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Racismo estrutural e o bicentenário da independência: um olhar sobre a educação antirracista nas comunidades quilombolas

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Resumo

Este artigo discute o racismo estrutural no contexto do bicentenário da independência do Brasil, no âmbito das comunidades remanescentes de quilombos como alvos de uma dupla discriminação que se efetiva em relação ao ser negro e ao ser quilombola. Nossa reflexão intenciona evidenciar que os processos discriminatórios fundados no racismo e na diferenciação de classe permanecem operantes, mesmo após o reconhecimento desta coletividade na Constituição Federal de 1988 e, posteriormente, no Decreto Presidencial n° 4887 de 2003 e da aprovação de Diretrizes Curriculares para a Educação Escolar Quilombola (2012). A partir de uma reflexão teórico-conceitual, apresentamos um histórico sobre o conceito de quilombo e o pertencimento identitário dos sujeitos quilombolas, apontando à importância dos atos legais pactuados no reconhecimento e concessão de direitos para estas comunidades.

Palavras-chave: História da Educação. Identidade. Quilombos. Racismo.

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Structural racism and the bicentennial of independence: a look at anti-racist education in quilombola communities

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Abstract

This article aims to discuss the structural racism in the context of the bicentennial of Brazil's independence, in the context of the remaining quilombola communities as targets of a double discrimination that takes place in relation to being black and being quilombola. Our reflection intends to show that in quilombola communities, the discriminatory processes based on racism and class differentiation remain in operation, even after the recognition of this collectivity in the 1988 Federal Constitution and, later, in the Presidential Decree n° 4887 of 2003 and the approval of the Curricular Guidelines for Quilombola School Education (2012). From a theoretical-conceptual reflection, we present a history about the concept of quilombo and the identity belonging of the quilombola subjects, pointing to the importance of the legal acts that were agreed upon in the recognition and granting of rights for these communities.

Keywords: History of education. Identity Quilombos. Racism.

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Racismo estructural y bicentenario de la independencia: una mirada a la educación antirracista en las comunidades quilombolas

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Resumen

Este artículo discute el racismo estructural en el contexto del bicentenario de la independencia de Brasil, en el ámbito de las comunidades remanentes de quilombos como blancos de una doble discriminación que se efectiva en relación a ser negro y ser quilombola. Nuestra reflexión pretende evidenciar que en las comunidades quilombolas, los procesos discriminatorios fundados en el racismo y en la diferenciación de clase permanecen operantes, incluso después del reconocimiento de esta colectividad en la Constitución Federal de 1988 y, posteriormente, en el Decreto Presidencial n° 4887 de 2003 y de la aprobación de Directrices Curriculares para la Educación Escolar Quilombola (2012). A partir de una reflexión teórico-conceptual, presentamos un histórico sobre el concepto de quilombo y la pertenencia identitaria de los sujetos quilombolas apuntando a la importancia de los actos legales que se acordaron en el reconocimiento y concesión de derechos para estas comunidades.

Palabras clave: Historia de la educacion. Identidad. Quilombos. Racismo.

Introduction

Brazil's political independence took place two hundred years ago. On the bicentennial of this important event, we are compelled to ask: independence for whom? What does this bicentennial mean for Indigenous peoples and for all the other peoples who arrived here under the condition of enslavement? How many Black and Indigenous bodies were and continue to be torn apart in the construction of this "independent" Brazil? What seems undeniable is that the Brazil celebrating its bicentennial today has built its wealth on the labor of enslaved bodies. For this reason, it is deeply unsettling to reflect on the bicentennial from the perspective of Afro-diasporic bodies that still endure the perverse effects of colonialism and racism forces that continue to deny our existence despite the resistance carried out through various social movements. In the face of the cultural, religious, and material violence experienced by the majority of Black and Indigenous peoples in this country, we ask: What independence? Independence from what and from whom? Here, we set out to reflect on the quilombos as a social and organizational form that both contributed to and continues to shape the formation of the Brazil that now celebrates its bicentennial of independence. This form of organization has resisted and continues to resist the ongoing processes aimed at annihilating its people, its systems of organization, and its very ways of being.

"Kilombos": Everywhere, a History of Resistance

In the mid-fifteenth century, along the African coast, the first Europeans to arrive encountered a range of established political organizations, firmly grounded in the societal structures of African regimes. In this context, politics was infused with moral and social values that served as the foundation for institutional development. However, the entire technical and technological apparatus was directed toward sustaining the disastrous context of warfare, thereby creating an ambivalent relationship with regard to the comprehensive advancement of society in the fields of education, culture, and technology.

Professor Kabengele Munanga (1996), in an article discussing the origin and history of the quilombo in Africa, offers a description that helps us understand the diasporic relational process between Brazil and Africa. According to the researcher, the Brazilian quilombo was a reconstitution

of its African counterpart, formed in opposition to the slave-based social order and structured as an alternative system that brought together the oppressed whether Black, Indigenous, or white. In the quilombos, enslaved individuals from various regions occupied territories, emulating the African quilombo which, in Africa, "became a centralized, transethnic political and military institution composed of male subjects submitted to an initiation ritual" (MUNANGA, 1996, p. 63). The function of this initiation ritual, beyond strengthening the warriors, also served as a unifying and integrative element for the diverse ethnic origins that made up the quilombo.

