7% of undergraduates, but, from the Quota Law, they began to collect it increasingly. At the end of this series, only 8% of students remain without race/color information.

In presenting the data, we keep the timeline with the four years selected for the analysis and indication of the situation in each of the six universities.

Illustration 2 – Percentage of black students enrolled by federal university of Rio Grande do Sul state: 2012, 2013, 2016 and 2019

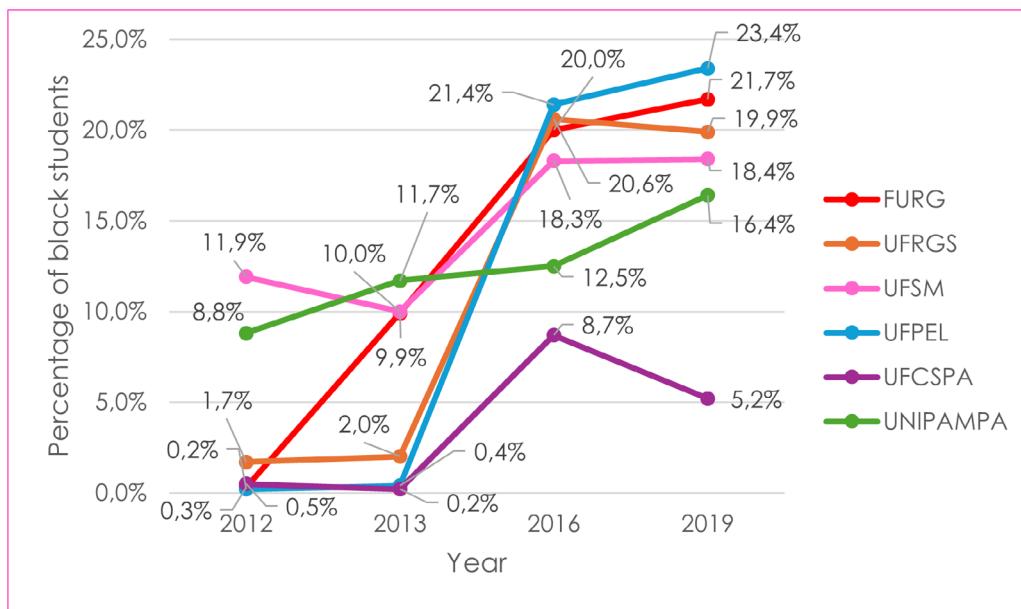


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Source: INEP/CES (2012, 2013, 2016, 2019). Prepared by the authors.

Illustration 2 shows the percentage of black students, i.e., blacks and browns, enrolled by university, regardless of the form of admission. All institutions show a strong growth in the enrollment of black students, especially after 2013, the year of implementation of the Quota Law. In 2019, almost all have the proportion of black students approaching the percentage of black residents in the state, about 21.2% (IBGE, 2022). Therefore, the clear rise of black entrants can be considered a consequence of the Quota Law, which, from the perspective of Fraser (2006, 2007), provides the dimension of redistribution and transformative possibilities, by disrupting the underlies that generate inequalities and allowing other meetings to occur in spaces historically dominated by Eurocentric culture, as characterized by Caregnato and Oliven (2017).

Illustration 3 – Percentage of black students entering ethnic-racial places reserved by federal university of Rio Grande do Sul



Source: INEP/CES (2012, 2013, 2016, 2019). Prepared by the authors.

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In illustration 3, we also observe the rise in the percentage of black students who entered through the reservation of ethnic-racial vacancies. Compared to the previous graph, the proportion of black entrants is higher than that of blacks enrolled in the researched time series, indicating the positive effect of the Quota Law. However, UFCSPA, despite the progress, still does not reach the same level of admission of black students as other institutions, which gives rise to a future case study, given the particularity that this is a university specialized in the health area. As the data collection process was equalized for all universities, we consider that UFCSPA may have incurred a failure to enter data on students' color and race at Census of Higher Education 2019, because its Term of Adhesion to the Unified Selection System (SISU, in the Portuguese acronym) shows the reservation of 30% of vacancies in that year for black students, therefore, in accordance with the Quota Law.

As the graphs present an expansion in the entry of black students into universities, a community is formed within the institutional structure that

starts to value and strengthen its culture, allowing the development of its own epistemologies and contributing to the decolonization of academic knowledge, in addition to raising self-esteem and the feeling of belonging. This inclusive movement, by promoting a more equitable redistribution of opportunities, approaches the transformative measures that, according to Fraser (2006, 2007), are essential for these changes to become permanent.