In Brazil, in the analysis carried out by Munanga (1996, p. 63):

> Enslaved and revolting individuals organized themselves to escape from the slave quarters and plantations, occupying uninhabited areas of Brazilian territory, usually in hard-to-access regions. Following the African model, they transformed these territories into a kind of initiation ground for resistance spaces open to all the oppressed in society (Black people, Indigenous peoples, and whites) thus prefiguring a model of multiracial democracy that Brazil is still striving to achieve.

By considering the social composition of the quilombos in all their diversity, the author allows us to understand that these territories open to all those under threat and welcoming both enslaved and non-African fugitives reveal the Brazilian quilombo as a transcultural entity, closely aligned with Afro-Brazilian culture.

In Brazil, for a long time, quilombos and/or *mucambos* were understood simply as groups of fugitive Black people, a view that implied resistance was limited solely to the context of the Brazilian slave regime. However, access to African studies has allowed us to consider the use of the terms *quilombos* and/or *mocambos* within Central and West-Central Africa, in Bantu languages, as having a broader connotation. Another meaning of *quilombo* refers to a military initiation ritual among warrior societies, particularly among Kimbundu-speaking peoples from northeastern Angola (Munanga & Gomes, 2006).

The historical experiences we know of Brazilian quilombos lead us to consider that enslaved Africans fleeing captivity organized themselves into Black communities (*kilombos*) structured in this land, despite coming from different African regions. The Africans brought to Brazil as captives possessed a wide range of cultural traits, as they belonged to diverse tribal groups, with or without close kinship ties. In an effort to weaken fraternal bonds and prevent uprisings, enslavers deliberately

separated ethnic groups and dispersed them across various territories, making it difficult for the enslaved to organize.

During colonial Brazil, in response to frequent escapes from large estates, the *Conselho Ultramarino* (Overseas Council) issued a definition of *quilombo* in 1740, stating that it referred to "Any dwelling of fugitive Blacks, numbering more than five, in an uninhabited area, even if they have not built huts or established mortars there" (ALMEIDA, 2011, p. 39). This definition aimed to suppress escapes and criminalize quilombola individuals, serving as a justification for military and legal actions taken against quilombos.

To further explore the nature and history of quilombos, Pinsky (2010) presents two interpretative frameworks within Brazilian Anthropology. The first is the culturalist perspective, prevalent between the 1930s and 1950s, which viewed quilombos as expressions of cultural resistance by enslaved Africans who organized themselves in response to the oppression of the slavery era. According to this view, only within such spaces (quilombos) could the fugitives and their descendants preserve their devastated ethnic identities or, in other words, maintain the presence of Mother Africa in their everyday lives (PINSKY, 2010, p. 450).

From this perspective, quilombos, as ethnic groups, follow a cultural logic in their formation as populations. Culture functions as the driving force that shapes relationships both within and outside the group, guided by the imperative of resistance to preserve their ancestral heritage. In this sense, such groups come together within a diasporic logic, striving to preserve forms and practices inherited through cultural transmission, which serve as the foundation for their conception of struggle and resistance.

The second perspective outlined by Pinsky (2010) is the materialist approach, which gained prominence in the 1960s and 1970s. This view interprets quilombos as the outcome of resistance to the abuse and punishment inflicted by plantation owners resistance that often culminated in escape. From this standpoint, quilombos are seen as protests against slavery and may be analyzed as formations of peasant microsocieties. Between the eighteenth and nineteenth centuries, Brazilian peasantries were composed, in part, by quilombos of varying sizes, regional specificities, and local economic arrangements, which were identified as communities of fugitives (PINSKY, 2010, p. 450).

This scenario unfolded in regions that sought to develop sugar plantations, food crops, and cattle farms. Therefore, quilombola groups either modified or were themselves shaped by the specific characteristics of each region. From this perspective, Pinsky (2010) points out that the social relations maintained by these groups fueled a food market and a clandestine trade network, and that the transatlantic African slave trade contributed to the increase in escapes and the formation of new *mocambos*.

According to Nascimento (2018), a major figure in advocating for a new historiography of the quilombos and the Black presence in Brazilian society between the 1970s and 1990s, the quilombo can be understood as:

> [...] a social condition fundamentally, a social condition. That is to say, it is not limited to militarism, to the wars that were waged (...), but the structure of the quilombo, what truly distinguishes the quilombo, is that it is a gathering of Black people undertaken by Black people that welcomes the Indigenous person within its structure, a person who has never been accepted in Brazilian society, and still is not accepted to this day (NASCIMENTO, 2018, p. 126).

The author further states that there are thousands of quilombos, each with its own characteristics, and that they are defined as aggregating spaces that have historically faced severe repression from colonial authorities and, more recently, from state authorities. According to the author who offers a critique of academic production on the subject historiography situates quilombos between the sixteenth and nineteenth centuries, and then abruptly introduces a historical break that treats them as if they had ceased to exist. She continues:

> The quilombo is not, as historiography has attempted to interpret it, merely a refuge for fugitive Black people, merely an escape from corporal punishment or from the fact that Black people existed within an oppressive society. It is also an attempt at independence that is, the independence of men who sought to establish a life of their own, a social organization of their own. (...) The quilombo is a social organization created by Black people who undertook this initiative (...) and that existed in parallel throughout the entire period of enslavement. And even more importantly, as a social organization, it projected itself into the twentieth century as a way of life for Black people and it continues to this day (NASCIMENTO, 2018, p. 129).

By offering this important critique of historiographical production particularly regarding the automatic association of quilombos with war and insurrection the author argues that quilombos existed independently of armed conflict. She also highlights the fact that our knowledge of quilombos comes primarily from official documents that is, records of repression or the written history of white society, which present the perspective of the defeated quilombo. In her writings, Nascimento calls on

historiography to shed light on the capacity of Black people to create their own social organization with life, culture, and unique relationships and to recognize that this form of organization still exists today as a means of rethinking the role of Black people within Brazilian history. For the author, quilombos represent a form of cultural and racial resistance, as well as the possibility of building a parallel society capable of engaging in dialogue with the very society that has historically oppressed them.

In 1994, the Brazilian Anthropological Association (*Associação Brasileira de Antropologia*), seeking to broaden the understanding of the concept of quilombos, adopted the interpretation of quilombos as groups that "developed practices of resistance in the maintenance and reproduction of their characteristic ways of life in a specific place" (ABA, 1994), unrelated to remnants or residues of past occupations or to biological proof, and not defined as isolated or homogeneous groups.

The idea of resistance runs through the historical trajectory of the quilombos and should serve as a foundation for combating the acts of racism and segregation imposed by whiteness on Black and quilombola peoples acts rooted in the historical valorization of Eurocentric culture, which remains hegemonic in our society. Eurocentrism, reflected in cultural, ethnic, and social models, reinforces negative stereotypes that are projected onto both the phenotype and the social organization of quilombola communities. As a result, this population continues to be denied basic rights and is perceived as a subalternized group, stripped of value by a society that remains structured in a hierarchical manner, in which whiteness retains power and concentrates privilege.

Quilombo, Identity, and Difference

In discussing quilombos as social formations, identity inevitably enters the core of the dialogue, shaping a set of values that arise from the cultural processes linked to the existence of this ethnic group. Within this interplay, it is also necessary to consider differences and, through them, to reflect on what education can do to disrupt racism. Racism, in this context, is a practice naturalized by society through cultural values of whiteness, which are imbued with the intent to marginalize the quilombola people.

Thus, when addressing the relationship between quilombo, identity, and difference, it is important to consider, with Hall (2011), that identity is not something fixed; rather, it is formed and transformed through the intersections created by the cultural and political systems that surround

individuals. Accordingly, individuals continuously rework their frames of identification, and identity becomes a strategic concept that refers to an origin rooted in a shared and meaningful past for a given group (Hall, 2000). Identities, therefore, emerge from narratives that hold discursive, political, or material efficacy.

A similar line of reasoning is found in Maffesoli (2010), who argues that, throughout life, an individual undergoes multiple changes not only in appearance but also in terms of identification, including worldviews and behaviors. From this perspective, the author emphasizes that individuals are shaped by the multiple interactions they establish with the world around them. Subjects undergo a process or logic of identification that is traversed by the experiences they share with others—the "self" is, therefore, constituted through relationships with groups such as family, community, friends, school, social movements, religious institutions, and others.

In this sense, Maffesoli (2010) helps us understand that the process of identification is present in the foundation of every social aggregation, and that this process is built upon the transmission of values from one generation to the next. Integration occurs when individuals identify with those values, which in turn shape typical behaviors and establish models embedded in everyday life. Maffesoli (2010) argues, therefore, that there is no culture without identification, and that the long-term purpose of the identification process is to ensure the continuity of the social body.

From Castells' (1999) perspective, identity construction is grounded in culture, and a collective actor may assume multiple identities depending on the cultural attributes through which distinct sources of meaning prevail. This distinction may often involve tension and contradiction in the self-representation of social action, considering the logic upon which such a collective is structured.

In the case of the collectivity represented by the quilombola people who experienced the colonial process and continue to endure the effects of the coloniality of power, of being, and of knowledge (Quijano, 2005) this identity is shaped by the racism that has structured Brazilian society since its foundation, subalternizing and devaluing quilombola subjects by associating them with escape, cowardice, and criminality.

Therefore, it seems important to emphasize that the identity to which we refer formulated through racial identity marks the historical identity of the Brazilian and Latin American nation.

Identity, for the individuals themselves, is composed of sources of meaning that they have constructed and that are relevant to the memory of their ancestors. It involves knowing where one comes from and how one arrived at the situation that demands the construction of a new identity. This identification is also shaped by self-definition, which we understand as not free from the values and symbols imposed by the colonizer.

In discussing Serbian and Croatian communities, Woodward (2003), in her article on *Identity and Difference*, addresses relational identity, helping us understand that identity is also constituted through the differences we establish in relation to other groups.

Thus, considering identity and difference as defined through the relationships individuals establish with others, we can understand that the lack of identification with Blackness or with quilombola belonging stems from historically imposed cultural systems characterized by the valorization of Eurocentric and whitening standards. Such systems silence or exclude Black and quilombola people from social protagonism, relegating them to a marginal, inferior position, deprived of basic rights.

In the process that produces the inferiorization of Black people as an imposition of white European civilization through colonization an existential rupture leads the colonized subject to desire to be white. This process occurs with all colonized peoples, as their cultural originality is buried under colonial domination, which aligns them with the culture of the metropole and causes a breakdown in the personality of the colonized subject, resulting in psychological, social, and economic consequences (FANON, 2008).