Table 1 – Total enrollment of black students who entered places in the ethnic-racial reserve by federal university of Rio Grande do Sul

University	Black students who entered the ethnic-racial reserve, regardless of the year of entry				Black students who entered the ethnic-racial reserve each year			
	2012	2013	2016	2019	2012	2013	2016	2019
FURG	0	90	678	911	0	89	231	228
UFCSPA	0	0	97	0	0	0	48	0
UFPEL	0	4	1797	2674	0	3	809	667
UFRGS	221	239	2805	4185	26	48	1019	651
UFSM	1047	1080	2095	2867	342	229	705	673
UNIPAMPA	87	158	16	0	1	158	0	0

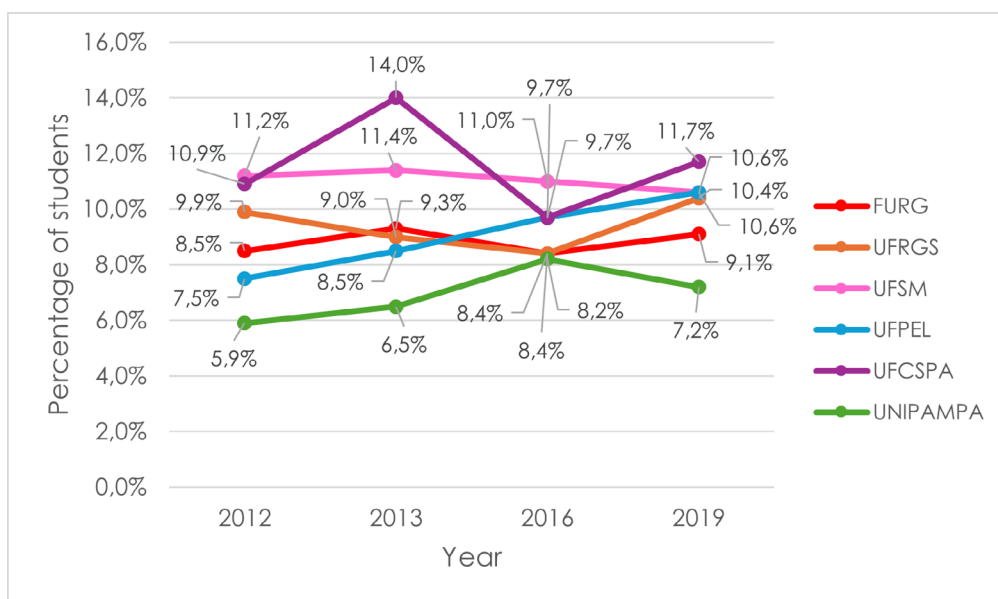
Source: INEP/CES (2012, 2013, 2016, 2019). Prepared by the authors.

Table 1 serves as a clearer appreciation of the growing number of students who entered through the ethnic-racial reserve and how many entered this type of quota each year, in each university, since the institution of the policy. The peak of entrants in 2016 suggests a positive effect of the publicize and, possibly, of the use of vacancies reserved for the ethnic-racial segment. The absence of entrants in 2012 and 2013, in some universities, is due to the delay in the implementation of quotas; in Unipampa, in 2016 and 2019, there was probably a failure in the census record. In 2012, UFSM already had a higher and relative number of quota holders; UFRGS and UFSM are more consolidated institutions with a greater number of vacancies; on the other hand, Unipampa and UFCSPA are new universities and, therefore, it may be that they had not yet consolidated the registration or maintenance of black quota holders. However, the positive impact is evident as universities adapt to the

legislation and increase the occupation of reserved places. The numerical and proportional differences between universities have been associated with socio-historical factors, geographical location, courses offered or other institutional policies, whose contours, although important to increase the effectiveness of the policy, do not fit in this article.

The growth in both categories of the table reflects the advance in social justice, as more black students, who have historically been underrepresented in higher education, are managing to enter the most disputed universities. This contributes to the correction of historical imbalances and to the formation of a more equitable society, premises of social justice.

Illustration 4 – Percentage of certificated students in relation to the total number of students enrolled, by federal university of Rio Grande do Sul



Source: INEP/CES (2012, 2013, 2016, 2019). Prepared by the authors.