Thus, for the Martinican thinker, Black people suffer from the moment white domination is imposed upon them, stripping away their values, their bodies, and their culture. This domination is accompanied by stereotypes that, in turn, associate everything negative with Blackness. Since skin color is the most visible trait, it becomes the fundamental criterion through which Black people are judged, regardless of their educational or social contexts. Therefore, “in racism, the individual is surgically removed and violently separated from any identity she/he may truly possess” (KILOMBA, 2019, p. 39).

In contemporary times, we observe that the arguments of Fanon (2008) and Kilomba (2019) are made evident in lived experience, particularly when we witness instances in which Black individuals

do not embrace their racial identity, masking it through strategies that target their physical appearance, as well as through behaviors that distance them from African and Afro-Brazilian culture. Black individuals, in such cases, assume a colonized identity, one closely tied to the values of Eurocentric white culture. In the case of quilombola subjects, due to the entrenched and widely disseminated view of quilombos as spaces of escape and criminality, additional stereotypes arise that hinder the recognition of their place of existence as a site of Black resistance. Consequently, this often results in the denial of territorial belonging.

By stating that identity is relational and marked by difference, Woodward (2000) allows us to understand that the demarcation of difference occurs in relation to the other, shaping the characterization and valuation of identity elements within a given group and reinforcing the logic that "only what I am not defines what I am." The author also notes that identity is linked to social and material conditions, and argues that when a group is symbolically marked as an enemy or a taboo, it becomes subject to exclusion and social disadvantage. In this regard, quilombola people classified since colonial times as outcasts, fugitives, and criminals continue today to face social disadvantages, such as the difficulty of affirming their existence as rights-bearing subjects, remaining excluded from basic rights even after their formal recognition in the 1988 Constitution.

The view that has become entrenched in Brazil concerning Black people and, we would add, quilombola communities as well fosters various forms of racism and negatively affects the self-image of the Black population. Over the course of their socialization and identity formation processes, they learn that elements of Afro-Brazilian culture are seen as inferior and marginalized, while a white-centered standard is upheld and the myth of racial democracy in the country is propagated (VOGT, 2014). This maintenance of racial hierarchization, which was established during the colonial period, continues to impact contemporary socioeconomic inequalities and the violence to which Black and also Indigenous populations are subjected.

The identity of different ethnic groups affected by racism invites conceptual reflection on how identity is perceived and constructed in a discriminatory manner, giving rise to a long-standing history of violence cultural, social, and even physical against subalternized populations.

The understanding of how an inferiorized identity is produced reinforces the notion that it is necessary to break with terminologies that perpetuate negative stereotypes aligned with the logic of the colonizer/oppressor a logic that underpinned the construction of a state founded on racialization

and discrimination. From this foundation, the so-called "civilized states" began to expand meanings by treating as truth the denial of the history, intellectual capacity, and subjectivity of colonized peoples.

Racism, expressed in many forms including language reveals how our society exhibits traits that reinforce the absence of a defined racial identity or the presence of an imperative racial confusion. This confusion, often treated as natural and attributed to miscegenation as both its cause and justification, becomes evident when individuals are unable to define themselves racially. In failing to do so, this lack of definition becomes embodied in daily actions, generating the false perception that Black individuals are incapable of recognizing an originality intrinsic to their own history an originality stripped of the values and symbols imposed by the colonizer upon their identity.

Within this complex process that denies Black people the possibility of self-definition, Carneiro (2011) introduces the expression "the pain of color" (*a dor da cor*) as a powerful reflection on ethnic and racial identity as a phenomenon that has been both historically constructed and deconstructed.

> Since the time of slavery, the identity of light-skinned Black individuals has been manipulated as the paradigm of a more advanced stage of human aesthetic ideal. It was believed that every dark-skinned Black person should strive toward various mechanisms of whitening. Here, we have been taught not to know who we are and, more importantly, what we should want to be. We have been taught to use miscegenation or racial mixing as a kind of emancipation card from the stigma of Blackness: a lighter skin tone, straighter hair, or a pair of green eyes inherited from a European ancestor are often enough for someone of African descent to consider themselves *pardo* or white or to be "socially promoted" to those categories. And the tacit agreement is that everyone pretends to believe it.
>
> Language betrays the speaker. In the term *pardo* are included *mulatos*, *caboclos,* and all those who do not identify as white, Black, Asian (*amarelo*), or Indigenous. All those who do not wish to be Black, Asian, or Indigenous find in this term a gray zone in which they can take shelter, hide, and forget a disavowed origin (CARNEIRO, 2011, p. 63).

As the author affirms, it becomes clear that throughout the violent process of Brazilian social formation, a notion has been disseminated that whitening is a goal to be achieved in order to avoid the "pain of color." In this sense, whitening may come to mean feeling less pain and, at the very least, ascending to a different social category. The perversity of this teaching, which is perpetuated through institutions and social practices, lies in how it has functioned and continues to function as a barrier to Black self-definition. To identify oneself as Black is to confront violence directed at Black bodies,

the erasure of one's existence as an individual, the devaluation of Black knowledge, culture, and worldview. Thus, in many situations, whitening becomes a means of survival a way to exist as a human being. For this reason, it is essential to understand that Black identity is not a condition that is innately given to Black subjects, but rather a negotiated construction often the only possible form of identification in the face of the violence experienced by Black people.

In light of this, we understand that reflecting on racism and its implications in the formation of Brazilian society is an educational urgency more than that, it is a necessary condition for building an anti-racist society. Such a society can only be achieved if, among other policies aimed at correcting inequalities produced by a patriarchal, sexist, and class-exploitative society, education is effectively anti-racist at all levels of instruction. It is not the only necessary action, but it is a fundamental one essential for initiating the process of reparations for the harm caused by racism to society as a whole.

Legal Instruments of Human Rights, Structural Racism, and Their Impact on the Recognition of Quilombola Rights

The depiction of ethnic groups and the differences that define them as individuals and as collectives unique in their culture and, because of it, often stereotyped as lacking value by a racialized system emerged into global awareness after World War II. This period revealed to the world the countless atrocities resulting from the conflict and highlighted the urgent need to establish a framework of human rights aimed at curbing the barbarities that had led to the decimation of entire peoples.

This post-war period, marked by countless horrors and suffering endured by different groups, served as the catalyst for the drafting of the 1948 Universal Declaration of Human Rights, which became a crucial milestone in the long struggle against various forms of oppression. This document, regarded as a treaty binding states to promote "equality" among human beings, established universally applicable standards, setting minimum rules concerning human dignity.

The Universal Declaration of Human Rights inspired the drafting of two key treaties: the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966). The combination of the Universal Declaration with these two covenants forms the International Bill of Human Rights documents that guide states in

combating discrimination based on race, sex, ethnicity, and religion, as ratified in Articles I and IV, cited below:

> **Article I** – All human beings are entitled to enjoy the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
>
> **Article IV** – No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms (UN, *Universal Declaration of Human Rights*, 1948.).

The reason we have a Declaration and the underlying premise of protecting individuals and their collectives is directly linked to the post-war context, shaped by a widespread sense of outrage and, simultaneously, by a surge of momentum in the fight against various forms of oppression including imperialism which was still ongoing across African and Asian continents under the control of European powers.

International human rights treaties, along with other documents and mechanisms adopted since 1945, served to expand the necessary framework for the institutionalization of human rights at the international level. These treaties include the Convention on the Prevention and Punishment of the Crime of Genocide (1948), the International Convention on the Elimination of All Forms of Racial Discrimination (1965), the Convention on the Elimination of All Forms of Discrimination against Women (1979), the Convention on the Rights of the Child (1989), and the Convention on the Rights of Persons with Disabilities (2006), among others.

In this analysis, we highlight racism, which is addressed in Brazilian legal documents enacted throughout the 1960s and aligned with International Human Rights Treaties. Decree No. 65.810, dated December 8, 1969, enacted the International Convention on the Elimination of All Forms of Racial Discrimination, which in its Article 1 defines racial discrimination as:

> 1. For the purposes of the present Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life (UN, *International Convention on the Elimination of All Forms of Racial Discrimination* Racial, 1965).

Analyzing the International Convention on the Elimination of All Forms of Racial Discrimination, ratified by Brazil in the 1960s, we observe that the document recognizes the legitimacy of measures taken to ensure the advancement of racial or ethnic groups that require protection and the guarantee of enjoyment or exercise of fundamental rights and freedoms provided that such measures do not result in the maintenance of separate rights for different racial groups. In this sense, we can draw a connection between the provisions of this document and the public policies designed to ensure the exercise of rights by Black and quilombola populations in Brazil, which began to be approved after the country's independence from Portugal in 1822, especially from the late 1880s onward, as we will detail below.

The abolition of slavery in Brazil was preceded by a series of so-called abolitionist laws, such as the Eusébio de Queiróz Law, the Law of Free Birth, and the Sexagenarian Law. However, what stands out is that, amid these legal instruments, the Land Law of 1850 was enacted, establishing the prohibition of acquiring public lands by any means other than purchase. This law directly impacted the Black population, who, being either enslaved or lacking the resources to purchase land, faced immense barriers to land ownership harming their socioeconomic integration into society in the post-abolition period.

Brazil, the last country in the world to abolish slavery, implemented a whitening policy in the late nineteenth century through eugenic measures based on scientific racism, which was widely disseminated from Europe. Based on a conception of white superiority that had become deeply rooted after centuries of European domination, Brazil instituted policies that ultimately perpetuated and even intensified the exclusion of the Black population in physical, social, political, cultural, and economic terms. One such exclusionary policy was Decree No. 528 of 1890, which conditioned the entry of African and Asian immigrants into Brazil on the approval of the National Congress, while simultaneously encouraging the immigration of Europeans. This clearly illustrates the intention to promote the whitening of the Brazilian population.

Despite Brazil's ratification of international human rights treaties throughout the twentieth century many of which condemned all forms of discrimination, including racial discrimination the repeal of discriminatory instruments such as Decree No. 528 only occurred in 1991. This reveals the Brazilian state's negligence in implementing effective policies to combat racism.

The first institution created at the federal level to address the needs of the Black population was the Palmares Cultural Foundation (Fundação Cultural Palmares), established during the presidency of José Sarney in 1988, as part of the celebrations marking the centenary of the abolition of slavery. Its creation responded to demands from the Black Movement. Initially, the Foundation was tasked with managing Black cultural production, rather than serving as a body responsible for developing public policies that extended beyond cultural matters.

In 2001, the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance was held in Durban, South Africa. Organized by the United Nations and attended by Brazil, the conference resulted in the Durban Declaration and Programme of Action, which called on the international community to implement strategies to combat racism and racial discrimination and to promote racial equality such as affirmative action policies. The Durban Declaration is considered the most comprehensive international instrument addressing issues related to the fight against racism and racial discrimination.