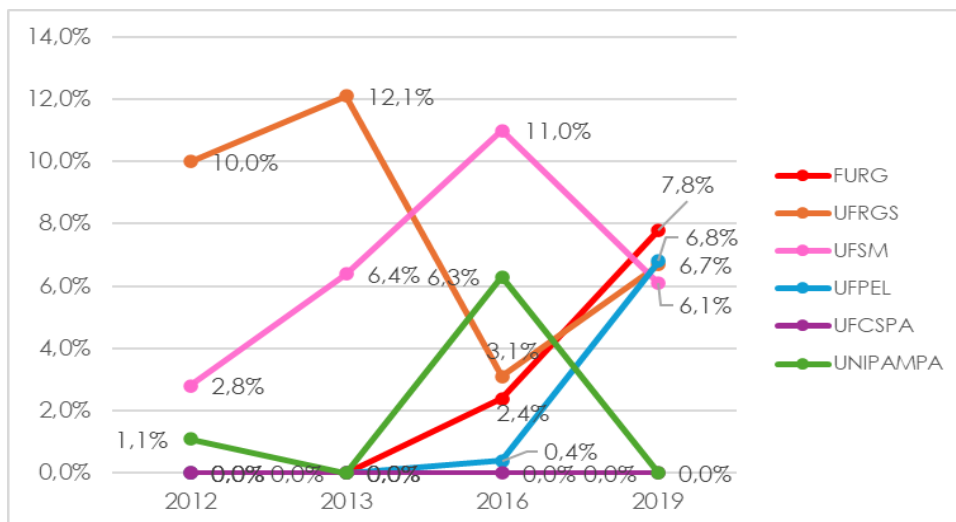
In search of more significant effects of the Quota Law, that is, in addition to admission, we investigated the data of certificated students. In the lines of illustration 4, there is an increase in the percentage of certificated students in view of the total enrollment, especially from 2016. This trend can be associated

with curricular and student assistance policies, at the same time, the variations in or between institutions, in this period, do not reveal a trend that gives rise to a conjunctural hypothesis.

The values in illustration 4 situate the performance of black students who entered through the reservation of ethnic-racial vacancies, represented in illustration 5. It is observed that, in general, the percentage of certificated student's quota holders is lower than that of certificated students in the total number of students and the lines of the graphic show a trend of growth in the proportion of certificated students quota holders, although there is no trend in the set of lines, that is, in the universities. It seems important to us to highlight the visible marks of the implementation of the Quota Law, that is, that the admission of rising black quota holders requires more time so that it can be reflected in certificated students, due to the time to attend undergraduation. Variations in each institution should also not be interpreted as a trend, including in the two institutions, UFSM and Unipampa, which had a reduction in the percentage of black certificated students, from 2016 to 2019. There is also the possibility of problems in the registration of these census data.

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Illustration 5 – Percentage of black certificated who entered places in the ethnic-racial reserve, by federal university of Rio Grande do Sul



Source: INEP/CES (2012, 2013, 2016, 2019). Prepared by the authors.

Overall, universities show growth in the certification of quota students; this shows that the vacancy reservation policy is strengthening and fulfilling the function of promoting social justice to black students. However, the fluctuations and the percentage indicate that there is still a path until the percentages of certification of black quota holders and the total number of students are matched. At UFSM, the drop in the percentage of black certificated students should be evaluated with caution, as it may be the result of the political context of 2019 or specific circumstances.

It stands out from the analysis that most institutions show a significant growth of black students entering by ethnic-racial reservation and a growth in the percentage of certificated student's quota holders. Therefore, we risk interpreting these data with a positive indication of the effectiveness of the policy in the sense of social justice, related to the dimensions of redistribution and recognition in transformative measures.

However, the literature contributes to detail the scope of the ongoing process. On the one hand, there is an unwanted effect of the Quota Law, which is the "adequacy" of prejudices to the new reality.

The socially constructed stigma, from the daily experience of interaction between quota holders and non-quota holders in the social environment of the university, propagated questions mainly about the capacity, performance, and merit of students who use of the quota policy to enter the university, thus marginalizing individuals with the stigma (the condition of quota holder). In fact, it tended to attribute negative connotations to the quota holders, depreciating and discriminating them inside and outside the universities (Souza; Borges, 2020, p. 138).