At that moment, Brazil distanced itself from the traditionally promoted discourse of a "racial democracy" one of supposed perfect harmony among races and the absence of racial conflict and publicly acknowledged, before the international community, the existence of this open wound in its society. Brazil also committed itself to promoting historical reparation for the peoples historically discriminated against due to the slave-based and racialized structure that has shaped Brazilian society since the colonial period.

Following the Durban Conference, Brazil witnessed the implementation of several public policies aimed at combating racism and racial inequality. In 2003, the Brazilian government created the Secretariat for Policies to Promote Racial Equality (SEPPIR), which established a channel for listening to the demands of organizations within the Brazilian Black Movement groups that had long been fighting for the state not only to take responsibility in the fight against racism but also to implement measures that would promote racial equality. SEPPIR aimed to integrate the promotion of racial equality into government policies through coordination among ministries and other federal bodies, as well as with states, the Federal District, and municipalities. Its goal was to foster, through public policies, the eradication of racism and the consolidation of a democratic society.

In 2010, the Racial Equality Statute (Law No. 12,288) was enacted, representing a significant step toward recognizing and addressing racial inequalities by explicitly acknowledging racism as a structural problem that must be tackled across all spheres of society. In 2014, Law No. 12,990 was approved, guaranteeing a 20% quota for Black individuals in public service entrance exams for permanent positions and jobs within the federal public administration, as well as in autonomous government agencies, foundations, public enterprises, and mixed-capital companies linked to the federal governmen.

In the field of education, one can highlight the approval of Law No. 10,639/2003, which amended the Law of Guidelines and Bases of National Education (LDB – Law No. 9,394/1996) to include the teaching of African and Afro-Brazilian History and Culture in basic education. This measure aims to deconstruct negative representations and stereotypes about the Black population. Other important advancements include the approval of the National Curriculum Guidelines for the Education of Ethnic-Racial Relations and for the Teaching of Afro-Brazilian and African History and Cultur (2004)[4] as well as the National Curriculum Guidelines for Quilombola School Education in Basic Education (2012)[5]. Also in 2012, Law No. 12,711/2012 was enacted, guaranteeing that 50% of the seats in federal universities and institutes would be reserved for Black (pretos and pardos) and Indigenous students.

Regarding issues related to quilombola rights, it is important to highlight the context of the debates surrounding the Constituent Assembly, during which organizations from the Brazilian Black Movement active since the 1970s advocated for the inclusion of quilombola rights, especially the right to land. As a result of this mobilization, the 1988 Federal Constitution formally recognized several rights, including land access for quilombola communities.

This recognition is expressed in Articles 215 and 216 of the Federal Constitution, which address Afro-Brazilian cultural heritage and the obligation to ensure its preservation, as well as in Article 68 of the Transitional Constitutional Provisions, which guarantees: “The remnants of quilombo

[4] Available at: http://portal.mec.gov.br/dmdocuments/cnecp_003.pdf Accessed on: 11/30/2020.

[5] Available at: http://etnicoracial.mec.gov.br/images/pdf/resolucao_8_201112.pdf Accessed on: 11/30/2020.

communities shall be recognized as having definitive ownership of their lands, and the State shall grant them the respective title deeds"[6].

However, it was only seven years after the promulgation of the 1988 Constitution that the first quilombola community was officially recognized under this constitutional provision. This was the community of Boa Vista, located in Alto Trombetas, in Oriximiná (Pará), which fought from 1989 to 1995 to have its land rights secured. In other words, from the very first recognition, we observe how fragile the guarantee of rights for quilombola peoples was—and how many struggles would still have to be waged.

With the issuance of Presidential Decree No. 4,887 of 2003, there was some progress in the process of titling quilombola lands. The decree defines quilombos as "[...] ethno-racial groups, according to self-identification criteria, with their own historical trajectory, specific territorial relations, and a presumption of Black ancestry linked to resistance against historical oppression"[7], and it also establishes the administrative procedures for identification, recognition, delimitation, demarcation, and titling as necessary steps to be completed before the final granting of land ownership to quilombola communities.

Further examples of public policies directed toward quilombola communities include the Brazil Quilombola Program (2004) and the Quilombola Social Agenda, established by Decree No. 6,261/2007, aimed at implementing actions in the areas of land access, infrastructure, quality of life, productive inclusion and development, rights, and citizenship. Also in 2007, Ordinance No. 98 established the creation of a General Registry of Quilombola Communities and the procedures for issuing certificates of self-identification by the Palmares Cultural Foundation. In the same year, Decree No. 6,040 instituted the National Policy for the Sustainable Development of Traditional Peoples and Communities.

Despite the approval of various legal instruments and the creation of public policies directed toward the quilombola population in recent years, in practice, we observe that the process of

[6]Available at https://www.senado.leg.br/atividade/const/con1988/ADC1988_08.09.2016/art_68_.asp#:~:text=68%20(ADCT)&text=68%20(ADCT)-,Art.,emitir%2Dlhes%20os%20t%C3%ADtulos%20respectivos. Accessed on: 11/30/2020.

[7] Available at: http://www.planalto.gov.br/ccivil_03/decreto/2003/d4887.htm. Accessed on: 11/30/2020.

recognition of these communities remains extremely slow, and as a result, their access to basic rights continues to be severely limited. According to Marques and Gomes (2013):

> The issue of quilombola groups' right to territoriality remained absent from the broader public agenda from the abolition of slavery in 1888 until the 1988 Federal Constitution. This omission led to a deficit in the recognition of their rights and to an accumulated demand for the effective realization of quilombolas' territorial rights (MARQUES; GOMES, 2013, p. 138).

According to the authors, the notion of citizenship established in Brazil—beginning in the colonial period and continuing through the Empire and the Republic—allowed for the unequal treatment of different categories of citizens, shaped by factors such as economic status (wealth), race, education, and gender. As a result, Brazilians have historically experienced differentiated citizenship, with some being treated as first- or second-class citizens. This has led to a gradation of rights, benefiting some while disadvantaging others in terms of the full development of citizenship.

Quilombola communities, in particular, continue to bear the weight of stereotypes and what Almeida (2002) refers to as a "frozen" or static view of quilombos, despite ongoing academic debate surrounding the concept and its redefinition, as well as the constitutional recognition of the Brazilian state as both multicultural and pluriethnic (MARQUES; GOMES, 2013).

The 1988 constitutional provision, as well as Decree No. 4,887 of 2003, has been subject to various interpretations, especially when associated with the colonial-era category of quilombo, often viewed negatively (linked to criminality), and also used in attempts to delegitimize the legal instruments that protect quilombola rights ultimately obstructing their ability to claim what is rightfully theirs. According to the report "Racism and Violence Against Quilombos in Brazil", organized by the National Coordination of Articulation of Black Rural Quilombola Communities (CONAQ) and the organization Terra de Direitos, only 116 land titles had been granted to quilombola communities by 2018, out of more than 3,000 communities officially recognized by the State. This is an extremely small number, constrained by bureaucracy, violence, and structural and institutional racism.

In this sense, we can establish a direct relationship between the non-fulfillment of legally established rights for quilombola communities and the structural and institutional racism that has shaped Brazilian society since colonization. According to Almeida (2019, p. 51), "racism, as a historical and political process, creates the social conditions for racialized groups to be systematically

discriminated against, whether directly or indirectly." Thus, racism can be understood as stemming from the social structure that is, from the way in which various social, political, and economic relations are established. As a structuring element, racism is recognized as a foundational component of Brazil's historical trajectory, which was shaped by acts of violence and dehumanization against racialized peoples (Indigenous and Black populations). Within this historical formation, quilombos have been and continue to be the target of systematic violence by this racist structure. According to the report *"Racism and Violence Against Quilombos in Brazil"* (2018):

> Racism is a structuring element of these forms of violence whether institutional racism, evident in the historical denial of land access to enslaved Black people and their descendants, or epistemic and economic racism, which deems Black lives disposable and, therefore, not fully human. The economic and political elite mostly composed of white men and descendants of slaveholders maintains a system of privilege and wealth built upon the exploitation of Black labor and the systematic denial of access to public policies and resources for Black populations. Both the invisibility of this violence and the State's failure to respond or hold perpetrators accountable for so many deaths are clear manifestations of institutional racism. (*Terra de Direitos; National Coordination of Articulation of Black Rural Quilombola Communities,* 2018).

By understanding racism as a structuring axis of our society, we can identify elements that hinder the Black population's access to resources and basic rights, and how racism ultimately determines the place of Black people within the political system and the configuration of social classes. This group is subjected to various forms of violence, with land disputes as a central issue. Quilombola territories are frequent targets of real estate speculation, land grabbing (grilagem), and agribusiness sectors that wield considerable influence in the national political arena.

As a reflection of the structural racism embedded in Brazilian society and institutions, Decree No. 4,887 of 2003 had its constitutionality challenged through a Direct Action of Unconstitutionality (ADI) filed by the former Liberal Front Party (PFL), now known as Democrats (DEM). In the petition, the party argued that the decree distorted the constitutional text by interpreting Article 68 of the Transitional Constitutional Provisions (enacted on October 5, 1988) as a basis for recognizing quilombola occupation, taking into account only the geographical dimension, while disregarding the anthropological one.

The DEM's claim was supported by entities linked to agribusiness, which had a direct interest in obstructing the titling of quilombola lands. After fourteen years of legal proceedings, on February

8, 2018, the justices of the Federal Supreme Court (STF) upheld the legitimacy of Decree No. 4,887, reaffirming the rights of quilombola communities to claim and secure possession of their lands.

The report organized by CONAQ (National Coordination of Articulation of Black Rural Quilombola Communities) and the human rights organization Terra de Direitos[8] eveals that in 2017, 18 quilombolas were murdered, representing a 350% increase compared to 2016. In addition to the killings, the report addresses other forms of violence suffered by quilombola communities, including threats, torture, unlawful imprisonment, forced evictions, destruction of homes, abuse of authority, contamination of rivers due to pesticide use by agribusiness landowners, and denial of access to goods and services. The report also identifies several contexts of conflict involving quilombola territories, namely: real estate speculation, large landholdings (latifúndio), socio-environmental megaprojects, and institutional racism. Among these, the report indicates that the last three account for the majority of rights violations experienced by quilombola communities. The perpetrators of such violence include State agents (police and other branches of government), private actors (companies, landowners, or their employees), and individual agents).

According to the report, incidents of violence against quilombola communities are more frequent in territories that are in the early stages of land regularization. This includes areas that have already been certified as quilombola communities, as well as those with a Technical Report for Identification and Delimitation (RTID). These patterns represent ongoing attempts to render quilombola ways of life invisible, to weaken them, and even to eradicate them.