However, the certification data refute the hypothesis of there being less capacity, worse performance, or merit of black students, that is, it refutes a good part of the stigmas created by society and suffered daily by quota students. The study by Bielschowsky, Minhoto, Dias and Silva (2023) points out that quota students do not burden federal universities, through a compilation of data from Census of Higher Education and the National Student Performance Examination (Enade, in the Portuguese acronym): the performance of quota holders is similar to that of non-quota holders. Moreover, in many of the courses evaluated, such as Accounting Sciences, Social Work,

Biological Sciences, Mathematics, Dentistry, History, Geography, Pedagogy, Medicine, Architecture and Urbanism, Zootechnics, Administration, Nursing and Information Systems, the permanence of the and the certification of quota students are higher than those of non-quota students. In fact, in prestigious institutions and courses, quota students have been successful in permanence and certification – social justice is achieved through these students.

However, data from the six federal universities based in Rio Grande do Sul state, such as the research mentioned above, suggest the importance of national public policies and institutionalized policies to maintain the development of higher education. Socioeconomic and educational conditions affect access to institutions and courses, as well as permanence and, therefore, certification. But these factors are not an exclusive problem of black students, entering through the reservation of ethnic-racial vacancies, as has been demonstrated. At the same time, the relevance of the quota policy is reinforced to redistribute access to public higher education, due to its excellence and its commitment to social inclusion, this collective good, still scarce, especially in highly competitive courses, as pointed out by Senkevics and Mello (2022). By redistributing these vacancies, the quota policy also promotes recognition (Fraser, 2008), modifying the logic of contempt for individuals classified as “black”, by guaranteeing their representation in courses of prestige and social notoriety, which bring them closer to transformative measures, promoting social justice.

After all, when implementing the Quota Law, do universities contribute to the promotion of social justice?

In this article, we focus on the Quota Law from the perspective of social justice and present data on the admission and certification of black students at federal universities in Rio Grande do Sul, the state with the lowest proportion of blacks in Brazil. We found that, even in this most adverse demographic-cultural context, affirmative politics is leading to the democratization of access to higher education due to the increasing inclusion and permanence of black students in undergraduate courses.

With Fraser (2006), we learned that the promotion of social justice must be based on the dimensions of redistribution and recognition. However, the data indicate that the Quota Law does not cover both dimensions simultaneously, being one a consequence of the other. As the Law redistributes a scarce social good, giving black students access to more qualified study and work spaces, it distances these students from subordinate courses and jobs. As Senkévics and Mello (2022) showed, the Quota Law has more effect on more prestigious courses. Therefore, the cultural dimension of recognition manifests itself because of redistribution, transforming the social and cultural patterns that affect the race collectivity. Thus, recognition, because of redistribution, plays the role of promoting the appreciation of identities classified as black and brown. This allows these individuals to empower themselves, occupy prestigious social positions and serve as positive examples for other black people who are still in conditions of subjugation, in addition to promoting racial equity. Although the text of the Quota Law does not indicate strategies for recognition, some universities have acted in parallel with curricular innovations, as activities to value Afro-Brazilian culture and promote the feeling of belonging of black students.

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The dimension of the redistribution became more evident in view of the limitation to data on admission according to the Census of Higher Education (INEP), thus, we verified the redistribution of vacancies according to the categories determined by the Law. The admission data point to the democratization of access to higher education for black students from the implementation of the Quota Law, in the sense of effecting the redistribution to the black population of this public good. In addition, data related to graduation show that black students not only enter but also complete their courses, which points to the effectiveness of social justice for the opportunity to occupy jobs that will benefit the social mobility of their families and communities.

The dimension of recognition can be deepened in a documentary and qualitative study, such as complementary institutional actions for inclusion and (re)transformation of teaching, research, and university extension agendas. In addition, it can count on detailed statistics such as those related to the redistribution of vacancies in more prestigious courses, investigating the peculiarities of the federal universities of Rio Grande do Sul state to contribute to all institutions to mobilize more and more widely and effectively.

With this article, in which we highlight a group of institutions and their singularities in the dynamics of some indicators, we intend to highlight the significant advances made, already in the early years, of the Quota Law, in the effective inclusion of black students in public universities with the achievement of social justice and educational equity. At the same time, we propose a theoretical-conceptual discussion that contributes to the monitoring and evaluation of national and institutional policies. In this sense, we want to emphasize the need for analyzes with a greater number of indicators and on a smaller scale, i.e., more detailed, visualizing the institutional units and their interior, related to the socioeconomic-cultural circumstances of the black population.

We conclude that the Quota Law has been fulfilling its purpose in promoting social justice for black students, with significant advances in the dimensions of redistribution and recognition. The current generation of black students has faced stigmas and challenges with strength and determination, conquering not only academic spaces, but also the recognition that drives cultural and institutional transformations. This movement represents an important step towards racial equity, reinforcing the importance of the quota policy as a tool for the inclusion and empowerment of these students in a historically exclusive environment.