The aforementioned organizations also highlight the setbacks concerning land concessions for quilombola communities, as well as the rollback of public policies aimed at promoting racial equality both of which are presented as examples of the structural and institutional racism that operates within the Brazilian state. Thus, we can observe that quilombola communities remain in a situation of vulnerability, as their lives, culture, identity, and means of survival are continuously subjected to

[8] TERRA DE DIREITOS (Ed.); NATIONAL COORDINATION OF ARTICULATION OF BLACK RURAL QUILOMBOLA COMMUNITIES – CONAQ (Ed.). *Racism and Violence Against Quilombos in Brazil*. Curitiba: Terra de Direitos, 2018.

attacks driven by racism and by the economic interests of groups that operate freely within the spheres of power.

In the historical struggle against prejudice and discrimination, the fight against racism and its various individual and social manifestations as well as the engagement of governmental and non-governmental human rights institutions has played, and continues to play, a critical role in the emergence of public policies aimed at equity, and in the establishment of legal and political frameworks with emancipatory and egalitarian purposes. The implementation and effectiveness of such measures, however, depend on continuous oversight and accountability by these same socio-political agents, among whom socially marginalized groups must assume decision-making roles. In many cases, legally competent authorities are either unable to fully respond to the complexity of the demands or, lacking a decolonized perspective or influenced by the very prejudices they claim to oppose end up reinforcing the conditions that confine Black people to the places historically imposed on them by Eurocentric logic.

Reflecting on the various classificatory processes that shape socioeconomic and educational data regarding specific populations such as quilombola communities requires an increasing commitment to expanding the terminology used to describe these groups. Such terminological shifts should be understood as a positive distinction in the broader context of recognizing the historical and cultural values of these communities. Beyond their symbolic importance, these socioeconomic and educational data can support the implementation or revision of existing public policies aimed at combating racism.

Final considerations

In this text, our primary concern is to question the meaning of Brazil's "independence" in its bicentennial year, specifically for the Indigenous peoples and all other peoples who arrived here as enslaved individuals. This question emerges from, and in, the present—especially in light of the structural racism that permeates social relations, sustaining the denial of rights won through the struggles of Indigenous and Afro-Brazilian peoples. Although these victories are guaranteed by law, they are not effectively translated into social practices that contribute to the process of true independence for all Brazilians. Our reflection encompasses the historical origins of quilombos, the relations of quilombola identification, structural racism, and its predatory impact on Brazilian

quilombola communities. We also address the stereotypical and distorted views of quilombos, still widely spread in our society, which foster various prejudices and serve as obstacles to the fulfillment of quilombola rights.

These negative stereotypes are propagated through education when the provisions of Law No. 10,639/03 and the Curricular Guidelines for Ethnic-Racial Relations Education are not properly applied, particularly with regard to the promotion of anti-racist education, and the importance of teaching the history of Africans and Afro-Brazilians throughout the country's history. They also aim to positively address Brazil's cultural and ethnic diversity, deconstructing the racial hierarchies established by European colonizers. Negative stereotypes may even be reproduced in schools located within quilombola territories, especially when the aforementioned laws and the Curricular Guidelines for Quilombola School Education, as established by the National Education Guidelines and Framework Law (LDB), are not fully implemented.

We also find these stereotypes in our power circles, which continue to reproduce the colonial logic in contemporary society, imposing a condition of subalternity on racialized peoples. Prejudices against quilombolas are directed not only at their skin color but also at their culture and territoriality, which significantly impacts the formation of quilombola identity.

Grada Kilomba teaches us that:

> [...] a society that lives in denial, or even in the glorification of colonial history, does not allow new languages to be created. Nor does it allow for accountability. It is not morality, but accountability, that creates new configurations of power and recognition. Only when power structures are reconfigured can the many marginalized identities also, finally, reconfigure the notion of knowledge (KILOMBA, 2019, p. 12-13).

Learning about the history of quilombos in Brazil, especially in quilombola schools, can contribute to making Black protagonism known and recognized as a struggle and identity. According to Silva and Araújo (2019, p. 199), "the racist and criminalizing nature established by Portuguese colonization for the term quilombo has transformed it into a symbol of freedom, transgression, revolt, and identity, being reclaimed as a term forged by the gathering of multiple Black peoples and anti-racist struggle." The quilombola movement has been redefining the term quilombo, just as the concept of Blackness was redefined in the past, seeking to strengthen Black communities and their ethnic and territorial belonging, so that these groups can together challenge established powers and ensure the rights of quilombolas as provided by law.

In this sense, we revisit Nascimento's (2018) thought, where she argues that the quilombo carries an ideological connotation through which individuals come together and begin to fight for better living conditions. Beatriz Nascimento understands quilombos as a cultural, socioeconomic, and political continuum that, therefore, does not disappear with the abolition of slavery. Black people gathered and continue to gather, regardless of the past slaveholding system, and resist against racism. Structural and Institutional Racism have been significant obstacles for Black and quilombola people in their process of recognition and the realization of their rights. The contemporary anti-racist, Black, and quilombola struggle focuses on the cultural, ethnic, and territorial recognition, as well as the equality of rights for all, so that democracy can genuinely be realized in Brazil.

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Recebido em: 11/07/2022

Aprovado em: 22/08/2022