Note

1. This study was funded by the Coordination for the Improvement of Higher Education Personnel – Brazil (CAPES) – Financing Code 001.
2. TN: The word “brown” refers to the translation of the term “pardo,” which has a specific connotation in Brazil, related to the racial classification of the Brazilian Institute of Geography and Statistics, encompassing people of mixed ancestry (black, white, and/or indigenous).

References

BATISTA, Neusa Chaves. Políticas públicas de ações afirmativas para a Educação Superior: o conselho universitário como arena de disputas. **Ensaio: Avaliação e Políticas Públicas em Educação**, v. 23, n. 86, p. 95-128, fev. 2015. DOI: <https://doi.org/10.1590/S0104-40362015000100004>.

BATISTA, Neusa Chaves. Cotas para o acesso de egressos de escolas públicas na Educação Superior. **Pro-Posições**, Campinas, v. 29, n. 3, p. 41-65, set. 2018. DOI: <https://doi.org/10.1590/1980-6248-2015-0158>.

BATISTA, Neusa Chaves; FIGUEIREDO, Hodo Apolinário Coutinho de. Comissões de Heteroidentificação Racial para Acesso em Universidades Federais. **Caderno de Pesquisa**, São Paulo, v. 50, n. 177, p. 865-881, jul. 2020. DOI: <https://doi.org/10.1590/198053147264>.

BIELSCHOWSKY, Carlos Eduardo; MINHOTO, Maria Angélica Pedra; DIAS, André Luiz Vieira; SILVA, Cláudia Guedes de Araújo. Reserva de Vagas Nas Universidades Federais e Desempenho Estudantil: os impactos da lei 12.711/2012. **Revista Brasileira de Política e Administração da Educação**, v. 39, p. 1-26, 3 nov. 2023. DOI: <https://doi.org/10.21573/vol39n12023.128527>.

BRASIL. **Lei nº 12.711, de 29 de agosto de 2012**. Dispõe sobre o ingresso nas universidades federais e nas instituições federais de ensino técnico de nível médio e dá outras providências, Brasília, DF, 29 ago. 2012. Disponível em: https://www.planalto.gov.br/ccivil_03/_ato2011-2014/2012/lei/l12711.htm. Acesso em: 5 ago. 2024.

BRASIL. **Lei nº 14.723, de 13 de novembro de 2023**. Altera a Lei nº 12.711, de 29 de agosto de 2012, para dispor sobre o programa especial para o acesso às instituições federais de educação superior e de ensino técnico de nível médio de estudantes pretos, pardos, indígenas e quilombolas e de pessoas com deficiência, bem como daqueles que tenham cursado integralmente o ensino médio ou fundamental em escola pública. Brasília, DF, 13 nov. 2023. Disponível em: https://planalto.gov.br/ccivil_03/_Ato2023-2026/2023/Lei/L14723.htm. Acesso em: 5 ago. 2024.

CAREGNATO, Célia Elizabete; OLIVEN, Arabela Campos. Educação superior e políticas de ação afirmativa no Rio Grande do Sul: desigualdades e equidade. **Educar em Revista**, Curitiba, v. 64, n. 5, p. 171-187, jun. 2017. DOI: <https://doi.org/10.1509/0104-4060.47764>.

CARREIRA, Denise; HERINGER, Rosana. **10 anos da Lei de Cotas**. Rio de Janeiro: Ação Educativa, 2022. Disponível em: https://pesquisaleidecotas.org.br/wp-content/uploads/2022/11/Livro_Lei_de_Cotas.pdf. Acesso em: 5 ago. 2024

DIAS SOBRINHO, J. Democratização, qualidade e crise da Educação Superior: faces da exclusão e limites da inclusão. **Educação & Sociedade**, Campinas, v. 31, n. 113, p. 1223- 1245, out./dez. 2010. DOI: <https://doi.org/10.1590/S0101-73302010000400010>.

FRASER, Nancy. Da redistribuição ao reconhecimento? Dilemas da justiça numa era "pós-socialista". **Cadernos de Campo**, São Paulo, v. 15, p. 231-239, 2006. DOI: <https://doi.org/10.11606/issn.2316-9133.v15i14-15p231-239>

FRASER, Nancy. Reconhecimento sem ética? **Lua Nova**, São Paulo, n. 70, p. 101-138, 2007. DOI: <https://doi.org/10.1590/S0102-64452007000100006>.

FERES JÚNIOR, João; CAMPOS, Luiz Augusto; DAFLON, Verônica Toste; VENTURINI, Anna Carolina. **Ação Afirmativa**: conceito, história e debates. Rio de Janeiro: Eduerj, 2018. DOI: <https://doi.org/10.7476/9786599036477>.

GOMES, Nilma Lino. O movimento negro no Brasil: ausências, emergências e a produção dos saberes. **Política & Sociedade**, v. 10, n. 18, p. 134-154, abr. 2011. DOI: <https://doi.org/10.5007/2175-7984.2011v10n18p133>.

24 GOMES, Joaquim Benedito Barbosa; SILVA, Fernanda Duarte Lopes Lucas da. As Ações Afirmativas e os Processos de Promoção da Igualdade Efetiva. In: **Seminário Internacional as minorias e o direito** (2001: Brasília). Brasília: CJF, 2003, p. 85-153. Disponível em: <https://biblioteca.corteidh.or.cr/tablas/r35020.pdf>. Acesso em: 5 ago. 2024.

INSTITUTO BRASILEIRO DE GEOGRAFIA E ESTATÍSTICA. **Desigualdades Sociais por Cor ou Raça no Brasil**. Rio de Janeiro, 2019. Disponível em: https://biblioteca.ibge.gov.br/visualizacao/livros/liv101681_informativo.pdf. Acesso em: 5 ago. 2024.

INSTITUTO BRASILEIRO DE GEOGRAFIA E ESTATÍSTICA. **Censo demográfico 2022**. Rio de Janeiro, 2022. Disponível em: <https://censo2022.ibge.gov.br/panorama/>. Acesso em: 5 ago. 2024

BRASIL. INSTITUTO NACIONAL DE ESTUDOS E PESQUISAS EDUCACIONAIS ANÍSIO TEIXEIRA. **Ficha Técnica Meta 12**: Plano Nacional de Educação PNE 2014-2024 LINHA DE BASE. Brasília: Inep, 2014. Disponível em: https://download.inep.gov.br/publicacoes/institucionais/plano_nacional_de_educacao/plano_nacional_de_educacao_pne_2014_2024_linha_de_base.pdf. Acesso em: 5 ago. 2024

INSTITUTO NACIONAL DE ESTUDOS E PESQUISAS EDUCACIONAIS ANÍSIO TEIXEIRA. **Relatório do 3º Ciclo de Monitoramento das Metas do PNE – 2020**. Brasília: Inep, 2020. Disponível em: https://download.inep.gov.br/publicacoes/institucionais/plano_nacional_de_educacao/relatorio_do_terceiro_ciclo_de_monitoramento_das_metas_do_plano_nacional_de_educacao.pdf. Acesso em: 05 ago. 2024.

JANNUZZI, Paulo de Martino. **Indicadores sociais no Brasil**: conceitos, fontes de dados e aplicações para formulação e avaliação de políticas públicas, elaboração de estudos socioeconômicos. Campinas: Editora Alínea, 2006.

MOEHLECKE, S. Ação afirmativa: história e debates no Brasil. **Cadernos de Pesquisa**, São Paulo, n. 117, p. 197–217, 2002. DOI: <https://doi.org/10.1590/S0100-15742002000300011>.

RIO GRANDE DO SUL. Departamento de Economia e Estatística. **Panorama das desigualdades de raça/cor no RS**. Porto Alegre: Secretaria de Planejamento, Governança e Gestão, 2021. Disponível em: <https://dee.rs.gov.br/upload/arquivos/202111/18175612-relatorio-tecnico-dee-panorama-das-desigualdades-de-raca-cor-no-rio-grande-do-sul.pdf>. Acesso em: 5 ago. 2024

SENKEVICS, Adriano Souza; MELLO, Ursula Mattioli. Balanço dos dez anos da política federal de cotas na educação superior (Lei nº 12.711/2012). **Cadernos de Estudos e Pesquisas em Políticas Educacionais**, v. 6, n. 2, p. 209-232, abr. 2022. DOI: <https://doi.org/10.24109/9786558010531.ceppe.v6.5384>

SOUZA, Thaíssa Bispo; BORGES, Eduardo Henrique Narciso. A estigmatização de cotistas como efeito não pretendido da implementação da política pública de cotas. **Revista Administração Educacional**, Recife, v. 11, n. 1, p. 126-142, jun. 2020. DOI: <https://doi.org/10.51359/2359-1382.2020.246086>.

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